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REPORTS

FROM

COMMISSIONERS:

TWENTY-NINE VOLUMES.

—*(21.)*—

ELECTIONS—*continued.*

CASHEL; LONDONDERRY; SLIGO.

Session

8 *February* —— 10 *August* 1870.

VOL. XXXII.

1870.

REPORTS

FROM

COMMISSIONERS:

TWENTY-NINE VOLUMES.

—(21.)—

VOL. XXXII.

REPORTS FROM COMMISSIONERS:

1870.

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REPORT

OF THE

COMMISSIONERS

APPOINTED UNDER THE ACT OF THE 15TH AND 16TH VICTORIA, CAP. 57,

FOR THE

PURPOSE OF MAKING INQUIRY

INTO THE EXISTENCE OF

CORRUPT PRACTICES

AT THE LAST

ELECTION FOR CASHEL,

TOGETHER WITH THE

MINUTES OF EVIDENCE.

Presented to both Houses of Parliament by Command of Her Majesty.

DUBLIN:
PRINTED BY ALEXANDER THOM, 87 & 88, ABBEY-STREET,
FOR HER MAJESTY'S STATIONERY OFFICE.

1869.

C 9

COMMISSION.

VICTORIA R.

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to Our trusty and well-beloved GEORGE WATERS, Esquire, one of Our Counsel, CONSTANTINE MOLLOY, Esquire, Barrister-at law, and WILLIAM GRIFFIN, Esquire, Barrister-at-law; greeting.

Whereas the Lords Spiritual and Temporal, and Commons, of the United Kingdom of Great Britain and Ireland, in Parliament assembled, have by a joint Address humbly represented unto Us, that the Honorable Baron FITZGERALD, one of the Barons of the Court of Exchequer in Ireland, and one of the Judges selected for the Trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, has reported to the House of Commons that from the evidence at the Trial before him of the Petitions relating to the last Election for Cashel he had reason to believe that the corrupt practice of Bribery did extensively prevail at the said Election, and have humbly prayed that We will be graciously pleased to cause Inquiry to be made, pursuant to the provisions of the Act of Parliament passed in the Sixteenth Year of Our Reign, intituled "An Act to provide for more effectual Inquiry into the existence of corrupt practices at Elections for Members to serve in Parliament," by the appointment of you, the said GEORGE WATERS, CONSTANTINE MOLLOY, and WILLIAM GRIFFIN, as Commissioners for the purpose of making Inquiry into the existence of such corrupt practices.

Know ye, that We, in compliance with the prayer of the said joint Address, have authorized and appointed, and do by these presents, in pursuance of the powers vested in Us by the said Act, authorize and appoint you, the said GEORGE WATERS, CONSTANTINE MOLLOY, and WILLIAM GRIFFIN, to be Commissioners for the purpose of making inquiry into the existence of such corrupt practices in the said joint Address referred to.

Given at Our Court at Saint James's, the Twenty-third day of June, One thousand eight hundred and sixty-nine, in the Thirty-third year of Our Reign.

By Her Majesty's Command,

H. A. BRUCE.

CASHEL ELECTION INQUIRY COMMISSION, 1869.

REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

We, the Commissioners appointed in pursuance of the Act, 15th and 16th Victoria, chapter 57, to inquire into the existence of Corrupt Practices at the last Election of a Member to serve in Parliament for the Borough of Cashel, humbly submit the following Report to your Majesty :—

We proceeded, in obedience to Your Majesty's warrant, to inquire into the manner in which the last election for the Borough of Cashel, which took place in the year 1868, had been conducted, and as to whether corrupt practices were committed at that election; and having found that corrupt practices were committed at that election: We proceeded, as directed by the statute, to make the like inquiry concerning the latest previous election, which took place in the year 1865; and having found that corrupt practices were committed at that election, we made the like inquiry concerning the latest previous election for the same borough, which took place in the year 1859. Upon such inquiry we did not find that corrupt practices were committed at the last-mentioned election, and we therefore did not inquire into any antecedent election.

At the election of 1859, 109 persons voted. The candidates were Mr. Lanigan, who polled 91 votes; Mr. Carden, who polled 10 votes; and Mr. Hemphill, who polled 8.

At the election of 1865, 126 electors voted. The candidates at that election were Mr. John Lanigan, who had been elected in 1859, and Mr. James Lyster O'Beirne. Mr. Lanigan polled 40 votes, and Mr. O'Beirne 86.

We find that the election was conducted in a corrupt manner on the part of Mr. O'Beirne, and that corrupt practices were committed at that election.

We find in respect to the said election, that the persons whose names are set forth in the schedule A annexed to this report, were guilty of corrupt practices within the provisions of the 2nd sec. of the 17th and 18th Vic., cap. 102. Of these, 2 were electors.

We further find that the persons whose names are set out in schedule B annexed to this report, were guilty of corrupt practices within the provisions of the 3rd sec. of the 17th and 18th Vic., chap. 102. All these persons were electors, and the entire number of electors whom we find to have been guilty of corrupt practices in respect of the said election is 32. Besides the persons whose names are placed in the schedules, we have no doubt that a number of people, whose names we have been unable to ascertain, were guilty of corrupt practices at the election of 1865; but owing to the death of Mr. Frazer Johnson, solicitor, Mr. O'Beirne's conducting agent at that election, who seems to have been the principal manager of the corrupt practices on his behalf, and the non-attendance of Mr. O'Beirne, we were unable to ascertain the full extent of corrupt practices at that election.

It appears, however, from the evidence of Mr. J. D. White, the local partner of Mr. Frazer Johnson, that he gave 10 men £30 each on bills at that election, the money being furnished to him by Mr. Frazer Johnson, but he was unable to identify the men to whom he gave the money, being only able to state that he believed them to be voters from the Commons.

It also appeared from the evidence of Captain Graham that Mr. O'Beirne had himself stated that the election of 1865 cost him from £2,500 to £3,000, a sum very greatly in excess of any possible legitimate expenditure.

On the registry for the Borough of Cashel for the year 1868, there are 203 voters, of whom 197 are rated occupiers, 3 freeholders and 3 lodgers; 43 of the rated occupiers were added by the 31st and 32nd Vic., cap. 49, the valuation of the premises in respect of which they are rated being between £4 and £8. The Parliamentary borough contains two districts, one consisting of the town, the other being about three miles outside the town, and known as the Commons of Cashel, on which 49 voters (rated occupiers) reside, who are known as the Commoners or Commons men.

The last election for the Borough of Cashel was held on the 20th November 1868, and two candidates only went to the poll, Mr. J. L. O'Beirne, who polled 100 votes, and Mr. Henry Munster, who polled 84 ; and we find that the election was conducted in a corrupt manner on the part of each of the candidates.

We find in respect of the said election that the persons whose names are set forth in the schedule C annexed to this report, were guilty of corrupt practices within the provisions of the 2nd sec. of 17th and 18th Vic., cap. 102. Of these, 9 were electors.

We further find that the persons whose names are set out in schedule D annexed to this report, were guilty of corrupt practices within the provisions of the 3rd sec. of the same Act.

All the persons named in schedule D were electors, but as the names of two electors occur in both schedules (C and D), the entire number of electors whom we find guilty of corrupt practices is 77.

From the accounts and other evidence given before us, it appears that the amount expended at the last election as returned through Mr. Munster's expense agent, was £924 5*s*. 10*d*., besides unsettled claims mentioned in the return, of which £214 17*s*. 6*d*. have been since paid.

Mr. M. Laffan, his conducting agent, further expended about £200 not included in the above account ; and other sums amounting to £380 were also paid in connexion with the election.

About £1,100 were paid in direct bribery on Mr. Munster's side, through Mr. P. Laffan, and there were donations in charity, or for charitable and other public purposes, in or near Cashel, to the amount of about £1,000, making a total expenditure of over £3,800.

We think it necessary to refer in detail to one of these charitable donations.

Mr. Munster, previous to the election of 1868, was residing at Sheffield. He had no knowledge of, or connexion whatsoever with Cashel, his object in becoming a candidate being, on his own admission, to prevent the re-election of Mr. O'Beirne, and this object he was prepared to effect either by being a candidate himself or by paying the expenses of another. The only introduction Mr. Munster had to the borough of Cashel was through Mr. Edmond Leahy, his intimate friend, who was resident in England, but connected by family with the county of Tipperary. Through Mr. Leahy and a Mr. Dudly Byrne, who resides in the county not far from Cashel, Mr. Michael Laffan, a resident solicitor and an elector of the borough, was engaged as Mr. Munster's conducting agent.

Mr. Michael Laffan having been informed very soon after his engagement by either Mr. Leahy or Mr. Dudly Byrne, that Mr. Munster was anxious to confer some substantial benefit on Cashel, on the 15th of September, 1868, wrote the following letter to Mr. Dudly Byrne :—

" Cashel, 15th day of September, 1868.

" My dear Sir,—Since you left I have gone through a good many of the electors, and Mr. Munster's candidature has been favourably received. You should have the address issued immediately, and let him be prepared to come here the day after the races. Take care to see the address before sending it to anyone for publication. I have been talking to some of the Commissioners, and telling them that Mr. Munster, if elected, would desire to confer some substantial benefit on the town, and one of them suggested that, as they are about getting up Christian Brothers' schools, and as Mr. M. is so wealthy, the best thing he could do to gain a good character at the outset would be to agree to give, if returned, £400 or £500 to establish these, the money to be given back to him by the trustees if not elected. There is no doubt this would be a judicious investment—that is, if he do not mind the expensive nature of it. Mention it to him, and see how far he would be inclined to go, that I might be able to state something of the kind. I wish particularly you would come up again, say on Friday morning, in reference to John Lanigan. It would be of advantage to arrange that one of his sons should come up with Mr. Munster. It will be of considerable service to have Mr. M. identified with Tipperary people, and the Lanigans should not hesitate to pay off O'Beirne.

" Faithfully yours,

" Michael J. Laffan.

" Captain Byrne, Sorrel Hill.

" Take care to see that any letters I write you are sealed with (D. L.), and the seal unbroken.—M. J. L."

Mr. Dudly Byrne enclosed this letter in the following letter written by him to Mr. Leahy on the 17th September :—

" Sorrel Hill, Templemore, 17th September, 1868.

" My dear Edmond,—I have just received your note of yesterday. I now enclose two letters I have received from Mr. Laffan, who is very hopeful of our success. He suggests in his first note to give a subscription, conditionally, to assist in building the Christian schools ; now, my opinion is this, that by so doing you would have the votes of every respectable man of the O'Beirne and Lanigan party in the borough, and, as a consequence, care very little for money hunters of both sides. I mentioned to Mr. Laffan that Mr. O'Beirne was returned as a large creditor by the Messrs. Gurney and Co. ; now he writes to me to procure the schedule of the creditors, and he says he will make good use of it. Let me hear fully from you by Saturday, for nothing like following up the matter with spirit, and I have no doubt of the result, that we will see your

friend the M. P. for Cashel in the next Parliament. If possible, I will run up to Dublin on to-morrow to get John Lanigan to send his son to Cashel to aid us; he cannot refuse to wipe out O'Beirne.

"Ever yours, sincerely,

"DUDLY BYRNE.

"E. LEAHY, esq.

"Return to me the enclosed.

"TOWN COMMISSIONERS, CASHEL.

"John Mullins, Lanigan.	William Corby, Lanigan.	William Phelan, O'Beirne.
"Pat. Phelan, Lanigan.	Dan Laffan, retained Lanigan.	William O'Sullivan, Lanigan.
"James Heaney, retained.	Michael Dwyer, Lanigan.	Andrew O'Meara, Lanigan.
"Dan Ferris, Lanigan.	Con Carroll, Lanigan.	M. Dwyer, Lanigan."

Mr. Leahy laid these letters before Mr. Munster on the 19th, who on the same day drew a cheque for £400 on the Sheffield Bank in favour of Archbishop Leahy, the Roman Catholic Archbishop of the diocese in which Cashel is situated, which Mr. Munster on the same day handed to Mr. Edmond Leahy, who was with him in Sheffield, and who is the brother of the Archbishop. This cheque was never used by the Archbishop, nor does it appear ever to have been cashed. On the 19th September Mr. Munster wrote to Mr. Laffan the following letter :—

"Sheffield, Sept. 19th, 1868.

"MY DEAR MR. LAFFAN,—I am quite shocked that in your kind caution for me you should have thought it necessary to secure a sort of *quid pro quo* in any case for me *in quasi* return for anything I may like to do for the excellent Christian Brothers in your town. 'Longe meâ discrepat istis et vox et ratio.' Such has never been my manner and, please God, never will be. Even in dealing with laymen I always prefer to suppose that there is honour on both sides, but in a matter concerning men serving God and religion *procul absit.* God forbid that I should offer them not a bargain, but even the semblance of one; 'tis Cæsar's wife, you know. When you know me better you will comprehend the almost ludicrous aspect it bears in comparison with my notions of what is proper. As for yourself, my dear sir, something of the same feeling exists. If I am rightly informed you wish, in case your work should be too light to stipulate for a fee of £105; if so, it seems quite a reasonable thing to me, and I should prefer if that is so, and you will say so to me, to send you my cheque at once for that amount. Of late I have (for reasons you will hear) been prepaying everybody, nor have I the least fear but that, in the hands of a gentleman like yourself, to whom my friend Mr. L. has thought fit to confide my interests, I shall find no diminution of zeal.

"I am yours truly,

"(Signed,) H. MUNSTER.

"P.S.—My views about the Christian Brothers' schools are so large that they will require a special ambassador. I think I shall have a bargain to propose, but I trust not a corrupt one.

"(Signed,) H. M."

On receipt of this letter, Mr. Laffan abandoned the idea of a conditional gift, and stated that Mr. Munster would make a donation without any conditions. Nothing more appears to have been done with reference to the matter until after Mr. Munster came to Cashel on the 16th of October. On a subsequent day some of the Town Commissioners came to Abbeyview, a residence which he had taken at Cashel, and after some discussion Mr. Munster, in substitution for the cheque for £400 already mentioned, drew another cheque for the increased sum of £500, payable to Mr. Edmond Leahy, to be indorsed by him to Archdeacon Quirke, the parish priest of Cashel (who is not a voter), to be used by him in introducing the Christian Brothers into the town, if certain premises which were then mentioned were found suitable for the schools, the only further condition being that the Christian Brothers should be brought into the town within a limited time.

Taking the whole of these transactions together, we have no doubt that though Mr. Munster rejected the proposition of the condition that the money should be returned in case of his non-election, yet the donation was still an "investment," and his object or his principal object in giving it was to influence the electors in his favour. We find that he gave it because he thought the gift was calculated to induce voters to support him, and to obtain influence in favour of his return; and we find that this transaction constitutes corrupt practices on Mr. Munster's part.

Besides this donation to the Christian Brothers, about £500 more were given in contributions to charities and public purposes, and Mr. Munster at the beginning of his canvass lodged £5,000 in the National Bank at Cashel, the voucher for which was exhibited by his conducting agent to electors and others. The reputation so acquired of being a very rich man, and his lavish expenditure in charities and otherwise, operated on and were assigned as a reason for supporting Mr. Munster by more than one witness.

Direct bribery on Mr. Munster's side does not appear to have commenced until the Monday before the election, but Mr. Munster himself previously directed what he termed "a step in the direction of purity of election," which was the retaining as his agents, by a fee of five guineas each, as many of the voters believed to be venal as could be engaged, so as to prevent their voting at either side. Mr. Munster stated that he desired that

this should be done with venal voters, without respect to the side for which they were inclined to vote; but his agents would appear to have selected parties whom they believed to be hostile. Baron Fitzgerald, before whom this practice was exposed on the hearing of the election petition, decided that this system of retainers did not constitute corrupt practices. The evidence given before us upon this matter was substantially the same as that given before the learned judge, and we consider this question closed by his decision.

Mr. Patrick Laffan, the brother of Mr. Munster's conducting agent, was the person who principally managed the direct bribery on behalf of Mr. Munster. He got from Mr. Edmond Leahy £350, which Mr. Leahy procured from Mr. Michael Laffan, and on his applying for more, Mr. Leahy told him to go to Thurles (a town nine miles distant) to a house there, where a sum of £600 would be left for him. He went accordingly on the 15th of November, and got the money. We have not been able to ascertain where Mr. Leahy procured this sum. Mr. Laffan also got a further sum of £300 from Mr. Dudly Byrne. That was given to him by Mr. Dudly Byrne out of a sum of £1,000 which Mr. Byrne got from Mr. Munster. Mr. Munster's account of this matter was (answer 16427), that on the night of the 16th of November, at about eleven o'clock, when he was retiring to rest, Mr. Byrne abruptly asked him for the loan of £1,000, and that after about a minute's consideration he gave Mr. Byrne a cheque for that amount, taking as the only security for it then or afterwards Mr. Byrne's I. O. U. Mr. Byrne's account varied from Mr. Munster's in this respect, that according to his recollection he only asked for a loan of £400 or £500 (answer 17864). This transaction occurring a few days before the election, was a very suspicious one, but we do not find that Mr. Munster was aware of Mr. Byrne's object in obtaining the money, or that he knew that it was to be applied in corrupt practices, or that he intended it to be so applied.

These sums, also some more moneys, in all about £1,100, were expended by Mr. P. Laffan in the direct bribery of voters, principally at the rate of from £30 to £40 a head, by the hands of a man named Larkin, who was a stranger in Cashel, and had been brought there from another part of the county by Mr. Dudly Byrne for this purpose. The persons who were to receive the money were brought up to a room in which Larkin was, having previously received an envelope from Patrick Laffan, or Patrick Cunningham (a subordinate agent), which they presented to Larkin.

Besides this direct bribery, there were some cases in which parties were led to expect that they would receive money after the election. There appears indeed to have been an idea amongst many voters, who did not get anything before the election, that, to use their own expression, "if there was anything going" after the election, "they would get their share." Accordingly a great many claims, to the number of about 30, were sent in to Mr. Munster's agents, or entered in his agents' books after the election, generally in the names of sons or relations of voters for "services at the election," the sums varying from £20 to £60. In some cases the claims were either suggested by, or actually put in for the parties without their request or knowledge by Mr. Munster's conducting agent, who gave as his reason (answer No. 6923) for doing so, that he "intended that those who voted honestly and independently," as he conceived, "should not afterwards be worse off than those who had made a corrupt bargain."

A form of corrupt practices, well known in Cashel, as appeared both before us and at the trial of the election petition, is that of taking houses from voters, which was resorted to on both sides, but more extensively on behalf of Mr. O'Beirne.

Bribery however does not appear to have been so largely committed at the last election on Mr. O'Beirne's behalf as on the side of Mr. Munster.

We could not ascertain that Mr. O'Beirne had at his disposal for the election more than £900, and of that sum about £400 were spent in hotel bills, the payment of mobs, and other expenses. Two hundred and thirty pounds we find to have been expended in bribery, and applied by Mr. O'Beirne himself, or with his knowledge.

We were unable to procure the attendance before us of Mr. O'Beirne or Mr. Edmond Leahy. We were satisfied that Mr. O'Beirne, who resides in London, was unable through severe illness to appear before us. Mr. Leahy left Ireland a few days before the sitting of the Commission, and we were informed that he went to Vienna, and thence to Constantinople. We attach the evidence given before us.

All which we humbly submit.

Dated this 18th day of December, 1869.

GEORGE WATERS.
CONSTANTINE MOLLOY.
WILLIAM GRIFFIN.

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1. Geary, Denis (elector).
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3. O'Beirne, James L.
4. White, John Davis (elector).

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1. Carew, John.
2. Carew, Michael.
3. Carew, Michael, jun.
4. Cashen, William.
5. Cody, James.
6. Condon, Patrick.
7. Cunningham, Thomas.
8. Donnell, Thomas.
9. Duggan, Patrick.
10. Dwyer, Daniel.
11. Dwyer, James.
12. Dwyer, John.
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14. Halloran, Patrick.
15. Hogan, Timothy.
16. Makey, Patrick.
17. Malochny, William.
18. Malony, John.
19. Maunsell, Patrick.
20. Malony, Daniel.
21. Meehan, William.
22. Murnane, Michael.
23. Phelan, Martin.
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26. Ryan, Denis.
27. Ryan, John.
28. Ryan, William.
29. Ryan, Michael.
30. Stapleton, Edmond.

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2. Boyton, Henrietta.
3. Byrne, Dudly.
4. Cahill, James C. (elector).
5. Cashen, John.
6. Connor, Patrick.
7. Connolly, Jeremiah.
8. Cummins, James.
9. Cunningham, Patrick, jun.
10. Dwyer, Matthew.
11. Ferris, Daniel, jun. (elector).
12. Flavin, John.
13. Geary, Denis (elector).
14. Gleeson, James.
15. Graham, John (elector).
16. Hackett, James (elector).
17. Hackett, Patrick.
18. Hogan, Edward, jun.
19. Laffan, Michael J. (elector).
20. Laffan, Patrick.
21. Larkin, Luke.
22. Leahy, Edmond.
23. Looby, Edward.
24. Meara, Andrew (elector).
25. Munster, Henry.
26. O'Beirne, J. L.
27. O Sullivan, Michael (elector).
28. Raven, Henry.
29. Ryan, Denis (elector).
30. Tracy, Simon.
31. Tracy, Catherine.

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3. Butler, Richard.
4. Carroll, Cornelius.
5. Carew, Michael.
6. Carew, James.
7. Cashen, Robert.
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29. Fogarty, Roger.
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35. Hanly, John.
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MINUTES OF EVIDENCE

TAKEN BEFORE

GEORGE WATERS, Esq., Q.C., Chief Commissioner,

CONSTANTINE MOLLOY, Esq.,

AND

WILLIAM GRIFFIN, Esq.,

The Commissioners appointed under the Act of the 15th & 16th Victoria, Cap. 57, for the purpose of making Inquiry into the Existence of Corrupt Practices at the last Election for Cashel.

Secretary, John MacSheehy, Esq.

FIRST DAY.

First Day.

Monday, October 4, 1869.

October 4.

The Secretary read the precept authorizing the inquiry.

Mr. Waters, Q.C., said—My brother Commissioners and myself, whom it has pleased Her Majesty to appoint as Commissioners to examine into the existence of the corruption that is supposed to have been practised at the last election, under the Commission that has been read by Mr. MacSheehy, our Secretary, are here now to commence that investigation. It will be our duty, under that Commission, to endeavour, by every means in our power, to ascertain whether corrupt practices prevailed at the last election for this borough; and it will be our duty to make the strictest and closest investigation that we possibly can. That investigation we shall conduct by the examination of every person who shall come under our notice as having any knowledge of anything approaching corrupt practice with reference to the last election. We have power by the Act of Parliament under which this Commission has been issued, to serve upon any person whom we think it right to examine, a summons to appear here as a witness; and under the Act of Parliament there is power given to inflict punishment on any person who disobeys the summons which is so served on him. Now, it has come to our knowledge, and is a matter of notoriety in this borough of Cashel, that at least one person who was served with a subpœna to attend as a witness at the trial of the election petition which took place here before Mr. Baron Fitzgerald, in contempt of that summons, absconded—I can use no other term—absconded and did not appear here and give evidence; and it also is a matter of notoriety that some other persons were not to be found in their usual places of abode at the time when subpœnas to attend as witnesses were being served. Now I think it right just to say a few words to the people of Cashel with reference to these matters. Any person who is served with a summons, and who does not obey the order of the summons to attend here and give evidence before us, can, as I have already said, be severely punished, and the people of Cashel are very much mistaken, and any witness who leaves his home and stays away for the purpose of avoiding being served with a summons is very much mistaken, if he thinks he will accomplish his object by going away from Cashel. We have power to send a summons to the very utmost limits of the united Kingdom, and we have power beyond that to adjourn this Commission from day to day, from week to week, from month to month, if necessary, and to wait until any person who avoids service of the summons shall be found; and most unquestionably we shall not leave anything that lies in our power undone to make witnesses attend and to arrive at the truth. Therefore, any person who leaves his home or stays away from Cashel, under the expectation that he will avoid the service of a summons, will find himself very much mistaken. Mr. Commissioner Waters.

Allow me to say another thing that perhaps may touch the feelings of the people of Cashel; it is this:—The expense of this investigation will partly fall on Cashel, and if we are obliged to adjourn and to keep this Commission hanging on from time to time—from month to month, as I have said, if necessary—it only entails so much additional expense on the ratepayers of Cashel. Therefore the more promptly every person comes before us, the sooner will this investigation be closed, and the sooner will Cashel be relieved of that expense. We are armed with very great authority by Her Majesty, and we are armed with full powers to carry out our authority here. It is well known now, and has been widely disseminated through the press, that commissions are sitting in England for the same purpose as that for which we are assembled here; and everybody has read that at some at least of those places the Commissioners have been obliged to have recourse to exceedingly severe measures. In some cases persons who were examined as witnesses have been sent for trial for perjury—committed before the Commissioners. In very many cases witnesses have been committed to prison for contempt of court, exhibited either in refusing to answer, in unsatisfactory answering, or in refusing to produce documents when required. Now, the people of Cashel and those whom we summon before us must know that we have precisely the same powers as the Commissioners that sat, and that are sitting in England; and, performing our duty under this Commission, it will be necessary for us, provided the occasion arises, which I hope will not be the case, to pursue the same course that was pursued in England; and if the occasion arises, if any witness be guilty of contempt of court in refusing to answer, or prevaricating, or not telling the truth and the entire truth, on examination before us, let every such person be assured that we will most unsparingly exercise all the powers vested in us, so as to ensure that his example will at least lead others to conduct themselves differently. I hope for the character of our countrymen, and for the character of this borough, that no such thing will occur. I have felt it my duty to let the witnesses

FIRST DAY.
October 4.
Mr. Commissioner Waters.

that come before us know what our powers are, and how we mean to exercise them. As I have said, I hope that no occasion of the kind will arise. We are here simply to investigate the truth. We shall leave no source of information that comes before us without trying whether we can elicit the truth, and I hope that the witnesses whom we shall summon before us will assist us in this investigation by frankly, fairly, and fully telling the truth and stating all they know.

There is only one other matter that I have to allude to, and that is with reference to the position which witnesses that come before us will hold. If any man, no matter how deeply he may be involved in any corrupt practices, comes before us on our summons, and frankly, and fairly, and fully tells the truth of all that he knows, it is in our power to give him a certificate which will free him from all pains and penalties of any kind whatsoever. The giving of that certificate is entirely in our discretion. Where we find a witness frankly and truthfully telling all that he knows, we will feel it our duty under the Act of Parliament to give him a certificate that will free him from responsibility. But if we see any prevarication, any withholding of the truth, any want of candour or veracity in the mode of giving testimony, we have full power to withhold the certificate, and any person from whom a certificate is withheld may be made responsible in a criminal court, not only for what he has disclosed himself on his own examination, but for anything that may be elicited in the examination of any future witness, or in the evidence afterwards elicited. Therefore it is plainly the interest of every person who comes before us, frankly and candidly to tell all he knows. He will then get a certificate that will preserve him from all responsibility of any kind whatsoever; whereas if he does not do so, the certificate being withheld, three or four days afterwards evidence may be given by another witness that may implicate the person who has already not candidly answered and from whom the certificate is withheld, and on that evidence he may be prosecuted to conviction. I once more say that I do not announce these things expecting that the witnesses who come before us will attempt to conceal the truth; on the contrary, I hope and expect that every man will tell us all that he knows. I only make these observations because I feel it my duty to let persons know the powers that are vested in us.

Mortimer Shea was sworn to use diligence in the service of summonses, and to make true answers to such questions as may be put to him.

The Hon. George P. Prittie.

The Honorable *George P. Prittie* sworn; examined by Mr. WATERS, Q.C.

1. Are you the Clerk of the Peace for this county?—I am.

2. Do you produce the register?—I produce this as a copy of the register of the last election, certified by me. [Witness hands in register.]

3. This is the register which was settled at the revision of 1868, and was in force at the last election?—It was in force at the last election, and so settled at the revision by the Chairman of the county.

4. I believe the qualification for this borough of Cashel is the qualification of rated occupiers only?—Rated occupiers and lodgers.

5. That is under the recent Act?—Under the recent Act: the rated occupiers are £4 and upwards, and there are only four lodgers who were admitted and registered by the Chairman.

6. Three lodgers?—Three or four; three I think.

7. And 200 rated occupiers?—Yes.

8. Then there is no freeman or other freehold qualification?—No.

9. Have you got the register of the former years?—I was only told to bring this.

10. Perhaps you would have the kindness to send for the register on which the election of 1865 was held?—I made a mistake in saying that there was no other qualification, I find there are three freeholders, and that they were passed at the revision sessions, that is three £50 freeholders on the last list.

11. Are you aware whether the £50 freehold gives the right of voting in the borough of Cashel?—I am not quite certain, there is a doubt about it.

12. At any rate you find them there?—I find them here. They were so allowed by the Chairman.

Mr. Gerald Fitzgerald.

Mr. *Gerald Fitzgerald* sworn; examined by Mr. WATERS, Q.C.

13. You are the sub-sheriff?—I am sub-sheriff of this county.

14. Were you sub-sheriff in 1865?—I was, since 1857.

15. Have you got the register of 1865?—I have got the register for the two years referred to, the register for the last election, and also for the previous one, given to me by the Clerk of the Peace.

16. Are they certified by the Clerk of the Peace?—They are the registers handed to me by the Clerk of the Peace, the official documents.

17. Do you produce the return of expenses furnished to you by the candidates at the last election?—I do. I now first produce one that was given to me on behalf of Mr. Munster.

18. Did you previously to the receipt of that document get the appointment of an expense agent on behalf of Mr. Munster?—I did.

19. What is the date of that appointment?—14th November, 1868.

20. What is the name of the gentleman appointed expense agent?—"George Richardson, of No. 12, Lever-street," I think it is, "in the city of Manchester, gentleman."

21. By whom was that appointment given to you?—I cannot exactly say. It was at the day of the nomination, and it was given to me probably by Mr. Richardson himself, who was there.

22. Do you know Mr. Richardson?—I do.

23. Did you see him here?—I did.

24. When did you see him last?—Not since the election.

25. When did you get the account of the expense of the election?—This account I received on the 11th February, 1869.

26. Do you recollect from whose hands you received it?—I think it came to me by post.

27. This purports to be signed by "George Richardson, 12, Lever-street, Manchester:" do you chance to know his handwriting?—Except by seeing it. I saw his handwriting once or twice, and I believe this to be the same.

28. You believe this to be his handwriting?—I believe that to be his handwriting.

29. Was Mr. Munster a candidate at the last election?—He was.

30. Mr. O'Beirne I believe was the only other candidate?—There were several proposed and seconded.

31. But eventually only Mr. O'Beirne and Mr. Munster went to the poll?—They alone went to the poll.

32. Did you receive an appointment of expense agent on behalf of Mr. O'Beirne?—I did, sir, signed by Mr. O'Beirne.

33. On what day did you get it?—On the day of the nomination.

Mr. Gerald Fitzgerald.

34. Did you afterwards get an account of the expenses from the expense agent?—Subsequent to the hearing of the petition I received it through the post.

35. At what time was the petition heard—I believe it began on Monday, 15th February?—I was going to say February: I cannot exactly charge my mind.

36. You say that subsequently to the hearing of the petition you got the account of expenses?—I received this document through the post office, with no letter accompanying it. I received it on the 22nd March, 1869.

37. Do you know in whose handwriting it is, or by whom it is signed?—I do not.

38. It purports to be signed I see by Patrick Connor. Is that the name of the person appointed?—That is the name of the person appointed.

39. You say this was received on the 22nd March: Previous to that did you receive any account of expenses from Mr. Connor or anyone on his behalf?—I did not.

40. Are you able to tell me the date of the nomination for the last election?—The nomination was on the 18th November, 1868.

41. And the polling I believe on the 20th?—In boroughs one day intervenes. The polling took place on the 20th, and the declaration the following day.

42. Was it you or the sheriff that presided at the election?—I presided, but I had also a deputy.

43. And you, I presume, examined the books and declared the poll?—The sheriff, Mr. Waldron, was here himself at the nomination: he presided at the nomination, but did not remain after.

44. Was it you who declared the state of the poll?—No, Mr. Waldron.

45. I believe he declared Mr. O'Beirne elected?—Mr. O'Beirne.

46. Do you recollect the election of 1865?—I do.

47. And you produce the register of that date?—Yes. [Witness hands in register.]

48. Who were the candidates at the election of 1865?—Mr. John Lanigan and Mr. James Lyster O'Beirne were the only candidates that went to the poll, as far as I recollect.

49. Do you produce any accounts of election expenses for that election of 1865?—This bundle of accounts and vouchers were sent to me by Mr. Laffan, sen., who was solicitor for Mr. Lanigan, and they are in the same state as when I got them. I got no money for publishing them, and of course did not publish them. [Witness hands in papers.]

50. Do these papers that you have handed in contain the nomination of an expense agent?—I think not. I have that though. The nomination of expense agent, signed by Mr. Lanigan, was dated the 13th July, 1865, and appoints Daniel Laffan, of Cashel, solicitor, agent for the payment of expenses. [Document handed in.]

51. Do you know, as a matter of fact, if Mr. Lanigan is living or dead?—John Lanigan is dead.

52. Have you any appointment or nomination of an agent for election expenses on behalf of Mr. O'Beirne, the other candidate, in 1865?—I have, of the same date signed by Mr. O'Beirne, and nominating John Davis White agent for the payment of expenses—same election.

53. Did you receive from the agent, for election expenses of Mr. O'Beirne, an account of expenses of the election of 1865?—I received an account; I think from Mr. Johnson, who was acting as his solicitor.

54. This account which you produce is not signed?—No, sir.

55. Are you able to say in whose handwriting it is?—Well, I am not able to say in whose handwriting it is.

56. Do you recollect the fact of getting it from Mr. Johnson, or from whom did you get it?—(Witness peruses a letter.) There is no reference to it in the letter that I was under the impression it came with. There is no reference to it. What I thought was that I got it from Mr. Johnson.

57. I understand you to say this is the only account that you got of the expenses of Mr. O'Beirne?—The only account I got.

58. And are you able to say, from recollection, how you got it, whether by post, or whether it was sent to you?—I should think by post.

59. And you have not the letter that accompanied it?—I have not.

60. Did you receive any of those documents from anybody else but Mr. Johnson?—Not that I am aware of. That was given to me long after the election.

61. So it appears by the date?—I had to apply several times that the Act of Parliament might be complied with.

62. To whom did you apply?—I applied to Mr. Johnson.

63. Mr. Johnson, I believe, is dead?—He is.

64. Have you any doubt that that document came from Mr. Johnson?—I have no doubt about it.

65. You reside, I believe, in Clonmel?—I reside in Clonmel.

66. Are you able to give my brother Commissioners and myself any information whatever as to anything connected with the last election for the borough of Cashel?—Except officially, I know I think, nothing about it.

67. Is there anything in your official knowledge that would serve the ends of this Commission of inquiry with regard to corrupt practices?—I know nothing about it except being in court during the poll, and at the trial of the election petition, and hearing all the evidence.

68. Are you acquainted with Mr. O'Beirne's handwriting?—I am.

69. Is that in his handwriting (witness is handed letter, dated 2nd October, 1869, addressed to E. R. Conron, esq., and signed "J. Lyster O'Beirne")?—Comparing it with his other signatures, and from my recollection of it, I believe it to be his.

Mr. *John MacSheehy* (Secretary) sworn; examined by Mr. Waters, Q.C.

Mr. John MacSheehy.

70. You produce the copy of poll book furnished by the Clerk of the Crown and Hanaper?—Yes; the poll book for the election of 1868 ordered by me and certified at the end.

Simon Tracey, of Cashel, was called, but did not appear.

Mortimer Shea recalled; examined by Mr. Waters, Q.C.

Mr. Mortimer Shea.

71. You have been sworn?—Yes sir.

72. Recollect the oath you have taken to-day to tell the truth to every question put to you during the whole course of this inquiry. Do you know Simon Tracey?—Well, sir.

73. Do you know where he lives?—Yes, sir.

74. When have you seen him last in Cashel?—I have seen him on Wednesday evening, your worship.

75. That is last Wednesday?—Last Wednesday evening.

76. How did you serve the summons that you got for him?—I called there on Wednesday evening three times.

First Day.
October 4.
Mortimer Shea

77. How soon had you seen him before you called to his house?—About less than two minutes.

78. Where was he?—He was at Mrs. Dunne's hotel, outside her door.

79. Had you then a summons against him?—I had the summons with me, but it was so dark, your worship, that I turned to the light to pick out the copy that I had for him, and as soon as I came back he was gone, and I pursued him, and I saw a man that it appeared to me was Tracey going to his own house, and I went there and they denied him.

80. How far is outside Mrs. Dunne's door where you saw him, from Tracey's house?—About fifty perches.

81. You say you "pursued him" from Mrs. Dunne's hotel up to his own door?—Yes.

82. And you saw a man go in the door?—Yes; I have no doubt it was he, to the best of my belief.

83. Whom did you see at his house when you inquired for him?—His sister-in-law.

84. Do you know her name?—I do; Ellen Casey.

85. You served her with a copy of this summons?—I did the following morning.

86. You inquired for Simon Tracey?—I did the day before I left her the summons.

87. What answer was given to you?—She told me that he was not to be seen, nor neither his wife.

88. At what hour was that?—About 8 o'clock on Thursday morning.

89. Did you not ask for him on Wednesday night?—I did, your worship.

90. Whom did you see on Wednesday night?—The sister-in-law.

91. What answer did she give you?—She told me he was gone up towards Mrs. Dunne's looking for a friend of his.

92. When did you call again?—In about half an hour after that.

93. Was it the same person you saw?—The same person.

94. What did she say then?—She said he didn't call in since.

95. Did you call any more that evening?—I did some reasonable time, about half an hour or twenty minutes after that.

96. Whom did you see on the third occasion?—The same woman.

97. What answer did you get?—The very answer that he didn't come in.

98. Then when did you call next?—Next morning about 8 o'clock—Thursday morning.

99. Whom did you see in the house then?—The sister-in-law.

100. What answer did you get to your inquiry for Simon Tracey?—I asked her, "Is the governor in? did he get up out of bed yet?" "No, he is not in," said she. "Is it to mass he's gone?" said I to her. "No," said she, "himself and the wife are gone to market to Tipperary; you cannot see him." I considered then it was only a mock all the time, and I left the summons.

101. Have you seen Tracey since then?—No.

Simon Tracey was again called, but did not appear.

Michael Keeffe.

Michael Keeffe sworn; examined by Mr. Waters, Q.C.

102. Did you see Simon Tracey this morning?—He was in my house this morning.

103. At what hour?—Between 9 and 10 I think, your worship.

104. Did you see him yesterday?—I did not, sir.

105. The day before?—No, I did not, sir.

106. Had you any conversation with him?—Yes, I had, sir, on this business.

107. About this business?—Yes, sir.

108. Did he tell you he had been served with a summons?—He told me he was.

Adjourned.

Second Day.
October 5.

SECOND DAY.

Tuesday, October 5, 1869.

Simon Tracey.

Simon Tracey, sworn; examined by Mr. Waters, Q.C.

109. Why did you not appear here yesterday?—I wasn't exactly aware I would be called on as the first witness. I was coming up when I found the Court was over.

110. Did you get the summons to attend here?—I did.

111. Did you see the day named in the summons?—I did sir, but I was busy in the shop. I intended to come up yesterday.

112. You swear that you intended to come up yesterday?—I swear I intended to come up yesterday. I was coming up.

113. I accept your explanation as you give it now. I am very glad to be saved the unpleasantness of doing something that certainly would be an example to all others?—I am very sorry.

114. Were you summoned to attend as a witness before the judge here on the trial of the election petition?—I was.

115. Did you attend in obedience to that summons?—No.

116. Where did you go to?—To London.

117. Did you do that of your own accord or at the suggestion or by the advice of any person?—I adopted that course at my own suggestion, for to do my own business in London.

118. Did you consult with anyone before you went away about your going from this?—No; I had business of my own to do and went to London to do it.

119. What trade are you in?—Dealing in old and new clothes.

120. Were you supplied with money by any person in order to go to London then?—No.

121. Were you repaid any expense you were put to in going to London, since then?—No.

122. Now, I ask you again, were you in communication with anyone, with reference to going to London and avoiding giving evidence on the trial of the election petition here?—No.

123. By letter or otherwise?—No.

124. You were not in communication with any one—No. I was in communication with my wife on my own business.

125. Now, you told me you went to London on business. Were you not back here in Cashel from your London business before the trial of the election petition was over?—I was.

126. Why did you not come up for examination?—I found my name was called, and my business wasn't transacted in London—wasn't finished in London at the time I left. I went back to London to finish my business when I found my name was called.

127. How many days were you here after your return before you went back?—Only a day.

128. Were you in communication with anyone about election matters on that day? Not as know, but my wife.

129. Were you, with anyone but your wife?—No, on election matters.

130. Are you sure you were only one day at home?—That is all; I left the next day.

131. You will have to be careful in your recollection, because we have the evidence that was given here before the judge. I believe you are not an elector of Cashel?—No.

132. Have you ever been an elector of Cashel?—No.

133. Were you engaged at the last election for either of the candidates?—Yes.

134. For whom?—James Lyster O'Beirne.

135. When did you first become engaged for him in the election?—About seven or eight weeks before the election took place.

136. Did that engagement result from a written communication from Mr. O'Beirne or from a verbal communication?—A verbal communication; he was in town at the same time.

137. Then you heard nothing from him until he came to town?—No.

138. How much money did you get from Mr. O'Beirne before, during or after the election?—I got no money from him, but I got a cheque for sixty pounds.

139. Did you get only one cheque?—That is all.

140. What became of that cheque?—I destroyed it.

141. When?—I found it was no good in the bank.

142. When, I ask you?—Some time after the election.

143. About how long after the election?—Three weeks or a month.

144. That was in the interval between the election and the petition?—Yes.

145. What was the date of the cheque?—Well I cannot exactly swear.

146. As well as you can recollect?—Some time in the month of February, I think.

147. Do you understand my question?—I do, sir.

148. What was the date of the cheque?—I cannot exactly swear the exact date of the cheque, but I think it was in the month of February.

149. Do you mean February, '69?—Yes, February, '69.

150. Do I understand you to say you got it in November?—No.

151. You said you got a cheque from Mr. O'Beirne for £60; what was the date of it?—It was dated some day in February, '69. He retained me about six, or seven, or eight weeks before the election to convass for him.

152. He retained you?—He kept me as an agent. He didn't give me the cheque until the time of the election.

153. Now, are you quite sure of the date of the cheque; you got that cheque in November?—I did not get the cheque until February, in or about I think to the best of my knowledge some part of the month of February. I think it must be about the 26th February the cheque was dated.

154. You recollect the date then?—Something in or about that time.

155. Now, Mr. Tracey, recollect yourself—did you tell me that you destroyed the cheque in the interval between the election and the election petition?—Yes.

156. How could you have done that if you did not get the cheque until the 26th February, when the election petition was tried on the 26th February?—Between that and the election petition.

157. You say you did not get the cheque until the 26th February?—I destroyed that cheque some time after the election.

158. Did you tell me a minute ago that you did not get the cheque until the 26th February?—I think it was in or about February I got the cheque, sir.

[The shorthand writer reads questions and answers numbered 153, 154, and 155.]

159. Think of yourself now, and see if you can explain or reconcile your statements?—The time I got the cheque is at the time of the election taking place.

160. Then you wish to alter your answer?—I wish to alter the answer. At the time of the election taking place I got the cheque.

161. Perhaps you wish to alter the date of the cheque?—It was dated, I think, the time of the election. I think it was about the time of the election it was dated.

162. You say it was dated about the time of the election, and that you got it at the time of the election?—I got it at the time of the election, within a week or so.

163. You had better be careful?—I wish to be careful.

164. You have not shown a great result of care in the way you have given your answers up to this. You said the amount of that cheque was £60?—Yes.

165. Why did you not present the cheque for payment?—I presented the cheque to know was it good.

166. When?—Some time after getting it.

167. To whom?—To Mr. O'Brien.

168. Is he the teller at the bank?—The teller at the bank.

169. That is Mr. William James O'Brien?—Yes.

170. You say you presented it to him in the bank?—I presented it to him in the bank to know was it good.

171. What answer did you get?—He told me that it was.

172. Why did you not then take the money?—I didn't want it.

173. Did you ever present it again?—No.

174. When you found the cheque was good why did you never present it again?—I didn't want the money.

175. What was the money given to you for?—For my services.

176. For yourself?—Yes.

177. And do I understand you to say that that money was given to you for your services and was for yourself?—Yes.

178. To apply to your own purposes?—To my own purposes.

179. You went to the bank and ascertained that it was good?—Yes.

180. You were told it was?—Yes.

181. And you never cashed it?—I never cashed it.

182. Why did you take it?—Because I was doing business for Mr. O'Beirne when I took it.

183. Did you intend to cash it after a time?—I intended to cash it after a time. I was depositing money the time I went to see was it good.

184. Did you intend to convert it into cash at the time you took it from Mr. O'Beirne?—I did.

185. Give me any reasonable explanation why you did not cash that cheque?—I didn't want it at the time.

186. And then you destroyed it?—When I found he closed his accounts in the bank it was no value.

187. When did you find that?—Some time afterwards.

188. I ask you did you ever present that cheque again?—No.

189. How did you know it was of no value?—People in the town told me his account was closed. I had occasion often to go to the bank on my own account and then I found his account was closed.

190. From whom did you learn that his account was closed?—From every person in town.

191. Did you ever write to Mr. O'Beirne to ask for payment of that cheque?—No.

192. Did you canvass any person for Mr. O'Beirne?—I did.

193. Whom did you canvass?—Several about.

194. I want their names?—I canvassed a party of the name of Kennedy.

195. Where does he live?—In Friar-street.

196. Is that Thomas Kennedy?—Thomas Kennedy.

197. Who else?—In fact I canvassed every one in the borough. I asked them for their vote for Mr. O'Beirne. I didn't select one person above another.

198. Did you canvass generally for him?—Generally for him.

199. Did you canvass on the Commons?—Yes.

200. With whom did you go there?—With Mr. O'Beirne and others canvassing.

SECOND DAY. *October 5.* Simon Tracey.

201. How often did you go there?—Three or four times.

202. Did you go four times or more?—Something about three or four times. I used to go out there along with the rest of the people.

203. Who were the people you went with?—People from Cashel on the cars.

204. Did you ever go there by yourself?—No.

205. During the course of the election did you hear of any money going?—I heard of money rumoured about going.

206. With reference to whom?—I didn't hear reference given to any person in particular.

207. With reference to whom; you are sworn to tell the whole truth?—I heard of no people giving money particularly, but I heard money spoken of.

208. Mention to me the names of any men whose names you heard rumoured in connexion with money?—I couldn't give you any names.

209. Do you swear on your oath that you do not recollect the name of any man whose name you heard rumoured?—I cannot mention any names.

210. Do you swear on your oath that you do not recollect?—I do, sir.

211. Did you ever go the Commons by yourself, or go into any house there by yourself?—No.

212. Tell me the name of any man whose house you went to there?—I never went to the Commons by myself.

213. Answer my question; tell me the name of any man whose house you went to there?—I cannot exactly mention the names of the houses. I went to their houses along with the rest.

214. Do you mean to say you do not recollect the name of any man to whose house you went canvassing about the election?—I went along with the crowd.

215. I will commit you if you do not answer. I ask you again to tell me the names of any persons to whose houses you went, in the Commons, canvassing about the election?—I went to a person of the name of Connor's house.

216. What name besides Connor?—Patrick Connor.

217. Anybody else?—There are other houses, but I cannot mention the names.

218. Is that the only name you recollect?—I went to his house.

219. Attend to my question and answer it. Is Patrick Connor the only name you recollect?—That is the only name I recollect. I went along with all the rest, in and out.

220. Who are all the rest?—There are a good many voters in the borough of Cashel, and the whole lot of us went out to canvass the houses in the borough. I went along with the rest of them, in and out. I didn't make a selection of any house.

221. Are there many voters in the Commons?—Thirty-two or thirty-three, I think.

222. Do you swear you do not recollect any name but that one?—I do not recollect, for I didn't make a selection.

223. Did your wife tell you that any person had been with her about votes?—She did.

224. What person?—She told me there was a person of the name of Rochford, after Rochford being there some time.

225. Now, sir, did you go to Rochford's house?—I was passing by Rochford's door.

226. Answer my question: did you go to Rochford's house?—I did.

227. On your oath did you forget that when I was pressing you to tell me any names?—The Commons you alluded to, sir.

228. Where does Rochford live?—In Canopy-street, Cashel.

229. What did your wife tell you Mrs. Rochford came to her about?—She told me, the time of the election, that Mrs. Rochford came to know would she get money from me if her husband gave his vote in favour of Mr. O'Beirne.

230. Was it after you heard that from your wife that you went to Rochford's house?—No, I was in Rochford's house before that.

231. Did you see Rochford or speak to him in his house or anywhere else, after you heard what you have now told me from your wife?—No.

232. Did you ever see Rochford afterwards?—I see Rochford—I wasn't talking to Rochford after my wife told me. I see Rochford at his own door, before that, on the same evening that his wife was with my wife. I was at Rochford's door before my wife told me.

233. You say you saw him at his door?—At his own door.

234. And you went into his house?—I did. The wife was after coming in it seems from my wife, and she called me in to her and out in her back yard.

235. What took place between you and Rochford's wife there?—She asked me could I give her any money, telling me that Mr. Munster's agents or parties were giving money. I told her that I could give her no money, that I never got money, and I could give her no money.

236. You told her you got no money, and that you could give her none?—Yes.

237. Was there anyone else there at the time besides Mrs. Rochford and her husband?—They tell me there was a party of the name of Meara, but I have no recollection of his being there at the door. There was no one talking to me out at the yard but Rochford's wife.

238. Then did you go out of the house to the yard?—I went out of her house into her back yard.

239. Was it at her request?—At her request; she called me out.

240. Leaving the husband?—Leaving her husband at the door where I was talking to her.

241. Did you then come back to the husband?—No, the husband came in and sat by the fire, and I went straight right out.

242. Did you not say a word to the husband?—No, he was after giving me his answer before that, that he would vote for Mr. Munster and nobody else, and he would vote for Mr. Munster in consequence of Mr. Fahey giving him work. I told her there was no use as he gave me his answer. He was telling me he was promised to Mr. Munster.

243. You told that to the wife?—I did.

244. Then I understand you to say that this conversation took place before the wife came in?—Yes.

245. Was the wife present at it?—No.

246. Was anyone present at it?—Not that I know. They tell me Meara was present, but I don't swear whether he was or no.

247. What hour of the evening was it?—Well, it was after dusk, a winter's evening, I suppose about five o'clock.

248. Did you go from your own house down there?—Yes, from my own house.

249. Direct from your own house?—I was on my way going up to Mr. O'Beirne's room.

250. Answer my question?—Yes, I went to John Rochford's house.

251. Direct from your own house?—Direct from my own house.

252. And your wife had told you that Mrs. Rochford was in the house with her?—Not at that time.

253. She had been there before?—She had been there before.

254. And you saw your wife before you left the house?—I don't know that I did.

255. Try and recollect: are you quite sure your wife did not tell you before you left the house that Mrs. Rochford had been there?—I am quite sure it was after I coming back that my wife told me Mrs. Rochford was here, and wanted me.

256. Then was your turning into Rochford's an accidental circumstance?—An accidental circumstance; he was at the door.

257. Where was the cheque for £60 at that time?—I had it.

258. Where was it?—I had it in a cabinet drawer in my own house.

259. Had your wife access to that drawer?—She had access to the drawer.

260. In what part of the house was it?—In the front room, up stairs.

261. Is it a bed-room?—A bed-room and front room together.

262. Was there anything else in the cabinet drawer besides that cheque?—No.

263. Was there anything else in any other drawer near it?—There was another box, and there was money and cheques of my own—deposit receipts on the bank of my own.

264. Then I understand you now to say in one cabinet drawer there was this cheque for £60?—In one cabinet drawer the cheque of Mr. O'Beirne's, and in the box—there is a box in a large clothes-box, and in the cabinet there is a chest of drawers. They were both in the same room. In the box I left my money; in the cabinet the cheque. They were different pieces of furniture altogether.

265. In this box that was in the other box—is that so?—Yes.

266. You had money, cheques, and deposit receipts?—I had deposit receipts, money in the line of notes and silver, no cheques or anything, but only deposit receipts.

267. Do you say now there were no cheques?—I say there were deposit receipts, no cheques; no cheques but deposit receipts.

268. Have you a very bad recollection?—I cannot say I have, sir.

[The shorthand writer reads questions and answers Nos. 262 and 263.]

269. On the virtue of your oath were there cheques in that other box?—On the virtue of my oath there were no cheques, but only deposit receipts.

270. Why did you not put the £60 cheque along with your other cash and deposit receipts?—I left it in the cabinet.

271. I ask you why you did not do it?—I had no particular reason, only it happened to be left in the cabinet drawer.

272. Are you able to tell me about how much cash you had there?—I suppose if I had £15 or £20 it was as much as I keep in the house. Generally when I make up £20 I go to the bank and deposit it.

273. The money was notes and silver?—Notes and silver.

274. Who was present when Mr. O'Beirne gave you the cheque for £60?—No one but myself.

275. What did he tell you you were to do with it? what did he say when he gave it to you?—"Here is a cheque for your own use—£60."

276. What time of the day was it when he gave it to you?—I cannot exactly say. I suppose about twelve o'clock or so.

277. Where?—I think in Mr. Dunn's on the square.

278. Did you ask him for money?—No.

279. You did not ask him for any money?—No.

280. Tell me what he said; were you talking for any time about the election?—We were talking every time about the election.

281. Confine yourself to the occasion about which I am asking you questions; were you talking about the election the day that you got the cheque, and before you got it?—He told me he would give me this cheque for all the trouble I went to. "I give you this cheque."

282. Was that before the election?—Before the polling.

283. Were you before you got the cheque talking about the election?—To whom was it I was talking?

284. Did you not tell me there was no one in the room but Mr. O'Beirne and you?—There was no one in the room.

285. Were you talking with him about the election?—I suppose I was, sir.

286. Had you the list of voters on the table?—No.

287. Had you any canvassing books or papers containing voters' names?—No.

288. Were you mentioning voters' names?—No, we were talking about the electors, about who we would have, and who we would not have.

289. Were you talking about doubtful people?—We were talking about doubtful people.

290. Tell me the name of any doubtful man mentioned between you that day?—I could not name one.

291. You swear that?—I do.

292. Was John Rochford mentioned?—Not that day.

293. Was his name mentioned any day as a doubtful man?—It was.

294. Was he mentioned as a man who might be induced to change his opinion?—I don't believe his opinion was ever for Mr. O'Beirne.

295. Was his name ever mentioned as a man who might be induced to change his opinion?—It was not.

296. You swear that?—I do.

297. Was it ever said he might be induced to vote for Mr. O'Beirne?—No.

298. Did you know at the time you were speaking to Mr. O'Beirne about him that he was pledged to Mr. Munster?—I did not, until he was telling me that time.

299. Did you when you spoke to Mr. O'Beirne know that Rochford was pledged to Mr. Munster?—I did at that time.

300. Why did you talk of him as a doubtful man if you knew he was pledged to Mr. Munster? did you tell me you talked to Mr. O'Beirne of Rochford as a doubtful man; did you tell me that?—We were talking over the election.

301. Answer my question; did you tell me a moment ago that you were speaking of Rochford with Mr. O'Beirne as a doubtful man?—Yes, I did.

302. Did you tell me afterwards that you knew he was pledged to Mr. Munster at that very time?—At the time that he gave me the cheque?

303. Attend to my question; at the time you were talking with Mr. O'Beirne you told me you knew Rochford was pledged to Mr. Munster?—Yes.

304. And you told me that you spoke to Mr. O'Beirne of him as a doubtful man; explain that?—That he wouldn't give his vote to Mr. O'Beirne; that he was promised to Mr. Munster.

305. Is that what you mean by a doubtful man?—No; he was for never to give his vote for Mr. O'Beirne, in my opinion.

306. Therefore he never was doubtful?—No; Rochford is a supporter of Mr. Munster.

307. You swore his name was mentioned as a doubtful man, and you told me you knew he was at that time pledged to Mr. Munster; are you able to give any explanation of the inconsistency of your two answers?—I cannot give any explanation only that Mr. O'Beirne and me were talking over the subject of the parties, and he was asking me about Rochford. "Oh, Rochford won't vote for us," said I, "he will vote for Munster."

308. Did that conversation take place on the day you got the £60?—I dare say it did.

309. Now do you say that that conversation took place on the day you got the £60 cheque?—I think it did, sir.

310. And you also told me that it was the very day that you had been at Rochford's house?—I dare say it is. I don't mean to say, I am quite sure it is. It is in or about that time when I was talking to Rochford, and after being talking to Rochford—the day afterwards, I think—I was speaking to Mr. O'Beirne, saying Rochford would go with Mr. Munster. That is the day Mr. O'Beirne gave me the cheque.

311. Now recollect yourself, and tell me was that after or before the night that you went to Rochford's house and had the conversation with Rochford's wife?—It was after Rochford's wife had the conversation with my wife.

312. And do you mean to say that it was that very night that you went to Rochford's house?—It was after the night I was at Rochford's house. It was after I was talking to Rochford.

SECOND DAY.
October 5.
Simon Traccy.

313. It is very unpleasant to have to recall so many inconsistencies in your evidence?—I am sorry for it.

314. Do you recollect that when Rochford's wife called on your wife the cheque for £60 was lying in the cabinet?—I do.

315. How could that be if you say you did not get the cheque until you had the conversation with Mr. O'Beirne, and that that conversation was after the night you went to Rochford's house?—I suppose I must have got the cheque before that so sir.

316. Do you think if you went off the table and took a little time to think of this transaction, and then came back, you could tell me a little more consistently?—I like to be consistent; that is what I wish to be. I had the cheque before Mrs. Rochford came to my house. I had the cheque, I know, in the cabinet at the time Mrs. Rochford came to my house, and then I went to Mr. O'Beirne after talking to Rochford, and told him about Rochford not coming with us, and I had the cheque at the time.

317. Give me some reason for believing you are accurate now; what fixes it in your mind?—Because I know I had the cheque in the house at that time.

318. Bring your recollection back to the day you got the cheque; you say you did not ask for money?—No money.

319. And Mr. O'Beirne offered the cheque to you of his own accord?—Yes.

320. And that was before the election took place?—It was before the election took place he gave me the cheque.

321. Did you work very hard for Mr. O'Beirne at the election?—Not very hard, only the same as any other ordinary person.

322. Did you think yourself entitled to the sum of £60?—No, he could give me what he thought proper.

323. Tell me what he said; was the cheque-book lying on the table, or did he open his drawer and take it out?—He said, "I will give you a cheque for your services?"

324. Is it "for the services you are to render" or "have rendered?"—For what I had done and what I had to do for him.

325. Did he tell you anything further about the cheque than that?—No.

326. Tell me the whole conversation?—I cannot tell the conversation.

327. Can you recollect any more of it than that?—I cannot; there are many things passed between me and Mr. O'Beirne that I cannot recollect.

328. Do you recollect any more of the conversation?—I do not. "Tracy," said he, "I will give you this cheque for yourself." I thanked him.

329. Was the name of any other doubtful man mentioned that evening except Rochford's?—No.

330. Was Rochford's the only name mentioned?—The only one; I have no recollection of any other one.

331. And you say that all Mr. O'Beirne said about the cheque was, "this is for your services?"—That is all.

332. He did not tell you what you were to do with it?—He told me first to do whatever I liked with it for my own self.

333. And your story is, you got the cheque for yourself, and knowing it was good you never cashed it?—I never cashed it. I didn't want the money at that time; I had money of my own.

334. Do you tell me you never applied for it since?—Never since.

335. Have you never written to Mr. O'Beirne since?—No.

336. And you never sought, directly or indirectly, to get it?—No.

337. And you put it into the fire and destroyed £60?—Of course if I thought it was good I would not destroy it.

338. You say still that Mr. O'Beirne said nothing more about the cheque?—Not that I know of.

339. Did he say anything about not presenting it for payment?—He did not; not to my recollection, at all events.

340. Did anything pass about your not presenting the cheque?—Not as I recollect. He didn't say anything to me only, "Here is a cheque for you," says he. There was a rumour about that his name wasn't good at the bank. I was going down to the bank, depositing some money, and I showed it, and they told me it was good, and I could get it cashed if I liked. I said I didn't want to get it cashed so long as it was good.

341. Did you get any letter from Mr. O'Beirne about it?—No.

342. You are quite sure of that?—No correspondence at all about it.

343. I wish you would try and recollect did Mr. O'Beirne say anything about not presenting the cheque?—I don't recollect.

344. Will you say it did or did not occur?—I don't think it did.

345. You will not go further than that?—No; what motive could he have to tell me not to get it cashed? sure I could get it cashed if I liked.

346. Did you ever apply afterwards for any money to Mr. O'Beirne?—No.

347. Can you give any explanation why you did not try to get that £60 that was yours?—When I seen him unseated I thought there was no use in my trying to get it. It was reported Mr. O'Beirne was a very poor man.

348. Did you ever say to any person that you had money for voters in Cashel?—No.

349. I ask you again do you recollect the name of any man who was rumoured as likely to take money, or to whom money was offered on either side?—Likely to take money, or money offered—I don't recollect, sir.

350. Did you hear there was money going on Mr. Munster's side?—It was rumoured through the town from one to another.

351. Were you not taking an active part for Mr. O'Beirne?—I was.

352. Were you doing everything in your power to find if money was going on Mr. Munster's side?—Yes.

353. Did you make inquiries about it?—I did not make particular inquiries.

354. Did you make any inquiries?—No, sir.

355. I ask you did you try in Mr. O'Beirne's interest to find out if there was money going?—I did not try to find out. I heard it rumoured about the town that Mr. Munster was giving money.

356. Did you hear any man's name in connexion with that rumour?—No, sir. I heard that Cornelius Carroll got money; that is all I know of.

357. Do you recollect any person from whom you heard that rumour?—No; it was common town talk.

358. And although it was common rumour, you do not recollect the name of any man with whom the rumour was connected?—I can't recollect.

359. And although it was common town talk, you ask me to believe that you do not recollect a single person that said it to you?—I cannot mention a single name, sir.

360. Did you keep any books or any papers in connexion with the election?—No.

361. Did you not keep a list of names of any kind?—No, nor never had.

362. Did you ever write a letter to anyone about the election?—No.

363. Did you ever receive a letter from anyone before, at, or after the election?—No.

364. How often do you generally go to London on your business?—Twice or three times a year. Twice a year.

365. Did you ever in the whole course of your life before come back from London, stay a day, and return to London again?—Never.

366. Do you still now ask me to believe that you

went back a second time on your own business only?—I went back the second time on my own business. I lent my brother £30, and I found he was going to change his business, and I went back to arrange it and to finish my business. At the time I was coming back I was told my brother was changing his business and I went back to get it arranged.

367. Mr. GRIFFIN.—What day did you go back to London?—I cannot exactly mention the day.

368. The hearing of the petition commenced on the 16th February; how long before that day did you go to London?—The day the election petition was going on my name was after being called, whatever day that was.

369. Then you went to London after your name had been called, and whilst the election petition was in progress?—Yes.

370. Had you at that time heard the story Mrs. Rochford was telling about your wife?—I did.

371. Did you know at that time that Mrs. Rochford alleged your wife offered her money to bribe voters?—I did.

372. And you went to London knowing that that story had been told, and that there was a contradiction on oath between your wife and Mrs. Rochford?—I went away immediately to London after stopping one day at home.

373. Did you tell me you went away after your name had been called?—After my name had been called.

374. And knowing what Mrs. Rochford had told about your wife?—I heard so.

375. Mr. MOLLOY.—You had money and deposit receipts at the time that Mrs. Rochford called to your house?—Yes.

376. You had money in bank on deposit receipts?—Yes.

377. And you were getting interest on that money?—Yes.

378. Why did you not lodge the sixty pounds and get interest on it?—I didn't care about it. It is more for safety I leave money in the bank than for interest.

379. Did you get any list of voters from Mr. O'Beirne?—No.

380. How did you know who were the voters?—I know all the voters in Cashel.

381. What business do you follow?—Old clothes and second hand.

382. What sort of a room had you your cabinet in. Is it a bed-room?—It is a sitting-room and bed-room together; a front room up stairs.

383. Mr. GRIFFIN.—You say that at the time you went to the bank with the cheque for £60 you heard a rumour that it was not good?—I heard a rumour that it was not good; that Mr. O'Beirne closed his accounts in the bank.

Michael Ryan sworn; examined by Mr. WATERS, Q.C.

Michael Ryan.

384. I believe you are a voter of this town?—Yes.

385. I think you voted for Mr. O'Beirne at the last election?—Yes.

386. Is your house in the main street?—Yes.

387. And I believe a man named John Murnane was lodging with you before the election, and was on the list of persons entitled to vote in Cashel?—Yes.

388. Is he still?—He is.

389. Is he in Court?—He is here.

390. You got £60 from Mr. O'Beirne for your house?—Yes.

391. How much of that did you give to Murnane?—None at all.

392. In any way?—In any way.

393. In any way, directly or indirectly; allowing him for a debt due, or in any way whatever, did any portion of that go to Murnane?—No, sir.

394. Had he anything at all to say to the letting of your house?—No, sir.

395. Directly or indirectly?—No; he wasn't along with me at all, sir, when I set it.

396. Had he anything to say, hand, act, or part, in the letting of your house to anyone at the last election?—No, sir.

397. Was he ever present when the letting of your house was talked of in any way?—He was, sir.

398. Where?—In the house where I live.

399. With whom was the talk?—Well, it was with Michael Keeffe, and Captain Graham, and Michael Hanley.

400. You say Murnane was present at that talk?—He was. Michael Keeffe wasn't much present, I think, but he came to call me.

401. Is that the only occasion on which Murnane was present when anything occurred about the letting of your house?—He was present when Michael Hanley spoke and Captain Graham.

402. Was he ever present at any other time that anything occurred about it?—He was present at every time when anything was spoken in the house, but he was not present when I set the house the last time.

403. What do you mean by the last time?—The time that I set it to Mr. O'Beirne.

404. What is "last." Why did you use the word "last": did you set it to Mr. O'Beirne twice?—No, sir.

405. Why did you use the word "last"?—I couldn't say, sir.

406. You may as well tell it out at once, because I know all about it. Why did you use the word "last"—why did you say he was not present at the last time you set it?—Mr. Hanley came one time, and Captain Graham came another time.

407. You said Murnane was not present the last time you set it, and I have asked you why did you use the word "last." It implies that you set it more than once, does it not?—I was about setting it to Mr. Munster first, sir.

408. You say you were about to set it to Mr. Munster?—Yes, sir.

409. That was before you set it to Mr. O'Beirne?—Yes, sir.

410. Did you set it to Mr. Munster or to any one for him?—I did, sir; but I didn't close the bargain.

411. Did you get £50 into your hands?—I didn't, sir, but half notes.

412. Did you sign an agreement?—I did, sir.

413. Where is that agreement?—It was torn up, sir, when the money was given back.

414. Who tore it up?—I did, sir.

415. What day was it that you set the house for £50, and signed an agreement for Mr. Munster?—I couldn't exactly tell the date.

416. Who was it that gave you the £50?—Patsy Cunningham. I only got £25 and the rest in half-notes.

417. Did you get £25 in whole notes?—Yes, sir.

418. And £25 in half-notes?—Yes, sir.

419. Did you give a receipt for £50?—I did, sir.

420. Who drew up the receipt?—I don't know whether it was young Cunningham or Murnane. I cannot exactly say which of the two now.

421. How long had you that £25 and the half-notes for £25 in your possession?—Well, I think to the best of my belief, sir, I got them in the evening late and gave them up about twelve o'clock the day after. I couldn't rightly say, but as far as I believe that was the way.

422. Why did you break off the bargain?—Because they didn't give me whole notes, and they wouldn't agree to give me whole notes.

423. And were you afraid to trust Mr. Munster? did you fear that he would not give you the other half notes?—No, but I mistrusted Cunningham.

424. Was Mr. Munster's name mentioned in the receipt you gave?—I think not, sir. I couldn't

SECOND DAY. *October* 5.

Michael Ryan.

rightly say, but to the best of my belief I think it was not.

425. Did you know it was let for Mr. Munster?—Sure I knew the money belonged to Mr. Munster, sir.

426. Are you aware the house was taken for Mr. Munster?—Yes, sir.

427. And that Cunningham was an agent working for Mr. Munster at the election?—Yes, sir.

428. And you tell me you doubted that the halves would be given to you?—I had a doubt of it.

429. Do you swear that that is the reason you broke off the agreement?—If Mr. Munster wasn't elected I would have a doubt that I would get the other half notes—if he wasn't elected.

430. Then that was the only reason that you broke the bargain?—Yes, sir, that was it, and I expected to get more. I said that certainly I should get £60 for the house before I would let it the next morning.

431. You had let it for £50 the day before?—Yes.

432. Why did you put on the £10 over the £50; tell me honestly: if you expect a certificate tell me out honestly?—I certainly will tell the truth, sir,

433. Tell me why did you put on the £10?—Says Cunningham, says he—

434. Tell me why did you put on the £10 after letting it for £50?—I said that Mr. Murnane was a lodger, and that he didn't agree I should set it so cheap.

435. Did you not say you had to give £10 to Murnane?—No, but I will you how it was. "Mr. Murnane," said I to Cunningham, "wouldn't agree to this." "Don't mind that" said he, "when the election is over Murnane will get £10."

436. Did you not say Murnane was to get £10?—Maybe I did that time, sir.

437. With whom was it you had the talk; with which of Mr. O'Beirne's people, after you let the house for the £50; was it with Mr. O'Beirne himself or with any other person acting for him?—Michael Keeffe came and called me, and carried me up to Mr. O'Beirne.

438. After you got the £50 from Mr. Munster's people, was it then Keeffe came to you; after you got the £50 who was it that came to you from Mr. O'Beirne?—I couldn't say, but Captain Graham came, I think he did, and Mick Keeffe, the morning after.

439. Captain Graham came after you got the £50?—I have a doubt, sir, and my memory is so short I can't recollect. I know Mick Keeffe came and called me up to Mr. O'Beirne.

440. Did you tell Captain Graham you had set the house for £50?—I think I did, sir.

441. I suppose you told Michael Keeffe?—I think not, sir.

442. Did he know it; did Keeffe know it?—I think he did, sir; I couldn't rightly say.

443. Did he not talk to you about it?—He did.

444. What did he ask you about it when he was taking you up to Mr. O'Beirne?—He only told me to go up and speak to Mr. O'Beirne.

445. There was more than that?—I think not a great deal, sir.

446. How long do you know Mick Keeffe?—Since I was a child, sir.

447. And do you mean to say that all Mick Keeffe said is "come up to Mr. O'Beirne"?—Yes, "I think he is settling taking the house," said he.

448. Is that all he said?—I can't recollect anything he said.

449. Did he say anything to you about letting the house to Mr. Munster?—I can't say.

450. He knew it very well?—I dare say he did, sir.

451. You went up with Keeffe?—I don't know whether Keeffe walked with me or not, sir.

452. Did he go into the room with you?—No, sir.

453. When you got into the room to Mr. O'Beirne did you tell him you had set the house to Mr. Munster?—I don't say I did tell him. I think I didn't.

454. Were there any words between you and Mr. O'Beirne about the price he was to give for the house?—No, sir, I asked £60, and he gave it.

455. He gave it at once without any bargaining or trying to get it less?—No, nothing less; and then he got the house labelled up "Committee Rooms."

456. Did Mr. O'Beirne say anything about your having let the house to Mr. Munster?—I think not, I can't rightly say between the two, but to the best of my belief he did not.

457. I suppose you had not your mind made up how to vote at the election?—Well, I hadn't, sir.

458. I suppose if you got the £10 additional from Mr. Munster you would have voted for him?—I couldn't say, sir. Any man that I would set my house to, sir, of course, I should when I would set my house. I would be a great robber after setting my house if I would go back to give my vote to another man.

459. Did you understand that setting your house told a man you must vote for him?—Oh, no.

460. Did you not tell me just now you would be a great robber if you set your house to a man and gave your vote to another man?—Well, it would be fair, but in setting my house to Mr. O'Beirne, he never said to vote for him.

461. But you said to me that the man that would set his house to one man, and vote for another, would be a great robber: did you not say that?—I did, sir, but the word slipped from me. I was sworn before, and I said I had an inclination to vote for Mr. O'Beirne, if I didn't set my house.

462. Do you not understand: if you got the £10 from Mr. Munster, you would have let him occupy the house?—I would have got the £10 more from Mr. O'Beirne.

463. If you got the £10 more from Mr. Munster, would you not let the house to him?—Sure I would get £70 afterwards, and I wouldn't turn over.

464. Who offered you the £70?—Some of the boys.

465. Tell me his name?—Tom Farrell.

466. Where does he live?—He lives in the Main-street.

467. Did he offer you £70?—He did, sir.

468. From whom?—From Mr. Munster.

469. When did he offer the £70?—The night before the election, I think; I could'nt rightly think.

470. Some short time before the polling, any way?—Yes, sir.

471. Where did he offer it to you?—In my own house.

472. Who was by?—I think there was no one but himself; I don't know was there any of the boys.

473. Think and tell me honestly?—Maybe he had no footing for what he said, but he said if I went he would be sure I would get £70. I said I could not do it.

474. Did he offer you the money, or say you would be sure of getting it?—He said I would be sure of getting it.

475. From whom?—From Mr. Munster's agent.

476. Did he tell you that anyone told him to come to you?—I think he did, sir.

477. Who did he say told him?—I couldn't say, sir, which of the gentlemen that he said. I couldn't recollect whether he said any gentleman or not.

478. Try and recollect what gentleman he said?—I couldn't, sir; I would be in dread to say it, because I can't recollect what gentleman he said, I was so confused about it.

479. Did he say he was an agent to Mr. Munster?—He said something about it.

480. Or did you know that the person whose name he mentioned was an agent to Mr. Munster?—I can't recollect whether he mentioned any gentleman's name but he said I would get the £70.

481. He told you he was sent by some person from Mr. Munster?—Yes, sir.

482. You do not recollect his name?—No, sir.

483. Do you recollect was he an agent acting for Mr. Munster?—I think he was, sir.

484. You thought some of the boys were also with Farrell?—They came two or three times.

485. Who did?—Farrell; and I don't know were the boys along with him.

486. Tell me the names of the boys who were along with him?—Neddy Duggan; but I don't know was he along with him the time he spoke.

487. Are those men voters?—I believe not, sir.

488. Is Farrell a voter?—No, sir.

489. What is Farrell's Christian name?—Thomas Farrell, sir.

490. You say they came to you more than once?—They did, sir.

491. That was after you had set the house to Mr. O'Beirne?—Yes.

492. And they tried to get you to go back of the bargain with Mr. O'Beirne?—Yes.

493. Tell me honestly, as you were to get the £10 for Murnane, how did you give it?—I never gave a farthing.

494. Are you going to give it?—Never.

495. And do you think that honest?—I think it is, sir.

496. How was it that you got the £60 from Mr. O'Beirne?—In notes.

497. And I suppose you kept them and made use of them?—Yes.

498. Do you know the day you handed back the money to Patsy Cunningham who was present?—This Farrell was, I think, sir.

499. Was there anyone else; was Murnane?—He was when I handed back the notes.

500. And Murnane heard you say you wanted £10 for him, I suppose?—He did not. Cunningham said Murnane would get £10 when the election would be over.

501. Did you not say something about £10 for Murnane?—I said Murnane wouldn't agree to have the place set for £50 unless there was no half notes.

502. And that there were to be £10 for him?—Cuningham then said that he would get the £10 after the election.

503. Before you set the house to Mr. Munster you had a talk about setting it to Captain Graham?—I had.

504. What were you asking for it then?—He didn't speak of taking the house at all. He was speaking of taking the rooms for himself to lodge in it at the upper part of the house.

505. For how much. Forty pounds wasn't it?—Forty pounds.

506. How long was that before you set it to Mr. Munster?—It was a long time, sir.

507. It was for the election, was it not, that he was speaking about £40?—He lent me the £40, and I passed a bill to him and signed my name to it, and I paid the money and got the bill back and tore it up.

508. It was Captain Graham that lent you the £40?—Yes.

509. And you gave him a bill?—Yes, sir.

510. When did he lend you the money and you give the bill?—Five or six weeks or seven before the election.

511. Was Captain Graham living in Cashel at that time?—He was not, sir; but he came to take a place, and he took Mr. Brown's place above.

512. I believe he lives in Kingstown?—Yes.

513. He came down to Cashel?—He did.

514. Was it about the election he came?—I didn't hear him speaking about any election.

515. He lent you £40?—He did, sir.

516. How long before the election?—Near five or six weeks.

517. Did you give a bill?—Yes, sir.

518. Was it a three months' bill?—It was, sir.

519. When did you pay back the £40?—Before the election.

520. At the time he lent you the £40, was it then you were talking about giving the rooms in the house?—It was, sir.

521. And was the £40 to pay the rent in advance?—Yes sir, and then he lent it to me; sure of course it was lending it to me when I gave him a note for it at three months.

522. You knew that there was an election approaching at that time?—I did.

523. And Captain Graham and you talked about it?—Except he spoke to Murnane a little about it.

524. What did he say about it?—He asked would we give our votes to Mr. O'Beirne.

525. That is, yours and Murnane's?—Yes.

526. Was that before or after you talked about the letting of the rooms and before you got the £40?—It was before letting the rooms.

527. Was the talk about the votes before or after you got the £40?—I believe the talk about the voting was before I got the £40.

528. And then he agreed to take the rooms?—He did, sir.

529. And it was for the election he wanted them?—No.

530. Sure he did not want them for twelve months?—He wanted them for a bed-room for himself to stop in.

531. And for the election?—No, he was not taking the house this time, sir.

532. Did he want them for twelve months?—I don't know; for while the election would be going on.

533. Was it not while the election would be going on he wanted it?—He was taking the rooms to take a bed-room to stop in himself while the election would be going on.

534. And then he asked for yours and Murnane's votes for Mr. O'Beirne?—Yes, sir.

535. Why did you break off the bargain with Captain Graham?—He wanted to get his money; I gave him his money.

536. When did you give him his money?—Before the election.

537. Was it out of the £60 Mr. O'Beirne gave you you paid him?—No, sir.

538. What other money?—Money I got out of the shop.

539. Do you recollect the day you paid it?—I do; some few days before the election.

540. Do you keep books?—No, sir; I kept no account.

541. Have you no account-books?—I have, sir, but I kept no account of that.

542. What is your business?—Grocer and publican.

543. Do you pay £40 without entering it in any book? If you paid a merchant in Dublin £40 for goods, would you make no entry of it in your books?—When I get them on the file, I think that will do, and not to enter them in the book.

544. Would you pay a sum of £40 without putting an entry of the payment in your books?—I do pay the money and when I get these papers on the files they tell as well as if I entered them in a book, no one going to them except myself or Mr. Murnane.

545. Do you keep a book in which you enter the payments you make?—I do not.

546. Have you any books at all?—I have books.

547. Do you keep any account in the bank?—No, sir.

548. You keep money in your house?—I do, sir.

549. Do you tell me that you would pay a sum of £40 or get a sum of £40 without putting in your books an entry of it at the time?—I do, sir.

550. Did you put down anywhere an entry of the date of the bill you gave Captain Graham?—No sir, I did not.

551. Where did you pay the £40; was it in the bank?—No, but into his own hands.

552. Had he the bill in his pocket?—He had, sir.

553. Was it in your own house you paid it?—I think it was in my own house or at Dunne's.

554. Was that before or after you got the £60 from Mr. O'Beirne?—It was before, sir.

SECOND DAY.

October 5.

Michael Ryan.

555. And do you recollect had you that money in your house, that £40?—I had, sir.

556. How did you get it?—I got it in notes.

557. From whom?—From Captain Graham.

558. From whom did you get the £40 that you paid him back with?—I might take some of them out of the till, and I might have some of his own notes.

559. But I want to know from whom you got it?—I got it out of the shop.

560. All of it?—All of it.

561. Did you get part of it from anyone?—No, sir, never one farthing.

562. And you got back your bill from him?—I did, sir.

563. And tore it up?—And tore it up.

564. It was a three months' bill?—It was, sir.

565. And you paid it seven weeks before it was due?—Yes, sir, I could not say how long.

566. About seven weeks before it was due?—Yes, sir.

567. Why did you pay it before it was due?—Because I didn't want it any longer.

568. You are not in the habit of paying your bills before they are due, are you?—No, sir; I often did, sir.

569. Tell me the reason why you paid that seven weeks before it was due?—I didn't want it any longer.

570. Is that the only reason?—It is, sir.

571. Did Captain Graham ask you to pay it back?—I couldn't say but he did: I couldn't say.

572. Do you mean by that to say that he did ask it back from you; did he?—I think not, sir; I don't know it.

573. I think you told me it was in your own house you paid it?—Then I couldn't say, sir.

574. Did he say that he wanted his money from you?—I think not, sir.

575. Did you go of your own accord to him or did he come to you?—I went of my own accord to him—no, but I think—I couldn't say now whether he came to me or I went to him to Dunne's.

576. Did he not come to you and say you broke your bargain with me, and give me back my £40?—He did not, sir.

577. It was before you got the money from Mr. O'Beirne that you paid him back?—It was, sir.

578. Was that after you got the money from Cunningham?—I had Captain——

579. When you paid back the £40 to Captain Graham, that was before you got the £60 from Mr. O'Beirne—was it after you got the £50 from Patrick Cunningham?—No, it was before I got it from Mr. O'Beirne.

580. Was it after you got the money from Patsey Cunningham that you paid Mr. Graham back the £40?—It was, I think, sir—it was, sir, I think.

581. Tell me, did Captain Graham say anything like this to you—"You broke your bargain with me, and let your house to Mr. Munster—give me back my £40;" did he say anything to that effect, or anything like it?—He did not, sir.

582. Do you want me to believe that you went and handed him back the £40 of your own accord without his ever saying a word to you?—He never said a word, sir.

583. Did you think you ought to give back the £40 after having broken the bargain?—I didn't like to keep it any longer.

584. After having made the bargain with Mr. Munster's people you did not like to keep it any longer?—No, sir.

585. Did you hear any talk in town about money going on one side or the other during the election or about the election?—I heard some talk about.

586. Tell me who you heard talking?—I couldn't point out one, or didn't mind them. They were all having it over and hither that there was something of the kind going.

587. Do you mean that every man was asking it?—I couldn't point out any person that told me about the money.

588. You heard money was going?—I heard some talk about it.

589. What did you hear?—First that they were getting money from this person and from that person.

590. Who was this person and that person?—Some of the agents. I could not point out one person that spoke about money. When everyone is riddling it over and hither. I couldn't point out any person.

591. Riddling it?—Riddling or sifting it.

592. Did you hear Mick Keeffe talking about it?—I believe he spoke of it. They were all speaking of it—every person about.

593. Did he say any money was there for any one?—No, sir. I never heard him say that he had money for any one.

594. Or that there was money for any one anywhere?—No, sir.

595. Or cheques?—No.

596. Mr. MOLLOY.—Did Captain Graham ever make any use of the rooms after you got the £40?—It was a lend of the £40 I got.

597. Did he ever use the rooms during the four or five, or six weeks?—Didn't I tell you he went up and took them from Mr. Brown after.

598. Who is Brown?—A watchmaker.

599. Is he a voter?—He is.

600. Where does he live?—At the upper end of the town, Old Bank-place.

601. Is that James Brown of Canopy-street?—It is not in Canopy-street; it is near it.

602. Was there any use made of your room for Mr. O'Beirne?—No. This house was set before by Mr. Murnane as committee-rooms some time ago for another election.

603. You say Murnane had set your house at a former election for committee-rooms?—Yes, before I came to live in it, when himself was master of it.

604. Does Murnane pay you for his support?—He does.

605. Did you make him any allowance for his support on account of having got the £60?—No.

606. You kept the whole of the £60 for yourself?—Every ha'penny.

607. Mr. GRIFFIN.—What does Murnane pay you?—Something under £20 a year, sir.

608. How does he pay it?—Monthly some of it, and yearly more of it.

609. Had he paid you before the petition was heard—does he owe you any money now?—He pays half yearly, and the other half monthly.

610. How much does he owe you now?—Next Christmas there will be £10 due.

611. When did he make the last payment to you?—I could not say now what time after Christmas, or what time it was.

612. Did he pay you anything since last Christmas?—He pays me monthly, sir.

613. He has paid you monthly since last Christmas?—He did, sir.

614. Regularly?—Regularly, sir.

615. How much does he owe you now?—He will owe me £10 next Christmas.

616. He ought to have paid you half of that about the middle of the year?—No, sir.

617. Did you not say he paid half of it half-yearly?—No, but yearly.

618. He paid you the monthly instalments, and has not paid the remainder yet?—No, sir.

619. Mr. MOLLOY.—Did either Mr. Munster or Mr. O'Beirne canvass you for your vote?—He didn't know me at all, but he often spoke to Mr. Murnane.

620. Who spoke to Murnane?—Mr. O'Beirne.

621. What is Murnane to you?—He is my brother-in-law.

622. Was Murnane the owner of the house before you went to live there?—He was.

623. Had Murnane a vote at the former elections when he was the owner of the house?—He had, sir; but either he nor me hadn't a vote at the last election, in '65, because I was after coming in lately.

624. Mr. O'Beirne called to Murnane?—Yes, sir.

625. Did Mr. Munster call to Murnane?—He did, sir.

626. Were you by?—I was, sir.

627. What answer did you give?—He didn't speak much.

628. Did he ask you to vote for him?—He didn't ask much.

629. Was there any person with Mr. Munster when he came?—He was in a carriage. Mr. Murnane and me went out out to speak to him, and he didn't say much.

630. What did he say?—He was reading a paper, and Mr. Murnane and he were speaking at the same time, sir.

631. What were they saying?—They didn't say much; they were only reading the paper each of them.

Thomas Murphy sworn; examined by Mr. WATERS, Q.C.

632. Do you live at Lower-gate?—Yes.

633. What is your business?—A dealer.

634. You are a voter of this town?—Yes.

635. And voted for Mr. O'Beirne at the last election?—Yes.

636. I think you let your house?—I did.

637. Were you canvassed by Mr. Munster or by any one on his behalf?—He called one day to me and I didn't go out to him. Mr. O'Beirne called another day.

638. Did any persons come to you from Mr. Munster although you did not see himself?—They did.

639. Who did?—Mr. Pat Laffan. Pat Cunningham talked to me a couple of times.

640. Did Mr. Pat Laffan come more than once to you?—He did.

641. How often?—I believe four or five times.

642. Did he come by himself or was there any one with him?—Generally by himself.

643. Had you before then promised to vote for Mr. O'Beirne?—Long before he came to town. I was intended to vote for him all through.

644. I did not ask you what you intended to do, but I asked you before Mr. Laffan was calling on you had you promised to vote for Mr. O'Beirne?—I did.

645. Did Mr. Laffan know that?—He did not.

646. He was coming to try to persuade you?—Yes.

647. You would not promise him for Mr. Munster?—Never.

648. Did you refuse to vote for Mr. Munster?—I never promised to vote for him.

649. Did you refuse Mr. Laffan to vote for Mr. Munster?—I did.

650. The first time he came?—First and last.

651. And he came four or five times?—He did.

652. Did he offer to take your house from you?—He did.

653. Did you agree to let it to him?—No.

654. What occurred between you?—He wanted to take a part of the house.

655. Mr. Pat Laffan asked you to let him have a part of your house?—He did.

656. What did he offer you?—He offered me nothing, and I asked nothing.

657. Was there any talk between you as to the price?—Nothing.

658. On the first occasion that he called to you did he speak about taking your house?—He didn't.

659. Then the first time he called he asked you to vote for Mr. Munster, and you refused?—Yes, he wanted me up to Mr. Munster's hotel.

660. And on the first occasion of his calling he said nothing about taking the house?—The first, or second, or third he said nothing.

661. At what time was it he said it?—The day before the election.

662. Then you had refused him to vote for Mr. Munster some four times before he asked you to let the house?—I had.

663. What day was it he asked you to let the house?—About three or four days the first time before the election.

664. Was there no mention of any sum of money at all?—Not a word.

665. Was there any mention of any remuneration at all?—He asked me one day what could he do for me. I said I didn't know. I said I knew nothing he could do for me.

666. Are you speaking of Mr. Pat Laffan?—Yes, Mr. Pat Laffan.

667. Did anything more occur?—Nothing more.

668. That was not the entire of the conversation, was it?—He wheeled around and went away from me then.

669. During that conversation did he ask you how you would vote?—He asked me had I decided how I would vote, and I told him I had not.

670. And then he asked you what could he do for you?—Yes.

671. Was that to assist you in coming to a conclusion?—I suppose it was; I don't know.

672. Did you understand it as such?—I did. I can only swear to what I understood.

673. What occurred about the house when he came next?—He asked me to set a part of the house to Mr. Munster, and I said I would not.

674. Did he take a refusal at once?—No, he talked many things about what Mr. Munster would do.

675. Did he talk about money?—He said there was plenty of money there; no stint of money at that side.

676. What did he say?—He said if I was going to Mr. O'Beirne's side I was wrong; that he had no money, but there was plenty money at the other side. "Very well," said I, "you won't know how I am going if that be the way."

677. What did he say about the house?—He said a room or two would do him.

678. But you steadfastly refused?—I did.

679. After that did you go to Mr. O'Beirne?—I did.

680. And you told him you were offered by Mr. Munster to have the house taken?—I did.

681. What did Cunningham say on those occasions that he talked to you?—He wanted a part of my house, too; just the same as Pat Laffan.

682. Did he say anything about the amount of money that you would get?—No; we didn't come to the amount of money.

683. Did Mr. Laffan say he had money to give?—He did not say.

684. Did Cunningham?—No.

685. You went to Mr. O'Beirne and told him about this treaty for your house?—I went up to him the morning of the nomination and told him, and he took my house from me that morning, just on the street as I was going up.

686. What sum did he promise to pay you?—Twenty-five pounds.

687. Was it you named the sum or he?—It was I named the sum.

688. Did he ask you how much you wanted?—He did.

689. Where did this conversation occur?—Outside Mr. Dunn's hotel. They were just coming down.

690. Was it the nomination day?—The nomination day.

691. Was anyone present?—Not one. He happened to be over before the rest.

692. Did it occur in as short a time as you have been telling me?—Shorter, sir.

693. Did he make any use of your house?—No.

694. Were you paid the £25?—Never.

SECOND DAY.
October 5.
Thomas Murphy.

695. Did you ask for it?—I never asked for it.

696. Why did you not ask for it?—I was called on to furnish a bill at one time and I gave a bill to Mr. Grace and I never heard of it since.

697. Is that Mr. Grace the conducting agent of Mr. O'Beirne?—Yes.

698. When did you furnish that bill?—Some time after the election; I forget now.

699. I asked you was there any use made of your house?—There was not.

700. Was this the first election at which you were a voter?—It was.

Patrick Mackay.

Patrick Mackay, sworn; examined by Mr. WATERS, Q.C.

701. Where do you live?—Bank-place, Cashel.

702. How long are you a resident in Cashel?—The last sixteen years, and over sixteen years.

703. I believe you voted for Mr. O'Beirne at the last election?—Yes, sir.

704. For whom did you vote at the election of '65?—For Mr. Lanigan.

705. For whom did you vote at the election before that?—1865 was the first I ever voted at in Cashel.

706. I believe Mr. Lanigan and Mr. O'Beirne were the only persons that went to the poll in 1865?—Yes.

707. You voted for Mr. Lanigan?—Yes.

708. In 1868, the last election, was there any talk with you some time before the election about taking your house?—There was.

709. Who was speaking to you?—The first who spoke of it was Mr. Munster's agent, Mr. Michael Laffan.

710. When did he speak to you about it?—On the 21st September.

711. Where did that conversation occur between you?—In my own house.

712. Did he come to you?—Yes.

713. What did he say to you?—He asked me for the house, and asked me what would I take for it—that he had the house in 1865?—I told him from the annoyance I got before in 1865 I would not give it under £50. He told me there would be no such annoyance now if I gave the place, and he offered me £25.

714. Did you refuse to give it for £25?—I told him I would not give it for £25, from the annoyance I got in 1865, that I didn't wish to give my house at all.

715. What then occurred?—He went away and never came to me afterwards but passed on, not for a few days. I believe about a fortnight or three weeks before the election, he came to me again. Mr. Munster was passing by in a carriage. He wanted me to go out and speak to Mr. Munster, but I told him I wouldn't do that, and had pledged myself to Mr. O'Beirne.

716. When had you pledged yourself to Mr. O'Beirne?—About three or four weeks before the election.

717. You had voted against Mr. O'Beirne in 1865?—Yes.

718. To whom did you pledge yourself for Mr. O'Beirne this time?—I made up my mind. He came and canvassed me, and I told him I couldn't give a decided answer, that I would go with the majority of the township. That was in October.

719. Had you your mind made up then?—Not at that time.

720. When he called on you in October you had not determined how you would vote?—No.

721. Did you make up your mind before November?—Yes, I did before November.

722. When, do you recollect?—As far as I can recollect, the latter end of October.

723. Mr. Munster had been for some time in Cashel?—He had.

724. What induced you to make up your mind?—I was encouraged to vote for Mr. O'Beirne by friends of mine. In the first place I had a letter from a brother of mine to say I should vote only for Mr. O'Beirne, and I was influenced by him.

725. Did you say you were engaged to vote for Mr. Munster by any person?—No; but I told persons his agents were taking the house.

726. You told some persons about their offers to take the house?—Yes.

727. To whom did you say that?—I can't recollect. I told it to several persons. We talk so much during electioneering that we can't remember.

728. You cannot recollect to whom you spoke?—I spoke to some of my own family. It was not their wish that I should set it to Mr. Munster, but to Mr. O'Beirne.

729. But to Mr. O'Beirne?—Yes.

730. After Mr. Laffan, who was the next that called about taking the house?—Captain Graham.

731. He called for Mr. O'Beirne, I suppose?—I can't say he did, whether it was for Mr. O'Beirne, but he told me he wanted to take the house for his own private use. He made use of the words.

732. Where was he living at that time?—I believe in Kingstown.

733. Had he taken Brown's at that time?—I don't know, but I heard he had it taken afterwards.

734. Try and fix the time Captain Graham asked you for your house?—To the best of my belief it was between three and four weeks before the election.

735. Have you any means of fixing it?—No.

736. Did you get any writing from him?—No.

737. You heard Captain Graham had taken Brown's house?—Yes, after some time I heard it.

738. Did you ever hear he had taken Ryan's house?—Yes, some days before the election.

739. Not until then?—Not until then.

740. He wanted to take the house for himself?—For himself.

741. What did he offer?—We agreed on £40.

742. Did you entirely agree on that?—We agreed on £40.

743. Did this conversation take place in your own house?—Not in my own house.

744. Where else?—Next door.

745. How did it happen to be next door?—He sent for me.

746. Whose house was it?—My son-in-law's.

747. What is his name?—Michael Dwyer.

748. Had you any document written, or was there anything to prove the bargain?—No, sir.

749. No money passed, or no writing?—No.

750. Nothing but a verbal conversation?—That is all.

751. Had you seen Captain Graham before then?—I had no conversation with him.

752. Had you seen him?—I saw him several times.

753. Walking about the streets?—Walking about the town.

754. How often?—I saw him for some time. I couldn't state the number of days.

755. About how long?—About a week before that.

756. Walking about occasionally through the streets?—Yes, sir.

757. And he was living in Cashel at that time?—Yes, he was during that time.

758. Was Mr. O'Beirne here then?—He was.

759. Who was present when you agreed to give it to Captain Graham?—My son-in-law.

760. About what day in October was it? Was it towards the middle, end, or beginning?—About the latter end of October.

761. Had you at that time made up your mind how you would vote?—Previous to his taking the house I had made up my mind to vote for Mr. O'Beirne.

762. Did Captain Graham ever use your house?—No.

763. Never came into it at all?—Never.

764. Did he ever take possession of it?—No.

765. Or ever set foot inside it at all?—Never, not to my knowledge.

766. Did you ever after ask him why he did not?—No.

767. Did you ever after ask him for the £40?—No, never.

768. Did you ever speak to him about it since that day?—I never spoke about the £40 to him. We had no conversation about the money since.

769. You never inquired why he broke his bargain with you?—Never.

770. I wonder you had not the curiosity to ask him why he did not carry out his agreement?—I didn't. He told me he would take possession of the house that evening, and he left for Dublin that evening and didn't return for ten days. I then took it that he broke his agreement.

771. After that you let it to Mr. O'Beirne?—Yes.

772. Where?—At Dunn's hotel.

773. How soon after?—About a week after.

774. Who introduced the conversation in Dunn's house?—He sent for me.

775. What occurred when you went in that day?—I refused the messenger to go first.

776. Who was the messenger?—Michael Keeffe.

777. What did Michael Keeffe say to you?—He told me that Mr. O'Beirne wanted me, and I told him I would not go to see him; that what he wanted he had not to get, that is meaning my vote.

778. But you did not say it?—That is what I said, and he might understand me.

779. What did Keeffe say then?—He said no more.

780. Did I not understand you to say you had not promised Mr. O'Beirne?—Not at the first time he came to canvass me in October. When he first came round I didn't give a decided answer.

781. Did Keeffe walk away then?—He did.

782. Did he come back afterwards?—He remained for some time and walked up with me.

783. Did you not refuse to go with him first?—First I refused to go with him.

784. Did he then go away?—I believe he went away some distance or hovered around the door.

785. Did he come back?—He walked up with me to the door.

786. Did he come back with another message?—He did not, sir.

787. You refused first, and then altered your mind, and went with him?—Yes.

788. Did he go into the room with you?—Not past the room door.

789. Was there any one in the room but you and Mr. O'Beirne?—None.

790. What conversation occurred between you and Mr. O'Beirne?—He only asked me would I give him my house, and I said I would.

791. Was that the first thing he said when you went in?—He made an apology for taking me away from my house, and I said it made no difference. He then asked me would I set my house, and I said I would. He then said he would take a note of it, and he took a note of it on paper.

792. Did he say what he would give?—No.

793. Did you ask anything?—No.

794. Did you expect anything?—Of course I did.

795. And you let it to Mr. O'Beirne without saying a single word on what he was to pay you?—Not a word, because my mind was made up to vote for him, whether he took the house or not.

796. Why do you say you were going to vote for him; I did not ask you anything about that; what connexion has the taking of your house and your vote?—I merely stated to you that my mind was made up to vote for Mr. O'Beirne before he took the house.

797. What connexion is there between taking your house and giving your vote?—I can't say.

798. You seem to make some connexion between them?—No, I don't sir. If I do it is through ignorance of what you said to me. It is not wilfully I do it.

799. Had you any conversation with any friends of Mr. O'Beirne about what you were to get for your house?—No, but Mr. Laffan and Captain Graham.

800. Did you believe that £40 is what you were to get?—I expected it.

801. Did you not believe that that taking of your house by Captain Graham was for Mr. O'Beirne?—I didn't; I couldn't tell the mind of another man.

802. Did Mr. O'Beirne allude to Captain Graham's having taken your house, or having agreed to take it?—In the conversation between me and Mr. O'Beirne?

803. At any time at all?—He merely stated to me—"I suppose," said he, "you are already spoken to before." "Yes," said I. I made use of the word yes.

804. Did you understand that to refer to Captain Graham?—Well, I did.

805. What else did he say?—"I shall take a note of it," said he.

806. What did "it" mean?—I couldn't know what it meant, sir.

807. Was that in the hotel?—In the hotel.

808. Did he say first, "will you give me your house," or "I suppose you have been already spoken to"?—No, the last words were, "I suppose you are already spoken to;" the first word was, "will you give me your house."

809. Did he say "with reference to what you have been spoken to about," or to the price of the house, or anything of that kind?—He did not.

810. Were you paid anything for the house?—No.

811. Did you apply for it?—Yes, I sent a bill.

812. For how much?—£40.

813. Was any use made of the house at all?—Yes there was.

814. What use?—It was occupied by Mr. O'Beirne and other persons there.

815. What use was made of it?—It was intended as a committee-room.

816. What use was made of it?—Well, sir, I can't say, but I saw papers, pen, and ink on the table laid there, and I saw men going up and down, and used to hear them.

817. How long did you hear that?—About a fortnight.

818. Did you ever go into any of the rooms?—I never went in but when he was in.

819. Did you ever see any strangers in your house?—I heard them; there is a side-door going in.

820. Did you ever see any strangers in your house at the time?—I did.

821. Who?—I didn't know any of them hardly. I saw one man in particular; he came through the shop and was prevented by one of my children, and I said he might come in this way.

822. Who was he?—Michael Noonan, that lived in this town.

823. What was his business?—He wanted to see Mr. O'Beirne, he said.

824. Was Mr. O'Beirne there at the time?—He was at the same time up in the room.

825. Did you see him there?—I did. There were numbers of people there that I didn't see, for they would go up unknown to me.

826. How much did you get for your rooms in '65?—£20.

827. Who paid you that money?—Mr. Laffan.

828. Is that the same Mr. Laffan who was the attorney for Mr. Munster?—His father.

829. Is he living or dead?—He is living.

830. Does he live in this town?—He does.

831. With whom did you make the agreement for your house in '65?—With young Mr. Laffan.

832. Is that the other son of Mr. Daniel Laffan?—Yes, Mr. Michael Laffan.

833. He is an attorney, I believe?—He is.

834. Did you give a receipt for that money?—I did.

835. To whom?—To Mr. Laffan.

836. Who was the conducting agent of Mr. Lanigan then?—I believe Mr. Daniel Laffan.

837. And was it to him you gave the receipt?—It was.

SECOND DAY. October 5. Patrick Mackay.

838. Do you know of any other houses having been taken by Mr. Lanigan in '65?—I do not remember any more houses being taken.

839. Do you know of any other houses having been taken in '68?—Yes, I heard of other houses being taken.

840. What houses?—Michal Ryan's.

841. Any more?—Thomas Murphy's—Michael Coffey's.

842. Did you hear of any houses having been taken by Mr. Munster?—I cannot state that any houses were taken by Mr. Munster.

843. Did you hear of it?—I heard they were taking the house of Mr. Carroll: they were taking a house from Coffey; and I believe they were taking Michael Ryan's house.

844. And your own?—And my own.

845. Any others?—I cannot know of any more.

846. Did you hear of any more?—No, but I heard he had a house taken in Friar-street for a bedroom for some persons.

847. Whose house was that?—A man named Dwyer: I was told they had his house taken for a bedroom.

848. What Dwyer is this of whose house you speak?—I can't exactly know his Christian name.

849. Is there any man of the name in Friar-street?—I think not, sir, but I am not certain.

850. Did you know of any bills being passed in '65?—No, I had no knowledge of the election in '65, for I was not here; I went away the day after my house being taken, and didn't return for a fortnight.

851. You have heard of bills?—I heard of bills.

852. How many did you hear of?—I could not say, sir.

853. Did you hear of two or of six?—I heard there were some bills; I cannot say the number.

854. Did you hear of ten?—I heard of no certain amount, but I heard there were bills passed in '65.

855. Are you not able to tell me any better?—I am not able to tell the number.

856. Did you ever hear of any men's names which were on the bills?—I couldn't say, sir,

857. When I, living in Dublin heard it, it is likely you heard it, and do you mean to tell me that you never heard the name of any man which was on the bills with respect to the election of '65?—All the knowledge I have—

858. I am not asking you as to your knowledge, sir. Tell me what names you heard with respect to the bills in '65?—At the last petition I heard bills—names mentioned—a man named Dwyer that had a bill passed.

859. Do you wish me to understand that your answer is, you never heard of it until the election petition?—I heard of bills being passed, but I never heard the names before the election petition. I heard they were passed.

860. You heard they were passed before the election petition?—I did.

861. What names did you hear?—I cannot tell the names.

862. Did you hear Mr. White's name?—I heard Mr. White had something to do with regard to witnessing bills.

863. Did you ever hear Phelan's name mentioned?—No.

864. Tell me some names besides Mr. White's?—I can't, except a man named Dwyer, who was mentioned in this court.

865. Do not confine yourself to this court, but from what you heard anywhere, at any time, tell me the names of the persons?—I beg your pardon: I may speak, I cannot know the names, and that I won't swear to.

866. Do you mean to say you do not know of any names?—I do, sir; I don't know the names, and if I knew the names I would tell them.

867. You heard no names?—No names in particular

868. Did you hear of any money going with regard to the election of '65?—I did; I heard there was money given at Mr. O'Beirne's side in '65.

869. What did you hear?—I heard there were bills passed and money given to the Commons people, but I had no acquaintance with them.

870. Did you hear there was money given which these bills represented?—Yes, for bills.

871. Did you hear anything of any of those bills in '68?—None but what I have stated.

872. I mean before the election?—Not before the election.

873. Did you hear of any other money going in '65 except those bills?—No, I have no knowledge of it.

874. I ask you if you heard of it?—I didn't hear of any money being going except what was paid by bills.

875. Did you hear of any money going in '68?—No, I heard there were promises made to them that after the election they would get it.

876. To whom?—I am told Mr. Munster's party made promises.

877. To whom?—I can't say.

878. Did you never hear a name mentioned?—I did not.

879. Do you recollect the name of any person to whom you heard money was promised to be given after the election?—I cannot, for often these things were mentioned in my own office between women and persons.

880. Did you ever hear the names of the persons by whom the promises were made?—I did not.

881. Did you ever hear Mr. Pat Laffan's name mentioned?—I only heard his name mentioned.

882. Did you ever hear his name mentioned as having promised money?—I did of course, that he was promising money.

883. Any body else besides Mr. Pat Laffan?—I don't know of any other persons.

884. Did you ever hear Cunningham's name mentioned?—Yes, but I have no knowledge of his having promised money. I heard that he promised money for the house of Michael Ryan and money for Con Carroll's.

885. Did you ever hear any other man's name in connexion with a promise of money for anything with reference to the election?—I did; I heard a promise made to myself by a man of Mr. Munster's.

886. What is his name?—Nicholas Burke, a messenger. I can't say what foundation he had for it.

887. What did he say?—On the Saturday before the election began he was sent by the friends of Mr. Munster to know would I let my house.

888. Did he name any person that sent him?—He named no person, sir.

889. He said he was sent by the friends of Mr. Munster to know would you let your house?—Yes, and that any money I would say I would get it.

890. Did anything further happen?—No, but the answer I made him was, that if he gave me the full of the hat of gold I would not turn over, as I promised Mr. O'Beirne.

891. Of course you understood when he talked about giving any money you asked for your house that it meant your vote?—I dare say that of course it did. I believed that.

892. And I suppose you know it to be understood in Cashel that it would not be honest of a man who set his house and took money, to vote for the other party?—Well, it would not.

893. And that it is an understood thing that a man who lets his house votes for the person to whom he lets it?—Yes, it is.

894. I see you sent in a claim for £40 for the house?—Yes.

895. And that was because you understood the £40 offered by Captain Graham applied to the letting?—Yes.

896. Mr. MOLLOY.—Does Nicholas Burke live in Cashel?—He does.

897. Where?—In Bank-place, sir.

Michael Murnane sworn; examined by Mr. WATERS, Q.C.

898. I believe you are the brother-in-law of Mr. Ryan who was examined here to-day?—Yes.

899. Is he married to your sister or you to his?—I am married to his sister.

900. You were the owner of his house before he got it?—Yes, before he came in.

901. How long have you been living in it?—I am living in it these eighteen or twenty years.

902. Have you voted at a great many elections in Cashel?—I have, sir, as they came on in succession.

903. Did you vote in '65 for any one?—I did, sir.

904. For whom did you vote in '65?—For Mr. O'Beirne.

905. Did you vote for Mr. Lanigan?—No.

906. It was Mr. Lanigan who was opposing Mr. O'Beirne then?—It was; I could perceive so.

907. Did you vote in '59 for anyone?—I can't recollect.

908. Mr. Lanigan and Mr. O'Beirne were candidates then, I believe?—I believe they were; my memory fails me.

909. Surely you can recollect if you ever voted for Mr. John Lanigan?—Oh, yes, I did sir; he was the chosen person at the time, of the people.

910. That was in '59?—Yes.

911. He was beaten in '65?—Yes.

912. You voted for Mr. Lanigan in '59?—Yes.

913. And for Mr. O'Beirne in '65?—Yes.

914. Was your house taken in '65?—Yes.

915. By Mr. O'Beirne?—Yes.

916. What did you get for it then?—I think it was £50 in '65, as far as I can recollect.

917. Who was it paid it do you recollect?—I believe it was Captain Graham, sir.

918. In 1865?—Yes.

919. Was Captain Graham living in Cashel at that time?—Why, at times he was down in Dublin.

920. And sometimes here?—Sometimes here.

921. He is the owner of some property, I believe, in Cashel?—He is, sir.

922. Do you recollect if you gave any written agreement in '65 about the house to any person?—No, I have no knowledge of giving any written agreement.

923. What made you change in '65 from Mr. Lanigan, for whom you voted before—was it the letting of your house that made you change?—I think Lanigan and O'Beirne were on good terms.

924. Were they not opposed to each other?—They compromised after.

925. Was it not the letting of your house in '65 for £50 that made you vote for Mr. O'Beirne?—Oh, yes, undoubtedly.

926. Do you recollect in '68 Mr. Cunningham coming to take the house?—He did, sir.

927. And I believe you agreed for £50?—Yes, 'twas Ryan.

928. But did not Ryan consult you about it?—He did.

929. And he would not do it without your wish?—No.

930. Did you see Cunningham giving him some money—£25 in notes and £25 in half-notes?—Yes.

931. I believe it was you who wrote the receipt?—I believe it was. Cunningham is very smart himself in writing, and whether he wrote the receipt or not now I can't positively say.

932. If he said it was he that wrote it you would not say that he was wrong?—No.

933. Do you recollect his coming back afterwards and the talk about the £10 additional?—Yes.

934. Who talked about the £10 additional?—Ryan said I wouldn't be satisfied unless the £10 was given.

935. Was that £10 for Ryan or for you?—It would be for me.

936. What did Cunningham say to that?—He said it would be got after the election.

937. Was Ryan satisfied with that?—He was, sir.

938. He was?—He was.

939. Did he not give back the money?—Ryan gave it back.

940. Was he satisfied when Cunningham told him the £10 would be got after the election?—It didn't please him altogether. I wasn't pleased well with it either. I thought he ought to give it at once.

941. If he paid the £10 down, then would you and Ryan have voted for Mr. Munster?—No; I don't think we would.

942. Why would you not—on getting £60 from him would you not have voted for Mr. Munster?—We were pledged to Mr. O'Beirne.

943. Do you mean to say you would take £60 from Mr. Munster and vote against him?—I would not.

944. If you got the £10 from Cunningham that day after having the £50, would you have voted for Mr. Munster?—No, I would vote for Mr. O'Beirne.

945. Notwithstanding getting the £60: did you not tell me you would not vote against Mr. Munster if you took his money?—Ay, if I took it.

946. I ask you if you got the £60 from Mr. Munster, would you have voted for him?—I ought, in justice.

947. At any rate you were not satisfied with his promise to pay the money after the election?—No.

948. And you handed back the £50, or Ryan did?—Yes.

949. And did Cunningham give back the receipt?—Oh, yes, he did.

950. What was done with the receipt?—It was torn up.

951. Was it torn up then and there?—Yes.

952. Ryan told us he got £60 from Mr. O'Beirne afterwards?—He got £60 for the use of his house.

953. And he and you voted for Mr. O'Beirne?—Yes.

954. Had you any talk with him since about that £60?—I knew he got it, and there was no more about it.

955. Were you to get any share of it?—I didn't get it.

956. Were you to get it?—There was no agreement. I left it all to his own good will. I didn't claim it, and I left it all to him.

957. Did you not tell me that Ryan said to Cunningham that the £10 were for you?—He did, for certain.

958. If there was no petition here, and if there was nothing after the election, would you not have got a share of that money?—I don't think I would get a fraction of it. There is the candid truth. Some people are very fond of money.

959. Are you living with Ryan still?—Yes.

960. And good friends with him?—Oh, yes.

961. And you never asked him for the £10?—Never.

962. You say you got £50 at the election of 1865?—Yes.

963. What did you get at the election before that in 1859 when you voted for Mr. Lanigan?—I have no recollection of getting anything in Mr. Lanigan's time.

964. Did you ever get anything from Sir Timothy O'Brien?—No, indeed, not a stiver.

965. Did you ever get anything from Mr. O'Beirne?—Never.

966. Then, the only elections at which you got anything were the elections of 1865 and 1868?—Yes, as far as my retention goes.

967. Did you hear of any other persons getting money in 1865?—I declare I could not name them. I don't meddle in other people's business at all. I was always very circumspect in that.

968. I want to know if you heard any talk amongst your neighbours about money going in 1865?—There was some talk of it, but I never took any notice of their names, or anything that way.

969. Did you hear talk of the people in the Commons getting it?—I did, but I didn't take any particular note of it.

SECOND DAY.
October 5.

Michael Murnane.

970. But you did not take any particular note of it?—No.

971. Did you hear talk of any persons in the town getting it?—Yes.

972. Would you tell me the names of any of them?—Indeed I could not.

973. In '68, the last election, did you hear talk of any persons getting money?—I did, but I couldn't name them.

974. That is not long ago; a man even with a bad memory would think of that?—I am old now, and my intellect is failing.

975. Try and think of any one that you heard that got money in '68?—I cannot name them: I cannot indeed, sir.

976. Did you hear of any money to the Commons people in '68?—Yes, it was always thought they got it, and known they got it, by report.

977. Was it known that they got it in '68?—Of course they did.

978. Who did you hear gave it to them in '68?—I could not tell you that.

979. Was it Mr. Munster or Mr. O'Beirne?—I don't know which.

980. Who was it that used to manage the Commons people best?—Mr. John Coman was agent over them, and he had power I suppose that way.

981. If I was coming down here to try an election, and asked you who would manage the Commons people best, who would you tell me?—They are a people in themselves, that it would be hard to judge, hard to control.

982. Who is Mr. Coman: is he connected with the town of Cashel?—He is.

983. What is he?—He is agent to the Town Commissioners.

984. Have you not any other name you would tell me?—No.

985. Mr. GRIFFIN.—You pay Ryan something by the year for living and boarding in his house?—I do, sir.

986. How much do you pay him?—I pay him at the rate of £20 a year.

987. You say that £10 of the £60 was intended for you, at least by the man who gave it?—Yes.

988. I suppose your brother-in-law was not so hard on you as to make you pay the £20 a year since he got this £10 intended for you?—It went all the same.

989. He did not allow you anything for it?—No.

990. Did he make you pay just the same?—Just the same, sir.

Michael Coffey was called but did not appear.

Michael Keeffe.

Michael Keeffe recalled and resworn; examined by Mr. MOLLOY.

991. How long have you been living in Cashel?—Since I was born, sir.

992. You have been at a great many elections?—Not many, sir.

993. You have not a vote?—No, sir.

994. Were you employed by any person at the last election?—For Mr. O'Beirne, sir.

995. What were you to do for him?—Canvass, and go as a messenger.

996. Was that all you were to do?—Yes.

997. To canvass the votes, and ascertain who would vote for him?—Yes.

998. When were you employed for him?—When he came first to Cashel in '68.

999. When did he come in '68?—Early in October.

1000. And you acted for him at the election of '65?—I did.

1001. And acted for him in '59?—I did.

1002. Was he ever a candidate at any election before '59?—Not to my knowledge, sir, since that time against Sir Timothy O'Brien.

1003. Was not that in '57?—I think it was.

1004. From the first you were acting for Mr. O'Beirne?—From the first time he came to Cashel.

1005. When he came to Cashel in October last, where did you see him?—At Dunn's hotel.

1006. Did he send for you?—I was there before him when he came, and I put in his traps.

1007. What did he say to you?—He asked me how Cashel was going on, and I told him very well.

1008. Did you ask him to employ you?—No, sir; he knew I was to be employed, and I knew I was.

1009. How did you know?—By letter from him.

1010. When did you get the letter from him?—About two months before that.

1011. Only one letter?—Only one.

1012. Had you written to him before that?—I wrote to him for a balance that was due to me.

1013. How much was the balance?—£15.

1014. From the election of '65?—Yes.

1015. Did he send you the £15?—He did.

1016. Was that after the dissolution of Parliament?—It was.

1017. When you knew there would be a new election?—I think so, sir.

1018. Where is the letter you got from him?—I believe it is at home at the house; I didn't bring it.

1019. Go down and bring that letter, and all the letters you have got?—I will, sir.

1020. Have you any other papers?—No, sir.

1021. Have you more than one letter of Mr. O'Beirne's?—I have several letters from him.

1022. Bring up every letter of his you have with you?—Yes, sir.

1023. Have you them in a box or desk?—I think they are in a tin small box.

1024. And that is amongst them?—It ought, sir.

1025. Bring up the tin box, and you can get the letter out of it here?—

Michael Maloughney.

Michael Maloughney sworn; examined by Mr. GRIFFIN.

1026. Were you employed in Cashel at the last election?—Yes, sir.

1027. Who employed you?—Only employed: no money in question.

1028. Who employed you?—Mr. O'Beirne, sir.

1029. Was there any agreement between you?—No agreement in the world, sir.

1030. Had you known Mr. O'Beirne before the last election?—Yes, sir.

1031. When you met him first did he send for you, or did you go to him?—I went to Dunn's hotel the night he came there.

1032. Without his sending for you?—Yes, sir.

1033. What passed when you went in?—There were a few gentlemen of the town there, and they went in and they were talking there. I went there and asked was Mr. O'Beirne there, and he called me up.

1034. You went up then?—Yes.

1035. What occurred then?—Nothing but to sit down there a few hours.

1036. Did you tell him anything?—I did, sir.

1037. What was it?—About Cunningham and the way he was going on with the voters.

1038. What did Cunningham say?—He met two voters in the streets.

1039. What were their names?—Mr. Thomas Murphy of Lowergate and Mr. Patrick Sullivan of Boherclaugh.

1040. This was Pat Cunningham?—Yes.

1041. What did Pat Cunningham say about money?—He came to them and said what way had they a notion of going, that Mr. Munster was after lodging £6,000 to the credit of Michael Laffan, and all they wanted was a way to know how to give it.

1042. Did you hear him canvassing then for Mr. Munster?—He said no more than that, and he was going on that way a few times. There was a man named Fogarty who came up to the three of us.

1043. What Fogarty was that?—That was Roger Fogarty of Lady's-well-street.

1044. What happened then?—He parted him. They were not with us at all. When he seen those two men and myself together he parted Fogarty, and Fogarty went another way, and Cunningham came back and stood with the three of us then.

1045. Were you employed in the election of 1865?—I was, sir.

1046. By whom?—Michael Laffan sent to the house for me two or three times. I wouldn't go to him. The day Mr. O'Beirne was coming to town in 1865 he sent for me.

1047. For whom was Laffan acting then?—For Mr. Lanigan.

1048. What happened when he sent for you?—He sent for me and I went to him. "I want to employ you," he says, "for this election." "Very good," says I.

1049. Did he employ you?—"I suppose," says I, "you are going to give a great deal of money?"

1050. Did you ask him what for?—No, but I said to him, "I suppose you are going to give a great deal of money?" "Oh," said he, "we have whips of that." Then he desired me go into a drawing-room at the right hand side of the hall. His own father who was acting for Mr. Lanigan was at the other side. He left me in the room about a quarter of an hour. There were other parties in the other room with the father.

1051. Were you engaged to act?—After that I was called in, when these parties were done. They were parties he was after employing.

1052. Who were they?—They were John Meenahan, Mr. Canovan, and, if I don't mistake, Mr. Hourigan, but I can't say who the third man was.

1053. Are those men voters?—None of them are voters. When they were done they were let out the door. I saw them passing the window in the side of the street. Then I was called in.

1054. What occurred then?—Then I was engaged.

1055. For what sum?—For £20.

1056. What was the £20 for?—For acting at the election, canvassing, doing everything I could, and looking round. Himself and his father were there then.

1057. Do you mean by "looking round" watching the people of the opposite side?—The voters, sir.

1058. How did your father vote at that election?—He voted for Mr. O'Beirne, sir. At that time when I went down I had two brothers that were playing in the band, and they were going to meet Mr. O'Beirne at the same time. This was in '65.

1059. Were your brothers then voters?—No, sir. I went to Mr. Laffan, and he said, "You can come up now and again; any news you have you can tell me; let no one see you coming in and we will settle these affairs between ourselves."

1060. Your father voted for Mr. O'Beirne?—Yes; I came down and told my brothers I was employed by Mr. Laffan for Mr. Lanigan. They said, if anything happened them I would be the cause of it. With that then I didn't stir out of the town that day. Mr. Laffan asked me what way were the minds of the Lowergate people. "You know well," said I, "every man in the Lowergate is for Mr. O'Beirne." "Then," said he, "the butchers are not." "Oh," said I, "they are only a small body."

1061. Whom did they support at that election?—They supported Mr. Munster. Then I stood in the street. I said, "'Tis better for ye not to play at all, and don't get yourselves hurt."

1062. You got paid £25 by Mr. Lanigan at the last election?—Yes, sir. I didn't get a halfpenny; I was promised it.

1063. Do you remember being examined before Baron Fitzgerald?—I do, sir.

1064. Did you then state you were paid £25 for the election of '65?—I was not paid it, but it was sent to my father, and sent to the house to him.

1065. Did your father keep it?—He did, sir.

1066. Do you live with your father?—I live with my father.

1067. Did Mr. Lanigan know that your father was going to vote for Mr. O'Beirne when he engaged you?—I never see Mr. Lanigan at all, but Mr. Laffan.

1068. Did Mr. Laffan know your father was going to vote for Mr. O'Beirne?—He did not, sir.

1069. Was it after the election was over the £25 was sent?—Long before it, sir.

1070. Then it was before your father had voted for Mr. O'Beirne that it was sent?—This last time, sir.

1071. No, but in '65?—'Tis the last election I am talking of £25. It was due since the election before.

1072. Was not Mr. Laffan acting for Mr. Lanigan?—Yes, sir.

1073. Was it not on behalf of Mr. Lanigan that you were engaged, and promised the £20 in '65?—Yes.

1074. Was it not for him you were engaged to work?—I never worked for him a day; I was engaged for him.

1075. You did not do anything for Mr. Lanigan?—No, and I was not paid anything by him.

1076. When was the £25 paid to your father?—The very instant Mr. O'Beirne came to town this last time.

1077. Who sent you the money?—I could not say, sir.

1078. Whom did your father vote for?—The last election for Mr. O'Beirne.

1079. How did the money come to your father?—I don't know whether he gave it to him or not, only he told me he got the money.

1080. Did he not tell you who gave it to him?—I know it was Mr. O'Beirne gave it to him.

1081. Did you say anything to Mr. Laffan about not being paid the £25 promised?—No, but Cunningham might know it was due to me, for Cunningham was employed by Mr. O'Beirne at the election before.

1082. Is your father in Cashel?—He is, sir.

1083. Mr. WATERS, Q.C.—You swear that the entire of that £20 was due to you in '68?—It was paid before the election of '68, sir.

1084. It was due about a month before the election?—Yes, sir.

1085. In your examination at the trial of the election petition here, were you asked, "Do you swear there was no balance due to you at the last election," and did you say "No"?—No, sir, I didn't swear there was a balance due since the last election, but it was paid, sir.

1086. Did you say one word about the £25 being paid to your father?—I didn't know it until he told me.

1087. When did you first learn that your father got that £25?—At the time of the election.

1088. Did you know at the time of the election petition?—I did, sir.

1089. Did you tell it then?—I did, sir, distinctly; I swore that I was paid it.

1090. That you were paid it?—I swore that it was paid.

1091. Where is your father?—He is in the Lowergate, sir.

1092. Do you know of any other money paid during the election of 1868?—I do.

1093. What money?—Carroll got £35 for his vote.

1094. Anybody else?—I know Michael Coffey got some money.

SECOND DAY.
October 5.
Michael Maloughney.

1095. Anybody else?—I don't know of anybody else.

1096. You were engaged in this election?—I was.

1097. And you were walking about the streets trying to pick up all the information you could?—That was my business.

1098. And you were then hunting up evidence for the election petition?—No, sir.

1099. Did you hear of any other men getting money at the election, except Coffey and Carroll?—I was witness to money between Carroll and Mr. Munster, and the argument; Mr. Munster wanting to say it was for taking his house, and Carroll acknowledged before me he didn't take his house.

1100. Did you hear of any other money given to any one?—No, but I was in the street the night of the 16th November, and that was the night the money was given out at Corcoran's hotel.

1101. Who was giving out that money?—I couldn't tell who was inside. When Carroll got the money that night, he went up to Mr. Pierce Grace with the £35. I just walked up the street, and Carroll was right before me, and says I want to see Mr. Grace. He had the £35 in an envelope, and Mr. Coman's name on it. I went over to Mr. O'Beirne's then and said a few words to him, and he told me to go out, and then word came in that Carroll had the money.

1102. Did you hear that any other money was given except that to Carroll?—Coffey, sir.

1103. Did you hear of any man except Carroll getting money that night at Corcoran's hotel?—I did, Pat Maher, sir. We went to Pat Maher, and Carroll told him, "Pat, I got the money." "Och, blood and ages!" says Pat, "hold on; I'll go in too," says he. With that Pat Maher and Carroll went in, and I went up the street.

1104. What have you to say about a man named Geary?—I was in his house.

1105. Did you hear anything about him?—I did not.

1106. Did you hear of any other man getting money that night or any other night?—No, except Coffey; I seen a man with him.

1107. Had you any money during the election?—No, sir.

1108. Or a cheque?—Never handled a cheque or money during the election.

1109. Or anything of the nature of a promissory note, or bill, or anything of that kind?—No, sir.

1110. MR. GRIFFIN.—What was the sum paid to your father in 1868?—£25, sir.

1111. It was £20 you agreed with Mr. O'Beirne for in '65?—Yes, on conditions that my brothers went, they would get as much more, and they wouldn't stop.

1112. How did your father come to get £25 instead of £20, if it was paid for you?—Sure that is Mr. Lanigan's £20.

1113. It was Mr. Laffan that promised you £20?—Yes.

1114. With whom did you make the subsequent agreement for £25?—I made no agreement. It was my father and brothers went in, and Mr. Johnson said he would give them £25.

1115. And Mr. Johnson was agent for Mr. O'Beirne?—I couldn't say; but he was acting for him.

1116. Was that in '65?—In '65. Mr. Johnson said that he would see me all right.

1117. Were your father and brothers with Mr. Johnson in '65?—Yes.

1118. And it was in consequence of what occurred between Mr. Johnson and yourself that your father got £25?—Yes.

1119. You refused to go for Mr. Lanigan after that?—Yes, because I was in dread.

1120. What money did your father get in '65?—I couldn't tell you, sir.

1121. Did he not tell you what he got?—No, sir.

1122. Was there no talk in the family about what was going on?—No, sir.

1123. Did you not ask what you were to get?—No; all he told me was to get £20 from Mr. Munster and Mr. Lanigan.

1124. Do you not believe your father got money in '65?—I wouldn't swear it.

1125. Mr. MOLLOY.—Did your father ever vote for Mr. John Lanigan?—He did once, sir, when there was not another man there. He was pledged to him.

1126. When was Mr. Lanigan a candidate when there was no person opposing him?—I believe the election before he——

1127. What year?—I don't know was it in '59 or what year.

1128. And there was a poll and your father voted for Mr. Lanigan?—He did, sir.

1129. You said that on the 16th November you were in the street at night. Whom did you see going in and out of Corcoran's?—I saw different voters.

1130. Tell me who they were?—I saw Cunningham's father going in with Mr. Flynn.

1131. What Flynn?—Mr. Flynn that lives in Johnstreet.

1132. Did you not see him going in with other persons?—No; but I seen the other persons going in two by two.

1133. Whom did you see going in?—I saw Robert Cashin going in.

1134. Whom else did you see going in?—There were so many I couldn't remember. There was Michael Noonan and different boys, and there were men that had no votes bringing them in. I know the whole of them, but can't bring them to my recollection.

1135. Name some other persons who were going in?—I couldn't go too near the door for they were murdering one another in the street. I should stand near where the Peelers were.

1136. And you saw people going in?—When the Peelers would come near the door I was sure to be alongside of them.

1137. Whom else did you see going in?—I can't bring to my mind their names.

1138. How long was Maher in?—About three quarters of an hour.

1139. How much did you get from Mr. O'Beirne for the last election?—Nothing at all, sir.

1140. The £25 was for '65?—For '65.

1141. Did you work for nothing at the last election?—I knew he was a gentlemen, and would see me all right.

1142. Did you ever make application to him since?—No application.

1143. Do you expect anything from him?—I don't expect it now.

1144. Why?—Because it would be too bad to look to a beaten man for money.

1145. Did you not fulfil your service?—I did, but I don't expect payment now.

1146. Were your brothers engaged in the last election?—No, but they were engaged in '65.

1147. Were they as active for Mr. O'Beirne in '68 as they were in '65?—No; there was one of them in America.

1148. How many brothers had you in '65?—Four brothers, but one of them was a young fellow; he is dead.

1149. Then you had two brothers in '68?—No, but one; the other was in America.

1150. Did your father get anything from Mr. O'Beirne in '68?—No, sir, never went near the house only one night he was sent for and went up.

1151. Did he tell you what he was sent for on that night?—They were sent for for nothing at all.

1152. Did he tell you what he was sent for on that night?—All the voters were assembled there that night.

1153. Did he tell you what he was sent for on that night?—I knew well myself what he was sent for.

1154. Did he tell you?—He did: that all the voters were there, and Mr. O'Beirne wanted to see the strength of his voters.

1155. Whom did your father tell you he got the £25 from?—From Mr. O'Beirne.

1156. From Mr. O'Beirne himself?—I think so.

1157. Do you recollect what your father told you about it?—All he told me was that he got it.

1158. Did he show you the money?—He did not.

1159. Is your father's name William?—Yes, sir.

Michael Keeffe recalled; examined by Mr. MOLLOY.

1160. Did you examine the tin box?—I did, sir.

1161. What was in it?—A lot of papers belonging to the agent. I examined them carefully, and there was nothing belonging to Mr. O'Beirne.

1162. Why did you not comply with the direction to bring the tin box without examining it?—There were too many papers belonging to other parties, sir.

1163. Where did you get these letters?—In the wooden box, not in the tin box.

1164. Is the letter there that you mentioned before you went away?—It is, sir [handed in letters]. There were no communications concerning voting between Mr. O'Beirne and me, excepting them two letters.

1165. You canvassed for Mr. O'Beirne?—I did, sir.

1166. Was there any agreement about what you were to be paid?—£20.

1167. For canvassing the voters?—Yes, and going of messages during the election.

1168. Was that agreed the night you took his traps into the hotel?—Yes, sir.

1169. And you were to get it up to the election?—Yes, on the day of the declaration.

1170. You were acting for him in '65?—For the last thirteen years.

1171. How much did you get for what you did for him in '65?—I think £20.

1172. And he gave you the same terms in '68?—Yes.

1173. Did he tell you that night "you will get £20 for canvassing"?—I told him Mr. Laffan sent for me, and promised me a handsome sum, and that I would not go with Mr. Laffan. He asked me what did I think I would get from Mr. Laffan. I told him he didn't name a sum, but would see me well paid. He turned on me and said "for your services and messages I will give you £20 for this election," and I was satisfied.

1174. Whom did you canvass?—All the voters that I could see. I know the greater part of the voters.

1175. Did you get a list?—No.

1176. Did you go to the Commons?—I did.

1177. Did Mr. O'Beirne pay you the £20?—His valet paid me.

1178. What is the valet's name?—Henry Raven.

1179. When did he give it to you?—He gave it to me in three drafts. He paid me £5 twice, and after the declaration of the poll I was paid £10 more by the valet again, Mr. O'Beirne being gone home at that time.

1180. This was all in '68?—In '68.

1181. Was that all the money you got for the election of '68?—That was all.

1182. For any purpose?—Oh, yes, I did, for several purposes.

1183. All you were entitled to, for your services, was £20?—£20.

1184. And your claim, on that head, has been discharged?—Yes.

1185. Did you do for him what you contracted?—As far as ever I could go.

1186. Did you canvass the Commons people?—I did, sir.

1187. Did you meet with many refusals?—Well, I didn't, sir. There were twenty-nine, I think, of the Commons people altogether that pledged to Mr. O'Beirne.

1188. Did you go round among the Commons people?—Yes, in procession; we went round and there were meetings held.

1189. Did you go round canvassing them?—I did. I met the most of them in town and asked them.

1190. Did many refuse you?—Not many.

1191. Some said they had not their minds made up, I suppose?—As far as I can recollect I don't recollect them. We got the chief part of the Commons.

1192. Did any persons tell you that they had not their minds made up?—I heard it in parties who didn't vote for him, and I didn't canvass one of them.

1193. You did not try to induce them?—I did not, sir; 'twas no use.

1194. How much money did you get from Mr. O'Beirne on account of the election of 1868?—£20.

1195. Did you get any other money?—I got money to pay a mob.

1196. How much did you get to pay the mob?—I couldn't exactly say. It can be ascertained. He came to town about the 10th October, and from that until he was declared, about six weeks.

1197. What can be ascertained?—The first night there was a mob hired 'twasn't I paid them.

1198. Who paid them the first night?—Canovan and Meenehan: 132 men at 2*s.* 6*d.* a head.

1199. How much did you get for those you paid?—I would return my list to his valet.

1200. Did you get £5 or £500?—To the best I could ascertain or recollect, I got something about near £150 or £200.

1201. You spoke about the lists you made out; what were those lists?—Men at 2*s.* 6*d.* a day agreed for.

1202. What did you do with the lists?—I returned them each night to his valet.

1203. Where?—At the hotel.

1204. Two-and-sixpence a day was the payment for the men employed in the mobs?—Yes.

1205. Did you expend the whole of that £150 or £200 in the payment of these men?—I don't say it was that exactly, but only a rough calculation to come at it or about it.

1206. Did you apply all you got in the payment of those men?—In the payment of the men and the women.

1207. And to nothing else?—To nothing else.

1208. Did you do nothing at all with the money you got but to pay it out to the men and women?—Nothing else except to pay for the orders for liquor. That was exclusive of the £150. There are bills over for that yet.

1209. Who was to pay for it?—I don't know.

1210. Which was it you or the people that drank the whiskey that were to pay for it?—I suppose 'tis me; it is to be paid for yet.

1211. How will you pay for it?—Of course if I am pursued for it. They are only small bills, sir.

1212. Do you know how much you owe for this election?—I don't, sir.

1213. Did you keep an account?—I did not, sir. I never gave more than an order at each time for two gallons of spirits.

1214. Who desired you to order the spirits?—Mr. O'Beirne's valet.

1215. Did he say who would pay for it?—He did not.

1216. Whom did you order the liquor from?—Different parties in town.

1217. How many persons?—Four I think, sir.

1218. Who were they?—There's Joseph Ryan, Pat Maher, Michael Dwyer, and Pat Condon.

1219. Any person else?—Not to my knowledge, sir.

1220. Did not a man named Grace get an order?—Yes, Richard Grace got a very small order.

1221. I suppose you gave orders in the same way at the election of 1865?—I did, sir.

1222. Were those orders paid?—I dare say they

SECOND DAY. *October 5.*

Michael Keeffe.

were, for if they were not they would look to me for them.

1223. And they did not look to you?—They didn't.

1224. Did not some of the publicans come to you at the election of 1868 for your custom in giving these orders?—Never to my knowledge. I went unexpected to them; they never invited me.

1225. Did you not go to the same persons as you did in 1865?—I did.

1226. You would not give the custom to men that would vote against Mr. O'Beirne?—Of course I would not.

1227. And any man that would support Mr. O'Beirne, you would order the liquor from him?—It was only a small order.

1228. Any publican that had voted for Mr. O'Beirne, would you not give him the custom of ordering liquor from him?—I give a preference, sir.

1229. Did you receive any money at all from Mr. O'Beirne himself?—No, never: through his valet.

1230. You received the payment of the £150 from the valet?—As far as my knowledge can lead me it comes to that.

1231. But you are certain you received no money from Mr. O'Beirne himself?—Except my own salary, the £20.

1232. Was it by cheques or in cash the valet paid you?—The last £10, it was in notes he paid me; I got a cheque for £5, and notes for the other £5.

1233. How was the £150 paid?—'Twas all in notes.

1234. Do you know of any money passing on the other side at the last election?—On my oath I don't, sir.

1235. Did you hear that any money passed?—I did, sir.

1236. Did you hear who was getting it?—I heard they were getting it at both sides.

1237. Who did you hear was giving it?—I could hear both sides were giving it.

1238. Who did you hear was giving it on Mr. Munster's side?—I couldn't swear.

1239. Try and recollect?—If I could recollect I would.

1240. Who did you hear was giving it on Mr. Munster's side?—I heard Mr. Pat Laffan, that is gone away now, offered to give money to several of the Commons people, particularly the women.

1241. Whom did you hear Pat Laffan offered money to in the Commons?—I couldn't swear any particularly.

1242. Did you not inquire?—I did, sir.

1243. Whom did you hear he was offering it to?—I could not swear, sir.

1244. Do you swear that?—I do honestly.

1245. Whom did you inquire from?—I don't know who I inquired from—every party I met I inquired of it.

1246. Who else did you hear was giving money on behalf of Mr. Munster?—I don't know, sir.

1247. Did you hear Cunningham was giving it?—I heard so, but I don't know to whom.

1248. Who else did you hear was offering money on behalf of Mr. Munster?—I don't know, sir. I heard, but I couldn't name any person.

1249. Did you not hear they were taking houses?—I did.

1250. Did you know what they meant by taking the houses?—I did, of course.

1251. What did it mean?—Tally-rooms, legally.

1252. What do you mean by legally?—The law allows it, I am told; but if it goes beyond a certain number.

1253. How many would be allowed?—Either two or three, I believe.

1254. Were not the tally-rooms to be used?—Of course.

1255. How many tally-rooms did you hear would be required?—I heard three for each candidate.

1256. What was understood by taking a man's house, and never using it?—I couldn't answer that, sir.

1257. You are a native of Cashel, and when you would hear that a man's house was taken for £40—two rooms in it on the eve of an election, and no use made of it—what would you believe to be the object of the man who took it?—My opinion is that I don't think he was right in doing so.

1258. What object had he in giving £40 for nothing?—I can't answer that, sir.

1259. How would the man that got the £40 for the rooms that were not used vote?—I never knew such a case at any election.

1260. If such a case did occur and a man took £40 and voted for the other candidate, what would you think?—I don't think he was an honest man.

1261. And whoever he took the money from you would expect he would vote for that man?—Yes.

1262. If a man lets his rooms to a candidate you expect he would vote for that man?—I think he ought, sir.

1263. You mentioned Condon?—Yes, Patrick Condon, living in the Main-street.

1264. You got orders for liquor to him?—A very few orders.

1265. Did you ever pay for any of these orders?—I did not; they are hanging over still.

1266. Were they written orders?—Verbal.

1267. Did you tell them to put it down in the book?—I didn't; I suppose they did it themselves.

1268. Did you keep any account of how you expended this money?—I should return the list every night to Mr. O'Beirne's servant, and I would not get money unless I did so and my name signed to it.

1269. On what were the lists written that you gave the valet?—On a small slip of paper. I would get money for it at night.

1270. Mr. WATERS, Q.C.—You have no letter later than these?—No, sir.

1271. This is the last?—The last sir; no communication with Mr. O'Beirne since.

1272. What was the largest sum you paid to any man from the time you heard from Mr. O'Beirne until the election was over?—2*s.* 6*d.*

1273. And you tell me you paid £150 in sums of 2*s.* 6*d.*?—For between six and seven weeks.

1274. Mr. GRIFFIN.—You gave orders to Joseph Ryan, Pat Maher, Michael Dwyer, Pat Condon and Richard Grace?—Yes, sir.

1275. Are any of those men voters?—They are all voters.

1276. What was the largest amount of any of those orders?—I believe there were other parties gave orders, but mine were very small.

1277. I do not mean one night's ordering, but what was the largest amount you heard of any of those men getting?—I think £3 was the highest.

1278. Do you mean to say that none of those men got more than £3?—They may from others; I am only talking of myself.

1279. You gave the preference to the men you expected to vote for Mr. O'Beirne?—Of course I did, your worship.

Mr. George Richardson.

Mr. *George Richardson* sworn; examined by Mr. WATERS, Q.C.

1280. I believe you live in Manchester?—I do.

1281. You are a solicitor?—Yes.

1282. You say you came over here for no other purpose but to attend at this inquiry?—For no other purpose.

1283. You were appointed an expense agent of Mr. Munster at the last election?—I was.

1284. Did you keep accounts?—Yes, I did.

1285. Did you bring them with you?—I have got a statement of them.

1286. Did you bring the accounts from Manchester with you?—The accounts are here in Cashel.

1287. Had you the accounts in Manchester?—I had no accounts in Manchester.

1288. Where are the accounts?—Mr. Laffan has some and Mr. Biggan others.

1289. Mr. Biggan is your clerk?—Yes.

1290. Has he ceased to be Mr. Munster's secretary?—I believe he has.

1291. Have you collected the accounts?—They are altogether, I believe.

1292. Where?—Some in Mr. Laffan's hands and some in Mr. Biggin's.

1293. Can you give them to me now?—I cannot give you the accounts.

1294. What do you produce?—A statement of my accounts the same as is filed.

1295. Is not this the copy furnished by the secretary to the Commissioners?—It is exactly the same as I have sent in.

1296. Where is the one from which this account is made out?—I do not know.

1297. You made this account out from some materials?—Yes.

1298. Where are the materials from which you made this account out?—They are principally in Cashel.

1299. Are there any of them not in Cashel?—I don't think there are any.

1300. You say these accounts are here, but you have not put them together. I must ask you to collect them, and have them for me by to-morrow morning?—Very well.

1301. You were appointed an agent for election expenses?—Yes.

1302. Do you recollect the date of the order of appointment?—The 14th November, I think.

1303. Are you able to tell me whether any money has been paid on behalf of Mr. Munster at the last election except what passed through your hands?—Not that I am aware of.

1304. Did you hear of any having been paid?—None.

1305. You never heard of any?—Not of any except what passed through my hands.

1306. How soon did you go back to Manchester after the election?—Very soon after; perhaps a day or two after.

1307. And were you over here before the 14th—the day of your appointment?—I think my appointment was made here; I think so, but I am not quite sure.

1308. How did you make the payments?—I made the payments by cheques. I think I made all the payments by cheques.

1309. On what bank?—On the bank here in Cashel.

1310. The National Bank?—Yes.

1311. Then I presume there was a lodgment made to your credit there by Mr. Munster?—Yes, there was.

1312. When was that done?—It was done at the time that I came to Cashel.

1313. To what amount?—At first I drew on his account. It was not exactly lodged in my name in the first instance, but I had authority on the bank and drew on his account.

1314. Subsequently there was an account opened in your own name?—Yes.

1315. Have you the blocks of the cheques that you drew?—I can have them in the morning.

1316. Is this account in your handwriting?—No; it is written by my clerk; but it bears my signature.

1317. Your name is written on an erasure there?—I don't know why that was. It is my clerk's writing. He may have put the date there before I put my name. I don't know why there is an erasure there. It is only an error of some kind.

1318. Is the clerk that wrote this here or in Manchester?—He is in Manchester.

1319. Was this document written in Manchester?—It was written in Manchester.

1320. Was it written from your dictation or did you give him a draft?—It was written from a draft.

1321. Where is that draft?—Well, I don't know where the draft is.

1322. Are all the moneys that were paid in this account paid by you?—They were all not immediately paid by me. They were all paid by cheques by me. Some of them were paid by Mr. Laffan, and he assisted in paying them in that way. They were all paid by my cheques. A great many of them are in small sums.

1323. Has any money been paid since?—I believe some of these accounts mentioned as not being paid have been paid since. I gave authority to Mr. Biggin, my clerk, to draw cheques to pay these.

1324. Will Mr. Biggin be able to tell whether these are paid or not?—He will.

1325. I observe in the first page there are several newspaper bills for advertisements?—I believe they are all paid, but I don't know it as a fact; I believe not for so much as is put down there.

1326. I observe here, "The following persons also claim as follows, but their accounts are disputed and will probably be reduced"?—I believe none of these have been paid.

1327. Will Mr. Biggin be able to tell me that?—He will be able to answer that.

Mr. *Edward Henry Biggin* sworn; examined by Mr. WATERS, Q.C.

1328. Do you know if any of the men whose names appear on the second page of this account have been paid since;—I know that persons have been paid since, and I can tell you them all in the morning.

1329. You will let me know in the morning?—Yes.

Mr. *George Richardson's* examination resumed by Mr. WATERS, Q.C.

1330. This account was sent from Manchester?—It was.

1331. Were there any vouchers sent with it?—No, the vouchers I had seen at Cashel while here.

1332. And did you not send any vouchers to the sheriff?—I am not quite sure about that. It was sent to Mr. Laffan to be handed to the sheriff, and I believe he sent the vouchers with it.

1333. Are you aware that under the Act of Parliament you are bound to send the vouchers?—Yes.

1334. Did you send any?—I have no doubt they were sent in, because the document was sent to Mr. Laffan to be filed, and he had the vouchers, and I have no doubt he sent them with it.

1335. Was it sent by you from Manchester to the sheriff?—No, but to Mr. Laffan, to be filed with the sheriff.

1336. Then, you do not know what was done with it after it reached Mr. Laffan's hands?—No.

1337. Did you preserve the vouchers yourself?—No.

1338. What did you do with them?—He had all the vouchers, and I suppose he handed them in.

1339. You did not keep any of the vouchers yourself?—No.

1340. Did you see any of those payments made yourself?—I gave cheques for several of them. I gave a cheque to Mr. Laffan for that first money for

SECOND DAY.
October 5.
Mr. George Richardson.

himself. Then I gave Mrs. Corcoran also a cheque which paid her bill. I gave Mr. Fitzgerald a cheque for that £15.

1341. Who disbursed the money entered on the other side—£42, £49, and £155?—That was disbursed out of cheques which I gave to Mr. Laffan to pay these.

1342. Do you know who disbursed those sums?—Mr. Michael Laffan disbursed them.

1343. He was the conducting agent?—He was.

1344. Did you know Mr. Patrick Laffan, his brother?—I did.

1345. I suppose you saw him here several times in connexion with the election?—I did.

1346. Did you give him any money?—No, not any that I am aware of. No, I did not give him any. I gave all the cheques that I drew to his brother, the solicitor.

1347. Do you say generally now, and with a full recollection of the fact, that you did not give any money to any one but Mr. Michael Laffan?—To Mr. Patrick Laffan I gave no money certainly, nor for election expenses, except what I have mentioned, to anybody except Mr. Michael Laffan.

1348. Are you aware that Mr. Patrick Laffan did disburse some money during the election?—I heard it mentioned that he did.

1349. Have you any idea of where that money came from?—I have not, except that he might have disbursed part of the money I handed to his brother.

1350. In any other way you do not know?—No.

1351. Mr. MOLLOY.—You spoke of this account sent to the sheriff being copied by your clerk from a draft?—Yes.

1352. Who wrote out the draft?—I wrote it out myself principally, and it was corrected by Mr. Laffan.

1353. Was the whole of the draft in your handwriting?—It was either in my handwriting or in my clerk's handwriting.

1354. Which was it, you or the clerk, that made out the draft?—I made out the draft from which the account was copied.

1355. Did you preserve it along with the vouchers?—I do not know.

1356. What has become of that draft?—I do not know. I did not think you would want the draft.

1357. Did you ever bring the vouchers to Manchester?—No; I saw them here before I left Cashel.

1358. Was the draft prepared here?—It was partly prepared here and partly prepared in Manchester.

1359. What were the vouchers you had with you in Manchester?—I had no vouchers in Manchester; the vouchers were all left here.

1360. Are you able, looking at the copy you have there, to say what portion of the draft was prepared in Manchester?—I do not know that I can say that exactly.

1361. Are you certain that all the vouchers remained in Ireland, and that none of them were brought to Manchester?—I do not believe one of them was.

1362. For what purpose did you bring the draft over to Manchester?—I took it over generally to settle it, and see what things properly belonged to it. There were other cheques I drew in Cashel for other things which did not belong to the election at all, which, of course, I did not include in this.

1363. You are not able now to say what portion of the draft was made out in Manchester?—I think it was mostly made out in Cashel; there may have been some little correction made afterwards in it.

1364. Was it Mr. Biggin who copied this?—No.

1365. Who is the clerk that copied it?—He is not with me now.

1366. What is his name?—His name is Burke.

1367. What is his Christian name?—Michael.

1368. He had been with you in Manchester?—He was at the time he wrote it.

1369. You gave him a draft to copy?—Yes.

1370. You then sent it over to Mr. Laffan?—Yes.

1371. Did you give directions to Mr. Laffan to send any vouchers along with the account?—I may not have said it in so many words, but Mr. Laffan knew what was the custom.

1372. Did you send the accounts to him to send in with the vouchers to the sheriff?—Quite so.

1373. Had you ever, in your own custody, the vouchers, or did they remain with Mr. Laffan, or Mr. Biggin?—They passed through my hands in Cashel frequently.

1374. But you did not preserve them in your own custody?—I left them with Mr. Laffan.

1375. How do you know but that Mr. Biggin may have some of them?—I heard him say he has some of them. He has paid some of them with my orders since I left.

1376. Mr. WATERS, Q.C.—Are you able to give me any information as to Mr. Patrick Laffan?—No; I know nothing about him.

Adjourned.

THIRD DAY.

WEDNESDAY, OCTOBER 6, 1869.

THIRD DAY
October 6
Mr. George Richardson.

Mr. *George Richardson* recalled; examined by Mr. WATERS, Q.C.

1377. Have you got the accounts you have spoken of?—I have got the accounts.

1378. Are you able to tell me how much you charged on the entire in Cashel while you were here?—£1,168 7*s.* 1*d.*, and £345 9*s.* 10*d.*

1379. You say that some of those were for matters not connected with the election?—Yes. I can explain all the cheques: Mr. Boyton for his house £40; that is, for Mr. Munster's residence. It is dated October the 15th. Cashel races, £25, same date; and telegraph office, £26.

1380. What was that paid for?—I believe it was towards the expense of establishing a telegraph office here.

1381. You paid those cheques yourself, I understand you to say?—I paid the cheques myself.

1382. Did you give them to the persons to whom they were payable, or hand them to others?—I generally gave them to the individuals themselves, I believe.

1383. Go on?—For purchases at the bazaar, £50.

1384. Who made those purchases?—Half the purchases were made by me, and the other half by Mrs. Leahy.

1385. You made purchases amounting to £25?—Yes.

1386. On what day was the bazaar held here?—Somewhere between the 15th and 27th of October. I think the cheque is dated the 15th.

1387. To whom is the cheque made payable?—It is made payable to myself.

1388. By whom was it indorsed? Who got the cash for it?—It was not indorsed at all. I got the cash without indorsing it.

1389. You say that that £50 represents goods purchased at this bazaar: it was a charitable bazaar, I suppose?—Yes.

1390. What is the institution with which it was connected?—I think it is the Presentation Convent here.

1391. And £25 worth of the goods were purchased by yourself?—£25 by myself and £25 by Mrs. Leahy.

1392. Did you purchase those goods by the directions of anybody?—By the directions of Mr. Munster.

1393. Mr. GRIFFIN.—Do you recollect the day Mr. Munster came?—He did not come, I think, until it was over.

1394. Mr. WATERS, Q.C.—Were you here before Mr. Munster?—I was.

1395. And where did Mr. Munster give you the order to purchase those things at the bazaar?—Well, it was either by letter or by order when I saw him in Sheffield before I came over here; I am not sure which; but I know I had his instructions to buy those things—"generally, spend £50 for me at the bazaar."

1396. That is, the entire order to spend £50 was given to you, and you disposed of some of it and Mrs. Leahy of the rest?—Yes, we were together here, his friends.

1397. Of course you heard of this bazaar being about to take place?—Yes, we had had circulars about it: he had a circular about it in Sheffield.

1398. At that time, was Mr. Munster's address published, or was it intended that he was to be a candidate?—It was generally known that he was to be a candidate: whether the address was published I cannot say.

1399. Searching your recollection farther, are you able to say that the direction to purchase that £50 worth of goods was by letter?—I really cannot say. I should think it would be by verbal direction: I should say so.

1400. Did not Mr. Munster live in Sheffield?—He lived in Sheffield and I live in Manchester, but I saw him a very short time—immediately—before I came over to Ireland.

1401. If it was by verbal direction, do you recollect anything more than the simple direction to buy £50 worth?—No, I do not.

1402. Who is Mrs. Leahy?—The wife of Mr. Edmund Leahy who is a friend of Mr. Munster.

1403. Were they stopping in Mr. Munster's house?—I am not quite sure whether it was Mr. or Mrs. Leahy that made the purchases, but it was either the one or the other.

1404. What is the next cheque?—The next is a cheque for £50 which was paid afterwards in small sums. It was paid away in small sums, not being appropriated to the use for which it was drawn.

1405. What is the date of it?—It is dated the 15th October.

1406. What is the date of the cheque for the £50 you expended at the bazaar?—That will be it: the 15th October.

1407. What is the next?—The next is 16th October, £50.

1408. For what purpose was that cheque originally drawn?—It was drawn originally, I believe, to buy a horse, but it was not used for that purpose, because the horse either was not sound, or it was not appropriated to that purpose. It was drawn for it, but not used for it. Parson and Beresford got £9 11*s.* 6*d.* for printing addresses. R. O'Donnell, by Mr. Laffan, got £10. He had something to do with the telegraph office. I am not sure of O'Donnell. Leonard Cartwright, a hotel bill, a young man from Sheffield in Mr. Munster's employment, having nothing to do with the election, £2; Rogers, another messenger from Sheffield, £2; £5 paid to cabmen and others in Cashel, for sundry small things.

1409. Do you speak of those things from your own knowledge?—Yes, certainly, from my own knowledge, these are all my own knowledge. The case of O'Donnell is the only case in which I am at fault. There were hotel bills £4, and the small balance of the £50 remained in my hands until I accounted for it with Mr. Munster, when I squared up with him. I gave various sums to Mr. Michael Laffan, which are here at different dates; the 16th October, £20; 17th, £20; 20th, £75; the 30th, £19; November 2nd, £54 15*s.* 7*d.*; November 2nd, £75; November 9th, £50; November 14th, £50; November 19th, £100; November 23rd, £50; that is the end of Mr. Laffan's cheques.

1410. That is £513 15*s.* 7*d.*?—Exactly, sir.

1411. Were those sums given to Mr. Michael Laffan for expenditure for election purposes?—They were, and for other purposes besides election purposes, such things for instance as the telegraph office and other matters which Mr. Laffan will explain, no doubt.

1412. And this £513 is included in the accounts furnished?—There is a good deal of it included there. The sum of £306 13*s.* 6*d.* is included, beginning with car-drivers, £19 19*s.* 2*d.*, and ending with £155 15*s.* 0*d.* paid to messengers, &c. That makes £306 13*s.* 6*d.* which he accounts for in this account. The rest he will explain, I suppose. That £306 13*s.* 6*d.* forms part of the money handed to Mr. Laffan by my cheques. The rest of it, I believe, was expended in other things, which he will explain. The next cheque is the Dean of Cashel for rent of house in John-street, £15.

1413. Was that house taken in connexion with the election?—No, it was for a residence for Mr. Munster.

1414. What is the next?—Captain Stuart, £25.

1415. Is that in reference to the election?—No, he was a friend who came over to see Mr. Munster during the election, and Mr. Munster paid his travelling expenses. He has no connexion with Cashel at all that I am aware of. On the 20th there is £55 for a horse bought from Dr. Moloney. I don't find that cheque returned amongst the other cheques, therefore I cannot explain how it is not so, but it was given for that purpose by me.

1416. Mr. GRIFFIN.—You did not get back the cheque?—I don't think it is come back from the bank. I do not know whether he got the money or what became of it; it was given by me.

1417. When did you get back the cheques?—Soon afterwards, when the banking account was closed.

1418. They had not got it at the time?—They had not got it, or it is mislaid.

1419. Mr. WATERS, Q.C.—Is the amount of the cheque debited to the account?—I cannot say. I have no banking book.

1420. What is the next?—Mrs. Corcoran, on account, £30, the 20th October. That is for the hotel bill. The next is £20, which Mr. Munster made a present of to my wife. Then there is Cunningham, £30, the 20th October.

1421. Who is Cunningham?—He was an agent here for us. Pat Cunningham, I think his name is.

1422. Did you give that cheque to Cunningham yourself?—I believe I did. Captain Byrne, £25; Mrs. Corcoran another sum of £30, dated 31st October; Mr. White, for advertisements in the *Cashel Gazette*, £30. The sum of £10 for silver brought over from Manchester.

1423. Do you mean silver coin?—Yes, silver coin—shillings. Mr. Munster wanted change and it was brought over, and a cheque drawn to pay for it. The next, excepting Mr. Laffan's, is 16th November, for a horse.

1424. When you say not referring to Mr. Laffan, do you mean the cheques you have already mentioned?—Yes.

1425. To whom was the cheque given for the horse?—It was handed by me to a party to purchase the horse. It was dated 16th November.

1426. To whom did you give the cheque?—I gave it to Mr. Leahy.

1427. Proceed?—One hundred guineas for myself for my fee for acting as Mr. Munster's agent; Mrs. Corcoran, £30, dated 17th November; the under sheriff on the 20th, £15; two sums of £5 and £6 drawn by myself.

1428. For yourself?—For myself, for my own purposes. Coffey for a house, £20, dated January the 8th.

THIRD DAY.
October 6.
Mr. George Richardson.

1429. That, I suppose, was given by you after your return to Manchester?—It was given when I was here. I came back again and gave a cheque for it.

1430. Proceed?—For small bills for work at Abbeyview, £7 10*s.* 11*d.*, and £16 2*s.* 6*d.*

1431. Did you pay that money yourself or hand it to some person?—I handed these to Mr. Biggin. Mr. Biggin paid these. I handed him the cheques themselves.

1432. Do I understand you to say that you gave these cheques as the election expense agent of Mr. Munster, or in what capacity have you paid these; it was in that way I understood your giving all these cheques?—You wished to know all the cheques I have paid. I am giving you those faithfully. I am explaining to you how they were appropriated.

1433. Go on?—John O'Brien for cars, £6 10*s.* These are all dated the 8th January. All these cheques I am now speaking of are dated the 8th January. Denis O'Kearney for taking care of the court-house during the election, £5; Patrick O'Brien, the telegraph office, £6.

1434. Who is he?—He had something to do with the preparing of the telegraph office, and we thought he ought to have that for his trouble.

1435. Is he the clerk in the telegraph office?—I do not think he is.

1436. Is he a voter?—No, I believe not; it is carpenter work. Thomas Cunningham for cars, £19 12*s.*; Mrs. Corcoran, £168 1*s.* 8*d.*, hotel account; Matthew O'Ryan, for cloth, £6 12*s.*; Mr. Boyton, of Thurles, for cars, £4 5*s.* 9*d.*; *Freeman's Journal*, £4 13*s.* These are still the 8th of January. All the cheques at that time were 8th January. *Nation*, £11 16*s.* 6*d.*; Falconer, for printing in Dublin, £4; the *Irishman*, £12; myself £50; Torr & Co., agents—it is for law money paid to my agents in London, £3 5*s.* 6*d.* That is the entire of the money I paid in cheques.

1437. Did you fill any capacity here but that of expense agent of Mr. Munster?—No.

1438. The entire amount, I think, you told me of those cheques is £1,513 16*s.* 11*d.*?—I gave you two sums that added up to that, I think.

1439. Do you know anything about Michael Ryan being paid a bill for cloth?—I think it would be for some household expenses.

1440. You do not know anything about it?—I was told to pay that cheque.

1441. And in the same way you were told to pay Cunningham a cheque; to give Cunningham £30, and you gave it?—Mr. Laffan told me it was right to pay him £30, and I paid it to him.

1442. And several of those cheques that you have told me of, you gave in the same way, not seeing exactly their direct application?—I cannot say that. I believe they all found their destination; principally I gave them to the parties almost in every instance, except these last cheques, which I handed to Mr. Biggan, and he paid them away.

1443. Is that all the explanation you have to give us?—That is all, I think, that I have to give you.

1444. I have to ask you, in very general terms, but of course, you will understand the sense in which the question is put to you, if you know of any application of money during the election for any of the purposes into which we are directed to inquire here?—No, nothing whatever. Oh, by the by, I should mention, in addition to those claims that I have mentioned, I believe another newspaper has been paid, and that a man named O'Sullivan has received £100.

1445. Who is O'Sullivan?—He is a shopkeeper in town; it was for a debt.

1446. Did you pay it?—I did not pay it.

1447. Are you speaking of your own knowledge?—You asked me if I knew of anything else. I have heard that that was paid.

[Mr. Munster here hands a letter to the witness.]

1448. Read the letter?—It is signed "Michael O'Sullivan."

"Cashel, March 8th, '69.

"SIR,—From the great pressure of my commercial creditors, I am reluctantly forced to apply to you for the payment of my bill. Sir, before I do so allow me to say that I was one of your warmest and most zealous advocates, and, indeed, were it not for the pressure that is placed on me, I would not have applied now or annoyed you so far. For my vote I have never got nor will I ever take anything; but my bill of treating being legitimate, and the judge, in his report, not having made any comment on that matter as being extensive, I am of opinion, sir, with all respect to your superior knowledge, that the payment of my bill is legitimate, even pending a Royal Commission of Inquiry. Sir, my bill was supplied by orders from Mr. Pat Laffan, and the understanding from Mr. Michael Laffan that I was to supply drink where I thought it necessary; and having a great influx of, recourse to, and influence on a great number of voters both in the Commons and in the town, that, coupled with the circumstance of being your most warm advocate, naturally caused my bill to be £98 4*s.* 4*d.* Sir, hoping you won't regard this as being obtrusive or doubtful of your honor's justice,

"I have the honour to be, sir,

"Your devoted and faithful servant,

"MICHAEL O'SULLIVAN.

"Henry Munster, esq., John-street House.

"P.S.—Sir, this is written in the strictest privacy, no living being knowing anything of it save myself, and would never have been written were it not for the circumstance of being pressed myself to pay for a puncheon of whiskey and other drinks got last October, only three months being the usual time given. Sir, again apologizing,

"I am, faithfully yours, &c.,

"M. O'S."

1449. Is there anything else, Mr. Richardson, you can communicate?—I have nothing more to communicate.

1450. If we have to telegraph to you to Manchester I suppose you will return again?—Yes.

[Mr. Munster suggests that the witness should be asked, in order to clear up about the missing cheque, if the cheques were ever in Mr. Munster's possession before that one was found to be missing.]

1451. Were those cheques in Mr. Munster's hands before the time when that cheque was found to be missing?—I got the cheques from Mr. Biggin, and it was missing then.

Mr. Michael Joseph Laffan.

Mr. *Michael Joseph Laffan* sworn; examined by Mr. WATERS, Q.C.

1452. I wish to know where your brother Mr. Patrick Laffan is?—I cannot say.

1453. When did you hear last of him?—I heard from him some four or five weeks ago.

1454. Not since four or five weeks ago?—Not since.

1455. Did you get a communication from him then by letter?—I should think so.

1456. Are you not sure?—I believe I have the letter. I don't know whether he wrote the letter or another brother I have; but I am sure I got a letter from him four or five months ago. I recollect he asked for money.

1457. Where was he then?—He was in Dublin.

1458. What was his address then?—His address was 5, Nelson-street.

1459. Do you know his address at present?—I do not.

1460. And have you not heard from him since that time?—I have not heard from him since that time.

1461. Are you able to give the Commissioners any assistance in discovering where your brother is?—I can express a belief of it; but beyond that I cannot go. If I am asked my belief I would say he is in Dublin.

1462. At 5, Nelson-street?—No, I don't say that.

1463. Did he write to you from 5, Nelson-street?—Yes, at that time.

1464. What has occurred since to make you believe he is not there?—Because my brother, the doctor, left that place, with whom he was staying.

1465. Then you have another brother, a doctor?—Yes.

1466. What is your brother the doctor's name?—Thomas.

1467. What is his present residence?—I don't know; he only left this town—on Saturday night, I think it was.

1468. He only what?—Left Cashel. He was staying with his father during the vacation; with me or with his father here.

1469. You say he is a doctor?—Yes.

1470. Does he practice in Dublin?—I cannot say he practices; he is connected with the medical school of the Catholic University.

1471. Does he hold an appointment in connexion with that?—Yes; he is a Demonstrator of Anatomy in the school, and he is the Registrar for the Medical department.

1472. I suppose he is a young man and has not got a settled residence in Dublin?—No, he has not got a residence.

1473. Have you any reason to believe he is gone back to Nelson-street?—I have no reason to believe whether he has or has not; but if the place is open to him it is very likely he would go to it.

1474. Have you or your family any friend or acquaintance that you know received any communication from your brother Patrick?—Not to my knowledge.

1475. To your belief?—I believe the doctor, that is Thomas, has had a communication from him.

1476. Do you believe that any person in Cashel has had a communication from him?—I should say not.

1477. Do you know if any person in Cashel has communicated with him; I do not want to confine you to strict legal knowledge, I want every assistance from you by belief or otherwise, not limiting yourself to what comes strictly within your knowledge?—I don't know, and have no reason to form any belief that anybody has communicated with him.

1478. Is your brother Patrick a medical student?—He is.

1479. And is he pursuing his studies?—Pursuing his studies.

1480. Do you know if he is attending any school of medicine in Dublin?—The Catholic University School of Medicine.

1481. Then, in short, your belief at present is that your brother Patrick is in Dublin?—That is my general belief.

1482. Will you have the kindness to write to your brother Thomas, and see if he will spare himself the necessity of being obliged to come here. It may be inconvenient. It may be also attended with expense to him, because it is quite optional with us to give expenses or not. Perhaps he would get your brother Patrick to come down?—I shall write to him.

1483. Perhaps you have read or heard what I have said here as to our power of adjournment, and that any person who persists in staying away will not be doing right?—Yes.

1484. Mr. GRIFFIN.—Do I understand you to say your brother Patrick was living with your brother Thomas when you last heard?—Yes.

1485. When did your brother Thomas come last to Cashel?—He came in the latter end of July or the beginning of August.

1486. And up to the time he came had Patrick been living with him?—I believe so.

William Maloughney sworn; examined by Mr. WATERS, Q.C.

William Maloughney.

1487. Are you the father of the young man who was examined yesterday?—I am, sir.

1488. He told us you got £25 before the election of 1868. I wish you to tell us from whom you got it?—The last election! I didn't get anything, sir, at the last election.

1489. Did you get £25 some short time before the last election?—No. Oh, I did, sir! about six weeks or two months before the election.

1490. Attend to my questions and be careful how you answer them?—I will, sir.

1491. You say that six weeks or two months before the last election you got a sum of £25?—I did, sir.

1492. From whom did you get it—from Mr. Johnson?—Oh no, sir, but from Mr. O'Beirne's man.

1493. What is his name?—I don't know his name; his valet that he had above in the house where he lodged, above at Mr. Dunn's.

1494. How were you paid that money; was it in notes?—It was, sir, in notes.

1495. Where were you paid it?—Above at Mr. Dunn's.

1496. In the house was it?—Yes, sir, in the house.

1497. In what part of the house?—On the lobby, sir, on the stairs.

1498. What time of the day was it when you were paid it?—I believe it was about one or two o'clock, sir, but I am not sure what time of the day it was.

1499. Previously to getting that money had you been with Mr. O'Beirne?—I had not, sir, I wasn't more than once or twice there all through.

1500. Did you see Mr. O'Beirne before you got that money, I did, sir.

1501. Was it the same day?—No, sir, but some days before.

1502. What carried you to Mr. Dunn's house that day?—I went up that way, sir; I often go up that way.

1503. What carried you into the house?—To know would I see Mr. O'Beirne, sir.

1504. What did you want to see him about?—About that money that he owed me, sir.

1505. Had you spoken to him the day you saw him before about it?—I wasn't speaking to him at all about it up to that time.

1506. Had you ever written to him?—No, sir.

1507. Do you mean to say you never had spoken or written to him about this money until the day you got it?—Firm and flat, until the day I got it, I didn't.

1508. Did you speak to anybody else, or send any message?—I did not, sir.

1509. Did your son?—I don't know that he did. I know he didn't speak to him.

1510. How had the valet come to bring you the money if you did not speak to Mr. O'Beirne?—My son may have spoken to him.

1511. Do you mean to say you never spoke or got any one to speak, or write, or send a message to him?—Except my son may speak to him.

1512. To whom did your son speak?—To Mr. O'Beirne.

1513. Did he tell you he spoke to Mr. O'Beirne about being paid that money?—He did, sir, about being paid it; but when I got the money I didn't let him know anything about it for some days after getting it.

1514. Is it the son that was here yesterday that told you he spoke to Mr. O'Beirne about it?—Yes, sir.

1515. His name is Michael, I believe?—Yes, sir.

1516. How many times were you with Mr. O'Beirne before you got the money from his valet?—I was once or twice.

1517. Are you sure you were twice?—I was there twice, sir.

1518. What were you speaking to Mr. O'Beirne about; was it about the election?—No, sir. I went up there one evening—he sent for me about nine or ten o'clock at night, and I went, and the voters were all there the same night.

1519. Were there many people there?—There were a good deal of people there.

THIRD DAY.
October 6.
William Malloughney.

1520. Had you any private conversation with Mr. O'Beirne there?—I had not, sir; they were only taking a glass of punch.

1521. Had you promised to vote for him at that time?—I had, sir.

1522. When did you promise to vote for him?—When he came to town.

1523. Did he call on you to canvass?—He did, sir, and I promised him my vote.

1524. Did you vote for him afterwards?—I did, sir.

1525. For whom did you vote in 1865?—For him, sir.

1526. Your son told us yesterday that he was engaged for Mr. Lanigan that year?—He was, sir, but I knew nothing about it.

1527. You had some other sons engaged for Mr. O'Beirne?—I had, sir, at the time.

1528. How much were they paid by Mr. O'Beirne in '65?—£25 they were to get.

1529. Were they paid the £25 in '65?—They were not.

1530. Were you paid any money in '65?—I was paid £25 for my house.

1531 Do you say it was for your house you were paid the £25 in '65?—It was, sir.

1532. Was it the same house you had then that you have now?—It is, sir. Mr. Johnson took it from me in '65.

1533. Is your house in the town or any way out of the town?—It is in the town, sir.

1534. Is it not on Golden-road?—It is, sir, on the square below.

1535. What sized house have you—how many storeys?—A large house, sir.

1536. Are there two storeys over the shop?—No more than one, sir; it is a cottage, like.

1537. Was there any use made of your house in '65?—There was not, sir.

1538. Does your son live with you?—He does, sir.

1539. Who paid you the £25 in 1865; tell me the truth?—Mr. Johnson paid it to me in 1865, sir.

1540 If you tell me the truth, entirely, freely, and honestly, nothing can happen you; don't be afraid to tell the truth?—I will.

1541. Mr. Johnson paid you that £25?—Yes, and I passed him a receipt for it.

1542. Were you promised any more in 1865?—I was promised £25 more for the boys that were playing in the band and going about acting for him. There were three engaged with him in the election.

1543. Was your house taken at the last election?—It was not, sir.

1544. Were you satisfied when you got the £25?—I was not, sir, sure that had nothing to do with the last election.

1545. Did you ask any more money than £25?—I did not, sir.

1546. Did you offer your house, or ask to have your house taken?—I didn't, nor speak a word to him at all about any money at the last election.

1547. Did you tell your son to speak to Mr. O'Beirne, or to anyone about that £25?—I didn't.

1548. And do you mean to say that it was of his own accord, and without any directions from you that your son spoke to Mr. O'Beirne about it?—Surely, I know he was speaking to him about it, but that had nothing to do with the last election.

1549. I did not ask you whether it had or not. I want the facts from you. Did you tell your son to say anything to Mr. O'Beirne about the £25?—I did. I desired him to speak to him about it.

1550. And to ask him for it?—Yes, sir.

1551. How long was that after Mr. O'Beirne came to the town?—I believe it was about six weeks or two months before the election.

1552. I see that Mr. O'Beirne came to the town on the 10th October. It must have been immediately after Mr. O'Beirne came?—It must, sir.

1553. Was he a day, or two days in the town before you sent your son to speak to him?—He was about one or two days.

1554. You told me you did not ask Mr. O'Beirne yourself for it?—I didn't.

1555. And I think you told me you never wrote to him about it?—I didn't.

1556. And you never made any demand on him from 1865 to 1868?—I didn't.

1557. Did your son, to your knowledge?—No, sir, any way that I know he didn't ask it. If he was written to himself he wouldn't answer any letter.

1558. How do you know he would not answer?—I heard many a one say he wouldn't answer any letter that would be wrote to him.

1559. Mr. MOLLOY.—Did you not know that day that you went to the valet you would get the £25?—I did, sir.

1560. Mr. WATERS, Q.C.—Who told you you would get it?—My son told me.

1561. Mr. MOLLOY.—Did he tell you to go up and you would get it?—I didn't know that I would get it when I went up, but he sent me up to know would I get it.

1562. What did he tell you when he was sending you up?—He told me to get the money.

1563. Whom did he tell you to speak to?—To his man, or any of them I would meet.

1564. When you went up to Dunn's whom did you speak to?—I met the valet, and I spoke to him.

1565. What did you say to him?—I told him what I wanted, and he went up stairs and desired me to stay there.

1566. How long was he up stairs before he came down?—He was not long, sir.

1567. Did he call you up on the stairs?—He did, sir.

1568. What did he say when he was giving you the money?—There was the £25 that was coming to me.

1569. Did you show the money to your son Michael when you went back?—I didn't; I believe not for a few days.

1570. Did you tell any of the children about it?—I did not tell any of them about it.

1571. Did they ask you about it?—They did not.

1572. Did you ever vote for John Lanigan?—Never.

1573. Whom did you vote for in 1859?—I believe it was for Mr. Lanigan I voted in 1859; it was.

1574. Mr. GRIFFIN.—Was your house taken in 1859?—It was not, sir. I never, in all the elections that were here, ever got a penny for a vote.

1575. Did you get £25 for your house from Mr. O'Beirne in 1865?—I did, sir.

1576. The other £25 that you say was due was for your sons' going with him in the band?—Yes, sir.

1577. Why was that not paid to you since?—Because I believe he went out of town at the time.

1578. Why was it not paid to you when he came back?—Because he didn't come there after.

1579. How many of your sons went with Mr. O'Beirne in 1865?—Three, sir.

1580. Are not two of them here still?—They are, sir.

1581. Why was it you that went for the £25, and why was the £25 paid by Mr. O'Beirne to you, and not to the sons?—Because I was the master of the house.

1582. Have the sons votes?—They have not; they work with me.

1583. You got your house taken for £25 in '65; did you not think it very unfair of Mr. O'Beirne not to take your house in '68, when you were voting for him again?—He didn't, sir.

1584. Why did you not ask him to take your house, as he had done before?—Because I was inclined to vote for him, and there were parties coming to me from the other side, and they were wanting my vote, and I would not give it.

1585. What parties were coming to you from the other side for your vote?—Mr. Munster's party.

1586. Who came to you from Mr. Munster?—The two Laffans.

1587. That is Michael and Pat Laffan?—Yes, sir.

1588. When did they come to you?—The time of the election.

1589. How long before the election?—I believe it was only about a week.

1590. Was that after you got the £25 from Mr. O'Beirne?—Oh, yes, a good while before that. I got the money a long time before that.

1591. It was about a week before the election they came to you?—Yes, sir.

1592. Was it Mr. Michael or Mr. Patrick Laffan who spoke to you?—Both of them, sir.

1593. Did they come together?—They did.

1594. What did they say to you?—They wanted to make an agent of me, and I told them I didn't understand anything about agency.

1595. Did they offer you money?—They did.

1596. Did they give you a cheque?—No, sir.

1597. Had you heard that they were going about giving cheques to voters?—I did not, sir.

1598. Did they ask you to vote for Mr. Munster?—They did.

1599. Did they tell you that you would get anything by it?—They did.

1600. What did they tell you you would get?—They were saying I would get £10, and to make an agent of me.

1601. What did you tell them?—I told them I was disposed to vote for Mr. O'Beirne.

1602. Did they say anything to you at all about your house?—They did not.

1603. Did they ask you whether Mr. O'Beirne had taken your house this time, as he had done before?—They did not. They didn't say anything to me at all about that.

1604. Did you tell them that Mr. O'Beirne had paid you the £25 that was so long due?—I did, sir.

1605. Did you say you did not like to vote against a gentlemen after behaving so well to you?—I did, sir.

1606. Did you not think it wrong to vote against Mr. O'Beirne when he paid up that old account?—It would not be right.

1607. It would not be honest?—It would not be right.

1608. Did Mr. Pat Laffan ever go to you by himself?—He did.

1609. Was it when he was by himself, or when the two were there that he offered you £10?—Both times.

1610. Did he ever offer you more than £10?—No.

1611. Did you say that was too little?—No, but I said I wouldn't vote for him.

1612. Did Cunningham ever go to you?—He did not.

1613. Did anybody else except the two Laffans come to you, asking you to vote for Mr. Munster?—No, sir, only Mr. Munster himself came to me one day, and I didn't go into the carriage to speak to him when I wasn't going to vote for him.

1614. When did you promise Mr. O'Beirne your vote?—When he came around.

1615. Was it before or after your son had spoken to him about the debt that Mr. O'Beirne came round to you?—It was after it.

1616. When the Laffans offered you £10 and to make an agent of you, were you to be paid for being an agent besides the £10?—I told him I would not vote for him at all, sir.

1617. You understood that they expected you to vote for Mr. Munster if you accepted that offer?—I told him I wouldn't, and even when I was asked up to the hotel I wouldn't go there either, as I wasn't determined to vote for Mr. Munster, for he sent a letter to invite me up to Mr. Coffey's hotel, and I didn't go there.

1618. How long was it before the election that you were asked up to the hotel?—About a fortnight, I suppose.

1619. Did the two Laffans offer you £10 for being an agent?—They did, sir.

1620. By Mr. WATERS, Q.C.—Was it offered to you for being agent, or for anything else?—Only for being an agent, sir. I told them I didn't understand what was being an agent.

1621. By Mr. GRIFFIN.—Do you know what the effect would be of being agent at an election?—I do not, sir.

Michael Maloughney recalled; examined by Mr. WATERS, Q.C.

Michael Maloughney.

1622. Were you asked yesterday if you knew who paid your father the £25?—I was, sir.

1623. Did you say you did not know?—I did, sir.

1624. Is that true?—I knew it was Mr. O'Beirne paid it, but I never knew who paid him the money, but I knew 'twas there 'twas got.

1625. Is it true that you did not know who gave £25?—I didn't.

1626. Do you know now?—I asked him, and he told me 'twas Mr. O'Beirne's man.

1627. When did you ask him?—I asked him last night, but I knew 'twas at Mrs. Dunn's he got it.

1628. Do you mean to say that you did not know until last night who gave him the £25?—I knew it was from Mr. O'Beirne, but I didn't know who gave him the money.

1629. Your father swore to-day that you told him to go to Mr. O'Beirne's man for the £25; is that true or false?—That I desired him to go! I told him to go to Mr. O'Beirne's man and he would bring him up; but I didn't know whether he had the money to give him or not, only to see Mr. O'Beirne.

1630. Your father swore here to-day that you spoke to Mr. O'Beirne about this £25 before you told him to go to Mr. O'Beirne's man. Did you speak to Mr. O'Beirne about it?—Oh, I did long before then, sir, and he told me he would see it all right, that is all he ever said to me.

1631. Why did you not tell me that yesterday?—When I wasn't asked it, sir.

1632. Did you think you were complying with the obligation of your oath when concealing that?—I didn't conceal it.

1633. Did you tell it?—I didn't, when I wasn't asked it. I wasn't thinking of it at the moment. Everything in the world I knew I told it.

1634. When did you speak to Mr. O'Beirne about it?—I believe it was a few days after he came to town—four or five days after—I went in there on a message: he spoke to me and said, "Well Maloughney, I know there is money due to you since Mr. Johnson's time, and I'll see you all right."

1635. Your father says that was before Mr. O'Beirne canvassed him?—Oh, long before it, sir; as far as I can recollect it was about two months before it. I can't recollect how soon he came to town before the election, but it was about that time.

1636. Did you speak to Mr. O'Beirne first about this money?—No.

1637. Did you speak to him first, or he to you?—I can't say who spoke first, but he said "there is money due to you."

1638. Your father says he never wrote to Mr. O'Beirne, and you never wrote to Mr. O'Beirne, and never asked him for the money from '65 to '68, therefore, I apprehend you spoke to Mr. O'Beirne about it?—From '65 to '68 he never spoke to Mr. O'Beirne about it, no more than I would speak to Mr. Johnson about it in Dublin.

1639. Mr. Johnson was dead in '68?—He was.

1640. When you went to Mr. O'Beirne, and when you had the talk about the £25, was it not you that spoke to him first, and said that this money was due to your father?—I may speak about it first, but still he knew the money was due.

1641. And then he promised you to pay it?—He did.

THIRD DAY
October 6.

Michael Maloughney.

1642. Did he tell you to send your father to his man?—He did not.

1643. Did he tell you he would give the money to his man for you?—No; he said he would see me all right.

1644. Did he say anything about giving the money to his valet for you?—He did not.

1645. Then why did you tell your father to go to his valet?—Because when you would go to Dunn's the first person you would see would be his man. You wouldn't be allowed up stairs until you would see his man.

1646. Mr. GRIFFIN.—You were to have got £20 from Mr. Laffan in '65?—Yes, sir.

1647. That was for yourself?—For myself, sir.

1648. Then there was £25 given by Mr. O'Beirne for your brothers and yourself for their being in the band, and all those services?—At this time when I agreed with Mr. Laffan—this was the day Mr. O'Beirne was coming to town, that was the day they were going to meet him, all the town—I agreed with Mr. Laffan for £20, that I would act for him, and I would act for him were it not for the day of the proceedings, coming into town, there was such murdering, and even two horses were thrown down and the band scattered.

1649. The £25 was for yourself?—Yes.

1650. Your father let his house?—So he told me.

1651. Why was the £25 not given to yourself?—If I went myself I would get it.

1652. Why did not Mr. O'Beirne give it to you the day he said he knew all about it?—Perhaps it was not convenient that day.

1653. Why did you send your father and not go yourself?—I told him to go and he would meet the valet there, and he would usher him up to him.

Mr. Henry Munster.

Mr. *Henry Munster* sworn at his own request; examined by Mr. WATERS, Q.C.

1654. You wish to state something?—I gave directions, which were not observed, that a separate account should be opened for Mr. Richardson, and a separate account for me, which was to pay all the household things. I was obliged to have somebody to pay everything for me. In part my directions were followed out, because Mr. Richardson had a separate account; but Mr. Richardson, instead of having a separate account for a certain time, drew cheques on my account, which are distinguished in the banker's accounts.

1655. Do I understand that Mr. Richardson signed his own name or yours to the cheques?—His own name.

1656. And they were debited to your account as if they were your cheques?—As if they were my cheques. After a time, when I came, I put a stop to that, and he finished with a separate account of his own with the Bank of Ireland at Thurles, in his own name. This is my pass-book, with my cheques and Mr. Richardson's, except the cheque that was missing. This is my book of cheques which I also hand in. He paid a good many things for not election expenses at all, and Miss Sterne paid one or two election expenses by mistake. This is Miss Sterne's book and cheque-book. Mr. Biggin was many years my private secretary, and now is Mr. Richardson's articled clerk.

[The witness hands in the documents referred to.]

Mr. George Richardson.

Mr. *George Richardson* recalled; examined by Mr. WATERS, Q.C.

1657. Mr. Richardson, do you wish to say anything of this cheque on the 8th January for £459 8*s.* 6*d.*, drawn in payment of sums paid by you which were not election expenses?—Those sums were paid to me to form the nucleus of the subsequent accounts. After the money there mentioned I believe I paid all these accounts that are here, handing over the balance to Mr. Munster.

1658. This cheque then was put to your credit?—Yes.

1659. That sum does not make any of the sums you mentioned—£513 15*s.* 7*d.* was the amount—as the several items you gave Mr. Laffan?—That does not affect it at all. It only shows how the money was put to my credit.

John Meenahan was called, but did not answer.

Edmond Canavan.

Edmond Canavan sworn; examined by Mr. WATERS, Q.C.

1660. I believe you are not a voter?—No, sir.

1661. What is your occupation?—A carman.

1662. Were you engaged for either of the candidates at the last election?—By Mr. O'Bierne, sir, I was.

1663. Have you been frequently engaged at elections before the election of '68?—I was.

1664. Whom were you engaged for in the election before that?—For Mr. Lanigan, sir.

1665. What was your occupation for him?—I used to be about the streets, sir.

1666. What were you paid by Mr. Lanigan in '65?—I couldn't give a correct account of that, sir.

1667. Go as near it as you can?—I suppose about £20, sir.

1668. Was that for yourself?—I believe I got nearly the amount of £20 myself.

1669. For yourself?—Yes, sir.

1670. Have you any person connected with you that is a voter?—No, sir.

1671. Have you a father, or brother, or brother-in-law, or any relative or connexion, a voter?—There is an uncle of mine at present in the town a voter.

1672. What is his name?—His name is Ned Long; he had no vote in '65.

1673. Mr. MOLLOY.—Do you live with your uncle?—No, sir, I live with myself.

1674. Mr. WATERS, Q.C.—Is Ned Long a married man, having a family?—He is, sir, an aged man.

1675. What did you do in '65 for the £20?—I used to be about the streets for a while, and I had a list for a while, paying the men a few days.

1676. How much money did you get from Mr. O'Beirne in 1868?—I got £24 10*s.* one day, and I got a good deal of money from that out. I could keep no correct account of it, because I used to be paying it every day mostly.

1677. Was it in cheques you were paid?—No, sir, but in money.

1678. Who paid it to you?—Mr. O'Beirne himself.

1679. Was it at Dunn's hotel he paid you?—Yes, sir.

1680. Did you give him a list at the time he paid you the money?—I did, sir; I gave him a list of 135 men, I think.

1681. What were you to pay them each?—Half a crown, sir.

1682. Did you make out the list yourself?—The other boy that was with me made out the list. It was I kept the money.

1683. Who is the other boy?—His name is Meenahan.

1684. Is that the man who was called a few minutes ago?—Yes, sir.

1685. Did he keep any accounts of the money he had?—He didn't, sir.

1686. Were those men only paid for screeching and making a noise?—That was all, sir.

1687. What is the most you ever paid: 135 was it?—Yes, sir; I used to give most of them 5*s.*, because I had them employed two days.

1688. What is the largest sum you paid to any man?—Five shillings; I gave 6*s.* to one man. That is the largest sum I ever paid to any man in my life.

1689. You never paid a pound or more?—No.

1690. Did you ever get any cheques?—I never got a cheque, only a cheque I got for myself. It wasn't at that election, but before it.

1691. No cheque at the last election?—No, sir.

1692. Did you see a cheque in any man's hand during the election?—Not one, sir, nor after.

1693. Or did you hear anything about cheques?—I heard something about them, but I never seen one of them, sir.

1694. Tell me what you heard about cheques?—I heard they had cheques, and they were no good.

1695. Who did you hear had the cheques?—I heard they had them, but there are so many told me they had them that I can't recollect any.

1696. Tell me the name of any one man?—I couldn't, if the head was cut off o' me, tell the name of one man.

1697. You say you heard of so many having cheques that it is impossible for you to recollect some of them?—It is impossible.

1698. If a man hears a great number of names it is next to impossibility that he won't recollect some of them?—I heard a good many had them, but I cannot name one of them.

1699. Do you mean to say persons told you they had got cheques?—No people told me they had them, but there was a rumour that such a man and such a man had them.

1700. Can you not give me the name of "such a man"?—I cannot, sir.

1701. Mr. MOLLOY.—It is not so long ago that you should forget it?—Faix, I used to be drunk half the time, sir.

1702. Mr. GRIFFIN.—Did you hear of Tracey having a cheque?—I never heard it until I heard it yesterday, sir.

1703. Did you hear of a man named Hogan having a cheque?—No, sir; I did not.

1704. Mr. WATERS, Q.C.—Were you organizing any people out about the Commons?—I never went to the Commons at all; I used only to be about the streets here.

1705. Were you employed to watch any of the doings of Mr. Munster's people?—No, sir.

1706. Was that any portion of your duty?—No, sir; I took no active part in it at all, sir.

1707. Mr. MOLLOY.—Where used you to order the drink for the mob?—I never ordered any drink, sir; only all the drink they used to give me I used to take it, sir.

1708. Mr. WATERS, Q.C.—Did you get any orders for drink from any person?—I got an order for a gallon of whiskey from Keeffe.

1709. Was that all you got?—That was all, sir.

1710. Did he tell you where to go with it?—He did, sir.

1711. Was it a written order?—No, sir; but he came and ordered it himself.

1712. Where did he order it?—I think it was at Mr. Condon's, if I don't make a mistake; but I can't be sure of it, though.

1713. Was that the only order you got for drink?—That was all, except the drink I got myself.

1714. Did you get an order for any quantity of drink from any man except Keeffe?—Not more than that, sir.

1715. Mr. MOLLOY.—Used the people you paid the 2*s.* 6*d.* a day to get drink?—They used. I gave them a portion of it.

1716. Who gave the orders in the houses to get the drink?—Keeffe in general.

1717. Who else?—I don't recollect, indeed, sir.

1718. You understood that he was the person to give the orders for the drink?—Mostly, sir. He used to get orders from Mr. O'Beirne's man, and he used to give them to us then.

1719. Mr. WATERS, Q.C.—Although you did not get an order, I suppose you shared the produce of some of the orders—that you shared what was got on other orders?—I don't think I did, sir, more than once.

1720. You had 135 men in your army?—For two days, sir.

1721. For how many days had you a lot of people collected at all?—We had men for I suppose about six or seven weeks.

1722. Would you be able to make out about how much money you got altogether, £50, or £60, or £80?—I think I did more, sir.

1723. Did you go beyond £100?—No; about £80 or £90.

1724. And the largest sum you got at any time was £24 10*s.*?—Yes, sir.

1725. How long were you getting all this money?—About seven or eight weeks, while the election went on.

1726. During the whole course of the election, from the time Mr. O'Beirne came until it was over?—Yes, sir.

1727. And the whole of that money was spent on men forming the crowd?—It was.

1728. Was there anybody else having men hired for Mr. O'Beirne besides these: Keeffe had these?—Keeffe's and mine were all one.

1729. Did you actually pay them?—No, sir; I never paid a man but once. I paid them 5*s.* a piece for two days. I got that money altogether.

1730. That was for 135 men?—Yes, sir.

1731. That was £24 10*s.*?—That was the money got and paid, sir.

1732. What about the £80 or £90?—I got money afterwards, sir, myself, and the other man used to get money for himself and for myself.

1733. What other man?—Meenehan.

1734. Then you got more than £24 10*s.*?—I don't know that I did, sir. I didn't give some of them more than a half-crown.

1735. You told me you got from first to last in or about £80?—I did, sir.

1736. And that was going on during all the election?—It was, sir, between myself and Meenehan.

1737. Are you counting any of this as money that Meenehan got?—I am, sir, for I received all the money. I gave some to Meenehan.

1738. You only gave Meenehan his own share?—Yes, sir.

1739. Did Meenehan get any money to pay for men?—Not to my knowledge. I think he got it one day to pay some women.

1740. Were you and Keeffe paying those men at the same time?—He would pay it without me: any time I wanted men I would go to the house to him.

1741. Keeffe told us he paid £150: were they the same men?—They were the same men.

1742. Do you mean to say that £150 and £90 were paid amongst 140 men?—I don't know what they got, sir.

1743. Was it not Mr. O'Beirne himself that paid you?—He paid me the £24 10*s.* himself.

1744. Where did you get the rest?—I got it from the valet.

1745. What was the valet's name?—Leonard was his Christian name.

1746. Mr. MOLLOY.—Did you get all the £80

THIRD DAY. *October 6.* Edmond Canavan.

or £90 from Leonard except the £24 10*s.* that you got from Mr. O'Beirne himself?—Yes, sir.

1747. Mr. WATERS, Q.C.—You say there were lists made out by Meenehan?—Yes, that was all the lists I ever handled, sir.

1748. Was the money paid without giving any account of it?—I handed in the lists to Mr. O'Beirne.

1749. That was only one list: you say you never got more than one list?—Yes, sir.

1750. Then at least over £50 were got at other times. Did you get that money without handing in any list?—Never, sir, for I used to get subsistence money, as it was called.

1751. Were there any voters amongst those men?—No, sir.

1752. What did you do with the list?—We tore it up after paying the men.

1753. Are you quite sure that there was no voter amongst them?—No, sir, not one.

1754. What men were they?—Men of the town.

1755. I ask you again, are you quite sure that there were no voters amongst them?—Sure we would have no voters in such a common list, sir.

1756. Why?—For they wouldn't take half-a-crown.

1757. Mr. MOLLOY.—How do you know they would not take half-a-crown; did you try?—I wouldn't try them with it, sir.

1758. Why would you not try them with it?—Because I would be ashamed. I couldn't say would they take anything.

1759. Mr. WATERS, Q.C.—Do you know what the name of Mr. O'Beirne's valet was; are you sure it was Leonard?—Leonard was his name, sir.

John Meenehan.

John Meenehan sworn; examined by Mr. MOLLOY.

1760. You were employed at the last election?—Yes, sir.

1761. For what purpose were you employed?—For protecting the person of Mr. O'Beirne, sir.

1762. Who employed you?—Mr. O'Beirne himself.

1763. What did he tell you when he was employing you?—He told me to have an eye to him through the streets and to see him over the poll all right.

1764. You had people assisting you?—Yes, of course.

1765. Did he tell you how those people were to be paid?—He did not.

1766. How were they paid?—They were paid half-a-crown a day.

1767. Who paid it to them?—Canavan.

1768. You used to make out the list?—I made one list for Canavan.

1769. When was that?—In or about the 17th or 18th October.

1770. How many persons were on that list?—One hundred and thirty-six.

1771. How many days had you them?—Only one day.

1772. Where did you get the money to pay them?—I don't know where Canavan got it.

1773. You were not with him when he got it?—I was, sir, but I didn't see him getting it. When he came outside Dunn's hotel he told me he had the money to pay the men, and I had the list in my pocket.

1774. How much money had he?—Twenty-two pounds. There was two pounds of it, a pound a piece for each of us, subsistence.

1775. How many weeks were you employed?—From the 15th October to the 20th November.

1776. How much did you get in all?—As far as I can recollect I got £5, and he the same.

1777. At different times?—Yes, weekly. We skipped one week. We had a right to get £6.

1778. Who gave you this money?—About three times I got £1 from Canavan, and I got £1 at each time three times from Mr. O'Beirne's valet.

1779. What is his name?—Henry Raven.

1780. Did Mr. O'Beirne tell you Raven would give you the money?—He told me himself he would see me paid decently when the election would be over, and that he would subsist us from week to week.

1781. When the election was over did he pay you?—No, sir; he made his exit without paying.

1782. Where did the men get the drink?—At Maher's, Ryan's, Grace's, Condon's and Joe Ryan's.

1783. Used they pay for it there?—No, sir.

1784. Who paid for the drink they got?—I couldn't say was it Mr. O'Beirne's valet or Mick Keeffe.

1785. Who used to give the orders for the drink?—Michael Keeffe and the valet.

1786. How many orders did the valet give?—I couldn't tell you how many; there was a good many.

1787. When you wanted an order you could go to him?—Yes, or to Keeffe.

1788. He used to send it in writing?—He used to send it in writing.

1789. How many orders did Raven give?—He could not give less than twenty or thirty.

1790. They were not all to the same place?—No.

1791. To your knowledge he gave between twenty and thirty orders in writing?—Yes, he did.

1792. You are able to read and write?—Yes, sir.

1793. Used he direct the order to one of those persons you have named, on the order itself?—Yes, sir.

1794. You read some of them, I suppose?—I did.

1795. Tell us what was in them?—"Give the bearer, John Meenehan, an order for two gallons or a gallon of whiskey, or twenty glasses," according to the quantity would be walking the streets daily.

1796. And he used to divide the orders between the people you have mentioned?—Yes.

1797. What would you do when you got an order? I would go to the shop it would be on and give an order, and get the drink for the men.

1798. The orders that Keeffe used to give, were they the same as Raven's?—No, sir; Keeffe would go personally to the shop, and tell them to give it to me or another man, on his account.

1799. Did you ever go to Maher's with an order?—No.

1800. Did you to Ryan's?—I did.

1801. Where did you get that order?—From Raven.

1802. How many orders did you give Ryan?—I can't say.

1803. Did you give four or five?—I did not.

1804. Did you give two?—There was an order for two gallons of whiskey the night of the nomination. I can't recollect whether it was Raven or Keeffe that went down to order these two gallons of whiskey. I was the man who was directed to take out the whiskey and bring it to my house to distribute it. Any order I got on this place was a small order for about twenty glasses.

1805. Did you see Canavan get any of those orders?—I did not, sir. He may get one. There was an order to Pat Meara given by Michael Hanley, and he is deceased now.

1806. How much was that order for?—It was for half a gallon of whiskey. I drank some of it; I knew it was to be got.

1807. Mr. GRIFFIN.—Did you hear of any money being given to any persons who were voters?—I did, sir.

1808. Whom did you hear it about?—I heard that money was given on the part of Mr. Munster.

1809. To whom did you hear it was given?—Begor, 'tis a very tedious account of all of them, sir. I only heard a rumour.

1810. Did you hear any names?—I heard Micky Noonan, a butcher, of Lady's-well-street, and James Carroll, of Lady's-well-street, a dealer.

1811. Did you hear of anybody else?—I did.

1812. Whom else?—John Reilly, of Lady's-well.

1813. Anybody else?—Rody Fogarty, sir.

1814. Those are all butchers?—Yes.

1815. Anybody else?—Yes.

1816. Whom else?—Ned Long, of Lady's-well.

1817. Anybody else?—Frank Dwyer, Lady's-well.

1818. Anybody else?—Bill Quinlan, Lady's-well; John Rochford, Canopy-street.

1819. Whom else?—Tom Connor, the cooper, living in Bohermore.

1820. Anybody else?—Johnny Hanley, of Boscabèll.

1821. Anybody else?—I think, as far as I can recollect, James Mulcahy, of Bohermore.

1822. Is that all you recollect?—That is all, sir.

1823. Do you remember hearing whether any money was given by Mr. O'Beirne at all?—I did, sir.

1824. Who did you hear got it?—The Commons men, sir.

1825. What Commons men?—I don't know the Commons men at all, sir.

1826. What did you hear they got?—£25 or £30 a man.

1827. Did you hear who gave it to them?—I did not, sir.

1828. Did you hear any talk about it?—I heard that they were getting it from Mr. O'Beirne or his agents.

1829. Did you hear at all what it was?—No.

1830. Mr. MOLLOY.—Did you not ask who was giving the money?—I had no communication with the agents, but only the town talk.

1831. Did you hear who was giving all that money?—I heard it was given by Mr. O'Beirne or his agents, I can't say who they were.

1832. Mr. GRIFFIN.—Do you know how many of the Commons men voted for Mr. O'Beirne?—As far as I recollect, twenty-nine or thirty.

1833. Did you hear who was the man who distributed the money?—No, sir.

1834. Do you know a man named John Ryan?—I know a man of that name.

1835. There are two John Ryans; do you know John Ryan that lives on the Race-course?—I do.

1836. Is that at the Commons?—I suppose it is; I never was on the Commons.

1837. Did you hear he had anything to do with giving money to people?—I did not, sir.

1838. Mr. MOLLOY.—Where does Thomas Connor, the cooper, live?—I cannot exactly say is it Bohermore or Canopy-street. I believe it is Canopy-street.

Michael O'Sullivan was called, but did not appear.

William Lamb and *Thomas Kennedy* answered to their names, and were put outside the court-house, and a constable directed to keep them from communicating with anyone.

Simon Tracey recalled; examined by Mr. WATERS, Q.C.

1839. You are already sworn?—Yes.

1840. Mr. Kennedy, who was here, is a connexion of yours?—Yes.

1841. What connexion is he of yours?—My wife is his sister-in-law. We are married to two sisters.

1842. Is Mr. Lamb any connexion or relation of yours?—No.

1843. Had you any communication with Mr. Kennedy with reference to the election, during the course of the election?—I had.

1844. Of what character?—To vote for Mr. O'Beirne.

1845. Did you canvass him?—Yes.

1846. Were you directed by anyone to canvass him?—I was not particularly directed to him. As brother-in-law I solicited his vote.

1847. Did Mr. O'Beirne make a public canvass?—He did.

1848. And I suppose he canvassed your brother-in-law?—Yes.

1849. Did he canvass your brother-in-law before you canvassed him?—I don't know.

1850. What time did you canvass him?—Generally all the time that Mr. O'Beirne was in town I was speaking to Kennedy about it. In fact there was no occasion to canvass Kennedy because he was always to give his vote.

1851. Why did you canvass him then?—Because I was always in with him.

1852. Did you swear you canvassed him?—I did.

1853. Have you told me now there was no occasion to canvass him?—I only say it nominally, sir.

1854. If he was all along inclined to vote for Mr. O'Beirne, I want to know why you went to canvass him?—I am always in with Mr. Kennedy and we would be speaking about the election, and I asked Mr. Kennedy wouldn't he give his vote to Mr. O'Beirne.

1855. Did you know at that time that he was going to vote for Mr. O'Beirne?—Yes.

1856. And still you asked him would he not vote for him?—Yes, I would.

1857. When did you first know that Kennedy would vote for Mr. O'Beirne?—He was always inclined to vote for him.

1858. When did you first know it?—This many a day.

1859. Did you know how Kennedy would vote in '65?—I did.

1860. How did he vote then?—For John Lanigan.

1861. Had you a vote in '65?—No.

1862. For whom were you engaged in '65?—For no person.

1863. Did you not take any part in the election of '65?—No.

1864. Mr. O'Beirne was the candidate against Mr. Lanigan in '65?—Yes.

1865. And Kennedy voted against him?—Yes.

1866. In any of the conversations you had with Mr. Kennedy, did you speak about any money or cheques?—No.

1867. Did you ever speak, directly or indirectly, about money being going for voting at this election?—No.

1868. Or of any cheques being going?—No.

1869. Did you tell him you had got a cheque for £60?—I don't know I did.

1870. Try and recollect?—I didn't.

1871. Are you quite positive; if you cannot answer any question tell me so; but recollect Mr. Kennedy will be examined?—To my knowledge I don't recollect telling Mr. Kennedy. I may have told him, but I don't recollect telling him.

1872. You do not recollect telling him that you had got a cheque for £60?—No.

1873. Was there any reason you should not have told him?—No.

1874. Have you any recollection one way or the other about telling him?—No.

1875. Are you on very intimate terms?—Yes.

1876. The most intimate terms?—Not more so.

1877. And your evidence is, that you have no recollection of telling him of having got so large a sum as £60 for your own personal use?—I don't know; I may have told him.

THIRD DAY. *October 6.* Simon Tracey.

1878. I do not want to disparage your position, but I suppose getting in a day £60 is not a matter of every-day occurrence, and therefore is a matter of some importance?—Yes.

1879. It would take a long time in the ordinary course of your business to earn £60?—Yes, sometimes; sometimes very short. I mightn't earn it in five months, or in three days, or a week.

1880. You do not recollect having told your intimate friend of having got this £60?—I don't recollect.

1881. Did you tell anybody?—I didn't tell anybody to my knowledge.

1882. Did you tell your wife?—I did tell my wife, of course. It was on the eve of the election I got that order, that is about October. I believe I was incorrect yesterday when I said February. I was incorrect, and contradict that.

1883. You did swear you got it in February, and I showed you you were wrong?—The excitement I was in at the time led to it.

1884. Do not be excited now; did you tell your wife you had got it?—I did; that I got £60 from Mr. O'Beirne for an agent, for the services I had done Mr. O'Beirne.

1885. On what day did you get it?—I got it some time in the month of October.

1886. What services had you done Mr. O'Beirne then?—Canvassed parties about the town.

1887. Mr. O'Beirne did not arrive until the 26th of October?—It is in November I got it, sir; that time I got that cheque, the election took place about the 18th or 20th November. I got that cheque the week before, or a few days before the election.

1888. And did you tell your wife the day you got it?—I don't know I told her the day I got it. I told her some time afterwards. I put the cheque in a cabinet drawer some time afterwards. I didn't put the cheque in the box, but the cabinet drawer.

1889. Had you any communication with Lamb about the election?—I asked him for his vote.

1890. When did you ask him?—Some time during the time of the election; some time during the election.

1891. Do you know how Lamb voted in '65?—He had no vote in '65, I believe. I don't think he had.

1892. Do you know that Mr. O'Beirne canvassed Lamb?—I know me and Mr. O'Beirne in person went to Lamb's house, and Lamb was not within.

1893. When did you call again?—This was on the eve of the election.

1894. Had you been with him before then?—I suppose Mr. O'Beirne saw him.

1895. Had he been canvassed by him?—No.

1896. Was Lamb doubtful?—I believe he was in favour of Mr. O'Beirne.

1897. Was he doubtful?—I couldn't tell.

1898. If Mr. O'Beirne had canvassed him before and got his promise, was there any necessity for you to see him again?—I couldn't tell.

1899. Did you go to see him again?—I seen him at Kennedy's house; he is a relative of Kennedy's.

1900. When did you see him at Kennedy's house?—Some nights after this.

1901. Was this on the occasion that you had a talk with Kennedy about the election?—I don't know that it was.

1902. Did you see the two of them together there?—I did.

1903. Did you see them more than once?—I seen him there several times; he is there often.

1904. Did you see him with reference to the election?—I don't know exactly with reference to the election.

1905. Did you canvass him in Kennedy's house?—I asked him would he vote for Mr. O'Beirne, and he said he would.

1906. Was Kennedy present?—I believe he was.

1907. Did you tell Lamb anything about the cheque?—No.

1908. You are quite sure of that?—Yes.

1909. Mr. GRIFFIN.—Did you say yesterday with reference to the services you had done for Mr. O'Beirne, that you didn't work very hard?—I didn't work very hard.

1910. Then there were a great many persons who did as much work for Mr. O'Beirne as you did?—I suppose that they did.

1911. Did he give anybody else £60?—I don't know what he did.

1912. Did you hear of his giving anybody else £60?—No, sir.

Thomas Kennedy.

Thomas Kennedy sworn; examined by Mr. WATERS, Q.C.

1913. Have you been out of court just now, during Mr. Tracey's examination?—Yes, sir.

1914. Were you within hearing of Mr. Tracey's evidence?—No, sir.

1915. I believe you were in court yesterday during Mr. Tracey's examination?—I was, sir.

1916. We are told that you are a brother-in-law of Mrs. Tracey's?—Exactly, sir.

1917. And that Mr. Tracey canvassed you at the last election?—He did, with Mr. O'Beirne; Mr. O'Beirne and himself.

1918. Had you been previously canvassed by Mr. O'Beirne?—I was.

1919. What answer did you give to Mr. O'Beirne on the first occasion?—I told Mr. O'Beirne that in consequence of his parliamentary career, that there was no gentleman that would ever put up in Cashel I would vote for before him.

1920. Did Mr. Tracey come to convass you after that?—Yes, with Mr. O'Beirne.

1921. Although you had given him that pronounced answer on the first occasion?—Yes, sir: the reason Mr. O'Beirne called the second time was, the opposing candidate, Mr. Munster, was pleased to deal with me in my business, and left me a good deal of money, and a report was circulated that I had changed my opinion, and Mr. O'Beirne took the liberty of calling on me with Mr. Tracey. I told Mr. O'Beirne that I would not change my opinion for any money.

1922. What is your business?—I deal in new and second-hand clothes.

1923. And Mr. Munster purchased from you?—Yes.

1924. What did he purchase?—Some of the clothing I had, for some of the poor people of the town.

1925. To what extent?—In or about £30 worth I believe. Not so much, but not very far from it; between £20 and £30.

1926. Did Mr. Munster purchase from you personally?—Yes.

1927. Did he come to your shop?—Yes.

1928. Did he purchase those altogether?—No; it was at different times.

1929. I suppose you have an account of it: do you keep a set of books?—No; I keep no books.

1930. That is not a prudent thing?—I think it a very prudent thing in our way, for when we get our money we put it into the bank, and that is all we want.

1931. Have you any entry of the sales you made to Mr. Munster?—No, sir; Mr. Munster sent me the money, and I thought no further about it.

1932. Mr. Tracey is a very intimate friend of yours?—Oh, yes.

1933. Did he tell you of the £60 cheque he got?—He did, sir.

1934. When did he tell you?—The day that he got it, and I seen the cheque.

1935. You saw it?—Yes.

1936. Where did you see it?—With Mr. Tracey.

1937. In his own house was it?—In my house.

1938. He came to your house and showed it to you?—Yes.

1939. Did you see it more than once with him?—No, but once.

1940. You had conversations about it more than once?—I don't think I ever spoke again about it. The time after Mr. O'Beirne appointed him agent he showed me the cheque. It was drawn in his own name.

1941. Perhaps you could tell us the date of the cheque?—The exact date, as near as I can guess, was about a week I believe or better before the day of nomination: that is as near as I can guess.

1942. It was on the very day that he got it he showed it to you?—Yes.

1943. Did the date of the cheque correspond with the day on which it was shown to you?—I could not swear that; I can't exactly say.

1944. Was it in or about that day?—In or about that day.

1945. Was the date of the cheque, that day or the day before?—I believe it was the very day he got the cheque he showed it to me.

1946. Mr. Lamb is your brother-in-law?—Yes.

1947. Was he present then?—He was, to the best of my knowledge. Yes, he was.

1948. And the cheque was shown to him as well?—I think it was shown to him.

1949. And you talked about the matter?—No great conversation at all; we only talked and looked at the cheque.

1950. The three of you looked at the cheque and talked about it?—Any conversation about the cheque I can't recollect: we were perfectly satisfied when Mr. Tracey was to be paid for his services.

1951. Do you know if Mr. Tracey did not give any service?—I believe he did give service.

1952. Did you not hear him say that he gave very little?—What he had to canvass was me and my brother-in-law; whether he canvassed any more I don't know: I used to be from home at times.

1953. Was the cheque given to him for canvassing you and your brother-in-law?—I can't say, sir.

1954. Was the cheque given to him for canvassing you and your brother-in-law?—I really couldn't swear that.

1955. Were you to get any part of the cheque?—Not at all.

1956. Was there any conversation as to getting part of it?—Not the least. There was not a farthing to be given to me, nor really did I expect a farthing.

1957. Was there any conversation with you about it?—No conversation whatever.

1958. You voted in '65 for Mr. Lanigan?—I did.

1959. And against Mr. O'Beirne?—Yes.

1960. I suppose Mr. O'Beirne canvassed you in '65? He did.

1961. Had you voted against Mr. O'Beirne before that again?—I had not a vote on that occasion.

1962. On the former occasion, when Mr. O'Beirne was a candidate?—Yes, Mr. Griffith's valuation was reduced from £8, but in '52 I was rated at £9.

1963. Are you a married man?—I was married, but I am a widower now.

1964. Was your wife alive at the late election?—No, not for the last fourteen years.

1965. Had you any communication with your sister-in-law, Mrs. Tracey, with respect to the cheque?—No, we both live opposite each other in the same street.

1966. And you are in constant communication?—Yes; very friendly.

1967. You spoke with her about the cheque, doubtless?—I can't swear that I ever spoke to her with respect to the cheque. It would not suit me to leave my establishment to be going to other houses.

1968. Are you not constantly going over and having a chat with her?—Not very often then.

1969. I am quite sure that if you think of it you will find that you spoke to her about the cheque?—I don't see the object I would have.

1970. As a mere matter of gossip: £60 is a large sum of money; and Mr. Tracey getting £60, making a large increase in his income for the year, would be a matter of congratulation to your sister-in-law?—I couldn't swear I was speaking particularly to her as to the cheque.

1971. Did it come incidentally into conversation at any time?—I don't think I ever spoke of the cheque to Mrs. Tracey.

1972. Did she know of the existence of that cheque?—I suppose she did. I suppose her husband wouldn't deny such a thing from his wife.

1973. Did you hear her speaking to anybody else about it?—No, sir, I didn't.

William Lamb sworn; examined by Mr. WATERS, Q.C.

William Lamb.

1974. You are brother-in-law of Mr. Kennedy?—Yes.

1975. You are a voter in Cashel?—Yes.

1976. And voted at the last election for Mr. O'Beirne?—Yes.

1977. Had you a vote in the previous election?—No, sir.

1978. That was the first time you had a vote?—Yes.

1979. Do you recollect being in the shop of your brother-in-law, Mr. Kennedy, any day and seeing a cheque for £60?—Yes.

1980. And you had a conversation with him about it?—No.

1981. Did you hear anything about it?—No.

1982. You saw the cheque in his hand?—Yes.

1983. And he said nothing?—He held the cheque; and "here is a cheque," says he, "I am after getting for £60."

1984. Then there was some conversation—you first said there was not any conversation at all?—There was no conversation between him and Kennedy and me when he drew out the cheque and said, "There is a cheque I am after getting for £60."

1985. Was that all that was said?—That was all that was said. I returned then, and went home.

1986. Did you hear any more about it before?—I never heard of the cheque until I seen it with Mr. Tracey.

1987. Did you hear he was going to ask for the cheque?—I did not.

1988. Did he say what the cheque was for?—He did not.

1989. And do you mean to say, that he did not say what the cheque was for when he showed it?—I swear on my oath he didn't say what it was for.

1990. He did not say it was for himself?—Not to my knowledge in any way.

1991. Did you see the amount of the cheque?—I did. I seen the number of the cheque for sixty pounds.

1992. Do you recollect the date of it?—To the best of my belief it was from the 16th to the 20th November.

1993. You swear he did not say what it was for?—No, he did not.

1994. When you saw the cheque for £60, payable to Mr. Tracey, is it not a strange thing that you did not ask what it was for?—I was called by one of the children to go home.

1995. Is that the only reason that you did not ask what it was for?—I had not time.

1996. Did you know what it was for?—No.

1997. Did you suspect what it was for?—No.

1998. Had you any conversation before that with Tracey about it?—The Saturday night before, Tracey came to me and asked me what way would I go, and I said I would vote as my brother-in-law would vote.

1999. Did he say he had any conversation with his brother-in-law about it?—He said no such thing, sir; what occurred between Tracey and me occurred before Mr. Kennedy.

2000. Mr. Kennedy was not present when this conversation took place, was he?—He was; it was

THIRD DAY. October 6. William Lamb.

at night after coming home about eight o'clock. I said any way my brother-in-law would go I would go with him.

2001. Had you and your brother-in-law any conversation about voting at any other time?—No, we had not.

2002. None at all?—Mr. Kennedy and me agreed with each other to vote for Mr. O'Beirne, as being the best member for the country.

2003. Then you had some conversation?—That was all the conversation we had. I believe it was on the same night.

2004. Do you mean to say you never had any other talk with Mr. Kennedy except that?—There was general talk, but that is all I can recollect. I said wherever he would go I would go, and he said Mr. O'Beirne was the best man, and he was promised three months or six months before that for Mr. O'Beirne. I believe that on the last occasion he came to Cashel he said he would vote for him.

2005. Mr. Kennedy told you all this?—Yes.

2006. Was there any talk of money going for votes?—No.

2007. At any time?—Not between him and me.

2008. Do you know of any between him and anybody else?—No, I was not in town.

2009. Did you hear anything about cheques?—No, I had no business in Cashel, and I was not in Cashel, I was out in my employment. I am a gardener by trade, and I could not spare time to be in Cashel.

2010. A man would come in to have half an hour's talk?—I couldn't come in five miles, I was at Mr. Murphy's, of Woodford.

2011. Were you in employment about the election time?—Up to the Saturday before the election.

2012. What brought you to Cashel the day you were there and saw this cheque?—That was, I believe, the Monday or so before the election.

2013. What brought you in that day?—I stopped at home that day to vote for Mr. O'Beirne, because the day after that would be the nomination.

2014. You could not stop at home three or four days to vote. You told me you could not come in from your work to have a conversation with Mr. Kennedy, and still you admitted that you were there and saw this cheque?—I go out on Monday and come in on Saturday.

2015. What brought you in the night you were with Kennedy and saw Tracey?—That was on Saturday night when he called to Kennedy's house, and on Monday I seen the cheque, to the best of my opinion.

2016. Did you see Tracey that day before you saw the cheque?—Not to my knowledge.

2017. Did Kennedy tell you he had been speaking to Tracey?—No.

2018. Did you hear anything about any conversation with Tracey until you went in and saw the cheque?—I didn't.

2019. What time of the day was it?—To the best of my opinion about 12 or 1 o'clock.

2020. You said that one of the children came to call you?—Yes.

2021. Whose children?—My children.

2022. To call you where?—To go to my own house.

2023. How long had you been in Kennedy's at the time you were called?—From ten to fifteen minutes.

2024. Were you sent for to go to Kennedy's?—No, I went on my own accord there. If I don't get my expenses I will summon Mr. Munster for six days I lost here before on his business.

Simon Tracey.

Simon Tracey recalled; examined by Mr. WATERS, Q.C.

2025. Did you hear this witness swear you showed him a cheque?—I did.

2026. Is that true?—I don't recollect that I showed it to him.

2027. Did you swear to me that you never showed that cheque to this man?—I did.

2028. Is his evidence true or false?—I can't say.

Michael O'Sullivan was called but did not appear.

Michael Quirke.

Michael Quirke sworn; examined by Mr. GRIFFIN.

2029. You are a voter?—Yes.

2030. Were you a voter previous to the last election?—No, sir.

2031. What were you at the previous election?—Check clerk for one of the candidates.

2032. Whom did you vote for at the last election?—For Mr. O'Beirne, sir.

2033. Do you know Mr. Laffan?—I do, sir.

2034. Did you get a cheque from one of the Messrs. Laffan before the last election?—I did, sir.

2035. Which of them?—Mr. Michael Laffan.

2036. Why did he give you the cheque?—He gave me the cheque by way of retainer; I could'nt vote.

2037. Was it a written document?—It was a written document.

2038. When did he give it to you?—Previous to the polling.

2039. How long was it after the nomination?—No, it wasn't after the nomination.

2040. How long before the election was it?—A couple of days.

2041. Had he previously canvassed you to vote for Mr. Munster?—No.

2042. He never asked you to vote for Mr. Munster?—Never.

2043. Had you promised to vote for any party before that?—I promised Mr. Grace to vote for Mr. O'Beirne.

2044. Did Mr. Laffan know that?—He did.

2045. What did he say to you when he came?—He gave me the document. I was writing for Mr. Laffan the day previously for the county, and he gave me the document.

2046. Was Mr. Michael Laffan engaged in the county election too?—He was.

2047. For whom was he engaged in the county election?—The Honorable Charles White, I think.

2048. You were writing for him in connexion with the election?—I was.

2049. What did he say when he gave you the document?—Not a word.

2050. What was the document that he gave you?—A cheque for five guineas.

2051. What had you asked him for?—I asked him for some money. I went across to the bank and cashed it. When I found it was to break my vote I returned it the next morning.

2052. Did you spend any of the money in the meantime?—I spent 1*s.* 6*d.* of it, which I had to supply.

2053. Did you know anything of money going at the last election?—Not a word, sir, only that I did not get a shilling of it at either side.

2054. Did you hear of any people getting money?—I did. I heard that young Carroll got £35; he showed it to me. It was not a cheque he got, but notes.

2055. Did you know that money was given to the Commons people?—I did not.

2056. Did you know that money was given at the previous elections?—I did. I recollect the election

when John Carden was a candidate, and no one voted for him that was not paid.

2057. Do you know anything about money having been going at the election of '65?—I do not, sir. I couldn't say, although I was check clerk.

2058. I suppose you often heard that the Commons people used to get money for their votes?—It was a common rumour, sir, but I never saw it.

2059. Did you ever hear by whose hands it was distributed?—No, sir.

2060. Mr. MOLLOY.—You were working for Mr. Laffan at the last election?—I was, sir.

2061. You asked him for some money?—Yes.

2062. What was the money for?—For what I earned.

2063. And what did he give you?—This cheque.

2064. Had he the cheque written out?—It was for money I asked him.

2065. Did he do anything but hand you the cheque when you asked him for money?—He told me to follow him to Corcoran's hotel; and he gave me this cheque, and I cashed it.

2066. Did you follow him to Corcoran's hotel?—I did.

2067. Did he write it there?—I can't tell.

2068. Did you look at it?—I did.

2069. What was it for?—For £5.

2070. Did you expect £5?—No.

2071. Did you ask him for £5?—No.

2072. You say Mr. Laffan knew that you had promised Mr. O'Beirne to vote for him?—I didn't see Mr. O'Beirne.

2073. You said that Mr. Laffan knew you had promised to vote for Mr. O'Beirne. How did he know that?—He knew I was always in the habit of writing for Mr. Grace, who was the conducting agent of Mr. O'Beirne, and that I would not vote against him: that is the only way he knew it.

Michael Quirke.

2074. Were you ever canvassed by Mr. O'Beirne?—No, but Mr. Grace.

2075. When did Mr. Grace canvass you?—Before Mr. O'Beirne came to town I asked him for some employment about the election. "Oh, I can give you no employment," said he, "for we will want your vote."

2076. After you got this £5 cheque from Mr. Laffan, did any person call on you on Mr. O'Beirne's behalf?—No, there didn't.

2077. No person?—No; my own sister said, "Did you hear what Mr. Laffan told Con Carroll, that your vote was broke now, and that you can't vote for Mr. O'Beirne."

2078. Did any person on Mr. O'Beirne's side tell you to give back the cheque?—No, but I heard of others giving them back, and I followed the same course.

2079. Did you get anything for your vote at the last election?—Not a shilling, sir.

2080. Did you get any money on account of the last election?—Not a penny.

2081. Did you get more than a penny from anybody?—I did not.

2082. Mr. WATERS, Q.C.—That will do; you may retire.—Will I be paid for my loss of time here, sir?

2083. Did you get any offer of work that you have lost by being here?—I couldn't account for that, sir; but I may earn 5*s.* 6*d.* a day.

2084. I am not going to let any person make money of this inquiry.

Thomas Farrell sworn; examined by Mr. WATERS, Q.C.

Thomas Farrell.

2085. Are you a voter in Cashel?—No, sir; I have no vote.

2086. I believe you are very busy, generally about elections, though?—Very little, sir.

2087. Were you engaged about the last election?—Never, sir.

2088. Did you do anything?—Whatever I done it was by my own accord I did it, sir.

2089. Take care of the way you are answering. I asked you were you engaged at the last election?—By nobody.

2090. Did you expect to be paid by anybody?—No, sir; when I was not engaged I could not expect to be paid.

2091. Do you know anyone of your name in the town of Cashel?—I do, sir.

2092. Any man of the name Thomas Farrell?—No, sir; there is no man of the name of Thomas Farrell belonging to me in the town of Cashel.

2093. I did not ask you "belonging to you." Do you know any other man whose name is Thomas, Farrell in the town of Cashel?—No, sir.

2094. Do you say that you were not engaged for any one in Cashel at the last election?—No, sir, no one employed me.

2095. Answer my question. I asked you were you engaged for anybody at the last election, and you said, "I was employed by no one." I recommend you not to quibble. I again ask you were you engaged for any one, or doing anything for anyone at the last election?—No one engaged me at the last election, only Mr. Munster's party asked me to go to the Commons, and I went when they were going.

2096. Did you send in a bill to Mr. Munster?—I did.

2097. Was it for £15?—I didn't get it, although I sent in the bill.

2098. Did you send in a bill to get £15?—I sent in a bill for services.

2099. Now, Mr. Farrell, do you know Michael Ryan?—I do, sir.

2100. Were you present in Michael Ryan's house when Patrick Cunningham was there on one occasion?—I was, sir.

2101. Did you see Murnane there?—I did, sir.

2102. Did you see any money given by either of them to the other?—No, but I remember the Saturday morning previous to the election—before the election. I was coming up the street from the Lowergate, passing to the upper end of the town. Some party met me, and told me Mr. Munster's supporters were to attend that night at Ryan's, and besides the same part of the day Michael Ryan went to look for me where I was doing business for myself, and didn't meet me there. He met somebody that told me they wanted me, and I went to Michael Ryan's house, and Michael Ryan said to me, "I am getting more money from Mr. O'Beirne's men than Mr. Munster is giving me, and if you see anybody belonging to Mr. Munster, will you tell them to that effect?" "I will," says I. I came out about the street then, and saw nobody belonging to Mr. Munster. I met Pat Cunningham and told him what Michael Ryan told me. "Did you take Michael Ryan and Murnane's house?" says I. "Yes," says he. "Well," says I, "Michael Ryan is after telling me he is after getting more money than what you were giving him." "That couldn't be possible," says Pat Cunningham, "for he has half notes, and a written receipt from me for the remainder." "I don't know," says I. "That couldn't be so," says Pat Cunningham again. "Come with me," says I "and we'll know the difference." I went with him, and they drew down the subject. He called us into the hall and said, "Isn't this bargain concluded." Pat Cunningham said that. "No," says he, that's Ryan, "Murnane isn't satisfied without getting £10 for himself." "I could do no such thing," says Pat Cunningham. Michael Ryan went out to the shop and brought in the half notes, and Ryan handed him back the receipt that was between them.

2103. Did you go to Ryan's house after that?—I did, when I saw Mr. O'Beirne's name placarded on the walls for a tally-room. I went to the house and drank half a glass of whiskey, and I said, "You have the house

THIRD DAY. *October* 6.

Thomas Farrell.

set." "I have," says he. "Will you take £70 for the house," says I, out of a joke.

2104. Did you say "out of a joke," on your oath?—Yes, sir.

2105. Recollect yourself. Did you use the words "out of a joke"?—No, sir.

2106. Tell me the words you said?—This word.

2107. Did you say out of a joke that you had been sent by one of Mr. Munster's agents or friends?—I did not, sir.

2108. If he swore that you said you had been sent by one of Mr. Munster's agents, would he be telling the truth?—I would be telling the truth; I wasn't sent by anyone.

2109. You went to him?—Yes.

2110. And you were not sent by anyone?—No.

2111. Did you go anywhere else during the election to canvass for Mr. Munster?—I never asked a vote of any man, except I might say to a person "it will be better to return Mr. Munster than Mr. O'Beirne." I might say that.

2112. Mr. MOLLOY.—Were you alone that evening that you say you made the offer of £70 to Ryan?—Not one went in with me but myself.

2113. Were you not in Ryan's more than once after you saw the money given back?—I am in Ryan's every day since he came to Cashel.

2114. Were you not in Ryan's house more than once after you saw the money given back: were not the boys with you?—Never, sir; not one.

2115. Do you know Edward Duggan?—I do.

2116. Was not he with you?—No, sir; I could take the height of that of oaths that I never met him in Ryan's house.

2117. What is his right name?—I couldn't tell you whether it is Looby or Duggan. I know the man well.

2118. Were you ever with him in Ryan's house?—Never.

2119. Were you ever with him in Ryan's company anywhere?—Never, anywhere.

2120. Why did you tell Ryan that if he went with Mr. Munster he would get £70?—I told him no such thing, but I said, "Will you have £70," out of a joke.

2121, You say you did not tell him he would get £70?—No; he knew what he was doing better than me. "Will you have £70," said I to him out of a joke, when I took half a glass of whiskey and walked out again.

2122. Were you employed by Cunningham?—No.

2123. Why did you tell Cunningham that Ryan said he was offered more money?—Ryan sent a messenger for me, and told me if I met any of the parties to tell them he had more money to give them than Mr. Munster's men were giving. I delivered the message to Cunningham.

Mr. Edward Henry Biggin.

Mr. *Edward Henry Biggin* recalled; examined by Mr. WATERS, Q.C.

2124. Mr. Biggin, do you produce the claim this man has put in?—I do.

Thomas Farrell.

Thomas Farrell's examination resumed.

2125. Mr. MOLLOY.—To whom did you send the bill?—I sent it in to Mr. Laffan. I believe it was Mr. Patrick Laffan that got it, to the best of my belief.

2126. Mr. WATERS, Q.C.—Is this your own writing?—No, sir.

2127. Whose writing is it—who wrote it for you?—I think it was John Duggan, to the best of my belief.

2128. You swore to me that you were not engaged by anyone, and did not expect to be paid by anyone, and yet I find a bill for £15 for services rendered at the election?—That is all right, sir.

2129. Did you render any services to Mr. Munster?—Never; but the day he went to the Commons I chanced to say a few words in the Commons.

2130. Do you mean to say that you tried to get £15 from Mr. Munster for doing nothing?—I never expected it, although that bill going in. I can swear that positively. Although that bill going in I never expected it.

Michael O'Sullivan.

Michael O'Sullivan sworn; examined by Mr. WATERS, Q.C.

2131. Are you an elector of Cashel?—I am, sir.

2132. For whom did you vote at the last election?—For Mr. Munster.

2133. What business are you in?—General business, grocery and meal and flour, and the bakery way.

2134. This is your letter, I believe—[Is handed his letter to Mr. Munster, dated 8th March, 1869]?—Yes, that is my letter.

2135. Were you paid any money for the last election by Mr. Munster?—I was, sir.

2136. How much were you paid?—£98 4*s.* 4*d.*, the bill of treating for Mr. Munster, with a mob of parties who came round to me time after time.

2137. Did you furnish any account but this?—I did.

2138. To whom did you give the account?—To Mr. Michael Laffan, Mr. Munster's solicitor.

2139. When did you furnish the account?—Really I could not tell—I suppose some time after the 20th November—that was the day of the polling, I believe—some time after that.

2140. About how soon after it?—I suppose about three weeks or a fortnight. I could not tell particularly. It was before Christmas.

2141. You say it was before Christmas?—It was.

2142. Are you quite sure it was before Christmas?—It was in fact a month after the election.

2143. I suppose this is your letter also—[Is handed letter dated 8th November]?—Yes, that is my letter.

2144. I want to know did you send in a bill?—I told you I did.

2145. Besides that letter headed from your shop?—I did, a different bill.

2146. Did that account contain items of the subject of your claim against Mr. Munster?—It contained what I gave the drink for. Of course I did not give the items day after day.

2147. Was it only one general sum, £98 4*s.* 4*d.*, or did it contain several items?—It contained the whole money: no different items.

2148. I see you state in your letter here, that your "bill was supplied on orders given from Mr. Patrick Laffan, and the understanding from Mr. Michael Laffan?"—In fact though I said that in the letter, I had very little understanding from him, but had from Patrick though.

2149. Did you receive orders from Mr. Patrick Laffan?—I did, several.

2150. Had you any understanding with Mr. Michael Laffan?—Though I said that in the letter I had not at the time, but I wanted to get paid the money. I don't think I had. I had no understanding from Mr. Michael Laffan, but I had orders from Patrick, he gave me many orders; though I said it in that letter I had no understanding with him.

2151. Do you mean to say that you deliberately wrote a lie in that letter?—I do; I wanted to have Mr. Munster pay me, and I said in writing the letter that he—in fact in writing to Mr. Munster I said he gave me many orders—that Mr. Michael Laffan did, and he might have done it too.

2152. Is this true or false—"Sir, my bill was supplied by orders from Mr. Pat Laffan, and the understanding from Mr. Michael Laffan that I was to supply drink where I thought it necessary?"—It is true.

2153. Is this true: "Having a great influx of, recourse to, and influence on a great number of voters, both on the Commons and in the town?"—Well, they are very generally in my house; that is very correct too.

2154. Now, you furnished that letter of the 8th November?—Yes, that is my letter.

2155. You furnished the account on that date. You furnished the account on the 8th November?—Yes, that is the date of that letter.

2156. Did you demand payment of it in the interval between that and the time you were paid?—At the moment I wrote the letter to Mr. Munster?

2157. Answer my question: "yes" or "no" answers it?—Say it again.

2158. Did you demand payment of the amount of your account between the date of this letter, 8th November, and of this letter, 8th March?—I furnished the first account to Mr. Laffan.

2159. That is not an answer to my question. My question, which I repeat for the third time—and it ought not be necessary with a gentleman of your intelligence—is this:—Did you demand the amount of your account between the date of that letter, 8th November, and this letter, 8th March?—I did frequently; of course I did. From Mr. Laffan alone though; but that is a letter to Mr. Munster. I did several times. I was up there almost every night—every second night at least.

2160. At Mr. Laffan's?—I was up there, and often since then; I was often up there too.

2161. And you very frequently demanded the amount of your account?—I would say to Michael Laffan, "Michael, can't you get our account settled?"

2162. Did you frequently demand the settlement of the account?—Sure I knew he couldn't pay it.

2163. Answer my question; you will have the goodness to answer my question?—You will have the goodness to let me explain the matter.

2164. Have the goodness to be silent?—I knew Mr. Laffan couldn't settle my account.

2165. Be silent, sir. Do you know what it is to be committed for contempt of Court?—Oh, but I don't deserve it.

2166. Attend, sir, and answer my question?—I will, sir, but you must let me explain it.

2167. I will allow you to explain when you answer, but you shall not avoid answering. Did you demand payment of your account in the interval?—I did.

2168. From whom did you demand payment of your account?—From Michael Laffan.

2169. Did you demand it from anybody else?—I did not.

2170. Now, if you wish to offer any explanation you are at perfect liberty to do so?—No, sir. If you propose a question I will answer it.

2171. Who gave you the money in payment of that account?—Mr. Munster handed me a cheque in my own house; I gave him no receipt for it.

2172. How soon after the receipt of that letter were you paid the amount?—The morning after.

2173. Is that the 9th March?—No, I wrote at night. Mr. Munster met Mr. Laffan, and came to me in the morning, and the morning after he brought me a cheque for it.

2174. Is this one of the accounts you furnished?—[Is handed document dated 8th December, 1868]—Yes.

2175. That is dated 8th December, '68?—I can't give you dates at all.

2176. I can read it there?—I can read it myself too.

2177. Then did you send an account previously with that of the 8th November?—Really I forget. I suppose I did; really I forget which; it is so long ago that I forget it. If Mr. Laffan was here he would produce all the documents, for I gave them to him.

2178. You say in your letter of the 8th November: "I withdraw my previous bill of the 4th November, as not containing the amount due to me, in consequence of having since discovered other items of value given to said classes of mob, &c., which were in my bill of 4th instant overlooked?"—Yes.

2179. Are you able to tell me what the difference between the two bills was?—I will tell you. I gave a lot of drink, and Patrick Laffan gave me orders for them.

2180. Are you able to say the difference in the amount?—Of course I am.

2181. How much is it?—It ought to be £49 and I made it £50.

2182. Then at the date of the 8th of November the amount was only £50?—The amount was what I furnished. At the time I was drawing up the first bill there was a lot of orders, and I had a lot of slips of paper in the shop, and orders of Patrick Laffan—he gave orders for £49 worth more, and I withdrew the first bill and furnished the second.

2183. Then it was not a difference of £1, but I presume of £49 or £50?—It was a difference of £1.

2184. It is not easy to understand you?—If you allow me I will just tell it to you.

2185. Mr. GRIFFIN.—Was the amount of the first bill £97?—No, £48.

2186. Mr. WATERS, Q.C.—Then you altered it and made it £49, or thereabouts?—I made it £49 additional. Of course that wouldn't make £98.

2187. Take it in your hand. At the date you find on that what was the amount?—Really I couldn't tell you the date that account is.

2188. Do you know how much was your account on that date?—I know it now.

2189. How much?—It was £98.

2190. What are you talking about £49 for?—I first supplied Mr. Laffan with an account for £48 4*s.* 4*d.* I then went and I began to think over the matter, and I found I had a lot of bills of Patrick Laffan for £49 in addition, and then I withdrew the account and named instead of it £49 9*s.* 8*d.* I just charged one additional pound.

2191. Have you those orders still?—Indeed I have not; I never keep orders for election matters. I would be very sorry to keep orders about election matters.

2192. Mr. MOLLOY.—You say you sent in an account on the 4th November?—That was the one I withdrew.

2193. How much was that for?—£48. I withdrew it, and the letter went to Mr. Richardson to Manchester, and I wrote to Mr. Munster afterwards for the money.

2194. Did the bill you sent in on the 4th November include any drink supplied on the order of Pat Laffan?—It did, and the subsequent bill too.

2195. Why did you not put them in?—Because they were in my desk. I thought it ought to be more than that.

2196. What became of those orders you had in the desk?—I never took them down in the book.

2197. What became of the orders you had locked up in the desk?—I don't think I have one of them.

2198. What became of them?—I suppose I destroyed them. I don't keep unnecessary papers.

2199. When did you destroy them; you took the precaution of putting them into your desk?—Why not? I gave value.

2200. When did you destroy them?—The moment I was paid. I don't want slips of paper about election matters.

2201. I want to know from you whether the £98 was due on the 8th November or not?—It was due after the election.

2202. Was it due on the 8th November, or was some of it incurred subsequently?—It was all before the election; that is, I believe, the 20th November.

2203. Have you got any books?—I have, of course.

2204. Did you enter those in your books?—Indeed I did not.

2205. Why did you not enter them?—Why should I enter election matters in the book?

THIRD DAY. *October* 6.

Michael O'Sullivan.

2206. You were selling drink?—On slips of paper I took down the account.

2207. You were selling drink on credit?—I was.

2208. And you keep books?—I do.

2209. And you sold £98 worth without making any entry in your books?—When I had slips of paper why should I make any entry in my books? Sure these would pass away in a few days.

2210. Is it your habit to sell £98 worth without entering it in your books?—I sold drink at Lanigan's election, and Captain White's also, and never took an entry of drink in election times; I would write it on slips of paper.

2211. Mr. GRIFFIN.—Why did you not keep an account in your books?—I would not keep an account for anyone who was not a regular customer. Would I put that into a ledger?—indeed I would not.

2212. Mr. WATERS, Q.C.—Do you think you could in any way answer my question whether the whole of the £98 was incurred when you sent in that account on the 8th November?—It was.

2213. Mr. GRIFFIN.—Did you supply no drink after the 8th November?—I did not.

2214. Between the 8th and 20th November, did you supply further drink?—Show me that paper.

2215. That account is dated 8th November; the polling was on the 20th?—There is a mistake in this—in the date of it, for I never wrote at all to any party until after the election.

2216. Do you mean to tell me that you made a mistake in it, when the date was altered from 7th to 8th?—I did; it was a great mistake, and Mr. Laffan will tell you that.

2217. Do you see that that date is actually corrected from the 7th to the 8th November; do you see that?—It is not.

2218. Look at it, sir; put that torn bit of paper in its place, and you will see that it is?—I don't see the 7th there at all.

2219. Do you see where the piece of paper goes in? Do you see the 7th corrected to the 8th?—And do you see it?

2220. I do; if you give this sort of answers you will see what being committed for contempt of Court is?—Try it again, though; you will see, sir, that you make a great mistake.

2221. It is corrected from the 7th to the 8th; do you see that there is a figure altered?—I don't see a figure at all altered.

2222. Were there any orders given after the 8th November?—I suppose there was; oh, after writing?—there was not. I told you that there was a mistake in the date of that letter: now I find it. Show me Mr. Munster's letter, the one that I wrote to himself.

2223. Mr. WATERS, Q.C.—It does not refer to that at all?—Show me the date of it, though.

2224. The 8th March, '69?—I gave no drink after the election.

2225. Mr. GRIFFIN.—Did you supply drink on the orders of any person but those of Mr. Patrick Laffan?—I did.

2226. On whose orders?—Patrick Cunningham's.

2227. Of anybody else?—Well, I don't think I did.

2228. Mr. MOLLOY.—Who told you that Mr. Munster would pay you the amount of Cunningham's orders?—I didn't care which. I was going to support Mr. Munster, and if I never got the money I could live without it.

2229. You have not answered the question. Who told you that Mr. Munster would pay you the amount of Cunningham's orders?—I gave it on my own responsibility.

2230. How did you know that Mr. Munster would pay the amount of Cunningham's orders?—I didn't know that at all; I ran the risk, and if I didn't get it I would do without it: that is the way it was. Mr. Munster never gave me an order, nor authorized anyone to give me an order.

2231. You cannot tell that?—Sure I can tell you that he never gave me an order.

2232. But you cannot tell me that he never authorized anyone to give you an order?—I can't tell you that; but he didn't do it to myself personally.

Edward Duggan was called, but did not appear.

Patrick Maher.

Patrick Maher sworn; examined by Mr. WATERS, Q.C.

2233. You live in the Main-street, Cashel, I believe?—Yes.

2234. Are you in business there?—Yes.

2235. In what business are you?—Grocery and spirit store.

2236. Were you engaged about the last election?—No, sir.

2237. Did you take any interest in that election?—No, sir.

2238. No interest?—No, sir.

2239. None whatever?—None whatever, sir.

2240. Were you at all interested in either candidate against the other?—No, sir.

2241. Would you as soon have voted for one as for the other?—I would sooner vote for Mr. O'Beirne, sir.

2242. Then you were interested for Mr. O'Beirne?—Yes, sir.

2243. Then what did you mean by telling me that you were not interested in either candidate; you are not there to joke?—No, sir.

2244. Were you very much interested for Mr. O'Beirne?—I gave him my vote; the second day after he coming to town I went up to him, and I said I would give him my vote.

2245. I ask you were you very much interested for him?—No more than that, sir.

2246. Do you know anything of any money having been paid, or any cheques, or sort of value given, during the last election?—Nothing more than that there were houses taken.

2247. Nothing more than that?—Nothing more than that.

2248. Do you know Pat Cunningham?—Yes, sir.

2249. Was he acting for anyone at the last election?—For Mr. Munster, I heard, sir.

2250. You had some conversation with him before the last election took place?—I had, sir.

2251. And you asked him, "What are you going to do for me?"—No, sir, he sent for me.

2252. Where did you go to when he sent for you?—To Mrs. Corcoran's hotel.

2253. That hotel was engaged for Mr. Munster at the election?—Yes, sir.

2254. When he sent for you, and you went to him, what occurred?—He offered me £30 on a bill if I would vote for Mr. Munster.

2255. You refused it?—I refused to give him a bill.

2256. You refused to give him a bill?—I refused it altogether, sir.

2257. Did you say to me that you refused to give a bill?—I do, sir.

2258. Do you imply by that, that that was all you refused?—I wouldn't have voted for Mr. Munster at all. I refused him point blank, and wouldn't vote for him at all.

2259. Had you any communication with Cunningham before he sent for you?—I never spoke to him before about the election.

2260. How did he come to send for you then?—There was a boy named Carroll, and he said that if I went up, he would have something to say to me.

2261. Had you any conversation before with Carroll?—None, sir.

2262. And did Carroll volunteer this?—He told me this.

2263. You understood that he was to treat with you to bribe you for your vote?—He didn't say that.

2264. But you understood it?—I had nothing else to give him.

2265. Therefore you could understand nothing else: you understood then that he was to treat with you to bribe you?—I suppose it was for my vote.

2266. Do you mean to say that Carroll did that without having any previous communication with you?—We were often speaking about the election, but never about anything such as that.

2267. Is that Cornelius Carroll?—Cornelius Carroll.

2268. Were you always determined to vote for Mr. O'Beirne?—He was only in town two days when, the second night, I went up and told him I would vote for him.

2269. Did you know Mr. O'Beirne before he came the time of the last election?—I did, sir; I knew him since the former election; I knew him while he was in Parliament.

2270. Had Carroll writing materials?—He had pen and ink on the table.

2271. Had he a bill stamp?—I could not swear.

2272. Did you see any money with him?—No, sir.

2273. Were you not at all engaged in canvassing for Mr. O'Beirne?—No, sir, I was not.

2274. Were you at all engaged in looking after what was going on?—Nothing in the world, sir: I was determined to vote for Mr. O'Beirne before he came to town at all.

2275. You did not go to Cunningham on that occasion, in the way of trying to entrap him?—No, sir.

2276. And you were not trying to collect information for Mr. Grace?—I never gave Mr. Grace any information.

2277. You know Captain Graham?—Yes.

2278. Had you any conversation with him?—No.

2279. You knew that he was canvassing?—I heard that he was canvassing, but I had no conversation with him in my life.

2280. You supplied some drink at the election?—I did, sir.

2281. How much did you supply?—Between £5 and £6 worth, sir.

2282. At the election petition you thought you supplied between £6 and £7 worth?—Well, it was about that.

2283. And did you never inquire since how much it was?—No, sir.

2284. Have you been paid since?—No, sir.

2285. Have you any expectation of ever being paid?—No, sir.

2286. Mr. MOLLOY.—Were you doing business in '65?—I was in business, doing business for Mr. Power, tobacco manufacturer.

2287. Mr. WATERS, Q.C.—On whose orders did you give those £7 worth of drink?—Michael Keeffe's, and the late Michael Hanley that died.

2288. Did you get written orders, or were they only verbal?—Verbal.

2289. Did you get any written orders at all?—No written orders at all, sir.

2290. I ask you in the spirit of candour and fairness if you know of anything about any money having been given at the last election; I want to see if you can give us any assistance in coming at the truth; do you know or have you heard anything of any money having been given at the last election?—Only the money that was given for the houses. There was £35 given to a boy named Carroll, he says himself 'twas for his vote, and Mr. Munster's party say 'twas for his house.

2291. Do you know of any more than that?—I know no more than that, sir.

2292. We have heard that there was an action brought against Mr. Carroll—I have been requested to ask you if you were a witness in that case?—I was.

2293. And you were examined on it?—I was.

2294. Do you know anything of that transaction?—No, sir, only what he told me.

2295. Only his own statement?—Only his own statement.

2296. And you understood him to say that the £35 was given to him for his vote?—For his vote, sir.

Edward Looby [known also as Duggan] sworn; examined by Mr. GRIFFIN.

2297. Do you know Michael Ryan?—I do, sir.

2298. Were you ever in his house along with a man named Thomas Farrell?—Never, sir.

2299. Do you remember the time that his house was being taken for Mr. Munster?—I do, sir.

2300. Were you present at any of the arrangements about it?—I was not, sir, but Mr. Pat Laffan told me if I see any voters to send them to Michael Ryan's, because they had his house taken.

2301. Was that the day the bargain was broken?—Yes.

2302. You were to send voters to Ryan's?—To Ryan's, sir. I met old Murnane, the father-in-law of Ryan, and I told him "you would want to have the house prepared when the dinner to the voters of Mr. Munster will be given there."

2303. Who was giving the dinner?—I don't know, sir, I was only having a joke at him.

2304. You said he ought to prepare the house against the dinner that was to be given to the voters by Mr. Munster?—Yes.

2305. Who told you that there was a dinner to be given?—I heard that both sides were all going to get a dinner, sir. I don't remember who told me in particular.

2306. You do not remember any body that told you in particular: did you hear it from any of the voters?—I did not, sir.

2307. What did Murnane say?—He told me that Mr. Munster's men were too late: that Mr. O'Beirne had it.

2308. What did you say to that?—I met then Mr. Pat Laffan coming, and I told him "What made you say that you had the house taken from Murnane?" "Sure we have," says he: so Cunningham came up to me and said, "Did he tell you such a thing as that?" "He did," says I: "Come down with me," says he, so I went down with him.

2309. Was Farrell there?—He was not, I never seen Farrell at the house at all.

2310. You went down?—We went down, and Ryan said he wouldn't give the house—that he set it too cheap.

2311. Did you stay in the shop during the conversation?—We did first, he went out then in the hall to speak to Cunningham.

2312. What occurred while you were there?—When I got the two in conversation I said, "Let ye settle it as ye like," and I left them there and went away.

2313. You heard nothing further about it?—Not a pin'sworth more, sir; I had something else to do as it was a Saturday, and I went to go to sell my meat.

2314. You are Edward Looby?—Yes, sir.

2315. You are not a voter?—I am not, sir.

2316. Have you friends voters?—I have, sir.

2317. Any relations?—I have, sir.

2318. Loobys?—Yes, sir, there are friends and neighbours.

2319. Are they any relatives of yours?—No, sir.

2320. Any connexions of yours?—No, sir.

2321. Is John Looby anything to you?—No, sir.

2322. Or Thomas Looby?—No, sir.

2323. Or Maurice Looby?—No, sir.

2324. Or another Thomas Looby?—Thomas Looby of Lowergate is, but I don't know how near.

2325. Is that the Tom Looby that sold the jennet to Munster?—I see Mr. Munster riding Tom Looby's jennet, and I don't know whether he sold him or not.

2326. Is that the same Tom Looby?—That is the Tom Looby.

THIRD DAY.
October 6.

Edward Looby.

2327. Where does he live?—At Lowergate, sir.

2328. Are you a good judge of the value of animals?—What sort of animals, sir?

2329. Jennets?—No, sir; I am a good judge of the value of a cow or a sheep.

2330. Do you know anything about money going at the last election?—I do not, sir.

2331. Did you see or hear of any cheques?—I did not.

2332. Did you know of any money going about the Commons?—I did not, sir.

2333. You know the Commons?—I do.

2334. Did you hear of any money going there at the last election?—I did not, sir; not during the election.

2335. Did you before or during the election hear of any money going there?—Not during the election, nor before it.

2336. Or since?—I will tell you, sir. Before that, I was coming down street one day, and I have a first-cousin by the name of Duggan that has a vote, and I got a letter from Cunningham to put it in my pocket for him. It was about fourteen days after the election, and he told me to give it to him. I put in my pocket and left it there; and the seal of it broke in my pocket, and I opened it, and there was £30 in it.

2337. Who was the letter for?—I got it from Cunningham.

2338. For whom? to whom was the letter addressed?—He told me to give it to Johnny Duggan.

2339. Has John Duggan a vote?—He has.

2340. Where does he live?—He lives in Lowergate.

2341. What was the £30 in?—In the letter, sir.

2342. Was that the day fortnight after the election exactly?—I think it was, sir; but I can't swear, sir.

2343. In what form was the £30?—In three £10 notes.

2344. Of what bank, do you know?—I don't, sir.

2345. What did you do with them?—I gave them to his sister, for he was drunk; and he told me to lend him a pound. I gave him a pound, and I changed one of them and took the pound out of it, and gave the £29 to his sister.

2346. What is the name of his sister?—Mary Anne, I believe.

2347. She is not married?—No.

2348. Mr. WATERS, Q.C.—Did you read the letter that contained the notes?—I did not, sir.

2349. Do you know whose writing it was?—I do not, sir.

2350. But there was a letter?—It was an envelope, sir.

2351. Was it enclosed in a written letter, or were the notes only in an envelope without any writing?—In a big envelope without no writing.

2352. Was the envelope written on, outside?—I didn't look. I only put it in my outside coat pocket, and indeed I didn't know there was anything in it, for if I did I wouldn't leave it so careless that way.

2353. Did he tell you what was in it?—He did not.

2354. What did he say?—To give it to Johnny Duggan.

2355. Is that all he said?—That is all.

2356. Where did you change the £10?—At Power's; and I gave him a pound of it. He had a drop in.

2357. What Power's?—The tobacconist in the Main-street.

2358. Do you recollect was it Mr. Power himself that gave you the change of the note?—I don't know, sir; I can't think.

2359. Did Cunningham ever say anything to you about it afterwards?—He did not, sir.

2360. Or did Duggan?—No, sir; he did not.

2361. Had you never the curiosity to ask what the £30 was for?—I never asked what it was for.

2362. I suppose you made a guess?—I knew he was very busy doing business for Mr. Munster.

2363. You did not ask either of them what it was for?—I did not indeed.

2364. Perhaps you thought the less you knew about it the better?—I didn't want to know anything about it, for I wasn't to gain anything by either of them.

2365. Do you know anything else like that transaction?—I got a letter from Cunningham to give to Heffernan, and I gave it to him.

2366. Where does Heffernan live?—In Friar-street.

2367. Was that a letter in an envelope?—A letter like the same.

2368. Was there anything in the envelope?—Indeed I don't know, sir.

2369. You would know surely whether an envelope was empty or not?—It had a bulk of something.

2370. Is Heffernan a voter?—He is, sir.

2371. What is his Christian name?—Denis.

2372. Did you take any other letters?—No other letters, sir. I know nothing else about it.

2373. Is it Denis Heffernan, of Friar-street?—Yes, sir.

2374. And you gave the letter to Heffernan?—I did, sir.

2375. And never asked him what was in it, and did not know what was in it?—No, sir.

2376. And you say Cunningham did not tell you what was in it?—Not a word.

2377. Mr. GRIFFIN.—When did you get the last letter?—The same day I got the two, sir.

2378. Mr. WATERS, Q.C.—And was it at the same time?—The same time, sir.

2379. And were you paid anything?—I never got a shilling from either of them. From all the members of Parliament that ever came here I never got a glass of whiskey.

2380. Did you make a claim of £20 on Mr. Munster?—After the election, sir?

2381. Say "yes" or "no"?—Not to my knowledge, sir. I got sick after the election, which Doctor Russell got a pound to attend me, and there was five men, and what bill they sent in I don't know.

2382. Do you mean to say that nobody did it by your direction or knowledge?—I heard from the other four men that they put in a bill of £20 each: we expected to get £20 a piece, because we earned it.

2383. Mr. GRIFFIN.—Was it as a mob, or in what way was it that you earned it?—We were guarding him, sir.

2384. How long?—From the time he came to Cashel until the election and petition and all were over.

2385. Do you live in the town?—I do, sir.

2386. Where did you give Heffernan the letter?—In Cunningham's house. Heffernan was there when I got the two of them from Cunningham, and I reached him one of them.

2387. In what part of the house did Cunningham give you the letter?—Up stairs. He called me down street where he met me, and said he wanted me to come down. "Give this letter to John Duggan," says he, and I put it in my coat pocket, and he then gave me the other for Heffernan.

2388. Was Heffernan there when you got the other letter for him?—I can't say. To the best of my knowledge he was not.

John Kingsbury.

John Kingsbury sworn; examined by Mr. WATERS, Q.C.

2389. You are an elector of Cashel, I believe?—Yes, sir.

2390. Are you many years an elector?—I am, I think, forty-eight years—not here, though, but in Belfast and other places.

2391. How long have you resided in Cashel?—Thirty-six years, sir.

2392. Did you vote at the last election here?—Yes.

2393. For whom?—For Mr. Munster.

2394. Were you canvassed by Mr. O'Beirne?—I was, sir.

2395. Were you canvassed by any person on his behalf besides himself?—Well, I can't say that I was. I met him just walking through the town, and he asked me to vote for him.

2396. And he then asked you to vote for him?—Yes.

2397. Was that a very short time after he came to the town, or how soon after he came?—I suppose eight or ten days after he came.

2398. When were you canvassed first by Mr. Munster?—Mr. Munster never canvassed me—never.

2399. Then did you vote for him without being canvassed to do so?—You could scarcely go into a shop in this town that you were not canvassed by some person; but Mr. Munster never spoke to me on the subject.

2400. Did anybody ever canvass you on behalf of Mr. O'Beirne; except himself?—I can't recollect, but I don't think they did.

2401. I suppose when Mr. O'Beirne asked you to vote for him, you told him you had promised to vote for Mr. Munster?—Yes.

2402. Did he take the one refusal and never try you again?—Never.

2403. Were you tried in any way afterwards?—Never. I was not. No person induced me after that.

2404. Or made any attempt to induce you?—No, indeed, they did not, sir; oh, no.

2405. Do you know of any persons having been induced to vote for either party?—Indeed, I do not. I know very little about the thing. You could scarcely, as I have said before, go into a shop that there was not some person asking you would you vote with them.

2406. Do you recollect meeting Captain Graham?—I do.

2407. Did he solicit you?—He did, but I told him I was undetermined, and that I believed I would not vote with his party—that is, for Mr. O'Beirne. We parted, and that is all about it.

2408. Did you ever see Captain Graham more than once?—Never on that subject.

2409. And nobody—neither Captain Graham nor any other person—ever offered you any inducement to vote?—They did not, indeed, sir.

[Adjourned.]

FOURTH DAY.

THURSDAY, OCTOBER 7, 1869.

John Kingsbury recalled; examined by Mr. WATERS, Q.C.

2410. You were sworn yesterday?—Yes, sir.

[The shorthand writer reads questions and answers numbered 2406, 2407, 2408, and 2409.]

2411. I asked you yesterday if Captain Graham or any other person ever offered you any inducement to vote?—I didn't hear you ask that question, but I suppose you did, sir. I will tell you how that occurred. After I was speaking to Captain Graham on a Saturday, sir, a number of people ran up to me and asked me what I was to get, and so on, in a funny way.

2412. You said you did not mind my question yesterday; mind it to-day?—I do.

2413. My question is, did Captain Graham or any other person offer you any inducement to vote?—He did not, sir.

2414. He did not. You say Captain Graham never offered you any inducement?—I never got a farthing of his money.

2415. I did not ask you that—and I am rather surprised that a gentleman of your intelligence would not answer me in a straightforward manner. I ask you did he offer you any inducement to vote. That is a very general question, and does not mean money only. Did he offer you any inducement to vote?—He did, sir, say that I would be remunerated.

2416. He said you would be remunerated?—Yes.

2417. If you voted for whom?—For Mr. O'Beirne, sir.

2418. Did he say what remuneration you would get?—No, sir, he did not.

2419. Did he intimate to you in any way what remuneration you would get for voting for Mr. O'Beirne?—No, sir, he did not.

2420. Did he even not mention, or let you understand in any manner, any sum of money that you were to get?—No, sir, he did not.

2421. Or did he intimate to you in any way what the remuneration was to be?—No.

2422. Where did that conversation occur?—In the street, sir.

2423. Was it near your own house?—No, sir; he never called to my own house this last election; he called before.

2424. Was that the time at which you told him that you were undetermined, and that you did not believe you would vote for his party?—The last time, sir.

2425. At the time when he said you would be remunerated, is that the time that you said you were undetermined how you would vote?—Yes, sir.

2426. Do you recollect when he said that to you?—What?

2427. That you would be remunerated if you voted for Mr. O'Beirne?—What month it was, sir?

2428. Yes?—It is nearly a year ago.

2429. How long before the election was it?—I suppose it was two months, sir.

2430. Do I understand you to say that there was no one present when he said that to you?—Yes, sir; nobody but ourselves—he and I.

2431. I think you told me that at that time you had not determined to vote for Mr. Munster?—No.

2432. How soon after that did you determine to vote for Mr. Munster?—Immediately after that, sir.

2433. Which of Mr. Munster's friends or agents did you see in the meantime?—It was a gentleman that was going to vote himself, sir, and I told him.

2434. What is his name?—Mr. Cahill. I told him that whatever way he voted I would vote. I didn't see any agent at that time of Mr. Munster's.

2435. What Mr. Cahill is that; what is his name?

[A person in court stood up and stated that he was the person. He was requested to leave court, and a constable directed to see that no one communicated with him outside.]

2436. Where did the conversation take place between you and Mr. Cahill?—In his own shop, sir.

2437. You were asked yesterday did Captain Graham solicit you, and you answered "he did, but I told him I was undetermined, and that I believed I would not vote with his party, that is, for Mr. O'Beirne; we parted, and that is all about it;" is that the truth?—Yes, sir.

2438. Did you say, "we parted, and that is all about it"?—Yes, sir.

2439. Did I ask you to-day did Captain Graham or any other person offer you any inducement to vote, and did you answer me by saying that Captain Graham said you would be remunerated if you voted for Mr. O'Beirne?—Yes.

2440. Did you tell me that yesterday?—No, sir, I did not.

2441. Do you think you gave your evidence yesterday as a truthful man?—I think I did.

2442. I am sorry to say that I entirely differ with you?—Well, sir, I can't help that.

2443. Tell me, as well as you can recollect, the exact words that Captain Graham used to you, and tell me every word, not leaving anything out because I do not ask you?—He commenced—"Mr. Kingsbury, haven't you a vote?" "Yes." "Well, won't you vote for Mr. O'Beirne?" "Well," says I, "I have not determined about that, but I will think of it," and he then said that I would be remunerated for my

FOURTH DAY. *October 7.* John Kingsbury.

trouble—any trouble I would put myself to that he would repay me for it—of course that is what he meant.

2444. Did you say to me before to-day, that what he said was, "I would be remunerated if I voted for Mr. O'Beirne?"—Yes.

2445. Is that what you mean now?—Yes, sir; I considered it so; he mentioned Mr. O'Beirne's name; he said he wanted my vote for him.

2446. Did you ever tell anybody that Captain Graham had intimated to you any amount of remuneration?—Well, no sir, only in a joking way.

2447. What did you say?—I said he had offered me something.

2448. What did you say he had offered you?—He didn't offer me anything.

2449. My question is, what did you say he had offered you?—I can't recollect, sir.

2450. Did you name any sum of money?—Well, I don't think I did, sir.

2451. We will come to the conversation with Mr. Cahill; you say you saw Mr. Cahill in his own shop; were you sent for by Mr. Cahill?—I was not, sir; I was in there every day two or three times.

2452. Do I understand you to say that you went into Mr. Cahill's shop without any previous message or intimation?—Yes.

2453. From him or from anybody else?—From him or anybody else, I go there to meet him.

2454. Did you hear that he had anything to tell you about voting or anything connected with it; did you hear in any manner or way that you would learn anything about voting, or about your vote, from Mr. Cahill?—No, sir, I did not.

2455. At the time that you went to Mr. Cahill you said that you had not made up your mind how you would vote?—Yes.

2456. Now, sir, you understand the spirit in which this question is to be answered; was there any inducement offered to you in any way, by Mr. Cahill or any other person, to vote for Mr. Munster?—No, sir, nor I didn't get any.

2457. I did not ask if you got any, but I asked you was there any inducement offered to you?—No, sir.

2458. Was it intimated to you in any way that you would get any reward for voting for Mr. Munster?—No, sir, it was not.

2459. Did Mr. Cahill solicit your vote for Mr. Munster?—He did, sir, when it was mentioned first that there was to be an election here.

2460. On that occasion, when you went to his house, what did Mr. Cahill say to you about your vote?—He told me that he was going to vote for Mr. Munster, and he asked me if I would vote with him, and I said I would, and I did.

2461. Did you tell me that at that time Captain Graham had been with you?—I don't think Captain Graham had been with me that time, sir; I am not sure whether he had been there or not, I couldn't mind those things, sir.

2462. Now, recollect yourself; I think you are mistaken in that: you already told me that your mind was not made up at the time that Captain Graham called on you?—Yes.

2463. Therefore the interview with Mr. Cahill must have been after that?—Very well.

2464. When you saw Mr. Cahill in his house did you tell him that Cunningham had been with you to canvass you for Mr. O'Beirne?—I did, sir.

2465. You told Mr. Cahill that?—I did, sir.

2466. Did you tell Mr. Cahill that Captain Graham had told you that you would be remunerated if you voted for Mr. O'Beirne?—I don't think I did.

2467. But you tell me you told him that Captain Graham had been canvassing you for Mr. O'Beirne?—Yes, I did.

2468. Did Mr. Cahill in any way know that you had been offered money by Captain Graham; when I say, "offered money" I mean to say, did Mr. Cahill know that Captain Graham had told you you would be remunerated?—I don't think he did, sir, at all; I don't think I ever mentioned the circumstance to Mr. Cahill.

2469. Do you know if he knew it from anybody else?—He might.

2470. Did Mr. Cahill ever speak to you about it?—I think him and I spoke over it, sir.

2471. Let me have that quite right. Mr. Cahill and you spoke about Captain Graham's having told you that you would be remunerated if you voted for Mr. O'Beirne?—Yes.

2472. Did you speak of it more than once?—Oh, I don't know that I did; perhaps I did; I am not certain, sir; it is twelve months ago; I believe I did.

2473. When you say you "believe," do you believe you did speak of it more than once?—Very likely I did, sir.

2474. Where does Mr. Cahill live?—He lives in the main street, sir.

2475. Mr. GRIFFIN.—Is it No. 3, Main-street?—I believe it is, sir.

2476. Mr. WATERS, Q.C.—How soon after Captain Graham told you that did you tell it to Mr. Cahill?—I declare I could not say, sir.

2477. Had you ever promised to vote for Mr. O'Beirne?—Well, in the former election, sir, do you mean?

2478. I do not sir; you know I do not?—I don't know.

2479. Had you promised to vote for Mr. O'Beirne?—When?

2480. At the last election?—No, sir; I told him I would not.

2481. Did you vote for Mr. O'Beirne at the previous election?—No, sir; he called on me.

2482. For whom did you vote at the previous election?—For Mr. Lanigan, sir; I came from Dublin to vote for him.

2483. Do you know a voter of the borough named Squire?—I do, sir.

2484. Is he in Court?—He is, sir.—[Witness points him out].

2485. Had you any conversation with Mr. Squire about voting?—No, sir, never.

2486. With reference to the last election you had no conversation with Mr. Squire?—No; we talked over the election, sir, several times, Mr. Squire and I.

2487. And about the way you would vote?—Yes, sir. When you are done with me, sir, I would beg leave to say a few words to the Court.

2488. Presently, you shall have every opportunity of saying anything you wish. When you and Mr. Cahill had this conversation was it intimated to you in any way that you would not lose anything by voting for Mr. O'Beirne?—By Mr. Cahill?

2489. Yes, or anybody else?—No, sir.

2490. At any time?—At any time.

2491. Did Mr. Cahill say anything to you about his own vote, and why he voted for Mr. Munster?—He told me he was going to vote for him and asked me would I go with him.

2492. Did he say anything more about it?—No, sir, he did not, indeed. He is a very careful, cautious man about what he says.

2493. Did he say anything about what persons who voted for Mr. Munster might expect or might get?—No, sir; he did not. I say, "Blessed are they that expect little, they will not be disappointed."

2494. You say Captain Graham did not mention any sum of money?—No, sir.

2495. Did he write down any sum of money?—He did not, sir.

2496. Did he show you written down any sum of money?—He did not, sir. I heard that yesterday for the first time, from a person I want to speak about; that is a falsehood.

2497. Mr. GRIFFIN.—Would you have voted with Mr. Cahill whatever way he had voted?—I would, sir; I would, sir.

2498. Did you consider that one candidate was preferable to the other?—No, sir; they were both of the same politics.

2499. And one as good as the other?—Just as good, sir.

2500. And you just went to Mr. Cahill, and said you would vote whatever way he did?—Long before there was any talk about it, when it was first spoken of in Cashel. I was in the habit, and I am in the habit of going in two or three times there every day. He asked me what way I would vote, and I told him whatever way he voted. At that time we didn't know who would be up, or who we would vote for.

2501. I have no further questions to ask you?—Your worships, I have to say this, that I think there is a great number in this town that wish to censure Captain Graham by some means, and to cast a stigma on him, and any dealings that ever I had with him, either *pro* or *con*, when he was in my house, he behaved himself most kind and courteous, and was a gentleman in every respect; the persons that want to cast a stigma on him are like every animal—they are fond of company—and I say that Captain Graham never gave me any money, and I swore that yesterday, and I will swear it now again, nor ever did I get a farthing from him consideration—never. Have you anything more to say?

2502. Mr. WATERS, Q.C.—I have this to say, that my brother Commissioners and I have consulted very anxiously together, as to whether we should not have committed you to prison for tampering with your oath, in answering me yesterday?—I am an aged man, sir.

2503. You withheld the truth from me yesterday, in direct answer to the questions you have answered this morning?—If I did, sir, it is more than I wished to do.

John Kingsbury

George Squire sworn; examined by Mr. WATERS, Q.C.

George Squire.

2504. You are a voter of Cashel?—Yes, sir.

2505. And you voted at the last election for Mr. O'Beirne?—Yes, sir.

2506. Do you know the last witness, Mr. Kingsbury?—I do, sir.

2507. Were you ever canvassed by Mr. Kingsbury to vote for Munster?—Canvassed to vote for Mr. Munster!

2508. Canvassed to vote for Mr. Munster: yes?—I don't know was it for Mr. Munster.

2509. For anybody else?—He asked me to vote for Mr. O'Beirne.

2510. Was that at the last election?—Yes; it was before the election.

2511. About what time before the election was it that he canvassed you to vote for Mr. O'Beirne?—I suppose about a month or two months. Captain Graham was down here then.

2512. Were you canvassed by anybody else, Mr. Squire?—I was canvassed by Mr. Munster, and one of the agents, called Mr. Richardson—I think Mr. Richardson.

John Kingsbury recalled; examined by Mr. WATERS, Q.C.

John Kingsbury.

2513. Did you hear Mr. Squire swear that you canvassed him to vote for Mr. O'Beirne?—Perhaps I did, sir.

(Mr. *Squire*.—I think I have had to deal with Mr. Kingsbury twenty-five years; I think his memory is very bad.

2514. I hope so?—

Mr. *Squire*.—It is indeed, I assure you; his memory is very bad.

2515. I hope so for his own credit?—

Mr. *Squire*.—I know in business ways it is.)

2516. Did you hear Mr. Squire swear you canvassed him to vote for Mr. O'Beirne?—I didn't hear him swear it.

2517. He swears it?—Perhaps I did.

2518. Was that after your interview with Captain Graham?—Really I couldn't say, sir.

2519. Was it after you saw Mr. Cahill and had promised to vote for Mr. Munster that you asked Mr. Squire to vote for Mr. O'Beirne?—I don't know.

2520. I wish you would explain how it is that you were canvassing for Mr. O'Beirne, when you told me on the table that you had never made up your mind to vote for Mr. O'Beirne yourself?—I didn't make up my mind to vote for anyone. I thought I wouldn't vote at all.

2521. And yet you were canvassing for Mr. O'Beirne?—If Mr. Squire says it, it is correct; but I don't recollect it, sir; my memory is very bad.

George Squire's examination resumed by Mr. WATERS, Q.C.

George Squire.

2522. Was there any allusion to an interview with Captain Graham?—Mr. Kingsbury told me that Captain Graham had been with him. Mr. Kingsbury and I are employed in the same profession together. I am in the habit of going to his house. He told me he was inclined to vote.

2523. Did Mr. Kingsbury say that Captain Graham had been with him?—Yes, and that he was going to vote for Mr. O'Beirne, and he asked me to go with him.

2524. Did Mr. Kingsbury tell you he was going to vote for Mr. O'Beirne?—He did, sir, that morning.

2525. And did he tell you what Captain Graham had said?—Oh, not a word, sir.

2526. Did Captain Graham ever come to you, Mr. Squire?—Oh, yes.

2527. Tell us what took place between you?—The morning that Captain Graham called to me he said he called to ask me for my vote for Mr. O'Beirne. I told him I had not made up my mind to vote for any of them, for I said all three candidates were of the same principle—that they were all for the disendowment of the Church, and I had a right to go for either of the three of them. He then said if you can possibly vote for any of them, I will take it as a favour that you will vote for me. I said in my own mind, that I had been always employed by Captain Graham's family, and I will vote for Captain Graham.

2528. I put my question in general terms, and you understand that I want an answer to the fullest extent—did Captain Graham allude to anything of the same nature as that which took place between him and Mr. Kingsbury, as you have heard here?—There was never anything passed between Captain Graham and me but what I tell you.

Mr. *Pierce Grace* sworn; examined by Mr. WATERS, Q.C.

Mr. Pierce Grace

2529. You were agent for Mr. O'Beirne at the last election?—Yes.

2530. You acted for him also at the petition?—I did.

2531. And in the petition as I recollect, you had a recriminatory case against Mr. Munster?—Yes.

2532. Have you the briefs that you gave your counsel on that occasion?—I have.

2533. Will you have the goodness to send them to me?—I will, but of course you will not press me to do anything unprofessional. I imagined that those things

FOURTH DAY. *October 7.* Mr. Pierce Grace.

were privileged. In looking into the Act of Parliament I see that no privilege is taken away except the privilege of refusing to answer any question. Perhaps I am wrong: I am quite in your hands. I have no personal object, but I do not wish to act unprofessionally.

2534. There is no question as to privilege except in answering?—That is all, and, therefore, what I would submit is that the privilege as to documents still remains with me.

2535. No, Mr. Grace?—Of course I merely put it before you to have your direction.

2536. I understand the spirit in which you put it. I know you are doing perfectly right in submitting what you believe to be the privilege attaching to your honourable and confidential profession. My brother, Mr. Griffin, was going to mention to you a fact that will satisfy you that we have considered this matter, and that we do not rely on our own judgment alone. If we had to rely upon our own reading of the Act alone, we feel that we would not be doing our duty unless we required them. There is, however, already precedent for this course; and in England, the agent of a candidate has been compelled to bring in the briefs which he had put into the hands of his counsel?—I am quite ready to obey your order, and will have the briefs sent to you.

James C. Cahill.

James C. Cahill sworn; examined by Mr. WATERS, Q.C.

2537. Mr. Cahill, you are an elector of Cashel, I believe?—Yes, sir.

2538. And you voted at the last election for Mr. Munster?—Yes.

2539. You know Mr. Kingsbury who was here as a witness?—Well, sir; he and I are intimately acquainted.

2540. Have you been in communication with him since he was examined?—No, sir.

2541. Or with anyone touching his examination?—No, sir.

2542. You were out of court?—Out of court; any person that attempted to speak to me I sent him away.

2543. I wish to know the names of any persons that attempted to speak to you?—It was persons coming into court not knowing it.

2544. Mr. Kingsbury tells us that you and he had several conversations with reference to voting at last election?—Yes, sir; there is scarcely a day that he doesn't call to see me some part of the day.

2545. He said that you and he had several conversations with reference to voting at the last election?—So we had, sir.

2546. And you and he had some conversations as to what occurred between him and Captain Graham?—Well, I don't recollect anything about that.

2547. Try and recollect; Mr. Kingsbury tells us that Captain Graham said to him that he would be remunerated if he voted for Mr. O'Beirne; and Mr. Kingsbury says that you and he spoke about that conversation with Captain Graham?—Oh, yes, sir, he did, but he never mentioned to me any sum that was promised.

2548. But he told you that Captain Graham had spoken to him about his vote?—Yes.

2549. And you and he spoke about it?—Yes.

2550. More than once?—He calls to me almost every day. I am at my business and he walks about and calls in almost every day.

2551. Did you know that Mr. Kingsbury was promised to Mr. O'Beirne?—He told me he was partly promised, sir, but nothing binding.

2552. Do you know that he was canvassing for Mr. O'Beirne?—Mr. Kingsbury or Captain Graham?

2553. Mr. Kingsbury?—I am not aware, sir; this is the first I ever heard of it; I never heard anything about that before.

2554. He told you that he was partly promised; did he tell you that he had promised Captain Graham?—He told me he was partly promised, but at the same time that he had not pledged himself; there was nothing binding.

2555. I believe Mr. Kingsbury is not of the same politics or religion as Mr. Munster?—No, sir.

2556. And that as between Mr. O'Beirne and Mr. Munster there was nothing binding on Mr. Kingsbury's principles?—No, sir, I think not.

2557. You induced him to change his intentions?—Yes, sir, I did; because whatever side I ever took at an election I would wish to have as many as I could go the same way.

2558. You are an ardent politician, I suppose?—I am not a lukewarm supporter of anything I would join.

2559. And you were a great friend of Mr. Munster's; more than of the other?—I was always opposed to the other, in consequence of our late friend John Lanigan.

2560. But you were a great friend of Mr. Munster's?—Yes, sir.

2561. And working hard for him, I suppose?—As far as conversations and things that kind of way went.

2562. Did you hold out any promise to Mr. Kingsbury?—No, sir? I hadn't it in my power to make a promise to any person.

2563. Wait until you hear me; did you hold out any promise to Mr. Kingsbury, of doing anything for him or of doing your best for him?—I advised him to vote for Mr. Munster and leave matters to Mr. Munster and to his agents after.

2564. When you say "leave matters to Mr. Munster and to his agents," do you mean remuneration?—When he gave me to understand he was promised remuneration at the other side, I thought Mr. Munster would be the best to promote the interests of this unfortunate town, and I told him to leave all matters in the hands of the agents until after the election.

2565. When you say "all matters," do you mean remuneration for his vote?—Yes, sir.

2566. Did you, Mr. Cahill, lead him to understand that he would not be at any loss by not accepting the remuneration which it was supposed he could get from Mr. O'Beirne's side?—Yes, sir; I advised him to vote and leave all matters until afterwards.

2567. Just attend to my question again. Did you lead him to understand, and lead him to believe, that he would not be the worse by not accepting the remuneration?—Well, yes, sir; that he would lose nothing by it.

2568. I suppose you communicated to some of the agents of Mr. Munster that Mr. Kingsbury had got this offer, or *quasi* offer, from Captain Graham?—Well, I cannot exactly say that now, sir, on my oath; I have no recollection of it. I might have done so, but I am now on my oath, and I can't exactly say which.

2569. Your impression now is that you did?—Well, sir, I can't say.

2570. Surely if you recollect for a moment you can tell me?—Well, as I stated before, on my oath I can't say positively, because I had no opportunity of going and meeting people. I was at my business, and whenever there was a committee meeting at night I used to go there, but no other time.

2571. Were you not constantly meeting Mr. Munster's friends?—Yes, sir, at night.

2572. You knew Mr. Pat Laffan?—Yes.

2573. And met him several days?—Perhaps some days I would not meet him at all.

2574. And other days you might meet him a dozen times?—No, sir; I never saw him unless he called to me.

2575. But you met him at the committee-rooms?—During the canvassing I met him perhaps a dozen times.

2576. And you saw Mr. Michael Laffan and all the

other supporters?—Yes, any of us that met at the committee rooms.

2577. Is it not a most probable thing that you did tell that this offer had been made to Mr. Kingsbury?—It is likely I did.

2578. Would you pay out of your own pocket to Mr. Kingsbury?—No, sir.

2579. Did you take upon yourself to say what you did to Mr. Kingsbury?—I did not.

2580. You did not undertake to say it without communicating with some person?—I did not, sir.

2581. Whom did you communicate with?—If I communicated it at all it must have been with either of the Laffans.

2582. Who authorized you to say to Mr. Kingsbury that he would not be a loser?—I can't say.

2583. Whom did you communicate with before you said that?—It must have been after saying it.

2584. Well, after it, whom did you communicate with?—It must have been to either of the Laffans, but I can't say which of them.

2585. Do you not believe you did?—I can't swear that I did.

2586. Do you not believe you did?—It is very likely I did; it is nearly a year now.

2587. And people try to forget those things as rapidly as possible?—I don't know that a person will try to forget them; we often forget more important things than that, and can't help it.

2588. Did you hear anybody else say anything about an offer of money? I put this question in the widest sense. You are not to confine yourself to coin when I say money, but to mention any sort of remuneration with reference to voting at the election?—No, sir.

2589. You did not hear a word with reference to any other person?—No; I had nothing to do with it.

2590. Nothing at all, directly or indirectly?—I don't recollect that I did.

2591. Try and recollect. You know, Mr. Cahill, that you are to tell us everything honestly?—I might have said to a few others to vote for Mr. Munster, but I can't recollect any of them now—to leave it to Mr. Munster and his agents when all would be over.

2592. I believe your son was employed?—There was some arrangement between he and Mr. Michael Laffan.

2593. Does your son live with you?—Oh, yes, he does; he does business for me.

2594. He does business in your shop?—Yes.

2595. And I suppose he is in Cashel at present?—Oh, he is; he is in my house, I believe, this present moment.

2596. Have you more than one son?—No, sir; nor never had.

2597. He was engaged by Mr. Laffan?—I believe he was, sir; yes, there was some arrangement between he and Mr. Michael Laffan. I don't know what it was, but I had my mind made up what to do and how to vote before there was any arrangement made.

2598. You were not present at any arrangement?—No; I believe it was in Mr. Laffan's house.

2599. Your son told it to you?—He might have told me.

2600. Surely he would not keep it from his father—what was it?—There was no sum mentioned for him, nor was it, I believe, mentioned what he was to do; he was, I believe, doing writing for Mr. Laffan at several times.

2601. And he was attending to your business at the same time?—Yes, but it took him a good deal away from my business.

2602. What was he to get?—I don't know; he cannot tell it himself.

2603. Did he get anything?—I believe he got something as a retainer.

2604. How much did he get as a retainer?—I think he told me £4.

2605. Is that all he told you?—Yes, I positively swear that that is the only money he ever told me he got.

2606. Mr. MOLLOY.—Has your son been settled with yet?—No, sir, not to my knowledge.

2607. Mr. WATERS, Q.C.—To your knowledge does he still remain unsettled with?—Yes, sir.

2608. Has he told you he has not been settled with?—He told me he has not been settled with, and he got that money as a retainer.

2609. And that he is to get more?—Yes.

2610. And he has not got it yet?—Not to my knowledge; he told me he did not.

2611. I want you to tell me who were those persons that you said the same things to as to Mr. Kingsbury, as many of them as you recollect?—I don't know whether I stated it to any of the country people or not, but there is only one man in town that I said it to, that is Thomas Tierney. I had conversations with different country people.

2612. Where does Thomas Tierney live?—He lives in Friar-street. That is the only person I can recollect I had conversation with.

2613. That is the only one of the townspeople; who were the country people you stated it to?—There were some of the Commons' people in that day at my place; I believe I expressed myself in the same way to them, but I can't recall their names.

2614. Are they customers of yours?—Some of them are.

2615. I suppose it was to your customers you said it?—Yes, people that do business with me.

2616. And they have accounts in your shop, of course?—Some of them, sir.

2617. When you go home and look into your books you will find that you sold some things about the time of the election; you will see who were in your place about that time, and that may help your memory; we will not mind that subject more at present. You are in the drapery business I believe?—Yes, nothing but the drapery business.

2618. Could you give me anything more of the particulars of the conversation with Tierney?—No, sir, I have given it as closely as I possibly could.

2619. Where did it occur?—In my own house.

2620. Did you send for him?—I believe I did: I think I did.

2621. And do you recollect why you sent for him?—Well, I cannot, sir.

2622. In what room in your house was it?—In the shop, sir.

2623. There was no one present of course at the conversation?—No one: there was not: there might have been persons in the shop.

2624. But you did not say it in the hearing of any person?—No, sir.

2625. Did Tierney tell you that he had been canvassed by any person for Mr. O'Beirne?—He did, sir.

2626. Did he tell you that he had promised to vote for Mr. O'Beirne?—No, sir.

2627. Who did he tell you had canvassed him?—Well, I believe, Captain Graham canvassed him, and he was in the employment of Going and Smith at the same time. I believe the principal person there—a man named Ryan—canvassed him—at least he told me so.

2628. That he canvassed him for Mr. O'Beirne?—Yes.

2629. What trade are Going and Smith in?—In flour and meal and bread—a very extensive store in town.

2630. And baking, I believe?—Yes.

2631. Was there a man named Michael Coffey?—Yes; I believe he is gone to America.

2632. When Tierney told you he had been canvassed by Captain Graham, he told you something similar to what Mr. Kingsbury had said to you?—If he did tell me anything I can't recollect a word of it.

2633. You would not have told him that he would be remunerated by Mr. Munster, unless you believed that the other side were going to do something for him?—He told me he was canvassed, but I can't think there was any engagement.

2634. Do you think you would have told him he would be remunerated by Mr. Munster unless, the other side were doing it?—It was a general belief that the other side were very liberal.

2635. You were not going round the streets and saying that to every one: it is only to the persons that you thought were acted upon that you said it?—I did not make myself particularly active: it was only those that came in to me.

2636. Have you any doubt that the other side were going to give Tierney money?—There was a public report through the town that such and such things were doing.

2637. I want you to tell me what you heard?—Very often gossip as true and very often not. Everything a man hears he can't swear to. One-half of what I hear in Cashel I don't believe at all, and the other half I doubt.

2638. You will tell me, if you please, did you hear that Tierney was acted on, or to be acted on by the other side?—Well, I can't recollect. I have no interest in the world but to tell it out plump, but I can't recollect.

2639. Having no interest in not telling it out, of course you will. Would you send for Tierney and tell him that Mr. Munster would remunerate him for his vote unless you believed that you were counteracting the other side?—I don't know, sir: anything I did, I did it voluntarily.

2640. How did Tierney vote?—He voted for Mr. Munster.

2641. Did you see him after the election?—I did, several times, sir.

2642. You had a conversation with him, I have no doubt, with reference to what you said to him that time?—I had.

2643. Do you know did he get any money?—Not to my knowledge.

2644. Did he never come to you for it?—He often complained to me that he didn't get it.

2645. Did he ever come to you to remind you that you had said to him that Mr. Munster would remunerate him?—He did.

2646. Was that more than once?—Oh, it was.

2647. Did it happen constantly?—I suppose about three or four times within the last nine or ten months.

2648. When was the last time?—I should think about a month since.

2649. Did you tell him that you would do your best for him?—I didn't latterly, because I washed my hands completely out of them latterly.

2650. Did you say anything about our coming here?—No, sir; since the election was over I didn't meddle or interfere in one way or the other.

2651. But he has been with you four times?—Yes, I think in or about that.

2652. Did you give him the same answer every time?—I did.

2653. And still he persisted in coming to you?—The poor man didn't come to me nor tease me, but I often met him.

2654. You held out some sort of hope to him?—Latterly I did not, sir; I saw no prospect of his getting anything, nor did I trouble myself about it either.

2655. And he is the only man whose name you recollect as having spoken to in a similar manner?—Yes, sir; but I can't recollect any other.

2656. Did any other persons besides Tierney come to you complaining that they did not get money?—Well, I believe Mr. Kingsbury was expecting it.

2657. Mr. Kingsbury came back to you?—He did, sir.

2658. And did he complain that he had been badly treated?—Yes, he did; it is only now that I recollect it.

2659. Mr. MOLLOY.—Badly treated in not getting money?—Yes.

2660. Mr. WATERS, Q.C.—Did Mr. Kingsbury complain to you more than once?—Yes, sir, he did.

2661. How many times did you see him?—Well, I think three or four times; if I thought it would have ever come to this I would have taken a note of it.

2662. Did anybody else besides Mr. Kingsbury come to you complaining that they had been badly treated?—No, sir, to my knowledge.

2663. Try and recollect, now?—I can't, sir; it isn't in my power.

2664. Did any of the Commons' people?—No, sir.

2665. The Commons' people were properly dealt with; they did not come back complaining that they were badly treated?—I can't say, sir; I know nothing at all about them; I am more or less mixed up with elections, and never knew anyone to get a penny for a great many years.

2666. That is to say you never saw it given?—Nor never knew it to be given; what we learn from public hearsay I take no notice of.

2667. Mr. Kingsbury is a friend of yours?—We are intimately acquainted, though of different ways of thinking in politics and that.

2668. Mr. Kingsbury came to you to complain three or four times, and Mr. Tierney came to you to complain three or four times?—Yes, but they didn't come purposely; it occurred in the course of conversation.

2669. Did they, in point of fact, three or four times each of them, complain to you that they had been badly treated?—Yes.

2670. Did they complain to you besides that you had said to them they would be remunerated?—I had influenced them more or less.

2671. To whom did you convey their complaints?—I conveyed it to Mr. Michael Laffan, and his reply was each and every time that he could do nothing for them.

2672. Did you ever convey them to anybody else; I have no doubt, although you were not bound either legally or in honour, that still you were anxious that what you had said might be made good?—I was anxious as I influenced them, and perhaps prevented them from getting money at the other side, that it should be made good, as I had the misfortune to interfere at all.

2673. Was that the reason you went to Mr. Michael Laffan?—Yes; I didn't exactly go to him.

2674. You conveyed the complaint to him?—Yes, I did.

2675. And to Mr. Munster?—No.

2676. Or to anybody else for Mr. Munster?—I did, to Mr. Leahy, a particular friend of his. I think not more than once.

2677. How long ago was that?—Well, I think it is six months since I spoke to Mr. Leahy, at least.

2678. Was it after the election petition?—Oh, yes, it was.

2679. After the election petition?—Yes.

2680. Did Mr. Leahy say that he would try to do anything for them?—He said there could be nothing done for them at present.

2681. At present?—Yes.

2682. Was he living at that time with Mr. Munster, do you know?—I can't say was he ever living with him; he used to visit him here in Cashel occasionally.

2683. Do you recollect where the conversation took place with Mr. Leahy?—In my house, sir; Mr. Leahy generally called to see me when in town, for we were old acquaintances when we were young.

2684. You knew that he was intimately connected with Mr. Munster with reference to the election?—Yes.

2685. And that it was he who in point of fact induced Mr. Munster to come to Cashel?—I can't say anything about that.

2686. But you knew that he was intimately acquainted with Mr. Munster and with his candidature in Cashel?—Yes.

2687. Did Mr. Leahy say anything more than that nothing could be done for them at present?—Nothing that I recollect.

2688. Did he convey, when he thought they could do anything for them?—No, sir.

2689. Did you get any letters from Mr. Leahy or from any person at all with reference to the election?—No, sir; I never received any letters unless the addresses at the time of the election, and they are the only letters I ever received connected with the election.

2690. Mr. Laffan said that nothing could be done for them?—Yes, sir.

2691. Did he say that nothing could be done for them at present?—Yes, sir.

2692. He added that—"at present"—as well as Mr. Leahy?—Yes, sir.

2693. That is Mr. Michael Laffan?—Yes, sir, he did; and he told me at the same time that he was not the person to pay it—that he had nothing at all to do with them things.

2694. Did he say who was the person to pay them?—No, sir.

2695. Did he not refer you to anyone to speak to?—No, sir.

2696. Did you ask him to whom you should make this remonstrance?—No, sir, I don't recollect that I did. I thought he was the person to apply to for them, and when I found he was not I made no further inquiries.

2697. Then the only persons to whom you did apply were Mr. Laffan and Mr. Leahy?—Yes, sir. The reason why I did apply for these people at all was that they shouldn't say I acted dishonourably towards them, and prevented their being paid elsewhere.

2698. You say you are a cloth merchant?—Yes, sir.

2699. Has Mr. Munster been dealing with you since he came to Cashel?—Yes, sir; not latterly, though.

2700. But he has been dealing with you?—Not much, sir; not as much at all as with other parties.

2701. How much?—To the best of my knowledge, from the beginning to the end he left me about £35, and he got those goods the same as the most humble person coming to my house would get them.

2702. You felt strongly against Mr. O'Beirne in this election?—Yes, I did, sir. I told you before that I was never a lukewarm person about anything.

2703. I am now only asking you as to rumours, and you are not swearing positively as to your certainty. I want to know the rumours that you heard as to who were giving the money for Mr. O'Beirne, or making promises?—I can't say anything about that.

2704. You did not hear any talk about it?—No, sir, I did not. I had no money payments with them, and couldn't learn anything about it.

2705. Mr. GRIFFIN.—Do you know Nicholas Burke, of Bank-place?—I do.

2706. Did you ever hear that he was promised any money for the election?—Never.

2707. Was it from you that Mr. Leahy purchased a quantity of cloth about the time that Mr. Munster first came to Cashel?—Mr. Leahy never purchased anything from me—never. The first thing he bought was a hat the first day; he had it sent to the hotel. I didn't know at the same time who he was, although we were old acquaintances, until I learned afterwards.

2708. Mr. WATERS, Q.C.—I am bound to say that we are of opinion that you have given your evidence very fairly and frankly, and as a gentleman ought to give it, and if you require any certificate from us we shall be very happy to give it to you?—As it is your kindness, sir, I shall have no objection.

2709. Mr. GRIFFIN.—When Mr. Laffan and Mr. Leahy said that nothing could be done for those people at present, did they say anything about this inquiry?—No, sir.

2710. Neither of them?—Neither of them.

Mr. WATERS, Q.C., in handing a certificate to the witness observed—You get it because the Commissioners believe that you have told them freely all that you knew. If we were of opinion that you had withheld anything, we should have declined to give it, and you would be liable to consequences.

John Duggan sworn; examined by Mr. WATERS, Q.C.

John Duggan.

2711. You are a voter, I believe, in Cashel?—Yes, sir.

2712. For whom did you vote at the last election? For Mr. Munster, sir; and would do so in the morning again.

2713. Now just confine yourself to answering the questions that I put to you?—Yes, sir.

2714. We were told yesterday that three £10 notes were sent in an envelope to you. I want to know by whom they were sent?—I don't know, sir.

2715. Who gave you the money?—I didn't get it, sir; I got £1 in my office, from a man of the name of Looby or Duggan, in my own office.

2716. Do you know that he had three £10 notes for you?—No, sir.

2717. Did he only give you £1?—Yes, sir.

2718. Did he offer you only £1?—That is all, sir.

2719. Did you tell him what to do with any of the rest of the money?—No, sir, to the best of my recollection; on my oath, I did not.

2720. I believe you were not sober at that time?—I was in the habit of taking a drop at that time.

2721. And you were not sober at the time he came to you?—I was not.

2722. And you will swear positively that you did not receive three £10 notes from him?—I will swear positively.

2723. Do you mean to say that you were too drunk to see it?—No, sir.

2724. Do you know that your sister got it?—She told me she got it. It was I believe a week or ten days after the election. It was, I believe, the Saturday week after the election.

2725. What do you mean by the Saturday week?—I mean the declaration of member was on Saturday, and I believe it was that day she got the money.

2726. And she kept it: did she?—Yes; when I went home that night she told me; she mentioned Looby or Duggan left £29 with her.

2727. Your sister lives with you?—Yes, sir.

2728. May I ask what is your occupation?—Weighmaster under the Town Commissioners; public weighmaster.

2729. Are you a married man?—No, sir.

2730. Then your sister is your housekeeper?—Yes.

2731. And you support the house?—Yes.

2732. And that money was used in your house?—Yes.

2733. Now tell the Commissioners frankly and freely all about that money?—I shall, sir. I will put you to no unnecessary trouble about it. At the approaching election here, Mr. Michael Laffan acquainted me with regard to a candidate to be coming for the borough of Cashel against Mr. O'Beirne, or any other person who may come; and I acquainted Mr. Michael Laffan, that whoever would come the way, I certainly would support him, as far as I possibly could, in preference to Mr. O'Beirne, no matter who he may be—if it was Old Nick I would vote for him in preference.

2734. I will have no levity?—I will drop it, sir.

2735. You need not go into any irrelevant or immaterial circumstances?—No farther, sir.

2736. Keep yourself closely to the story, and make it as short as you please?—Consequently Mr. O'Beirne came on his canvass, and he asked me for my support, and I told him I would not give it. After that I was asked by the friends of Mr. Munster—by Mr. Laffan—who I would support, and I told him I would vote for Mr. Munster, and did so; all the mobs that was about the place and everything, I being reared in the meat market, and connected with the shambles, I stuck with the mob, at every occasion that was required, and supported Mr. Munster, and voted for him. There and then, I didn't ask Mr. Laffan or any of Mr. Mun-

FOURTH DAY. *October* 7. John Duggan.

ster's agents for any money going about, or anything, until this money was sent on that day that I state; but of course it isn't to throw it back again; and I didn't know from whom it came, nor neither did I inquire, and to the best of my belief at present that I never asked Looby who he got it from.

2737. Now, Mr. Duggan, my two friends here and myself, do not at all believe that that money was sent without a purpose, and we do not at all believe that it was sent by mistake to you. All that you have said to me about it was, "I did not ask Mr. Laffan or any of Mr. Munster's agents for the money." That is perfectly true, perhaps. Which of them told you that you would get it?—Told me I would get it, sir?

2738. Told you that you would get any money?—None, sir.

2739. Do you want us to believe that that money was sent to you without your having heard anything directly or indirectly about it?—No, sir; I positively swear that.

2740. Mr. MOLLOY.—Did you expect money?—I hadn't the slightest doubt of course if it was their kindness to send it to me.

2741. Mr. GRIFFIN.—Would you not have felt badly used if you had not been sent something?—On my oath I would not.

2742. Mr. WATERS, Q.C.—Will you swear that you did not expect it?—I swear positively I never expected it.

2743. Mr. MOLLOY.—Did you swear that you expected money on account of the election?—Well, I did.

2744. Mr. WATERS, Q.C.—Now, Mr. Duggan, you are not answering so far, candidly or straightforwardly; you admit that this money came to you, and that you took it?—I do.

2745. You are not in a very safe position; I would recommend you to tell us exactly the truth. You now admit that you expected you would get money. If you want to be protected tell me candidly and honestly what words or what thing was it that made you expect money would be sent to you, and who was it that said the words or did the thing that made you expect it?—I expected when I did vote honourably for Mr. Munster, if the like were to be going the way that of course I would be entitled to it, and on them grounds that is the reason that I did expect it.

2746. You are not telling me that any person said anything to you, or wrote anything to you, or made some sign, or did something that made you expect that you would get £30. I will not ask you another question if you do not answer me?—I did expect to get money.

2747. You are not telling me what was said or written, or what sign was made, that led you to expect money?—Patrick Laffan said to me that he would see me all right.

2748. See what a long time it took to get that from you?—And at the same time whether he did or not, sir, I would vote for Mr. Munster.

2749. Where did Mr. Patrick Laffan tell you that?—To the best of my opinion, sir, it was on the Main-street.

2750. When?—It was in or about the election commencing, sir.

2751. Did he say the words "thirty pounds" to you, or write it, or how was it?—Not a word, sir.

2752. Is that the only conversation you had with him?—That is all, sir.

2753. You saw him again?—I saw him different times, but on my oath we never spoke again about it.

2754. That is not all that happened then; tell me what else occurred?—Nothing more.

2755. Do you mean to say that he walked up to you and said those words to you, and that you never said anything?—I met him in the street, and in a careless sort of manner he spoke to me and said, "I will see you all right."

2756. Is that the only conversation you had with him?—I never used the words with him with reference to the money.

2757. Or with any other person?—No, sir. I spoke to him on another occasion at Corcoran's, and he asked me did I know how Michael Noonan was going to vote, and I said I didn't know.

2758. You say that you spoke to him one night in Corcoran's hotel, and that he asked you how Noonan was going to vote?—Yes.

2759. Did you hear that night that the amount was £30?—No, sir, not on his part of it.

2760. From whom, then, did you hear it?—He spoke to me with regard to Noonan.

2761. I want to know when it was that you heard the sum named as £30; you said it was not that night but some other night?—Thirty pounds, sir.

2762. That that was the figure?—Not for myself, sir; I didn't say that.

2763. I want to know when you did hear it?—It was previous to the election.

2764. From whom did you hear it previous to the election?—From Mr. Patrick Laffan.

2765. That £30 was the figure?—Yes, sir.

2766. Where did you hear that?—At Corcoran's hotel, sir; he didn't speak it to me.

2767. He wrote it?—Yes.

2768. Where; in the room at Corcoran's hotel?—Yes, sir.

2769. What did he write it on; was it on a small piece of paper, or a letter, or what?—I think it was on a piece of paper.

2770. What was done with it; did he tear it up, or what?—I can't say, sir.

2771. Do you recollect the words that were on it?—£30 figure, I think, sir, was on it.

2772. There were no words written then, only the £30?—No.

2773. And he wrote £30 and handed you the bit of paper?—He did not hand it to me.

2774. To whom else?—He only showed it in his hand that way.

[Witness makes a descriptive gesture.]

2775. Another night he asked you how Mick Noonan was going to vote?—He did, sir.

2776. What did you say about Michael Noonan?—I told him I would see him, sir,

2777. Did you see him?—I saw him, and we were walking up the Main-street; I told him I was going to Corcoran's and I asked him would he go in there.

2778. The time that he was asking you about Michael Noonan was after he showed you the paper?—That was at the beginning of the election.

2779. He showed you the figure previous to the conversation with Noonan?—It was after Noonan was in conversation with me.

2780. How long after; was it the same day?—I think it was the same night.

2781. Was Noonan there?—He came in with me, and I left him talking to him, and I don't know what occurred between them.

2782. What I ask you is, was Noonan there when he showed you the figure?—No, sir.

2783. There was nobody but yourself?—Myself and Mr. Patrick Laffan, and there was some other man sitting in the room; I don't know who he was.

2784. Was he a stranger to you?—He was.

2785. Have you ever seen him before or since?—No, sir.

2786. Were you long in the room with Noonan?—I didn't go into the room with him at all, sir.

2787. I thought you said you went in with him?—Into the house, sir; I went into Corcoran's house with him, and I left him talking to him on the lobby.

2788. What is Noonan?—He was a butcher and a jobber, but I believe he is in America now.

2789. How long is he gone to America?—I suppose he is four or five or six months now, to the best of my knowledge.

2790. Did you know Noonan very well?—I did, sir.

2791. You told him of course that you got £30?—No, sir.

2792. You did not tell him?—No indeed.

2793. Did he tell you that he got £30?—No, sir.

John Duggan.

2794. Mr. Molloy.—Did you tell him what the figure was?—To Noonan, sir?

2795. Yes?—No indeed.

2796. Try and recollect?—I did not tell him.

2797. Mr. Waters, Q.C.—Perhaps you wrote it to him?—No, sir.

2798. Did he tell you what the figure was?—Was?

2799. Do you say you don't know that Noonan knew what the figure was?—On my oath I don't know; I never made the inquiry since.

2800. Your sister told you that Looby said the money came from Cunningham?—I can't swear that indeed, sir; she may have told me for what I know of it.

2801. Did you see Cunningham since then?—I did, very often.

2802. Did you tell him that you had got a letter?—No, sir.

2803. Did he say anything to you about a letter?—No, sir.

2804. Directly or indirectly?—No, sir.

2805. Did he write to you about it?—No, sir; of course it was reasonable and natural that when the cousin got it he would bring it safe.

2806. Looby is your cousin?—He is.

2807. Mr. Griffin.—How soon after Mr. Patrick Laffan said he would see you all right, had you the conversation with him in the hotel?—It was before the election, sir.

2808. But it was after he told you he would see you all right that you saw him in Corcoran's hotel?—Yes, sir.

2809. About how long after was it?—I couldn't be accurate.

2810. When was it he asked you about Michael Noonan?—It was in two or three evenings, to the best of my knowledge, previous to the polling.

2811. How long was it before you went to Corcoran's hotel that he asked you about Noonan?—It was on the same evening that I spoke to Noonan.

2812. After he had spoken about Noonan, you met Noonan the same day?—Yes.

2813. You had a conversation with Noonan of course?—We walked up the street.

2814. You asked him to come to Corcoran's hotel with you?—Yes, sir.

2815. Did you tell him what it was for?—No.

2816. Did you tell him it was to see Mr. Pat Laffan?—No.

2817. Did you tell him that Mr. Pat Laffan said he would see you all right?—No.

2818. Did you tell him it was for the election?—I did, sir, and when we went in he met Mr. Pat. Laffan, and I left them together.

2819. Are you sure you did not tell him that Mr. Pat. Laffan said he would see you all right?—To the best of my knowledge I did not.

2820. You told him that it was to see Mr. Pat Laffan you wanted him to go to Corcoran's hotel?—It was, sir.

2821. Was it after you had both gone to Corcoran's hotel that Mr. Pat. Laffan showed you this piece of paper?—It was after he being in conversation with Noonan and leaving him, sir.

2822. Did Noonan remain in the room?—I can't positively say.

2823. Did you see Noonan again after you had seen the piece of paper?—No, sir.

2824. Not that evening?—No; and he was all day about the place, and I never asked him again, directly or indirectly.

2825. Did he ever say anything to you about having seen a piece of paper?—No.

2826. Did you ask him would he vote for Mr. Munster?—I did not, indeed, sir.

Mr. Waters, Q.C.—We shall have to examine you again as soon as Mr. Patrick Laffan is here. The opinion we have arrived at is, that although you did not give your evidence very satisfactorily at first, you have told us the truth as regards yourself; and if on future examination you will tell us in the same way, we shall give you a certificate that will free you from the consequences of your acts at the election. I do not give it to you at present, because we may want you again.

Ellen Duggan sworn; examined by Mr. Waters, Q.C.

Ellen Duggan.

2827. Do you recollect Looby; he is a cousin of yours, I believe?—He is, sir.

2828. Do you recollect his coming to you?—I do, sir.

2829. Some time after the election?—Yes, sir.

2830. And giving you £29?—Yes, sir.

2831. I suppose he told you whom he got the letter from?—No, sir.

2832. Was it in a letter?—No, sir, but he counted it to me.

2833. He counted it to you?—Yes, sir.

2834. He told you it was for your brother?—No, sir, he did not; he only just counted it to me.

2835. Do you mean to say he only just counted it and said nothing?—He told me to put it up.

2836. To put it up?—Yes.

2837. Did you give it to your brother?—No, sir, but when he came in I told him I got it.

2838. And you told him who left it there?—I did, sir.

2839. Did not Looby, your cousin, tell you where he got the money?—No, sir, he did not.

2840. Or what it was for?—No, sir.

2841. Or anything about it at all?—No, sir, I only just took it, and asked no more about it.

2842. Did he say whom it was for, or whom the money belonged to?—No, sir, he did not.

2843. And you put it up?—I did, sir.

2844. You used it in the house?—Yes, sir.

2845. And your brother used it?—Yes, sir.

2846. And do you mean to say that you never knew what it was for?—No, sir, I did not.

2847. Or whose it was?—No, sir.

2848. Or where it came from?—No, sir; I knew no more about it.

2849. But you used it as your own?—I did, sir.

2850. And your brother did?—Yes, sir.

2851. Did Looby say anything about having given £1 of it to your brother that day?—No, sir.

2852. Did he say that your brother was not sober, and that he did not like to leave the money with him?—No, sir.

2853. Did he say anything else except what you have told us, that he came and said to put it up?—Nothing else, sir.

Patrick Cunningham was called but did not appear.

Mortimer Shea recalled; examined by Mr. Waters, Q.C.

Mortimer Shea.

2854. Do you know Patrick Cunningham?—Well, your honour.

2855. When did you see him last in Cashel?—I didn't see him since the day of the races.

2856. He was here, then?—Yes.

2857. That was some day in last week?—Yes, sir.

2858. Do you know where he lives?—I do, your worship.

2859. With whom does he live?—He lives with his father, Thomas Cunningham.

FOURTH DAY.
October 7.
Mortimer Shea.

2860. You got a summons to serve on him?—I left it with the father yesterday evening late.

2861. What did the father say?—I asked him was he at home; he said not; I asked him, "Where is he? can I see him?" "No, he is gone to the fair yesterday."

2862. Where was the fair?—There was a fair in Clonmel yesterday. I asked him then when did he expect him home. "I can't tell," says he. I told him "here is a summons to him, to attend at eleven o'clock to-morrow."

Denis Heffernan.

Denis Heffernan sworn; examined by Mr. WATERS, Q.C.

2863. You are a voter of Cashel, I believe?—Yes.

2864. And voted at the last election for Mr. Munster?—I did.

2865. How many pounds were in the letter that Looby gave you?—There was £30 in it, sir.

2866. Was it three £10 notes?—It was not, sir; there was some gold in it, and a £5 note.

2867. Was there any letter along with it?—No, sir.

2868. It was only in an envelope?—An envelope.

2869. Was the envelope addressed to yourself?—Yes.

2870. Do you know the writing that was on the envelope?—"Denis Heffernan," that was all.

2871. Do you know in whose handwriting "Denis Heffernan" was?—I do not, sir.

2872. Do you know who sent it to you?—I do not.

2873. Oh, you do; sure I know that?—I do not, sir.

2874. Who sent it to you?—By gor, I don't know who sent it to me.

2875. You are on your oath to tell the truth?—I will answer everything I knows.

2876. As you are a butcher, was it sent to you for meat?—It was not, sir.

2877. Was it sent to you for your vote at the election?—I don't know, sir.

2878. Tell me the truth like an honest man; if you tell me the truth you will come to no consequences for it; if you do not tell the truth you may be sent to prison for two years?—If I thought it was for my vote I wouldn't take it.

2879. Tell me the truth; was it for your vote?—I knew I had no other value to give for it; I had nothing else to give for it.

2880. Do you not know it was Patrick Cunningham that sent it?—I don't, sir.

2881. Do you mean to say that you do not know who sent it?—I don't know who sent it.

2882. Did you ever hear who sent it?—I did not, sir.

2883. You are not recollecting yourself; you know who sent it to you surely?—I do not, sir.

2884. Did you not hear that it was sworn here yesterday?—I didn't, sir; I was in Clonmel yesterday.

2885. Do you mean to say that you did not hear that it was sworn here yesterday that Patrick Cunningham sent that letter to you? surely that was talked of last night in Cashel?—It was Neddy Duggan that gave it to me, sir.

2886. Do you mean to say that you did not hear that it was Patsey Cunningham who sent you that letter?—I did not, sir.

2887. Did you take the letter from Duggan?—I did, sir.

2888. Without asking where it came from?—I didn't ask him anything at all, sir; I only opened it.

2889. You knew what it was about?—I partly guessed, sir.

2890. You asked no questions, but put it in your pocket?—Put it in my pocket.

2891. And I suppose opened it in some private place?—Begor, I didn't go very far, sir, when I opened it. I often opened letters in the street, more precious than that was.

2892. And you counted the £30 in it?—I did, sir.

2893. Was Looby near you at the time?—He was not, sir.

2894. Did he turn away from you, or where did he go to?—I couldn't tell where he went.

2895. You say you "partly guessed" what it was about; when you saw it was £30 you knew of course what it was for?—I did.

2896. You knew what it was sent for?—I couldn't think anything else when I didn't ask it.

2897. At any rate you were so satisfied it was for your vote, that you did not go to Looby and ask him who gave it to him?—I didn't, sir.

2898. Was it Mr. Patrick Laffan that told you what the figure was?—He didn't tell me what the figure was, sir, nor I didn't ask him.

2899. Sure somebody told you; you might as well tell it at once?—I didn't ask what figure was going.

2900. Did he tell you?—He did not, sir.

2901. Or anybody?—No, sir; I asked Patrick Laffan was any money left, and he said not; I said he ought to make me out some if he had any.

2902. Where did this conversation occur with Mr. Pat Laffan?—Above in the father's house, sir; I went up there.

2903. Was it in the hall, or where?—In the hall.

2904. Was there anyone present?—There was, sir; Pat Cunningham was present.

2905. Anybody else?—No, sir.

2906. And what you said to him was, that if he had any money left he ought to make you out some?—That is what I said, sir.

2907. You knew he was giving money?—I did not, sir.

2908. Why did you say "if he had any money left;" sure you knew that he was giving it out, as you said, "if he had any left"?—How could I know that?

2909. You said to him, "if you have any money left you ought to make out some for me"?—I didn't see him giving any.

2910. Who told you to go up there?—I was often up there.

2911. Is that a fair answer to my question?—No one told me; I went up there out of my own head.

2912. With Patrick Cunningham?—No, sir.

2913. Did you go by arrangement?—No, sir.

2914. You only went by chance?—Only by chance.

2915. And in Cunningham's presence you said to Patrick Laffan, "If you have any money left you ought to make out some for me"?—Yes, and he said he would if he could.

2916. Is that what he said?—Yes, and I told him to give it to Patsey Cunningham, and I don't know where it came from after.

2917. That is not the first time you saw Mr. Patrick Laffan about the election?—Oh, it was. I see him every day, but I was not speaking to him about the election.

2918. You often saw him during the election?—I didn't ask him anything, sir.

2919. You were often speaking to him about money?—I was not, sir.

2920. Did Mr. Laffan say he would see you all right at any time?—No.

2921. Did he ask you to vote for money?—No, sir.

2922. Did anybody ask you to vote for money?—Nobody at all, but Mr. Michael Laffan came to me and said that Mr. Munster was coming, a good Catholic and a very rich man, and I ought to vote for him, and I said I would vote for him.

2923. Mr. Michael Laffan said that Mr. Munster was coming, a good Catholic and a very rich man?—Yes.

2924. Did he say what he would do for the town or anything that way?—He did not, sir.

2925. Did you hear any talk at all about five or six thousand pounds in the National Bank?—I did not, sir.

Denis Heffernan.

2926. None at all?—No; I didn't go near him at all.

2927. Mr. Laffan did not say anything about that?—He did not, sir.

2928. I am very much afraid you are not telling me all you know?—I am telling you all I know, sir, as far as I can think.

2929. I am very much afraid you are not. It will be better for you to tell the truth?—I wouldn't like to conceal anything, sir.

2930. It will be much better for you not. When did you go to Mr. Pat Laffan to his father's house?—About a week after the election. I said, by the same token, "If you give it to me now it wouldn't be no bribery, for my vote is gone."

2931. You made a very great mistake in that?—'Twas ignorance, sir.

2932. You will not be excused for that ignorance; the law will not excuse you. Any person who shall directly or indirectly give, lend, or offer payment, or who shall procure or endeavour to procure, or shall corruptly do any act aforesaid (that is the giving of money), on account of any voter having voted, shall be guilty of a misdemeanour, and shall also be liable to forfeit the sum of £100, and the punishment for a misdemeanour is two years' imprisonment; and the person who takes the money is just as bad as the person who gives it, and it does not matter a bit if you had voted five years before. So you see what a mistake you made, and what a position you stand in at present. Now, you say it was about a week after the election?—Yes, sir.

2933. Now, if you had no conversation with Patrick Cunningham you had with somebody else before the election about what was going at the election, or what was likely to be done, or what was the figure?—I had not, sir.

2934. With any one?—No, sir.

2935. Mr. GRIFFIN.—Did you vote in 1865?—I did, sir.

2936. For whom?—For Lanigan, sir.

2937. Mr. Laffan was his agent then?—Yes, sir.

2938. Did you get no money at that election?—No, sir.

2939. Or after the election?—No, sir.

2940. You are quite sure?—Yes, sir.

2941. You voted in '59?—I did, sir.

2942. For whom?—I think Lanigan.

2943. Who was his agent then?—I believe Mr. Laffan's father.

2944. How does it happen that this was the first election at which it occurred to you to go to Mr. Laffan after the election, and say you ought to get some money if there was any left?—It ran into my mind.

2945. Do you not think you had as good a right to it in '65 as in '68?—I didn't look for it, sir; I went on chance for it.

2946. How did it happen that you did not go in '65?—I can't tell you.

2947. If you tell us the truth we can give you a certificate; if you tell the truth nothing can be done to you even if you took a bribe for every one of the elections; but if you do not tell us the truth you are liable to be prosecuted for having taken bribes, and it can be proved by other persons; therefore, consider whether you had not better tell the truth?—I am telling the truth, sir.

2948. Did you never ask anybody at any of the previous elections whether there was any money left?—I did not, sir.

2949. Or that you would like to get payment for voting?—I did not, sir.

2950. How did it happen that you did it the last time?—By chance only; I chanced to go up to the office.

2951. Why did you not chance to do it at any previous election?—Because I didn't know it.

2952. You would rather have got £30 than nothing?—I wouldn't have it, sir.

2953. You expect us to believe that although taking £30 the last time, you would not have taken it on a previous occasion?—I wouldn't vote if I thought I was to sit on this chair.

2954. If you did not think you were to sit on that chair would you have taken money in '65?—I wouldn't have it from Mr. Lanigan.

Mr. *William James O'Brien* sworn; examined by Mr. WATERS, Q.C.

Mr. William James O'Brien.

2955. I believe you are teller in the National Bank?—Yes.

2956. Do you know of any persons having come to the bank to inquire with reference to cheques of Mr. O'Beirne's?—Yes.

2957. Tell me their names?—Simon Tracey was one of them. I think one or two more did call, but I don't remember their names.

2958. Simon Tracey did call?—Yes.

2959. Do you recollect when he called and what he said about it?—I am not quite sure was it before or after the election. He presented a cheque of Mr. O'Beirne's for £60: he didn't want cash for it but he wanted to know "was he honourable," that is the expression he used.

2960. The cheque I believe was post dated?—I don't remember; he presented it afterwards and we had not cash to pay.

2961. Had you received any communication in the interval from Mr. O'Beirne, directing you not to pay any such cheques?—I think there was a letter received by the manager, not to cash any more cheques. I am not quite sure, but I am under the impression that there was.

2962. That letter I suppose is preserved?—I am not quite sure, but I think the manager keeps those letters.

2963, Mr. MOLLOY.—The second time that he came with the cheque did he want to cash it?—Yes.

2964. Mr. WATERS, Q.C.—Are you able to say what interval occurred between the first and second visit he paid?—I should say about three weeks or a month.

2965. Do you recollect at what date the account was closed?—The account was finally closed on the 28th December—we close all our accounts then, and there was only a few shillings to his credit.

2966. But previous to that you had received a letter from Mr. O'Beirne, directing not to have any more cheques paid?—That is my impression.

2967. You said that others had called as well as Mr. Tracey; what was the latest of these calls?—I think about the same time—during the election.

2968. I forget if you are able to fix the time of the first visit of Mr. Tracey?—I think it was about the election week, or in the early part of November, the 11th or 15th of November; I think it was some time about that week.

2969. And the other would not have been until December?—About a month.

2970. And other applications of a similar nature were made to the extent of three?—I think one, or two, or three other cheques were presented.

2971. Do you not recollect the names of any of these parties?—No.

2972. Are you not a long time living in Cashel?—Not a long time.

2973. Did you call attention to the fact of those people coming?—Yes, I always used to show cheques.

2974. To whom do you show them?—To the manager, Mr. Barron.

2975. And have you had no conversation with any person in the bank since, that would recall to your recollection who the parties were?—No.

2976. Does the manager sit in the same office as yourself?—Yes.

FOURTH DAY.
October 7.

Mr. William James O'Brien.

2977. Then he could see the persons who presented the cheques?—He could.

2978. Do you recollect any conversatien they had with the manager?—No, I think the account was overdrawn, and we said we could not pay them.

2979. If you do not recollect the name, do you recollect the amount of any of those cheques?—I think they were all between £10 and £20.

2980. Do you recollect when the latest of those applications was made?—I really could not tell, but about that time.

2981. Was there any made since the election petition was tried?—None whatever.

2982. Any cheques presented?—None.

2983. Or just before it?—I think not since Christmas.

2984. You do not know it yourself, and you have not heard?—I have not heard it, and they were not presented in my presence; they may in my absence.

2985. Did you hear from your colleagues in the bank?—They are all of opinion that none were presented.

2986. Mr. Munster, I believe, kept an account in the bank also?—Yes.

Hubert J. Cahill.

Hubert J. Cahill sworn; examined by Mr. WATERS, Q.C.

2987. You are son of Mr. James Cahill, I believe?—I am, sir.

2988. You are assistant in your father's business?—I am, sir.

2989. You are not yet in partnership with him?—No, sir.

2990. Do you know that your father was examined here to-day?—I do, sir.

2991. And he told you to come up?—He did, sir.

2992. Now, I want to know from you what arrangement was made about your services with Mr. Laffan during the election?—None at all, sir, but he told me he would pay me liberally; that was all the arrangement.

2993. Which Mr. Laffan said that?—Mr. Michael Laffan.

2994. And what was your occupation with him?—The first was seeing to Mr. Munster's house in John-street, getting it fitted up and furniture into it three or four weeks, and the remainder writing for the election.

2995. Used you to be there often?—Very often.

2996. Had you any settled hours at which you went?—No, whenever I was sent for I went.

2997. You did not go every day?—Mostly every day; nearly every day, only on Sundays.

2998. Where did you write?—I wrote in Corcoran's hotel, in a room Mr. Munster had engaged.

2999. At what time did your engagement commence?—The 21st September, sir, about two months previous to the election.

3000. And how long were you occupied?—Two months, sir, exactly.

3001. We are told you have been paid only £4?—That was all, sir.

3002. Was it paid at the time?—It was paid about six days after being engaged.

3003. I need not say you do not consider that liberal remuneration?—If I thought I would get only £4 I would not have taken the employment at all.

3004. Have you asked for more since?—I did.

3005. What answer did you get?—I got no reply, sir; I was told it could not be paid for some time, but nothing as to the amount.

3006. When was that last said to you?—Several times since the election.

3007. About how many times?—I suppose about four times.

3008. And who said it to you?—Mr. Michael Laffan, sir; I applied to no one else.

3009. Anybody else?—Nobody else, sir.

3010. Was it in Corcoran's hotel that the arrangement was made?—No, sir, it was in my father's shop.

3011. Had Mr. Laffan or Mr. Munster commenced his canvass at that time?—I believe he had, sir; I am not sure.

3012. And Mr. Laffan was canvassing for him actively?—He was.

3013. Was your engagement with Mr. Laffan in writing?—No, sir, verbally.

3014. Did you get a cheque for the £4?—No, sir, four single pound notes.

3015. Did you give any receipt for them?—No, sir, nor was not asked.

3016. Where was the payment made to you?—In the office, in his father's house, by Mr. Patrick Laffan.

3017. From the time that you went to Corcoran's hotel, when you were sent for almost daily as you say, your work was all concerning the election?—It was, sir.

3018. And portion of the employment you were engaged in, I understand, in the beginning was of a private nature about Mr. Munster's house?—Everyone saw me going in and out.

3019. I mean private, as not connected with the election?—It was, sir.

3020. Portion of the work you were employed in was that, in the beginning?—It was, sir.

3021. How long did that last?—About three weeks, sir.

3022. You said you applied about four times for payment; was the answer to you on each occasion to the effect that you could not be paid for some time?—That was the reply, sir, and that I would not be forgotten.

3023. Would you be able to give me with any sort of accuracy the words Mr. Laffan used?—I don't think I could, sir.

3024. Could you not go closer than "it won't be for some time, but you won't be forgotten?"—I don't think of any more, sir.

3025. He did not say that he was short of money?—No, sir.

3026. And he did not imply that Mr. Munster was short of money?—No, sir.

3027. Did he give no reason?—I don't think of any reason he assigned.

3028. Can you recollect if he said anything in the course of conversation which would lead you to infer his reason?—I could not; he told me himself was not paid.

3029. You saw Mr. Richardson often?—I did.

3030. Constantly?—Yes.

3031. And you knew he was paying the election agents?—I did not.

3032. Did you not know he was the expense agent?—I didn't hear it.

3033. You knew he was acting here for Mr. Munster?—I did.

3034. Did you know that Patrick Cunningham was paying money?—I did.

3035. Whom did you know that Patrick Cunningham paid?—I don't know who he paid, but I heard a rumour that he was paying.

3036. Did you hear that Mr. Pat Laffan was paying money for Mr. Munster?—I did not; I only knew that he was an agent, but nothing more.

3037. Mr. MOLLOY.—When the £4 was paid, were you told that that was only a retainer?—I was, sir.

3038. What was said about its being only a retainer?—I understood I was to get £5 for a retainer, but when I went for the money there was only £4.

3039. Who told you you were to get £5?—Mr. Laffan, sir.

3040. What did he say about it?—He told me that he would pay me liberally, but at present he would only give me £5 as a retainer.

3041. Well, then, when you went for the retainer,

having only given you £4 did you say anything?—Not a word, sir; I only took what I got.

3042. This occurred, I believe, in your father's shop?—The engagement was in my father's shop.

3043. I suppose Mr. Laffan was canvassing at that time?—I know that he was canvassing about that time.

3044. Do you recollect that he was canvassing your father?—I do well.

3045. Have you any doubt that he was canvassing then?—At that time the canvass was not public; it was only in a private way.

3046. You must have known that he was canvassing?—I did.

3047. And you knew that he canvassed your father?—I did, sir.

3048. And was that the same day?—Oh, he canvassed my father previously, or perhaps after that.

3049. Did Mr. Laffan say anything to you about your father being a supporter of Mr. Munster's?—Never a word, sir, and he didn't know at the time that my father would vote for Mr. Munster.

3050. Had your father not promised at first?—He did not, sir, nor up to the entire time of canvassing.

3051. Then he was in entire doubt?—He was, sir.

3052. Had your father put him off?—Oh, he had not, sir, but he would not give him an answer.

3053. Mr. Griffin.—When did Mr. Laffan tell you that you could not be paid for some time?—I am sure it is three weeks ago.

3054. Mr. Waters, Q.C.—The engagement occurred in your father's shop?—It did.

3055. Was your father present?—He was not; there was no one but both of us.

3056. Was your father in the shop at any time during the time Mr. Laffan was there?—He was not in the house at the time.

3057. He had canvassed your father before that?—I believe he had, sir, but I cannot say it truly.

3058. Mr. Griffin.—Did he say to you about the election petition that it could not be paid for some time?—He did, sir.

3059. Since the election petition?—Yes, sir.

3060. Did he say anything about this inquiry at all?—Not a word, sir.

3061. Do you know when your father made up his mind to vote for Mr. Munster?—I think he didn't until the day he canvassed him personally.

3062. What day was that?—I don't know what day it was; he went round in his carriage to every one.

3063. You had been a considerable time acting for Mr. Munster then?—I had, sir.

3064. Some weeks?—Some weeks, sir.

3065. Mr. Waters, Q.C.—You do not appear to have sent in a claim on Mr. Munster?—I did, sir; I sent a claim to Mr. Laffan, but not to Mr. Munster.

3066. Mr. Griffin.—For how much?—£60.

Mr. *E. H. Biggin* recalled; examined by Mr. Waters, Q.C.

Mr. E. H. Biggin.

3067. Mr. Waters, Q.C.—Mr. Biggin, have you this claim?—I have not got the claim, sir; but I have got a record of it. (Record handed in.)

Hubert J. Cahill's examination resumed by Mr. Griffin.

Hubert J. Cahill.

3068. Mr. Griffin.—Does your father pay you any salary?—No, sir.

3069. The time during which you were employed for Mr. Munster was two months?—About two months, sir.

3070. Mr. Molloy.—What was the writing that you were doing at Corcoran's hotel about?—It was connected with the election; I don't know the exact meaning of it.

3071. But it was connected with the election?—Oh, it was.

3072. Mr. Griffin.—It was after you had sent in this claim that you had the conversations with Mr. Laffan?—Before and after.

3073. You had conversations with him after?—Yes, sir.

3074. And all that passed was that you could not be paid yet?—Yes; "I was not paid myself yet."

3075. Mr. Waters, Q.C.—I suppose you did not receive any letter about it?—No, sir.

Mr. *E. H. Biggin* recalled; examined by Mr. Waters, Q.C.

Mr. E. H. Biggin.

3076. Whose handwriting is this (record of claims on Mr. Munster) in?—It is all mine, sir. I don't think anything has been written in it since.

3077. Is this list in the same handwriting?—It is; I think everything in it is mine.

3078. What do you call this book?—I call it a ledger, sir. I made it up since the petition.

3079. That "J. Cahill, number 31," is the old gentleman that was examined—the father of Hubert?—I suppose it refers to him; it is taken from the claim; everything is taken from a claim.

3080. Where is that claim?—I have not that either, I think; all that I found are here.

3081. Have the goodness to have search made for those two claims for me?—I have done so, sir.

3082. Mr. Griffin.—When was this list written?—It will be dated at the beginning of the book, at the first page.

3083. There is no date?—Well, it is since the petition I began that book.

3084. You began it in March, I suppose?—It will be immediately after the election petition.

3085. You had the claims?—I had the claims, and had them numbered as they are there.

3086. Mr. Waters, Q.C.—Do you think you will be able to find those?—I was looking last night and this morning.

3087. To whom did you give them?—I left them at Abbeyview; we did all our work there. I was very glad I made the record of them.

3088. This one is blank; how did that arise?—There would be a name sent in without any money, or the money the same without any name.

3089. Mr. Griffin.—Were those claims numbered according to the order in which they were sent in?—I think so; Mr. Richardson and I numbered them: we numbered them about Christmas, before the month of December was up.

Thomas Cunningham sworn; examined by Mr. Waters, Q.C.

Thomas Cunningham.

3090. Where is your son?—I sent him on Monday to pay for cattle that I bought three weeks ago, to a cousin of my own. He lives in Clogheen, and he went there to pay him the money.

3091. When will he come back?—I expected him back yesterday, for there was a fair in Clonmel, and he didn't come there; my man didn't see him there.

3092. You have got a summons for his attendance here as a witness?—I got it last night, sir, for him.

3093. You had better make exertions to have him come here?—I wrote to him when I got the summons last night; I expect him this evening.

3094. If you find there is anything else you can do to get him here you had better do it?—Oh, there is no doubt of that, sir.

FOURTH DAY.

October 7.

Mrs. Catherine Tracey.

Catherine Tracey sworn; examined by Mr. MOLLOY.

3095. You are the wife of Simon Tracey?—Yes, sir.

3096. Do you know Mrs. Mary Rochford?—I do, sir.

3097. Did she come to your house one night before the election?—She did, sir.

3098. What brought her up stairs?—She asked me, sir, to go up stairs with her.

3099. She asked you to go up stairs with her?—Yes, sir.

3100. What did she say when she asked you to go up stairs with her?—When she came in first she asked me was my husband within, and I said not; she asked me did I know where he was; I said not. She asked me could she speak with me, and I said she could; she asked me then to go up stairs.

3101. Were there any persons in the shop when she came in?—There was not, sir.

3102. Is there a room in the back of your shop?—No, sir.

3103. Is the whole ground-floor occupied by the shop?—Kitchen and shop.

3104. Who was in the kitchen?—No one.

3105. Have you a servant?—No, sir.

3106. No one but yourself?—I have a sister living with us.

3107. Where was she that evening?—I am not sure was she in, sir.

3108. Mrs. Rochford wanted you up stairs you say?—Yes, sir.

3109. Did she tell you for what purpose?—Up stairs she did.

3110. What did she tell you?—She told me she heard my husband could give money, that he was canvassing for Mr. O'Beirne, and she was promised from Mr. Munster's side, and if she got as much she would rather vote for Mr. O'Beirne than for Mr. Munster.

3111. Did she shut the door when you went up stairs?—No, sir.

3112. What room was it in?—A bedroom.

3113. Was it in a front or a back room?—Front room, sir.

3114. Was that where your husband keeps the money?—It is, sir.

3115. What did you say to this observation of hers?—I told her I didn't think it was in my husband's power to give her any money.

3116. State the whole of the conversation that passed between you?—That is the whole of what passed.

3117. No more?—I don't recollect any more.

3118. Did Mrs. Rochford say who was offering the money on Mr. Munster's side?—She said on Mr. Munster's part.

3119. Did she name any person? She did not, sir.

3120. Did you say your husband could not give money?—I said I didn't think he could.

3121. What more passed?—Nothing more to my recollection.

3122. What was then done?—She came down stairs and went out saying she would go to look for my husband.

3123. And did nothing occur between you but what you have told us?—Nothing occurred, sir, but what I have told you.

3124. Did you produce any money or cheques in the room up stairs?—No, sir.

3125. Where was the money kept up stairs?—In a box, of course, sir.

3126. Where was the box?—In the same room.

3127. Was it in any other box?—There was a cabinet in the room and there was money in it.

3128. How much money was in the cabinet?—A sixty pound order.

3129. Anything else?—Nothing else.

3130. Where was the rest of the money?—In another box.

3131. What was in the other box?—I had cheques or deposit receipts.

3132. Do you not know the difference between cheques and deposit receipts?—I had no cheques but deposit receipts.

3133. Did you not produce money that night in the room?—I did not, sir.

3134. Did you produce a cheque?—No, sir.

3135. Did you produce any papers at all?—I produced no papers at all, sir.

3136. Did you tell Mary Rochford that you had the money there?—I didn't, sir, tell her at all.

3137. And that you had cheques for two friends?—I told her no such thing, sir.

3138. Did you say there was a cheque for £60 for two of your friends that would vote for Mr. O'Beirne?—Never, sir.

3139. Your husband went away before the election petition?—He did, sir.

3140. Did you know that he was summoned for it?—I did, sir; there was no date to the summons. I think that was the reason he went.

3141. And he went away because there was no date to the summons?—He wanted goods, sir, and he went to London on business.

3142. Why did he remark that there was no date to the summons; did he think he could safely go away because there was no date?—I don't know what he thought.

3143. Did he intend to go before the judge?—I don't know, sir; I can't say.

3144. Did he tell you whether he did or not?—He did not.

3145. Did he tell you about the summons?—No.

3146. Did he tell you there was no date to it?—I heard him say there was no date.

3147. Then did he not speak to you about it?—I saw no date to it myself.

3148. And you heard him say that there was no date to it?—I am not sure, indeed.

3149. How long after he got the summons did he go away?—I can't say, sir.

3150. Try and recollect?—I can't, indeed.

3151. Whom did he go and consult about going away?—No one, to my knowledge.

3152. Did he tell you that he would speak to any person to know if he could safely go away?—No, indeed.

3153. How long was he away?—He was over a month away.

3154. When did he come back?—After a month.

3155. How long did he remain at home when he came back?—A couple of days only.

3156. Did you tell him that his name had been called in court while he was away?—I did.

3157. What did he say to that?—He thought he might go back and finish his business in London.

3158. What business had he that took him away again?—He had money dealings with his brother.

3159. What was this £60 cheque about?—That is a cheque Mr. O'Beirne gave him for his services, I suppose.

3160. How long did he remain at home when he came back the first time from London?—A couple of days.

3161. Was he stopping at home in the house with you?—He was, sir.

3162. And he was two days in it?—He was not two days in it; he was two days at home, but he didn't stop in the house them two days; I don't think he did.

3163. When did your husband get that £60 cheque?—I declare I can't tell you; I can't, indeed; I can't tell.

3164. Whom did he get it from?—From Mr. O'Beirne, sir.

3165. What was it for?—Of course, sir, for going about canvassing for him, as being his agent like.

3166. Did he tell you what it was for?—Of course I knew what it was for.

3167. Did your husband tell you what it was for?—He did.

3168. What did he say it was for?—For being agent and canvassing for Mr. O'Beirne.

3169. When did he tell you that?—I believe when he got it.

3170. Did he show you the cheque?—He did.

3171. What did he do with it then?—I think he went to the bank to know could he get it cashed, and he found that he could, and then he didn't want the money.

3172. Did you read the cheque?—I did not.

3173. Why had you not the curiosity to read the cheque when you read the summons and saw there was no date?—I saw it was a £60 order.

3174. At what time of the day did you see the cheque?—I couldn't say; some part of the day.

3175. Was it put up in the cabinet then?—It was, sir.

3176. Did you put it up in the cabinet?—No.

3177. Who keeps the key of the cabinet?—The drawer is always open. We have no servant, and aren't particular about having it locked.

3178. If your husband told you he got the cheque to canvass Kennedy and Lamb, would it be true?—He never told me no such thing, sir.

3179. He did not?—No.

3180. Is not Kennedy your brother-in-law?—He is my brother-in-law.

3181. What did Kennedy say to you about the cheque?—He didn't say anything to me about the cheque.

3182. He did not?—No; what occasion?

3183. I do not know what occasion?—He didn't say anything to me about it.

3184. Mr. WATERS, Q.C.—Did he never mention it to you?—I don't think we ever spoke of it.

3185. Mr. MOLLOY.—We know what Kennedy said here yesterday?—I have no doubt of that.

3186. Is he not constantly in your house?—He is very often in my house; he lives opposite.

3187. Do you say that your brother-in-law did not speak to you about the cheque?—Not to my recollection.

3188. Could you have forgotten it?—We never had one word about it, neither Kennedy nor me.

3189. How often did you see it?—I never seen it more than once. It was in a separate place, and I didn't mind looking about it.

3190. Do you keep charge of your husband's money?—It is both our money.

3191. Do you keep charge of your husband's money?—I do; I put it in the box and let it be so.

3192. Would you leave £60 go losing?—I wouldn't wish sir.

3193. Did you not lose the £60?—It was lost by some mistake or other.

3194. Did you ever get the £60?—Never.

3195. Why did not your husband get the £60?—When he went for it he couldn't get it.

3196. Did he tell you that?—He did, sir.

3197. Mr. WATERS, Q.C.—Did your husband tell you that?—He did, sir; he went once with it to the bank and I think it was all right, and I think he went then and wouldn't get it.

3198. And you are aware that there was a month between the first and second time that he went?—I am not, indeed.

3199. Mr. MOLLOY.—Why did he not lodge the money in the bank with the other deposit receipt?—He didn't want it, sir.

3200. Would you not like to have the interest?—We didn't want the interest: it wouldn't be much.

3201. Would not the money be safer in the bank?—We keep no servant, and it was safe.

3202. What did he say when he was bringing the cheque over to Kennedy and Lamb?—I don't know; I didn't see him bring it.

3203. Had Mrs. Rochford any business in your house that night except to get money from Mr. O'Beirne?—She only asked me was my husband in.

3204. Did you not hear that your husband brought the check across the street to Kennedy's?—I don't know, sir.

3205. Did you not hear it?—I didn't hear it, sir.

3206. Had you any conversation with your husband about what Kennedy and Lamb said here yesterday?—No.

3207. Did he tell you they were examined?—I knew they were examined, of course.

3208. How did you know they were examined?—Of course I knew it.

3209. How?—Didn't I know they were examined when they came home.

3210. Did they tell you?—I don't think they did.

3211. Had you any conversation with Kennedy or Lamb last night?—I had with Kennedy.

3212. What did Kennedy tell you?—He didn't tell me anything about it: he was reading the journal.

3213. Mr. WATERS, Q.C.—Do you mean to swear that neither your husband nor Kennedy said one syllable to you about their examination here yesterday?—I dare say my husband did.

3214. Why did you not tell us that?—I am so puzzled, sir: gracious God, what ——

3215. Mr. MOLLOY.—Tell us what Mrs. Rochford said that night that she called on you?—She asked me was my husband in, and I said not: she asked me would I go up stairs with her, and I said I would: when we went up stairs she told me that she heard my husband could give money, and that if he could get as much as Mr. Munster she would rather go with Mr. O'Beirne.

3216. Was she, on two occasions, in your shop that night?—No, sir, not that I can recollect.

3217. What did you tell her about your husband?—I told her I didn't think it was in his power to give any money.

3218. Did you tell her that your husband had no authority to give her money?—I told her I didn't think he had authority to give anybody money.

3219. Did you tell her he had no authority to give her money?—I said he had no authority to give anybody money.

3220. Did you say "I told her he had no authority to give her money" when you were examined at the petition?—I told her my husband hadn't authority to give anybody money.

3221. Did she ask you that night where your husband was?—She did, sir, and I told her I didn't know.

3222. At what time of the day, or evening, did this occur?—I believe about between 6 and 7, or it may be later.

3223. There was nobody else in the place?—Nobody at all, sir.

3224. Then why did you leave your shop empty and go up to the bedroom?—She asked me up, sir.

3225. Why did she ask you up to the bedroom?—Because our place is a very public place, and because, perhaps, she expected there might be some one going in or out.

3226. Did you tell her that you had that cheque?—I did not, sir.

3227. Or that your husband had it?—I did not, sir.

3228. You did not tell her that the cheque was in that drawer?—No, sir.

3229. Did you ever say that you could not tell her?—I didn't say no such thing.

3230. Did you not tell her that you had a cheque?—I did not.

3231. Do you remember being examined before the judge?—I do.

3232. Do you remember being asked, and that you said you could not tell her?—I said I couldn't tell her.

3233. What did you mean by that?—Because I couldn't think he had them—because he hadn't them.

3234. Did you not know he had a cheque?—I knew he had a cheque for himself.

3235. You did not tell her he had that cheque?—No.

FOURTH DAY.

October 7.

John Rochford.

John Rochford sworn; examined by Mr. GRIFFIN.

3236. Do you remember hearing from your wife that she had been at Mrs. Tracey's?—Yes, sir.

3237. What did she tell you occurred?—She told me that she saw some cheques, and that if I voted for Mr. O'Beirne I would get one of them.

3238. Did she tell you that Mrs. Tracey had told her that?—Yes, sir.

3239. How long was that after she said she had heard it from Mrs. Tracey?—I believe it was the same night, sir.

3240. Immediately when she came back?—Yes, sir.

3241. Did she tell you anything else about what occurred at Mrs. Tracey's?—No; I don't recollect anything else.

3242. Did you see Simon Tracey that evening?—Yes, sir.

3243. Was that after your wife had told you this conversation with Mrs. Tracey?—No, sir; he was passing by and he came in before my wife came.

3244. Did she come in while he was still there?—She did, sir.

3245. Was she then coming back from Mrs. Tracey?—I don't know exactly whether it was from Mrs. Tracey.

3246. What was Tracey saying to you?—He was advocating for Mr. O'Beirne and I was advocating for Mr. Munster.

3247. Did he say anything of the same kind that his wife said to your wife?—Not a word, sir.

3248. When your wife came in had he a conversation with her at all?—He may have it in a few minutes after she coming in.

3249. Do you remember their going into the back yard?—To the best of my belief they did; but I can't exactly say. We were excited at the time; he was arguing for Mr. O'Beirne, and I was arguing for Mr. Munster, and there was another man besides by that came in.

3250. Who was that other man?—His name was Meara, I understand.

3251. You are sure now that his name was Meara?—Yes, sir; he was a cooper.

3252. Did he take part in the conversation?—No; but he was only listening on. I don't think that he did.

3253. Your wife and Tracey went into the back yard?—They may, but I couldn't recollect it.

3254. Did you hear anything yourself besides what your wife told you about Tracey's having cheques or money?—I didn't, sir; I didn't know he was canvassing at all till that same night; 'twas shortly before the election, it was.

3255. How did your wife happen to go to Tracey's?—Oh, I don't know, sir, indeed.

3256. Did she hear before she went there, anything about money?—Perhaps she did.

3257. Did she not tell you she did?—I don't recollect she did, because I was very seldom at home; I was always out at work.

3258. Was it that evening after Tracey going away that she told you what Mrs. Tracey told her?—Yes; after he going away, she was at Tracey's, she said.

3259. Did she tell you what part of the house she was in with Mrs. Tracey?—She said she was in a room with her.

3260. Did she say that Mrs. Tracey took her up there, or that she asked Mrs. Tracey to take her up there?—I can't say that, sir; I couldn't say which of them asked to go up there.

3261. Whom did you vote for at the last election?—Mr. Munster.

3262. Who canvassed you for him?—Mr. Laffan.

3263. Is it Mr. Pat Laffan?—Both of them; they came to the house for me; my wife sent for me out where I was at work out about three miles. I went up to Mr. Laffan's, and he talked to me about some employment Mr. Munster had about telegraph wire, in the way of the telegraph line that he was going to erect. "I don't know what I could do at that," says I.

3264. What trade are you?—A carpenter.

3265. Which of the Laffans was speaking to you about this work?—Mr. Michael I was speaking to first. "Oh," says he, "you will be able to do something at it." The second time they called again I believe Mr. Pat Laffan called. She sent for me again, and I came and asked what they wanted me for, or what form would I go to work for them, because I was very busily employed; whatever answer they made they made no answer to that. "Well now," says I to Mr. Michael Laffan, "I find 'tis my vote you want, and if it is you'll get it through your uncle the archdeacon; and I think Mr. Munster would be a very good man for the borough; if he would give employment; that is what I want."

3266. What did they say when you said "I see 'tis my vote you want?"—They said of course 'tis my vote.

3267. Who said that?—Mr. Michael Laffan.

3268. When you said "I see 'tis my vote you want," what did he say?—He said it was.

3269. What did you say then?—"Well, you must get it," says I.

3270. Then you said Mr. Munster would be a good man for the borough?—Yes, a good man, being a rich man, as I heard.

3271. Did you find you were wanted at the telegraph?—No, I found there was none of my business wanted.

3272. Did you do any carpenter's work for Mr. Munster?—I did; I made a bin for him.

3273. How much did that amount to altogether?—Twenty-five shillings.

3274. Did your wife sell feathers to him?—She did, five stone of feathers.

3275. For how much?—A pound a stone, sir, that is £5.

3276. What connexion was there between the work at the telegraph and your vote?—I suppose it is to induce me to give a vote they would give me employment.

3277. To vote for the man who would give you the work?—'Tis employment first; I thought there was some great employment.

3278. Mr. MOLLOY.—That evening that you were with Meara, was he not in your shop?—He was.

3279. Did your wife come in at the time?—She did.

3280. Did not your wife and Simon Tracey go out of the shop?—They may, but I couldn't distinctly recollect; I think they did, to the best of my belief, go out into the yard or the kitchen, and me and Meara stopped in the shop, as far as I can recollect.

3281. Was the last election the first at which you had a vote?—It was, sir.

3282. You had not a vote in 1865?—No, sir.

3283. Mr. GRIFFIN.—Did you get any money since the election?—She got some money for feathers.

3284. Did you get any money?—Not a penny.

3285. Did you hear that money was going?—Not more than a rumour.

3286. Did you hear about Heffernan getting any money?—I didn't know of anybody getting money; I couldn't say who got it or didn't get it.

3287. Mr. MOLLOY.—Did you expect that any money would be given to you after the election?—It was not promised to me.

3288. Did you expect it?—If there was a great deal given, of course I would expect it.

3289. There being a rich man a candidate, had you any expectation that if you voted for him you would get some of his money after the election?—I couldn't be sure.

3290. Had you any expectation?—If he was good enough, of course I would take it.

3291. Mr. WATERS, Q.C.—Did Mr. Patrick Laffan ever hold out any inducement to you?—Never.

3292. Was he with Mr. Michael Laffan, his brother, when you were talking about the work?—No, sir.

3293. Was there anyone with Mr. Michael Laffan at the time?—I don't think there was, sir.

3294. Mr. MOLLOY.—Did your wife tell you soon after

she had been to Simon Tracey's house?—It is after Tracey going she told me she was in.

3295. Did she tell you that she was at Simon Tracey's, and that she saw some cheques there with his wife?—She did, sir.

3296. Did she tell you that she would get one if you voted for Mr. O'Beirne?—Yes, and I told her that if she took a cheque or money that I would lose it, and I promised Mr. Laffan and wouldn't break my word.

3297. Mr. GRIFFIN.—Did you hear Mrs. Tracey saying that your wife said you would get £10 from Mr. Munster's people?—I never heard a word about it.

3298. Were you here when your wife was examined at the petition?—No, sir, I wasn't present.

John Rochford.

James Brown sworn; examined by Mr. WATERS, Q.C.

James Brown.

3299. You are a voter in Cashel, I believe?—Yes, sir.

3300. And I believe you voted at the last election for Mr. Munster?—I did, sir.

3301. You know Captain Graham?—I do.

3302. He had rooms in your house?—He had.

3303. Did he dwell in them?—He did.

3304. At what time did he take the rooms?—I cannot fix the date exactly.

3305. Did you not make any entry of it?—I did not.

3306. Did you receive any money from him?—I did.

3307. Did you make any entry of that?—I did not.

3308. Do you keep books?—I do, but not for such transactions as this.

3309. How much money did you get?—£20.

3310. Have you any document or anything that would enable you to tell the time at which you let the rooms to Captain Graham?—No.

3311. What rooms did you let him?—A bed-room and front parlour, what we call a drawing-room.

3312. If you cannot tell me exactly, will you tell me approximately, or as near as you can, the time you let the rooms to him?—About a fortnight previous to the election.

3313. Did he live more than a fortnight in your house?—He did.

3314. How long after the election did he continue to occupy them?—About a fortnight; he was off and on; he went to Dublin and came back; he went visiting round the country and came back again; I think he kept the rooms about six weeks from the time he came to the time he left, that is including seven days in the week.

3315. Did you make an arrangement as to what he was to pay?—I did.

3316. What was that arrangement?—£20.

3317. For what time?—Two months.

3318. How long have you resided in Cashel?—About seven years.

3319. Was the last election the first time you voted? It is the first time I had the honour of voting.

3320. Did you know Mr. O'Beirne?—I did.

3321. Did you know him before the election?—I did, sir; I knew him at the previous election.

3322. Were you canvassed by Captain Graham for Mr. O'Beirne?—No.

3323. Never?—No.

3324. Do you say he never asked you if you were going to vote for Mr. O'Beirne?—I do.

3325. Did you tell him that you would vote for Mr. O'Beirne?—No; it was on a distinct understanding, if he took my rooms, that he should not expect my vote.

3326. That is very odd now; you did vote for Mr. O'Beirne?—I did.

3327. It is sworn to us that Captain Graham was canvassing right and left through Cashel, and you say he never asked you how you were going to vote?—He never did; he might have surmised.

3328. Tell me what occurred at the time you were setting the rooms?—He asked me what I would give him the rooms for; I wanted in fact more than he was inclined to give; I wanted £25, and he said he would give me £20, and I agreed to give them then.

3329. That is not all though?—If you be kind enough to ask me any other thing ——

3330. That is not all the arrangement?—I don't know of any other arrangement we had.

3331. Did you not tell me that you let the rooms on the distinct understanding that it was to be entirely independent of your vote?—I did.

3332. Then that was mentioned?—It was.

3333. You omitted that?—If I have equivocated it was not with any intention.

3334. I do not say you equivocated; tell me how it was done?—I put it to him, "People might be under the impression that from the fact of your taking my rooms, people might think Mr. O'Beirne would expect my vote, but I wish you to understand that you need not expect my vote."

3335. Then you had not made up your mind?—I had.

3336. Did you know that he was a friend of Mr. O'Beirne's?—I did.

3337. And what was the meaning of your telling him that the taking of your rooms was independent of taking your vote; what was the meaning of that, when you had made up your mind to vote for Mr. O'Beirne?—I had made up my mind to vote for Mr. O'Beirne before Captain Graham came to town at all.

3338. And you said to Captain Graham, "I will vote for any man I like," although you had your mind made up to vote for Mr. O'Beirne?—I wished Captain Graham to understand that it was not because he took my rooms I was to vote for Mr. O'Beirne.

3339. Did you tell him you were to vote for Mr. O'Beirne?—I did not.

3340. What was the meaning of telling him that then?—For the purpose of not allowing him to suppose that it was not because he took the rooms from me that I should vote for him.

3341. Do you not know that persons votes were influenced in Cashel by their houses being taken?—They may have been, but mine was not.

3342. Did you understand that; was it because you knew that that was a way of influencing votes that you said to Mr. Graham your vote was not to be influenced in that way?—It was.

3343. In short you wanted to let him know that you would not be bribed?—Yes.

3344. And you understood that that was a common way of doing it in Cashel?—Yes; I meant to show Mr. O'Beirne I promised my vote previous to Captain Graham taking my rooms.

3345. Did you see many persons in the room with Captain Graham?—There were a lot of persons there sometimes.

3346. You know that Captain Graham took a very active part for Mr. O'Beirne?—I am under that impression.

3347. Tell me the persons you saw coming to him there?—I saw persons that I supposed to be his tenants.

3348. Any others; any townspeople?—There were, your worship.

3349. Who were they?—Patrick Mackay was there, and Pat Maher was there; Mr. O'Brien of the bank called up there one night, I think.

3350. Was Mr. Kingsbury there?—No, your worship; I didn't see him; I think he was in Dublin that time. I think Mr. Kingsbury came up from Dublin specially the day of polling to vote as far as I recollect; I may be wrong, but I think so.

3351. Mr. GRIFFIN.—At the time that you let those lodgings to Captain Graham, had Mr. O'Beirne commenced canvassing?—He had.

3352. How long had he been here?—I think about a week.

3353. How often was Captain Graham at your rooms before he took them?—Twice.

FOURTH DAY.
October 7.
James Brown.

3354. Was it the third time that he took them?—It was, your worship.

3355. What interval was between the first and the third time?—One day.

3356. He came twice one day then?—He came twice one day; he came once on two days successively.

3357. And did he take them on the third day?—As near as I recollect.

3358. Did you hear of any money going at last election?—John Kingsbury told me he got £10 from the agent of Mr. Munster.

3359. Is that the man that was examined here this morning?—I believe so.

3360. An old man?—Yes.

3361. He told you he got £10?—As a retainer.

3362. From whom?—From Mr. Laffan; he afterwards contradicted it.

3363. Mr. MOLLOY.—From the agent of Mr. Munster or of Mr. O'Beirne?—Of Mr. Munster.

3364. Mr. GRIFFIN.—Was that Patrick or Michael Laffan?—I don't know which.

3365. It was from Mr. Laffan he told you he got it?—It was, sir, after the election.

3366. Was it long after the election?—A couple of months ago.

3367. He told that to you a couple of months after the election?—No, but a couple of months ago.

3368. That he had got £10?—Yes.

3369. When did he contradict it?—A couple of days after.

3370. Did he come for the express purpose of contradicting it?—No, he lived in our house at the time.

3371. Is he in the habit of making mistakes of that kind?—I am not aware.

3372. Mr. WATERS, Q.C.—Was he living in the house at the same time Captain Graham was there?—No, your worship; his wife died about twelve months ago, and he dissolved his house and went to Dublin; after he came from Dublin he was living with us.

3373. At the time that Captain Graham was living with you where was Mr. Kingsbury living?—In Dublin, I believe.

3374. When was he living in your house?—It is my impression Mr. Kingsbury came from Dublin about the day of the polling, to vote for Mr. Munster.

3375. When was he living in your house: was it after or before Captain Graham was there?—Afterwards; it is twelve months since Captain Graham was there.

3376. Did you hear of anybody else having got money?—No, your worship.

3377. Did you hear of anybody at all?—I may have heard flying reports, but nothing authentic.

3378. About whom were the flying reports?—I couldn't exactly bring to mind; there were so many reports.

3379. Did you hear reports about the people of the Commons?—No, your worship, only what I have heard in court, and at the election petition.

3380. Mr. MOLLOY.—Did Captain Graham go into occupation of the rooms immediately after taking them?—He did, your worship, and his son also.

3381. If Captain Graham said that he took the house in September for two months, would that be the case?—He took them from the time he took them two months hence.

3382. Was it in the month of September he took them?—I am not aware; it was about a week previous to the election, I think.

[The witness asks for a certificate].

Mr. WATERS, Q.C.—You have not said anything for which you require a certificate. If you require one we shall be happy to give it to you.

Mr. Thomas Edmonds Close.

Mr. *Thomas Edmonds Close* sworn; examined by Mr. WATERS, Q.C.

3383. I believe you are an elector of Cashel?—Yes, sir.

3384. And voted at the last election for Mr. Munster?—Yes, sir.

3385. What is your occupation?—Professor of music, and vicar choral of the cathedral.

3386. Some time before the election took place you had a concert in Cashel?—I had, sir.

3387. And Mr. Munster took a number of tickets for it?—He did, sir.

3388. How many?—One hundred tickets amounting to £12 10*s*. I wish to explain that.

3389. What do you wish to add?—There was rather a wrong construction put upon that during the petition, about those tickets that I sold to Mr. Munster. I want to explain that it was from no wrong purpose whatever. It was merely because the town was full at the time that I got up the concert. It was an encouragement to me to get up the concert at the time I did, because Mr. Munster had already bought over £40 or £50 worth of tickets from some amateurs who exhibited the same week for the benefit of the Vincent de Paul Society, and I thought it would be a good time for me to give a concert on my own account. That I had not the chance of explaining during the petition.

3390. You say Mr. Munster had bought tickets for a concert?—Yes, a concert for the Society of Saint Vincent de Paul.

3391. Was it a concert?—A theatrical performance, and the young men kindly gave me one of their nights for my own concert in the middle of their night's entertainment.

3392. Do you know how many tickets Mr. Munster took for it?—I don't, I had nothing to do with it.

3393. You got up your concert and Mr. Munster took 100 tickets?—He did.

3394. You impartially applied to both sides?—I did, sir; I didn't ask Mr. O'Beirne, but I asked Captain Graham; it was not a party thing at all.

3395. And Captain Graham did not take them?—He did not, sir.

3396. You are able I suppose to tell the week of the concert?—It was I think the day of the nomination, it was on a Tuesday evening; I think it was about the 18th November; I have not one of the programmes left or I could show you the date.

3397. At that time were you pledged to vote for anyone at the election?—I had promised to vote.

3398. For whom?—For Mr. Munster, more than six weeks; I had made up my mind to vote for Mr. Munster before ever Mr. Munster came to Cashel.

3399. To whom did you promise six weeks before?—I didn't make a special promise to anybody; but Mr. Leahy, Mr. Munster's friend—I met him at a breakfast in a convent in Thurles where I teach; the Reverend Mother introduced me to him as Archbishop Leahy's brother; it was only after I had left the convent that I knew he had come about the election. I followed him to the Archbishop's palace and said I would be very happy if I could do anything for him and his brother the Archbishop who was always a patron of mine in my profession, and any way I could show my gratitude I would be happy to do it, and I made up my mind on that moment to vote for him.

3400. Did you know at that time that he had come over with reference to the election?—Until that time I did not.

3401. Did you at the time you said those words?—I did.

3402. That was in fact tendering your vote for his friend?—I didn't exactly tender the vote, but I said anything at all that I could do.

3403. You did not in terms tender the vote, but you meant it?—I meant it, sir.

3404. After that were you canvassed by Mr. Munster himself?—No, sir; I was never canvassed by Mr. Munster or any of his agents.

3405. Were you asked by Mr. O'Beirne?—I was.

3406. How soon after the interview with Mr. Leahy?—I was not asked exactly by Mr. O'Beirne first, but I was asked by Captain Graham first.

3407. Are you able to fix the date of that?—I cannot tell the date, but I can tell a circumstance which will bring the date to the mind of anybody in court. The first time I had an interview with Captain Graham and Mr. O'Beirne together was the Saturday after the Presentation bazaar was held here in Cashel.

3408. You saw Mr. O'Beirne and Captain Graham together on that day?—Yes.

3409. Was that the first time you had seen Captain Graham at all during the election?—It was not.

3410. How soon before that had you seen Captain Graham?—I think it was in or about the month of August. I was going down the street and Captain Graham called me into the barrack square. He said there would be sure to be an election, and he says "you will vote for Mr. O'Beirne." I don't exactly know what I said; I might have said that very likely I would, but I never knew that Mr. Leahy or Mr. Munster were coming at the time; I am sure it would be as far back as August. He asked me to speak to one or two—Squires, and one or two persons I knew, but I don't think I did.

3411. After that did you see Captain Graham again?—No, sir, not to speak to him. I didn't about the subject until I saw him at Mr. Dunn's.

3412. When did Captain Graham learn you were going to vote for Mr. Munster?—I suppose he learned it when I refused the £20 he offered me at Dunn's.

3413. Did he learn it before that?—I can't tell.

3414. Had you any conversation in the interval between the time you saw him with Mr. O'Beirne, and this conversation about the £20?—No, sir.

3415. Had you a letter or anything?—No.

3416. Then the next was a message from him?—No, I never had a message from him. I met Mr. O'Beirne and shook hands with him; he said, "Why don't you come up and see me?" and I said "I am only just come up from Thurles; I will go up and see you." On the Saturday morning afterwards I went up to Mr. Dunn's, merely to call, not about the election at all; myself and my son were walking up the street, not thinking of going there, having nothing to do, and I said "Harry come and see Mr. O'Beirne."

3417. At that time you had thoroughly made up your mind how to vote?—I did.

3418. And you went in and saw Captain Graham?—Captain Graham, and Mr. O'Beirne, and one or two others were there. I was talking to Mr. O'Beirne, and I said he was looking very well; there was a little commonplace between the two of us; he was asking—Mr. O'Beirne was asking about my son, said he was growing very much, and some commonplace things like that. We went out of the room then, Captain Graham followed us on the lobby, and he called me towards a little window; my son went towards the stairs; and he said, "Would you like to get some employment for your son during the election?" I said, "Well, Captain Graham, I don't think he will be here, for he is under nomination for the civil service." "Oh, well," says he, "you know what I mean." He wrote on a slip of paper with a pencil twenty in figures, and I left and I said "I will see more about that."

3419. Is that all you said to him?—That was all he said.

3420. Is that all you said to him?—"I will see more about it;" some commonplace that way.

3421. Did the conversation end immediately then?—It did.

3422. And you went down stairs then?—We did.

3423. Had you any other communication with Captain Graham after that?—No, I had not; I never went near their house again, and I should not have gone then if it had not been for mere common politeness to Mr. O'Beirne after his asking me to call on him; I had not any idea of going.

3424. Did you tell Mr. O'Beirne then, or during the time that you were there, that you were going to vote for Mr. Munster?—I did not; I told him some time afterwards; a short time before the election I met him at the cross of the Lower Gate, and he said he was very much surprised I deserted him; I said he need not be surprised, that I was under no compliment to him, and that it was not because I had voted for him before I should vote then.

3425. How long are you an elector of Cashel?—Only the two last elections I think I voted. I voted for Carden once. This is the third election I voted.

3426. And at the time Captain Graham offered you this money you did not tell him you were going to vote for Mr. Munster?—I did not.

3427. To whom did you tell Captain Graham's offer of money to you?—I told it to a great many people. I told it to the Reverend Mr. Fishbourne the same night or next day. I told it to another friend of mine in Thurles.

3428. Did you tell it to any of Mr. Munster's friends?—I did not; I didn't speak to Mr. Munster about it at all.

3429. Did you to any of his friends or agents?—I never did. The first time I heard that it was public was only the Saturday before the petition; I heard it from Mr. Munster himself, and I had not the least idea he knew anything about it, and it came out afterwards that it was a gentleman in this town told him of it, to whom my son told it.

3430. Your son was afterwards in Mr. Munster's employment?—He was after the election.

3431. How much did he get from Mr. Munster for the employment?—He was getting two guineas a week while he was there.

3432. Did he live at home with you during that time?—He did, sir; he was very irregular in his hours when he was living at home; sometimes he was in Dublin two or three days, or in Portarlington and other places; it was very seldom he lived at home.

3433. How long was he in the employment?—He could not be more than a month.

3434. Was he employed by Mr. Munster during the election?—He was not, sir.

3435. When first did he enter Mr. Munster's employment?—I couldn't tell, sir, but Mr. Biggin can tell, for he was under secretary with Mr. Biggin.

3436. It was after the election, at any rate?—It was, sir.

3437. He after that went to London?—He did, sir,

3438. Where did he live in London first?—Mr. Munster sent him to a house of his own for a few days until he could suit himself with lodgings.

3439. How many days was he there?—He was not there above four or five days, but I thought he was there longer, but he was not more than four or five days. I think I said at the time of the petition he was nine or ten days, but he was not there so long, not more than four or five days.

3440. Did he get some present in the way of clothes from Mr. Munster?—He did, sir.

3441. While he was in his employment?—Yes.

3442. Or to prepare him for going away?—I suppose when he sent him to Dublin—he was stopping at the Gresham hotel—he didn't think he was smart enough, and he got him a suit of black clothes.

3443. Is that the only compliment your son received?—The only thing I know of, with the exception that when he was going away, it being after Christmas, I had not money to send him to London, and he asked Mr. Munster for the loan of £5, which he lent. I had not money enough to send him.

3444. You do not know of more than the clothes and £5 that your son got?—No, with the exception of his salary.

3445. Did you yourself receive any compliment beyond the 100 tickets?—No, sir, with the exception of teaching in his family since, for which I get no more compensation than an ordinary person. I get more from other people, and was teaching Miss Ade two quarters, for which I got two guineas a quarter.

FOURTH DAY.
October 7.

Mr. Thomas Edmonds Close.

3446. Your son is in England, I believe?—He is, sir, at Wells, in Somersetshire.

3447. Mr. GRIFFIN.—Did you mention that occurrence about the £20 immediately?—I did, sir, the same day, as far as I recollect.

3448. Mr. WATERS, Q.C.—Had you any conversation with Mr. Kingsbury?—I never had any conversation with him about the election until last night, after he gave his evidence.

3449. Did he say anything to you last night?—He did, sir.

3450. What did he say?—I walked down the street with him. He said, "Didn't I get off very well?" I said, "Yes, but I don't think you are done with it yet." He said, "Why?" "Because," I said, "I don't think you said all you could say."

3451. What did he say then?—I said, "Didn't you tell Mr. John Davis White that you were offered money by Captain Graham, and that he wrote it down," and he said he never did. Mr. White was going into the library at the time. "Come back to Mr. White," said he. I said, "Come back and ask him." He wouldn't go any further, but turned to go home. "Do you call that being a friend," he says. I said, "If you had been a friend you would have justified what I said at the petition, when Captain Graham offered you in the same way as he did me." I never knew a word about it until the day after the petition was finished.

3452. Mr. GRIFFIN.—From whom did you hear it the day after the petition was finished?—Mr. John Davis White, sir.

3453. Mr. WATERS, Q.C.—What did Mr. Kingsbury say when you said this?—He is a very excitable man, and he got in a passion, of course. I was rather indignant, because it touched my own character more closely than I could explain, because there was no connexion between Mr. Kingsbury and his evidence; and the circumstances between Captain Graham and me, and Captain Graham's offer to him were so much the same, that I was very much annoyed he didn't tell it out to clear the slightest stain on my evidence.

3454. Until last night Mr. Kingsbury never said anything to you?—No, and I never changed one word with him until last night.

3455. When you asked him to come back to ask Mr. White, did he do anything except turn away?—He turned partly round and would not go.

3456. Did he say anything?—I said, "Wasn't an offer made to you by Captain Graham, and don't you know there was an offer made the same as to me?" and he said, "I don't know whether it was £20 or £25."

3457. Did he say that to you last night?—He did.

3458. Mr. MOLLOY.—Did he say why he did not tell it at the Commission?—No, he did not.

3459. Mr. WATERS, Q.C.—All he said with reference to it was, "Didn't I get off very well to-day?"—That was the first thing he said to me.

3460. Mr. GRIFFIN.—You heard immediately after the petition was over that Mr. Kingsbury could have given evidence similar to yours?—I heard so, sir.

3461. Have you met him again since?—Oh, yes, we are in the same church and same choir; he is a vicar choral, the same as myself.

3462. Did you never speak to him before about his having been so unfriendly?—I did not, sir.

3463. You were very much annoyed?—I was, and since I knew the Royal Commission was coming down I was only too glad of the opportunity of clearing myself.

3464. You never spoke to him about it?—Never, until I heard his evidence last night, thinking he would say what he ought have volunteered before.

3465. How did you know he would be summoned at all?—I had not the least idea he would be summoned.

3466. And though you did not know he would be obliged to give evidence of this kind, you did not think it necessary to speak to him?—No; I should have done so if he wasn't summoned, and it was not without asking the advice of my best friends that I didn't do so.

Mr. John Davis White.

Mr. *John Davis White* sworn; examined by Mr. WATERS, Q.C.

3467. Have you been in court during the examination of Mr. Kingsbury and Mr. Close?—I have.

3468. You heard the evidence of both?—I did.

3469. Will you have the goodness to tell me if Mr. Kingsbury made any statement to you with reference to any conversation between him and Captain Graham about the time of the last election?—He did.

3470. When was that?—I could not tell you the date, sir. He told me that Captain Graham had taken a piece of paper and written, to the best of my memory, £25 on it. He told that to me in confidence, and I didn't break his confidence; I merely, when I found that my friend Mr. Close was calumniated as a perjurer, told Mr. Close "Money has been offered in the same way to a certain party in Cashel, and find out if you can who the person is." I didn't tell him Mr. Kingsbury's name, and he found it out some other way. I never would have mentioned it but for the fact of Mr. Close being publicly stigmatised as a perjurer, and I believe Mr. Close.

3471. I believe there was a conflict of testimony between Captain Graham and Mr. Close at the petition?—There was. The judge considered he should give the weight to Captain Graham.

3472. Mr. Kingsbury said that to you, and you are unable to tell us when it was. Are you able to say was it this year or last year?—I could not, sir; but it was before the trial of the election petition; that is all I could say. I did not tell Mr. Close it was Mr. Kingsbury at all; I told him to try and find out.

[Mr. *Close.*—That's just it, sir. Mr. White never mentioned Mr. Kingsbury's name; I guessed it.]

3473. Are you not able to say any further, Mr. White? Could you say it was in the end of last year or beginning of this year?—I could not possibly charge my memory.

3474. Do you recollect the circumstances under which he made the statement to you?—I think it was in my own house.

3475. Mr. GRIFFIN.—Did Mr. Kingsbury go back to Dublin after he told you?—I could not charge my memory with any circumstance as to what his movements were. I can't say he went immediately after.

3476. It was not immediately after the election he made the statement to you?—I can't say, sir. I think it was two months, in fact, before the election he told me that. I should not wonder if it was two months before the election he told me; I can't swear positively.

3477. Mr. WATERS, Q.C.—Have you any doubt of the fact of his having told you?—I have no doubt.

3478. Did he go through the pantomime of describing, or did he only tell you?—I think so.

[Adjourned.]

FIFTH DAY.

Friday, October 8, 1869.

Mr. *Michael J. Laffan* recalled; examined by Mr. Waters, Q.C.

Mr. Michael J. Laffan.

3479. Mr. Laffan, I want the briefs you gave counsel on the trial of the election petition. Where are they?—In Dublin. They are not here.

3480. You will have the goodness to get them?—Yes.

3481. And of course they will be produced in the same state?—Yes. Nothing shall be done to them by my consent. Mr. Grace, I understand, objected to produce his briefs yesterday, and you decided against the objection. There is, then, no use in my entering on an argument on the same point to day except simply to protest against being called on for them. I would ask you to make a note in the evidence, or the shorthand writer can take it down, that I do respectfully protest against being called on for them.

3482. Have you written to your brother?—I have. I have written to the doctor.

3483. Have you heard anything of your brother?—I could not have heard since I wrote.

3484. On what day did you write?—On Wednesday I was examined, and I wrote on Wednesday night. It was just twelve o'clock when I had my letter written on Wednesday night; then, of course, it was not posted until Thursday, and he could not get it until last evening.

3485. Is there not a mail in the morning?—There is, but it is not delivered in Dublin until eight o'clock at night. If he wrote the moment he got the letter, I might have an answer to-day.

3486. Mr. Griffin.—I do not understand why you did not write until twelve o'clock at night?—I didn't write the letter until then. I wrote again last night to him pressing on him to make out and send the address.

Patrick Cunningham was called but did not appear.

Thomas Tierney sworn; examined by Mr. Waters, Q.C.

Thomas Tierney.

3487. Tierney, are you a voter of Cashel?—Yes, sir.

3488. For whom did you vote at the last election?—For Mr. Munster, sir.

3489. You know Mr. Cahill?—I do, sir, well.

3490. Do you recollect Mr. Cahill sending for you before the election?—Yes, I recollect I fell into conversation with Mr. Cahill; I fell into talk with Mr. Cahill about the election.

3491. Listen to me, if you please. I did not ask you if you fell into talk with Mr. Cahill; the question I asked you was, do you recollect Mr. Cahill's sending for you?—I do, sir.

3492. Did you go to Mr. Cahill's house?—Yes, sir; I did.

3493. Had you a talk with Mr. Cahill about the election?—I had, sir.

3494. Do you recollect Mr. Cahill's saying to you that if you voted for Mr. Munster you would be remunerated, or some words like that, or something to that effect?—I recollect Mr. Cahill to tell me to vote independent for him.

3495. Was there anyone present at that conversation?—No, sir, there was not.

3496. Do you know that Mr. Cahill was examined here yesterday?—I don't, sir; I was not in court on yesterday.

3497. Do you know that he was examined here; did you hear he was examined?—I hear he was examined, but I didn't see him.

3498. And did you hear that he mentioned your name?—I hear my name was mentioned.

3499. You had better tell me what occurred between you and Mr. Cahill, because we have it all before; was there anything said about money or remuneration?—No, sir, there was not.

3500. Not a word?—Not a word about money any more than Mr. Cahill to tell me to vote independent for Mr. Munster—that he was a good man.

3501. Was there anything said about its being made all right for you, or anything being done for you after the election would be over? Think of yourself, now, and tell me the truth as an honest man should?—Well, I tell you the same, sir.

3502. Well do so. What was said about something being done for you after the election would be over: I do not want the exact words, but as well as you recollect, what did he say would be done for you?—He said that Mr. Munster was a charitable man, sir, and that he may do some good for me, or his agents hereafter.

3503. Did he say anything more than that Mr. Munster was a charitable man, and that he would do some good for you?—No, sir, he said nothing else to me.

3504. Did he say how much he might do good for?—No, sir.

3505. Or what he might do?—No.

3506. Was there any sum named or guessed?—No, your worship; there was not.

3507. Did he say what the figure going was or how much money was going?—I would tell you the figure, your worship, but I don't know what to say. I never had a communication with a vote before.

3508. Do you know what the figure for voters was here at the last election?—I couldn't say, your worship, but I hear they were sworn, on bonds they got £30.

3509. Did you hear before they were sworn, and before this inquiry was heard of, that they got £30?—I did not, your worship, hear any such thing; 'tis very little trouble it gave me.

3510. Where do you live in Cashel?—With Mr. Ryan Going?—I am Mr. Going's clerk.

3511. Do you live in Friar-street?—I do, sir.

3512. Is this the first election at which you had a vote?—Yes, your worship.

3513. Mr. Molloy.—Had any of your family votes at previous elections; had your father a vote?—No, sir, he had not.

3514. Mr. Waters, Q.C.—Are you a married man?—I am, your worship.

3515. Is your father living?—My father is dead, your worship.

3516. Have you children?—One son, your worship.

3517. What age is he?—He is fifteen years the 29th March.

3518. What is his name?—Pat.

3519. Was he employed for any person at the election?—He was in the telegraph office.

3520. For Mr. Munster?—Yes, sir.

3521. How long was he there?—From the first day it opened, sir, up to this present day.

3522. Is he there still?—He is, sir.

3523. What wages does he get in the telegraph office?—Seven shillings, sir.

3524. Seven shillings a week?—Yes, sir.

3525. Was he employed in any way about election matters?—No, sir, he was not.

3526. Do you know any other man of the name of Tierney in Cashel?—No, sir; I don't know only one; that is a pensioner.

FIFTH DAY. *October* 8.

Thomas Tierney.

3527. What is his Christian name?—I think 'tis Tom again, sir.

3528. Who got your son employed in the telegraph office?—I asked Mr. Patrick Laffan, sir, if there was e'er a messenger wanting, to get him in.

3529. When was that?—Long before the election commenced, and the first time the telegraph office opened.

3530. The telegraph was made by Mr. Munster, was it not?—It was, sir.

3531. And at the time the telegraph was made by Mr. Munster, Mr. Munster was a candidate for Cashel?—He was, sir.

3532. Well, you had some talk with Mr. Pat Laffan as to how you would vote?—Not many words, sir, only to ask him for a situation.

3533. You had talk about your vote?—No, sir.

3534. Do you mean to say Mr. Pat Laffan never said a word to you about your vote?—I do, sir, for certain.

3535. Well, you say that Mr. Cahill told you that Mr. Munster was a charitable man, and that if you voted for him he would do good for you after?—To vote independent for him, and he may do good for me after.

3536. Since then whom did you ask to get something done for you?—Not one, sir, I never asked, only I might fall into conversation with Mr. Cahill, if I met him.

3537. Did you ever go to him and say, "You promised to have something done for me?"—I made a charge on Mr. Cahill, I believe, three times.

3538. Tell me honestly whom else did you make a charge upon?—I made a charge on no other person.

3539. Did you never make a charge on Mr. Laffan?—Never, sir.

3540. Did you ever make application to Mr. Munster, or to any person, for him?—Never, sir.

3541. Did you send in a claim to the agent?—I couldn't send it.

3542. I ask you did you?—No, sir, I didn't.

3543. Did you ever send in any claim for your son?—Never, sir.

Mr. Biggin.

Mr. *Biggin* recalled; examined by Mr. WATERS, Q.C.

3544. Mr. Biggin give me claims 76 and 95?—I have them not, sir.

3545. Why?—When I came to those accounts they were all in a great muddle; I am not answerable for any claims. After I wrote them down I did not take particular care of them. I have been away four months and really I am not answerable for those claims. I don't think anyone has destroyed them.

3546. Have you made search?—I have made every search, sir.

3547. Do you know from whom you got the claim from Patrick Tierney?—I don't know; I lifted them in a lump.

3548. From whom did you get the claims?—From Mr. Richardson, or Mr. Laffan.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled; examined by Mr. WATERS, Q.C.

3549. Mr. Laffan, do you recollect getting a claim from a person named Patrick Tierney?—I cannot say, at present, whether I did or not.

3550. Do you know any person named Patrick Tierney?—No, but this man's son.

[*Mr. Biggin*—76 and 95 in the book, are both Patrick Tierney.]

3551. Mr. Laffan, would you undertake to say there is no man named Patrick Tierney who made a claim?—I would not, but I may tell you, to facilitate matters, that after the election was over, Mr. Cahill very likely, or somebody told me that Tierney would expect something.

3552. Mr. Cahill told you that?—I think so: that is my recollection. Somebody or other told me Tierney would expect something; and before he said he sent in no claim, it occurred to me that there were two or three parties, of whom I said, in making out the list of claims, "we will see if their sons can get anything;" and I may have put in his son's name, and sent it in in the list of claims. I don't actually say I did that, but I know there were two or three such cases.

3553. In which you were told there were voters who expected remuneration for their votes, and in which you put the name of the voter's son, in place of the voter himself?—Yes.

3554. Mr. MOLLOY.—Did you put down £35 also?—Oh, certainly, I put down £30 or £35.

Thomas Tierney.

Thomas Tierney's examination resumed by Mr. WATERS, Q.C.

3555. You say you did not put in any claim?—I did not, sir.

3556. Do you know if Mr. Cahill put in a claim for you?—I have no knowledge of it, sir.

3557. Did he ever say he would put in a claim?—He said he would do some good for me, sir.

3558. Did he say he had asked for money for you, from Mr. Laffan or anybody else?—He told me he was speaking to Mr. Michael Laffan, and that Mr. Michael Laffan told him there could be no good done for me.

3559. Did Mr. Cahill ask your son's name?—He didn't, he knew my son.

3560. Mr. Tierney, when did this conversation occur with Mr. Cahill?—Some time after Mr. Munster canvassing me, sir.

3561. You were canvassed, of course, by Mr. O'Beirne's friends?—I was, sir.

3562. By whom?—By Mr. O'Beirne himself, in person, sir.

3563. And by whom else now—who else besides Mr. O'Beirne himself canvassed you for Mr. O'Beirne?—James Cody, sir.

3564. Anybody else?—I see no one else there at the time, sir.

3565. Not at that time, but at any time at all, were you canvassed by any persons on behalf of Mr. O'Beirne; you say you were by Mr. O'Beirne himself, and by James Cody, were you by anybody else?—I was, sir, by Mr. Ryan.

3566. What Mr. Ryan is that?—Mr. Ryan Going, sir.

3567. Now, which canvassed you first, Mr. O'Beirne's side, or Mr. Munster's side?—Mr. Munster's.

3568. Now, Tierney, tell me as an honest man—no harm will come to you if you tell the truth—were you offered anything, by any person, in any way: you understand what I mean?—I do sir, well.

3569. On behalf of Mr. O'Beirne were you offered anything?—No, sir, I was not.

3570. By none of those parties; now do not conceal anything; if you tell the truth no harm can come to you; tell the truth honestly; we will be examining these people by-and-by and it may be unpleasant to have a different story from them; tell me everything you know?—I was stopped by Tracey, sir.

3571. When was that?—Some time before the election, sir.

3572. That was Simon Tracey?—Yes, sir.

3573. What did he say to you?—He wanted to know would I vote for Mr. O'Beirne, sir.

3574. What did you say to him?—I told him I would not, sir.

3575. Begin at the beginning and tell all the story; where did you meet Tracey?—On my going home, sir, to my own house.

3576. Go on and tell me all that happened between you?—Tracey stopped me, sir, and asked me who was I going to vote for: I said Mr. Munster. He asked me then, sir, wouldn't I vote for Mr. O'Beirne, a tried man: I told him not. No other person tampered with me but him.

3577. Tell me all that happened?—That is all that happened between Tracey and me.

3578. Surely there was more than that; there was no tampering in that much?—I have nothing to tell you but that your worship.

3579. Did you say "No other person tampered with me but Tracey"?—I say that no person tampered with me but Tracey.

3580. Tell me how he tampered with you?—That he wanted me to vote for Mr. O'Beirne instead of Mr. Munster.

3581. What did he say you would get for it?—He didn't say what I would get.

3582. Did he only ask you to vote for Mr. O'Beirne?—There's all.

3583. Did he say what Mr. O'Beirne would do for you afterwards?—He did not.

3584. Did he say you would be better off by voting for him?—He didn't, but he said Mr. O'Beirne was a tried man.

3585. How a tried man?—That he was a good man in Parliament before.

3586. And no more than that passed between you?—No more than that passed between us, sir.

3587. Did anybody else speak to you on behalf of Mr. O'Beirne?—Mr. Ryan asked me would I vote for him.

3588. I want to know who offered you some money if you voted for Mr. O'Beirne?—I was proferred no money by any of his party.

3589. I do not suppose the money was shown to you, but I want to know who made a promise to you if you voted for Mr. O'Beirne?—No person, sir.

3590. No one at all?—No one at all; they were all telling me he was a tried man, but no money was offered.

3591. Were you told that you would get money or anything for your vote?—I was told there was money going after the election.

3592. Mr. Molloy.—Were you told there was money going?—I was told there was money going after the election.

3593. Mr. Waters, Q.C.—Who told you that?—I heard them saying it here and there through the town.

3594. Mr. Griffin.—Did Tracey know your son was employed in the telegraph office?—He did, sir, well.

3595. He was employed there at the time Tracey spoke to you?—He was, sir.

3596. Did you say it would be hard to go against Mr. Munster when he was giving employment to your son?—I said no such thing, sir, but I wouldn't go.

3597. Mr. Molloy.—What did Captain Graham tell you would be done for you if you voted for Mr. O'Beirne?—That's a man I never changed a word with.

3598. What did you tell Mr. Cahill Captain Graham said to you?—I couldn't tell Mr. Cahill that I changed a word with Captain Graham.

3599. Did you tell Mr. Cahill that Captain Graham canvassed you?—No, sir, I did not.

James C. Cahill recalled; examined by Mr. Waters, Q.C.

3600. Is that man that was on the table just now, the Tierney of whom you spoke yesterday?—Yes, sir.

3601. And that is the man to whom you said that if he voted for Mr. Munster he would be remunerated?—I told him to go independent and leave matters to Mr. Munster's agents afterwards; I made him no promise of anything.

3602. I do not think you used those words yesterday; you did not use the word "independent"?—I might have left it out, sir, but I expressed myself in that sort of way to Tierney.

3603. Tierney of course understood what you meant?—Oh, yes, sir, he did.

3604. And that was, that if he voted for Mr. Munster he would be likely to get money afterwards?—I didn't positively swear he said Captain Graham canvassed him, but I said to the best of my knowledge from what he stated to me, that Captain Graham did canvass him.

3605. Tierney tells us that he came to you three or four times to ask you to interfere for him, or to ask you to have what you told him would be done for him carried out?—Well, sir, I stated yesterday that I didn't think he came specially to me, but sometimes passing by he happened to meet me and we would get into a conversation; I would tell him if it was in my power I would have something done for him.

3606. And you did your best to get something done for him?—I did. I told him I would not act dishonourably to him, for I influenced him to vote for Mr. Munster, and I thought he would have got something for voting for the other party—at least I thought so.

3607. And you went to Mr. Laffan, no doubt?—Yes, sir, I did.

3608. And represented his case?—Yes, sir, I did.

3609. Do you recollect representing it to anybody else?—Yes, I represented it to Mr. Leahy one time, and he told me nothing could be done—it might after the petition. The reason I took an interest in these few persons I influenced to vote was, that they shouldn't say I was the cause of keeping so much out of their pockets, preventing them from getting it elsewhere, deceiving them or decoying them.

3610. I think you told us also that what you said to Mr. Leahy was before the election petition?—Yes, sir, it was.

3611. And that he then said to you that nothing could be done for them at present?—Yes, sir.

3612. Did that answer of Mr. Leahy's apply to this man Tierney's case?—Yes, sir, it did.

3613. And you told us besides that Mr. Michael Laffan also told you that nothing could be done for them at present?—Yes, and he also stated that he was not the person to apply to—that he had nothing to do with the matter.

3614. Were you here in court to-day when Mr. Laffan said something about this man's son?—I was not in court until you sent for me, sir. I remained in the aisle when I came.

3615. Do you recollect, in conversation with Mr. Laffan, saying that this man was a voter, and nothing could be done for himself, but that something could be done for his son?—No, sir, I never recollect any conversation with any person about his son.

3616. You know that Tierney has a son named Patrick?—I know he has but one son, but I don't know his name.

3617. You are living here a long time?—Since '52.

3618. Do you know of any other Patrick Tierney here but this man's son?—No, sir.

3619. Did you happen to put in a claim for this man's son, or for this man at all?—No.

3620. You did not send in a claim for him in the name of his son?—No, sir; if it has been done it was done unknown to me.

3621. Did you send in a claim for anybody?—No, sir, for no person.

3622. Did you send in a claim for yourself?—No, sir; I believe my son sent in a claim.

FIFTH DAY.
October 8.

Mr. *E. H. Biggin* recalled; examined by Mr. WATERS, Q.C.

Mr. Biggin.

3623. Mr. Biggin, give me claim No. 31?—I cannot find it.

3624. Or 88?—That is the same thing—these are what I went for yesterday; I have not found them.

James C. Cahill.

James C. Cahill's examination resumed by Mr. WATERS, Q.C.

3625. [*Witness*].—After leaving this yesterday I went up for my son to give every information. I didn't put in a claim. If there is an entry there to me it is a mistake; it should be my son's.

3626. There is no mistake at all about it—H. J. Cahill is your son?—Yes, sir, Hubert James Cahill.

3627. Do you know any other person in Cashel named J. Cahill?—There is no John or James Cahill in Cashel.

3628. Is there any other Cahill in Cashel whose Christian name commences with the letter J.?—Not to my knowledge.

3629. Mr. MOLLOY.—Do you know a William Cahill in Cashel?—There may be a person of the name unknown to me, sir. There was a James Cahill in town; he died, I believe, about two years ago.

3630. He could not have been engaged at the last election?—No, sir; he was dead before then, I think.

Mr. Biggin.

Mr. *E. H. Biggin* recalled; examined by Mr. WATERS, Q.C.

3631. Mr. Biggin, are you able to give me any explanation of this claim for J. Cahill—a blank claim?—I do not know, sir.

3632. There is a blank in page five, and turning back to this list that you make of them I find "J. Cahill, agent, £40"?—I have not carried it out, that is all.

3633. £40 here, and "J. Cahill, agent," blank. I see a note in the margin; 31 refers to the number of the claims which you numbered with Mr. Richardson?—Yes, sir.

3634. Of course you entered it in this book first?—No, sir; I entered the list first, and copied from the list into the book.

3635. At page 27 amongst the agents you have "J. Cahill, £40;" can you explain how J. Cahill's name is here twice £40, and a claim for him blank in another place—can you tell me who he is?—I don't know, sir.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled; examined by Mr. WATERS, Q.C.

3636. Mr. Laffan can you explain that to me?—I cannot, sir; there must be some mistake in it; there was no J. Cahill, agent, at the election.

3637. I want to know why it was entered in this book?—I can't tell you, sir.

Cornelius Carroll.

Cornelius Carroll sworn; examined by Mr. WATERS, Q.C.

3638. Mr. Carroll, you are a voter of this town, I believe?—I am, sir.

3639. And you voted at the last election, I believe, for Mr. O'Beirne?—I did, sir.

3640. Who canvassed you for Mr. O'Beirne first?—Captain Graham, sir.

3641. You have no doubt been in court before, and you have heard me, more than once, explain to witnesses the power we have of giving certificates freeing them from responsibility, if they answer to our satisfaction?—I have.

3642. When did Captain Graham first canvass you?—I suppose about two months before the election.

3643. Did he ask to take your house?—No, sir; he did not.

3644. Is this the first election at which you had a vote?—It is.

3645. Are you a tenant to Captain Graham?—No, I am not.

3646. Or in any way connected with him?—No, sir.

3647. Did you promise Captain Graham at once to vote for Mr. O'Beirne?—I did; I had my mind made up to vote for Mr. O'Beirne before he came.

3648. It is not a usual thing, I think, from what we have heard here, to have electors of Cashel make up their minds very quickly, and I want to know, and I expect an honest answer from you, why you made up your mind to vote for Mr. O'Beirne?—I had that liking for Mr. O'Beirne.

3649. You never voted for him before?—No, but I knew his acts in Parliament and his principles.

3650. That is the only thing that induced you?—That's the only thing.

3651. You were examined on the petition, Mr. Carroll?—I was.

3652. Were you asked on the petition: "Then you went to Mr. Coman to get you money at the election," and did you answer "yes?"—Yes.

3653. Were you asked: "For what did you expect to get the money," and did you say "for my vote?"—Yes.

3654. Did you expect to get money for your vote at the election?—I did, but not to keep it.

3655. But not to keep it?—Yes, the reason I did go for it was I was in dread——

3656. You will answer my questions first; at what time did you go to Mr. Coman to ask him for money?—I frequently used to go in there.

3657. When did you go to ask him for money?—It might be two months before the election.

3658. Did you go to Mr. Coman to ask him for money, before you were canvassed by Captain Graham?—I did, sir.

3659. Did you go before?—I might have gone.

3660. Am I to understand that you mean that you did?—Well yes, sir, for I might have gone in there, for I used to go often.

3661. Then is your answer that you did go to Mr. Coman to ask for money before you promised Captain Graham?—I did.

3662. Was that before Mr. Munster was a candidate?—It was not.

3663. But it was before you had promised Captain Graham?—Yes.

3664. Then I presume that your mind was not made up as to how you would vote at that time?—It was; my mind was made up at all times to vote for Mr. O'Beirne—it was.

3665. You said that you did not intend to keep the money if you got it?—Yes: I did get it; I got £35.

3666. You swear that?—I do. My wish was to get the money for several others, for I was afraid Mr. O'Beirne would be put out. It was my wish not to have him put out, and I said I would look for the money in order to prove a case of bribery against him. That is the view I took of it.

3667. And you did that before ever you were canvassed by Mr. O'Beirne at all?—I did.

3668. Two months before the election?—Yes.

3669. Was money very flush two months before the election?—I seen it—it was so. Mr. Laffan told

me there was £5,000 lodged in the bank of Cashel for the voters, and for no one else.

3670. Which Mr. Laffan told you that?—Mr. Michael Laffan, and he said he didn't know what way to give it.

3671. When did he tell you that?—I suppose two months before the election—to tell him what way to give it with safety, and he would give it.

3672. And your virtue was shocked at that?—It was.

3673. And you determined in the cause of honesty and truth to make yourself a detective?—I did; that's the whole meaning of it.

3674. And you have sworn twice that you did not intend to keep the money?—I did.

3675. Was there an action to recover the money from you?—There was.

3676. Did you defend it?—I did.

3677. Did you do your best to prevent the money being dragged from you?—I did; for Cunningham swore he took my house, and he didn't; and 'twas proved yesterday he gave £60 to a voter. He put me to the cost of £60 in Dublin, and Mr. Munster didn't look for his cost, it would be £100 but for that; now he is not coming forward it is likely to be falsehood and perjury.

3678. What is falsehood?—What Cunningham said, sir.

3679. But it is no falsehood that you endeavoured to keep the money?—'Tis not, sir; for I proferred the money to Mr. Coman and he wouldn't accept of it, for his name wasn't on the envelope—himself.

3680. He would not accept it because his name was not on the envelope?—No; he told me to go to Cunningham to give up the money.

3681. I believe your defence in the action was that the money was given to bribe you?—Yes.

3682. And that was the way in which you understood it when it was given?—It was, sir.

3683. And it was on that account you took it—be cause it was a bribe?—It was a bribe, for it was plain he didn't want the house. They had four houses bought at the election and didn't occupy one of them.

3684. Tell me the names of the four persons whose houses they had bought?—One of them is Phelan, and Tom Donnell, I think.

3685. What others?—Corcoran's.

3686. Is that the hotel?—Yes.

3687. What is the fourth?—Walsh, the butcher's.

3688. Mr. MOLLOY.—Is Tom Donnell's house in the main street?—It is, sir.

3689. What is Phelan's Christian name?—James, sir.

3690. Where does he live?—In the main street, opposite the market house.

3691. What is Walsh's Christian name?—Edward Walsh, sir.

3692. Where does he live?—In the main street.

3693. What is the fourth house?—Corcoran's, I think.

3694. Is that the hotel?—Yes, sir,

3695. Mr. WATERS, Q.C.—Do you recollect having any conversation with Mr. Coman about Mr. Munster?—I do, sir.

3696. Did you ask Mr. Coman to do something for you?—No, but Cunningham spoke to me that he would go to Pat Laffan and get an order for Mr. Coman for whiskey. I said if he did he should get me a receipt in full, that he wouldn't have the power to charge me afterwards.

3697. Was that for your vote?—It was for my vote.

3698. And did you intend to take the whiskey?—I did if I got it.

3699 And, of course, to sell it, and to keep the proceeds?—I suppose so.

3700. When did that occur?—I suppose about six weeks before the election.

3701. Was there any conversation on the subject between you and Mr. Coman and any other person or persons in Cashel together? Tell me how it was introduced, and go through the history of it?—I was standing with Mr. Coman one day at the market-house, and Cunningham came up and asked my leave would he go to Mr. Laffan to get an order for whiskey to Mr. Coman. I said he may, but he should get a receipt in full. Mr. Coman said he would give me whiskey on my own word, but I said I wouldn't have it that way. That is all that happened until Cunningham came down to the house to me.

3702. When afterwards and where did he come to you?—About a month afterwards.

3703. What occurred then?—He came on a Friday evening, and he told me he was talking to Mr. Pat Laffan at Corcoran's hotel, and he said they were talking about giving me whiskey, and he said the third person would be got into it by giving me whiskey; at the same time he read Dean Cantwell's letter for me.

3704. What about the third person—that he would be got into the transaction?—Yes, if I was to get the whiskey.

3705. And that it would not be honest?—Yes, sir.

3706. And that it could not be carried out?—Yes. So he told me to go up to Pat Laffan at seven o'clock that evening.

3707. Was the plan of giving you the whiskey given up?—Yes, sir.

3708. And it was given up because it could not be done with safety?—Yes; the third person would be got in.

3709. And you were afraid it would be discovered?—I was not, indeed; 'twas they were in dread.

3710. You would have taken the whiskey and sold it, and kept the money. You went to Mr. Pat Laffan then?—I did, sir.

3711. What occurred then?—He called me into a dark room and he closed the door, and he asked me how things were getting on. I said the same way, there was no change so far; and he said he was talking to Mr. Coman about the whiskey; and he made the same remark that he didn't like to get Coman into it, that it would be better to do something else, and I said it would. "We rather win at the poll," says he, "and be beat after by a petition." Them are the words he said. "I am going to tell you everything now," says he, "don't tell anyone. Come up to me at twelve o'clock on Monday and I will make you all right." That finished the thing, and I went home then.

3712. Had you and Mr. Pat Laffan any talk about the whiskey then?—He made the same remark that Coman would be got in.

3713. He said that it was better not to have a third person brought in?—Yes, sir, he did.

3714. You are, I suppose, an old acquaintance of Mr. Coman's?—About seven or eight years, sir.

3715. Are you a native of Cashel?—I am, sir.

3716. You have known Mr. Coman then, I suppose, all your life?—I do, sir.

3717. Of course you did not go to entrap Mr. Coman?—No, I had only the one view as I told you before.

3718. Your view at that time was to get the whiskey?—Yes, sir.

3719. When was it that you afterwards came to the determination to find out anything against Mr. Munster's side?—I didn't; they sent for me, sir, that time.

3720. Tell me honestly, and at once, if you got the whole notes that night for £35——?—Sure I did get the whole notes.

3721. Were they half notes?—No, whole notes.

3722. Why was it you gave it up?—That was the whole reason.

3723. You would have taken the whiskey; consider your position, and think that your townspeople are listening to you, and that they have listened to what you have stated; tell out all the truth; you did not want to entrap Mr. Coman, but you would have taken the whiskey; you had no desire to injure or destroy your old neighbour Mr. Coman, yet you would have taken the whiskey from him; £35 were afterwards put into your hands, tell me why you did not keep them?—I done it for no other reason; I can swear that

positively; this is the third time with me doing so, and I swear it now.

3724. Then it was through a love of purity of election you did it. I want you to explain why did you try to keep the money afterwards by defending Mr. Munster's action; why did you not give the money to Mr. Munster if you did not want to keep it?—I wanted to make out Cunningham a liar, that he wanted to take my house.

3725. You took the £35; you have sworn it was not for the purpose of keeping it?—Yes.

3726. Mr. Munster asked you for the money afterwards?—No, sir.

3727. Were you asked for the money?—Mr. Coman told me to give it back, and Mr. Munster wouldn't go on with it.

3728. Was there no demand made on you before?—No.

3729. Who was the attorney in the action?—Mr. Grace.

3730. Your attorney?—Yes.

3731. Who was Mr. Munster's attorney in the action?—Mr. Laffan, I believe.

3732. Do you mean to say that Mr. Laffan or any person did not ask you to pay him back?—No, sir.

3733. When the writ was served why did you not say—"I only wanted to entrap Mr. Munster; it was through love of purity of election I took it; I didn't want to soil my fingers with it; here is your money for you." Why did you not hand back the money if you were such an honest man as you represent yourself to be?—I left it to Mr. Grace.

3734. Did Mr. Grace tell you to keep it?—He did.

3735. Did he give you the advice that you might keep that money?—He did.

3736. To keep it altogether for yourself?—He didn't care what would be done with it, but not to give it back; the money wouldn't be given back in any case.

3737. Who was to keep it if you were not?—I couldn't say, sir.

3738. Is that the only explanation you can give me of this transaction?—As far as I know anything, I am not keeping it inside: that is in my power to tell you.

3739. You were defeated in that action, I believe?—I was, by one man's evidence, Cunningham, which he is not making his appearance now.

3740. Did you make yourself busy about any other case at the election?—No, sir, I did not.

3741. Did you not look out for anybody else, or make any inquiry about anybody else?—No, sir, I did not.

3742. Did you apply your detective talent only to one case?—To one case.

3743. Mr. Munster wishes to ask, through the Court, these questions, and we have no objection to ask them. Did you say in answer to a question, on the trial in Dublin, that you would have given the money in charity?—I didn't care what would be done with it.

3744. Is that the answer you gave at the trial?—I don't recollect.

3745. You may have said it?—I don't recollect; I didn't care what would be done with the money, or whether I would get it or not.

3746. Did you after the action make any assignment of your goods?—Never.

3747. Have you made any assignment?—No, I am the owner of what I have in the world.

3748. You have already said that Mr. Munster forgave you the costs?—He did, his own costs.

3749. Have you paid back the money to Mr. Munster?—I did; I got forty-eight hours to pay.

3750. Mr. Munster forgave you the costs?—He did, his own costs.

3751. Who paid your own costs in the action?—My own pocket, sir, which was very hard on me, too. I am sure the man that did it wouldn't do it only he expected money—that was Cunningham. He thought he would come by the £35.

3752. Mr. Carroll, were you ever canvassed by anybody but Captain Graham on behalf of Mr. O'Beirne?—I was, by Mr. O'Beirne himself.

3753. Were you offered any inducement of any kind whatever; were you led in any way to believe that you would get any sort of remuneration for your vote?—No, sir, I was not.

3754. Were you offered any inducement by either the one or the other?—Neither Captain Graham nor Mr. O'Beirne did.

3755. Did anybody else?—No, sir.

3756. Did anybody else speak to you about money?—I am telling you the truth—they didn't. There is no one has any influence on me, to speak to me about voting for them.

3757. Did you ever receive any sort of communication about money—that is a wide question, and I expect you to answer it—did you ever receive any communication about money from Mr. O'Beirne?—Never.

3758. And your evidence to me is, that you—the man who went to look to get whiskey for your vote, admitting that if you got it you would have taken it, and made use of it, and kept the proceeds of it—that you got £35 afterwards—that you voted for Mr. O'Beirne and gave up the £35 without ever having had any promise of any kind of remuneration from Mr. O'Beirne's side?—Never, and I could point out to several people that I did say the same to during the election.

3759. Do you know Mr. Simon Tracey?—I do, sir.

3760. Have you had any conversation with him about the election?—No, sir.

3761. Do you say that you never spoke to him at all about it?—Never, nor did I know he was employed in any way, until he ran away at the petition.

3762. At the time you got the £35 I believe there were £40 there, were there not?—Yes, he had £40 in his hand.

3763. You asked him to make it £40?—I said he might make it £40 as he had it in his hand; he said it was against the order.

3764. At that time you only wanted to get proof of bribery?—Yes.

3765. Would the £5 additional assist you in proving such a case?—No.

3766. Then why did you demand the £5 more?—As he had it in his hand.

3767. Your only object being to get proof of bribery, you asked him to increase the sum from £35 to £40?—I did.

3768. And you say it was only a passing remark?—A passing remark.

3769. Begin and tell me the whole of the circumstance connected with Mr. Coman when you went to him about the money?—The money was put into an envelope at Corcoran's hotel by Cunningham. He asked me would I leave it in Mr. Coman's hands; "but Mr. Coman wouldn't have anything to do with it," says I; "we'll try him," says Cunningham; we went to Mr. Coman's; they called me in when I went to the door; Cunningham asked me to take a glass of brandy, and I said I wouldn't take anything; he asked me then would I leave the letter in Mrs. Coman's hands, and I said I wouldn't; so Coman was sent for them to the Market-house, and he came over, and as he was coming in the door, Cunningham had the letter, and I told him, "I have a letter here and £35, will you keep it?" he said he would not, to "be off out of that," he would have nothing to do with it. "Now, Cunningham," says I, "didn't I tell you that would be the way." So I was going home and Coman called me back to the kitchen, and I said I wouldn't stop any longer; so he went up the lane, and whatever conversation happened between him and Cunningham, Cunningham told me after; he said wouldn't I trust him with the letter; so Cunningham followed me up with the letter and gave it to me with the £35 in it. I told him at that time when I got the letter, "Make out all the information you can," says he, "and it will not be trusting to that;" "I'll make out no information," says I, "I'll vote for Mr. O'Beirne."

Cornelius Carroll.

3770. Were you satisfied that the money should be held in Mr. Coman's hands for you?—I was not, sir; if he accepted it I wouldn't agree to it.

3771. Did you swear you went up to place it in his hands; did you go to Mr. Coman's to leave it in his hands?—I wouldn't agree to it if he took it.

3772. Did you go to him with Cunningham?—I did.

3773. You said to Cunningham, "he won't accept it?"—I did.

3774. Did you hear Cunningham say "we'll try him?"—I did.

3775. Do you swear you did not intend to leave it in his hands?—I do, positively; I wouldn't leave it in Coman's hands if he accepted the letter and money.

3776. Do you understand my question thoroughly?—Yes, sir.

3777. You were examined before Baron Fitzgerald on the election petition?—I was.

3778. Did you say this to Baron Fitzgerald—"Mr. Coman was sent for, and came up the lane; we were standing in the parlour; he came in; Cunningham and I were standing at the door; I spoke first, and said Cunningham has a letter here for £35, will you keep it; I said to Coman, will you keep it till four o'clock on Friday evening?"—No, I didn't say what was in the letter. He asked Mrs. Coman to send for Mr. Coman.

3779. Did you say this, "I spoke first and said Cunningham has a letter here for £35, will you keep it till four o'clock on Friday evening?" will you swear to me now on your solemn oath that you had no intention whatever of leaving it with him?—I do; if he agreed to keep it I wouldn't leave it to him.

Mr. *Pierce Grace* recalled; examined by Mr. WATERS, Q.C.

Mr. Pierce Grace.

3780. Did you hear the last witness swear that you told him to keep the money himself?—I told him that I thought the money could not be recovered back from him as it was given as a bribe.

3781. Did you tell him to keep the money?—The money was in my custody, and I intended to hold it until after the action, and then of course I would hand it back to him. I did not know what he would do with it. What I stated was, that if the jury believed that it was a bribe they would find for him, and if they believed that it was a *bona fide* transaction they would find for Mr. Munster. They did so find, and then I sent back the money to Mr. Munster's attorney, Mr. Scallan.

3782. What occurred the evening that he came up to you when he got the money?—He came to my office. He had an envelope in his hand sealed. He said, "There are £35 in this that I got from Cunningham for my vote."

3783. Was that all that occurred?—That was all that I recollect occurred.

3784. Did you ask him to leave the money with you?—He handed it to me with the view of my keeping it, at least that was what I understood, and on my opening the envelope I found it was as he said. There was £35 in it, and that £35 remained in my hands until after the trial of the action.

James Phelan sworn; examined by Mr. WATERS, Q.C.

James Phelan.

3785. You are an elector of Cashel, I believe?—Yes, sir.

3786. I see your valuation is only £4 10*s.*, was the last election the first at which you had a vote?—Yes, sir.

3787. For whom did you vote?—For Mr. Munster, sir.

3788. Your house was taken, I believe?—Yes, sir.

3789. When was it taken?—By gor, I don't exactly know, sir, what day of the month it was taken.

3790. I do not want the month or the day, but tell me about what time it was; was it taken in the month of October or November or September?—It was taken about two or three days before the ——

3791. The election?—Oh, not the election, but before the members were called on here.

3792. That is before the nomination?—Yes, before the nomination.

3793. About three days before the nomination?—Yes, sir.

3794. You got £30 for it?—Yes, I got half notes, sir.

3795. From whom did you get them?—From Cunningham.

3796. Who gave you the other half notes?—I didn't get the other halves, yet sir.

3797. Half notes for £30?—Yes, sir.

3798. Were they £10 notes?—£5 notes.

3799. That is halves of six £5 notes?—Yes, sir.

3800. Did you ever ask Cunningham for the half notes since?—I did, sir.

3801. Did you ask him often for them?—I suppose about three times, sir.

3802. When did you last ask him for them?—About three weeks ago, I think. I don't exactly recollect, but I think it is about that time.

3803. Did you ever ask anybody since?—Mr. Laffan. I went up to him; I went up to him into the parlour. When I went in he asked me what could he do for me. I asked him about the half notes, and he said he knew nothing about them. He said no more.

3804. Did you tell him your house had been taken?—I did, sir; sure he knew that himself.

3805. He knew it before you went to him?—Yes, sir.

3806. And he said he knew nothing about it?—Yes, sir.

3807. Is Mr. Laffan the only person you asked?—I asked no more but Mr. Laffan and Cunningham. I never went near Mr. Laffan but once.

3808. Are you anxious to get the £30?—Eh, gar, I don't know, sir, if I have a right to get them or if I haven't.

3809. Are you anxious to get the £30? answer the question, sir. Why did you ask for it four times unless you were anxious to get it?—I asked for the money, sir.

3810. Are you anxious to get it? Did you ask for it four times?—Either three or four times, I am not sure which.

3811. Are you desirous then of getting the money?—I thought I would get it; he promised it to me in two days after.

3812. Are you anxious to get the money?—I'll take it, sir, if I get it.

3813. Are you anxious to get the money?—I am not one bit anxious any more than all the others, sir; but if I get it I will take it.

3814. Did you hear of any persons processing Mr. Munster for houses taken from them, for which they were not paid?—I heard no one.

3815. Did you hear of its being done?—It was rumoured, sir, but I am not sure that Coffey done it, and that is all I know about it.

3816. I want to know why you have lain out of your money from last November to October—eleven months; tell me honestly why have you lain out of it so long; have you got any promise of it?—I have, sir, got a promise of it.

3817. From whom have you got a promise of it?—From Cunningham, sir.

3818. From anybody else?—Nobody else.

3819. Are you trusting to Cunningham's word during those eleven months?—Yes.

3820. What is your business?—A carpenter, sir; I have a shop in the town, sir.

3821. If he owed you a month's wages for your

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James Phelan.

carpentry business, would you leave it remain due all that time?—'Tis often a lot of it remains for two years.

3822. That is not an answer to my question; would you leave it with Cunningham all that time?—Well, I would, sir, leave it.

3823. You had better answer the question straightforwardly. Did you abstain from pressing for this money because you were afraid it would be said it was a bribe?—No, sir, but he said he couldn't give me any money until after the petition would be over.

3824. Did Mr. Laffan say it could not be paid at present, or anything like that?—He said nothing but what I tell you, sir.

3825. That he knew nothing about it?—Yes, sir.

3826. I want you to tell me now why you did not apply to Mr. Munster himself—you know he is very well able to pay all demands on him; and here is an amount of £30 due to you nearly twelve months for the hiring of your house, yet you did not apply to Mr. Munster for payment of it. Why did you not say to him, "Your agent, Cunningham, is keeping me out of it?"—I thought Cunningham himself would give it to me every week; I didn't want the money too badly.

3827. Were you canvassed by Mr. O'Beirne?—Yes. Mr. O'Beirne came to my house; I was not at home—I was working in the country then.

3828. Were you canvassed by anybody else for Mr. O'Beirne?—I was, sir.

3829. By whom?—By a man named John Hogan.

3830. Is that the man that is a partner of Mr. Ryan's?—Yes, sir.

3831. Do you know where he lives now?—I know nothing about him, sir.

3832. When did he canvass you for Mr. O'Beirne?—He canvassed me a week or about three or four days before I gave the vote to Mr. Munster.

3833. When did you give the vote to Mr. Munster?—Well, about three days before the nomination was here.

3834. That was just when your house was taken?—Yes, sir.

3835. It was on account of the taking of your house that you gave your vote to Mr. Munster?—Yes, sir.

3836. Was there any use ever made of your house?—No, sir.

3837. Mr. MOLLOY.—What did you do with the half notes?—I have them, sir.

3838. Mr. WATERS, Q.C.—I suppose you told Hogan that you had promised Mr. Munster when he asked you?—Yes, sir.

3839. Did you tell him your house was taken?—I did, sir.

3840. Did you tell him how much you would get for it?—I don't think now I did, sir; I told him I was promised, and there was no more.

3841. But you told him that your house was taken?—Yes.

3842. And of course he understood at once, when your house was taken, that you could not give your vote away?—I don't know that either.

3843. Would you vote for Mr. O'Beirne when your house was taken by Mr. Munster?—I would not, sir.

3844. You would not consider it right?—I would not, sir.

3845. Mr. MOLLOY.—I suppose if Mr. O'Beirne took your house you would not vote for Mr. Munster?—I had my mind made up all through.

3846. If Mr. O'Beirne took your house would you have voted for Mr. Munster?—I had my mind made up, sir.

3847. If Mr. O'Beirne took your house would you have voted for Mr. Munster; answer the question, sir, we all know what the answer ought to be; answer the question; would you have voted for him?—No, nor I wouldn't think it fair either, sir.

3848. Then you would have voted for Mr. O'Beirne if he took your house?—Yes, if he took my house.

3849. Mr. GRIFFIN.—When Hogan came to canvass you did he tell you anything about having a cheque of Mr. O'Beirne's?—No, sir.

3850. Did he say anything about taking your house?—He didn't, sir; he didn't speak of the house to me, but to my wife; he walked away then.

3851. What did he say to her?—My wife told him I was pledged to Mr. Munster.

3852. He asked her about the house?—Yes, sir.

3853. What else did he say?—That is all that passed between us.

3854. He was offering to take the house from your wife; was he?—Yes, sir, and she told him it was taken by Mr. Munster.

3855. He said no more than that?—No more, but went away.

3856. Did your wife tell you whether he asked how much Mr. Munster would pay for it?—I don't think she told him, or that he asked either, sir.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled; examined by Mr. WATERS, Q.C.

3857. I want you to explain why this man's claim, £30, is not down here, or any account of it?—Because I never got it.

3858. Did he not come to you?—He did.

3859. When did he come to you?—About a fortnight ago, or three weeks ago.

3860. And never before?—Never before that I recollect.

3861. Did you know that his house had been taken?—I did, some short time before the petition was tried here.

3862. This book has been made up since the petition?—It has.

3863. Then I want to know why the £30 for him is not here?—I only sent in any claims I got. I never got a claim from him until he came the other day and asked me for half notes.

3864. Do you mean to say that you did not know of his claim?—Never. I heard some time previous to the petition that his house was taken, and I heard it confirmed by the evidence of Cunningham at the trial of the petition; beyond that I knew nothing; afterwards he came to me about those half-notes as he says, and I told him I knew nothing about it.

Mr. Daniel Laffan.

Mr. *Daniel Laffan* sworn; examined by Mr. WATERS, Q.C.

3865. I want to know when you last heard of your son Patrick?—About a fortnight ago I heard through the doctor of his being somewhere in Dublin or about it, but I had no conversation with him or no correspondence with him since he left the town after the election. I was quite displeased with him in consequence of something that happened before the election, so that I would not hold any correspondence with him after that.

3866. I believe, sir, he is a medical student and quite a young man?—He is, rather; he has taken his degree though.

3867. But he is not yet in a position to support himself?—No.

3868. And I presume he is supported by you?—No doubt.

3869. How long has he been away from Cashel?—Since the end of November or the beginning of December.

3870. And of course you have sent him funds?—Not directly. I had no communication with him after that.

3871. But you have sent him funds to maintain him?—Yes, through others.

3872. And you are maintaining him at present yourself?—Yes.

3873. You are aware I suppose that he is very deeply compromised here?—So I see by the reports.

3874. And that if he does not appear before this Commission, he may leave Ireland as soon as he likes, never to come back. If he is to be had in Ireland, or England, or Scotland, or anywhere, you had better get him to come here, and I need not tell you that if he gives his evidence faithfully and honestly to us, we will put him in a position to have nothing to do except to regret what he has done in the past?—If he should come, which I hope he will, there is no doubt he must be candid, and tell the truth if he follows my advice; and if he followed my advice, he would not be employed as he has been.

3875. If he comes and tells the truth he has nothing to fear, but if he does not come I shall have to adjourn this Commission?—I rather think he will, for his brother has written to him to come.

3876. I believe you did not take any part in the election?—Not the slightest.

3877. And do not know anything about it?—Not a ha'p'orth.

3878. You were engaged in previous elections?—I was engaged in '65 and '59.

3879. For Lanigan?—For Lanigan.

3880. Do you know of any money having been spent under the name of taking houses or otherwise in '65?—Not by us: not by Mr. Lanigan's party: not a single sixpence: not a house did he take that time or any of his committee, even the most active of them. There were three or four very active men on his committee who never took a house, and never paid a sixpence to any one.

3881. In how many elections was Mr. Lanigan a candidate here?—In '65 he was defeated the last time; in '59 he was elected, and in '57 he was first a candidate, but I was not concerned then—I was only an *amicus curiæ*. I did no more than give my vote for him, and I know nothing of what happened then.

3882. You say that in '65 you do not know of any money—not a single sixpence, you said—having been improperly expended on Lanigan's side?—Not a sixpence, as far as I could know. I am positive there was not a sixpence.

3883. You say "as far as you could know," that leads me to ask you did you hear of any persons having expended money improperly, on behalf of Mr. Lanigan?—I did not.

3884. You never heard it?—Never, not on behalf of Lanigan.

3885. On behalf of the other candidate, Mr. O'Beirne, in '65, what do you say: do you know anything of money having been improperly expended in '65?—No, I do not.

3886. That is to say, you have no direct knowledge of it, but you heard a good deal about it?—I did.

3887. How many persons did you hear to have been improperly influenced in '65, on behalf of Mr. O'Beirne?—I could not count them. All the men on the Commons, with the exception of one, voted for Mr. O'Beirne, and I heard they were all influenced by corruption; and a good many in the town, amongst the first Mr. Fahie, of the post office.

3888. Is he here still?—He is here still, and Doctor Molony and two of the Hacketts of the Green, and several others that I could not count.

3889. All the Commons men, you say?—With the exception of one or two of the Commons men.

3890. I want to get the honourable exception from you?—As far as I recollect his name is John Hickey.

3891. Did he vote for Lanigan?—He voted for Lanigan; there may be another, I am not sure.

3892. But you are sure that this exception amongst the Commons' people voted for Lanigan?—Oh, yes, I have the poll-book here.

3893. Then you might as well give us the numbers that polled on that occasion?—Oh, with pleasure, I have it for you; I have the list of voters.

3894. The number of voters I believe in '65 was 146?—I think so; yes, 146.

3895. And how many polled out of the 146?—136—86 for O'Beirne, and 49 for Lanigan. John Hickey is number 70 on the list.

3896. Did you hear Mr. Laffan—I am asking only if you heard—did you hear who it was that distributed the money amongst the Commoners in '65. Who was the man that managed them, and knew all about them?—Oh, Johnson, that was the solicitor then for O'Beirne.

3897. Was not he the conducting agent?—He was, virtually.

3898. Conducting agents generally are kept out of those things?—Some of them are not.

3899. Do you believe it was Johnson that did so?—That is my belief, but I cannot be positive.

3900. I would like to get your belief as to who managed the Commons people on the last occasion in '68?—My belief of the last occasion is, I think, Keeffe and somebody else—Keeffe was the principal.

3901. You do not know who Mr. Keeffe's colleague was?—No, I could not tell that.

3902. I do not mean that you should tell me as a matter of your knowledge but what your belief is?—Belief is a very strong thing. If you ask me "who did you hear," is that evidence?

3903. It is evidence for us?—I doubt that hearsay is evidence in any court. Is not your reporter taking down what I say? You ask me did I hear so and so; if I say I did, is that legal evidence?

3904. It would not be in an ordinary court; but on the other hand, we are not restricted from taking that evidence. Of course, we could not as conscientious men, if we are such, act on hearsay evidence in coming to any conclusion?—Then you ought not have it reported.

3905. The report is for our guidance by and by?—If you don't send it to Parliament it is all fair.

3906. We want your belief about it—it will not affect us much?—I could not form any belief as to who was with Keeffe, because Keeffe would travel by night as well as by day.

3907. If that is your answer, our discussion is rather useless—did you hear people say who Keeffe's companion was?—In the first place I don't think I did. I have had very little communication with him for the last four or five years. I hardly go out unless when I drive out, and I don't have an opportunity of conversing with people, and I don't know what is going on as well as I did in '65.

3908. But as you are an old hand at this sort of work people would come and tell you how your successors were getting on?—Not at bribery though, because in '59 and '65, when I was concerned, we never gave a sixpence.

3909. You never gave a sixpence at all?—Never. Mr. Lanigan never gave a penny, nor any of the active members concerned for him—the late Mr. Carroll, an active supporter of his; Mr. Coman, a very strenuous supporter of his; and a few other respectable men in town—Mr. Phelan and others; they could not have that great influence where money was concerned in '65.

3910. In '59 Mr. O'Beirne was again a candidate?—No, he was not—Mr. Hemphill, Mr. Carden, and Mr. Lanigan.

3911. And was not Mr. O'Beirne a candidate?—No; signs on—there was no money then.

3912. Mr. GRIFFIN.—He was a candidate in '57, I believe?—He was for a moment; he merely was proposed, but he withdrew.

3913. Mr. WATERS, Q.C.—Do you mean to say that there was no money going in '59?—Not a farthing—Lanigan never paid a farthing in '59.

3914. Did any of the other gentlemen?—I think not; for the number that voted for payment was so small they could not be bribed much. There were only eight for one and ten for another—for the late Mr. Carden ten; but I should not wonder Carden would not get any if they knew his history, for he was the greatest exterminator in the world.

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Mr. Daniel Laffan.

3915. We will not go into that—do you know anything of the election of '57?—No, I do not.

3916. I rely on it for your son's sake that you will see the necessity there is for his coming here?—There is no doubt he will be here, so far as my influence goes. If he took my advice he would not be in the position

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Thomas Cunningham.

Thomas Cunningham recalled; examined by Mr. WATERS, Q.C.

3917. You have been sworn already?—Yes, sir.

3918. Of course you know that you are under the same obligation of your oath to-day?—Yes, sir.

3919. Have you heard from your son?—I have written to him, sir, and got no answer.

3920. When did you write?—Early last night.

3921. How far is the place from this?—Where I sent him with the money is seventeen miles.

3922. How far is the place where he is now?—Where he is now I can't account. I mentioned in the note to send for him.

3923. How far is the place where you guess he is?—Seventeen miles.

3924. What is the name of the person he went to?—Michael Hickey he went to; that is the man I bought the stock from.

3925. Where does he live?—Clogheen.

3926. You are a voter here in Cashel?—Yes, sir.

3927. And you voted at the last election for Mr. Munster?—Yes, sir.

3928. And I understand that you voted at the preceding election in 1865 for Mr. O'Beirne?—Yes, sir, I did.

3929. For whom did you vote in the election of 1859?—I couldn't say who I voted for that time.

3930. The candidates then were Mr. Lanigan, Mr. Hemphill, and Mr. Carden?—If I voted for any of them it must be for Mr. Lanigan.

3931. Why were you a friend and supporter of Mr. Lanigan?—I chose to vote for him at the time, but I disrecollect it now; but I know at the time I would vote for him, sir, before any others.

3932. Why did you not vote for Mr. Lanigan in '65—you say you would vote for him before any others in '59?—My son was engaged with other people of course.

3933. Your son was engaged with Mr. O'Beirne?—Yes.

3934. And, of course, you would not vote against Mr. O'Beirne then?—Of course, sir, I would not.

3935. What did your son get for his services in '65?—I can't exactly say; the place was taken, and I gave refreshments in my own house; and whatever was given I had the giving of it.

3936. How much did you give?—About £65. I didn't get it for two years afterwards; my son was obliged to go to London for it.

3937. But besides that your son was paid money?—I can't say was he paid anything with the exception of that. I couldn't say but what I know myself.

3938. Did he give you any money?—No, sir, with the exception of what was due to me.

3939. Does he live with you?—Yes, sir.

3940. He does not occupy a house of his own?—No, sir.

3941. What age is he?—About 26 years.

3942. Do you mean to say that if he got £20 or £30, you would not have got it from him?—If he did it may have been included in the bill.

3943. In the bill for refreshments?—Yes, sir.

3944. Did you furnish an account of the drink?—I did, sir. He furnished it afterwards, and he got no orders from Mr. Johnson in Dublin. After his death he was obliged to go to London for it.

3945. Your son was employed by Mr. Munster at the last election in Cashel?—He was, sir.

3946. And you voted for Mr. Munster because your son was employed by him?—Yes, sir.

3947. If he had been employed by Mr. O'Beirne at the last election would you have voted for Mr. O'Beirne as you did before?—I can't say how that is, sir, for he put me to too much trouble before.

3948. Did you not tell me that you voted for Mr. Lanigan?—My opinion is that I did, sir.

3949. You said that your son was employed by Mr. O'Beirne, and that you would not vote for Mr. Lanigan when your son was employed by Mr. O'Beirne?—Yes, sir.

3950. Mr. Lanigan was a countryman of yours—a Tipperary man?—Yes, sir.

3951. And Mr. Lanigan was well liked here?—Yes.

3952. You voted for Mr. O'Beirne against him because your son was employed?—Yes, sir.

3953. Mr. Munster is a stranger here?—Yes, sir.

3954. Do you mean to say that you voted for Mr. Munster because your son was employed by him?—On that account I did.

3955. You know that your son got £30 from him?—I believe he did, sir.

3956. I believe he was paid some short time before the election of 1868?—The last election? I believe so, sir; he was, sir.

3957. He gave the money to you, I suppose?—He gave me a portion of it, sir.

3958. What do you call a portion of it?—He gave me £20 at least.

3959. That is out of the £30?—Yes, sir.

3960. You keep a shop, but you seem to be engaged in some other business, besides?—I do, sir, in the corn trade.

3961. And of course your son works in your business with you?—He do, sir.

3962. I suppose your son has no means of his own, and has only what you give him?—No, sir.

3963. And I suppose that, being a young man as he is, he does not often have a great deal of money with him?—I don't think he would keep any money at any time, and any time he goes out about corn he hands all the money to me when he comes back, and I don't think he would keep five shillings.

3964. Then he has no resources or money of his own?—No, sir.

3965. And if he wanted money he should come to you for it?—Whatever he wanted he should ask it of me.

3966. Mr. MOLLOY.—How much is due to you now by Mr. Munster?—I couldn't say, sir; I haven't the return of the refreshments.

3967. How much did you send in a bill for?—I didn't send any bill in.

3968. Did you get any money for cars?—I did, sir.

3969. How much did you get for cars?—£19 10*s.*

3970. Did you supply drink on Mr. Leahy's order?—I don't know; I don't think Mr. Leahy gave me an order at all.

3971. Did you send a bill to Mr. Munster for drink supplied on Mr. Leahy's order?—My opinion is I didn't send a bill to Mr. Munster for anything.

Mr. E. H. Biggin.

Mr. *E. H. Biggin* recalled by Mr. MOLLOY.

3972. Mr. Biggin, would you produce numbers 19 and 20?—I have them.

Thomas Cunningham.

Thomas Cunningham's examination resumed by Mr. MOLLOY.

3973. Did your son Patsy tell you that there was any money due to him for the election?—No, sir.

3974. Did he tell you that he had sent in a bill for £70?—No, sir. All the money I received is £19 10*s.*,

I think, and the cheque I got for car hire ; that is all. I didn't give a bill for anything to Mr. Munster or to anyone else.

3975. Whose handwriting is that?—(Is handed claim.)—'Tis not mine, sir, at least.

3976. Did you send that bill in?—No.

3977. Whose is it ; is it your son's?—I see my name to it ; but it isn't I gave it.

3978. Whose handwriting is it?—It might be his handwriting, but I can't be sure.

3979. Surely you know your son's handwriting?—He writes different hands. I see writing of his in the book, and this is not equal to it.

3980. Whose handwriting do you believe it to be?—When I see my own name here I think 'tis his. I am on my oath ; I couldn't be sure 'tis his handwriting, sir.

3981. Is that amount due to you for drink?—I couldn't say, sir.

3982. Mr. WATERS, Q.C.—Here is a claim dated Cashel, 7th December, for £42 8*s.* 3*d.*?—[Document handed to witness.]—I know nothing about it.

3983. Mr. MOLLOY.—Did Mr. Leahy order any drink from you?—No, any way that I can recollect.

3984. And you got £19 12*s.* for the cars?—£19 12*s.* or £19 10*s.* ; that is all the money I received on account.

3985. That bill is dated 7th December ; that is after the election. Why did you not ask for payment of your bill since the election?—I asked no person for it, sir. I told my son at one time that if there was any money due to him to get some, and he said there was time enough.

3986. When did you tell him that?—I suppose about two months ago. Whether he sent a bill then I can't say.

3987. Who is to pay you for the goods and liquor you have supplied?—I don't know, sir, who is to pay me. He gave orders and so did Mr. Laffan—that is, Mr. Pat.

3988. Who else gave orders?—I can't think of anyone that gave orders.

3989. How many orders did Pat Laffan give?—I can't recollect, sir, indeed ; different times, day by day.

3990. Did he give an order every day?—Well, I don't say he did, sir.

3991. Whom did you tell Pat to ask for payment a couple of months ago?—I didn't tell him about anything, but if there was any money due to get it.

3992. What money?—So far as he was to get for himself, for his time.

3993. And was he not to get yours?—I didn't ask about my own.

3994. Whom was he to ask?—I did not tell him ; he knew best himself of course. He did not say any more to me.

Mr. *E. H. Biggin* recalled ; by Mr. WATERS, Q.C.

Mr. E. H. Biggin.

3995. Mr. Biggin, do you produce No. 21 claim for cars, £19 12*s.*?—It has been paid. Mr. Leahy's order £7 5*s.*

Thomas Cunningham's examination resumed by Mr. WATERS, Q.C.

Thomas Cunningham.

3996. Perhaps it was an order for something else besides drink. Did Mr. Leahy ever order anything from you. He never ordered anything from me. There was a man of his that stopped there for some time.

3997. What is Mr. Leahy's man's name?—He lives in Cahir, sir.

3998. When was he stopping in your house?—Off and on during the time of the election.

3999. How long was he in your house?—I suppose seven or eight weeks, or more.

4000. Well then you recollect his name of course?—I cannot recollect his name now. He lives in Cahir. He was in the police, but he is out of it now. I think his name is Moran or Murrin ; I think Moran.

4001. What was he doing in Cashel during the election?—I could not say what he was doing about the street during the election. I see him doing nothing in my place at least.

4002. Did he never when he came in at night tell you what he was doing?—Going about the street looking after persons, I suppose.

4003. What was his Christian name?—I think John Moran.

4004. Where was Mr. Leahy himself living while he was here?—I don't know of any certain place he had to live.

4005. While he was in Cashel do you know where he lodged?—[Mr. *Munster*—He was sometimes at Corcoran's, sometimes at one of my houses.]

4006. Do you mean to say that his man who was stopping in your house did not tell you at night what he was doing?—He did not tell me, sir, because, nor I did not ask him.

4007. Had you ever a talk together?—We had, sir.

4008. Were you afraid to ask him what he was doing?—He did not interest me in the least. I only wanted to be paid weekly, and at the end of the time he said he had no money—that Mr. Leahy would pay me.

4009. And is that claim of £7 5*s.* that you have put in, for him?—I did not put it in.

4010. Well your son did?—He did, I suppose ; I didn't know the amount.

4011. Tell me, Mr. Cunningham, as he was stopping seven or eight weeks in your house, you surely often had a conversation together, and you know very well what he was doing?—I never see him doing anything with the exception of going the same as others.

4012. I think you gave the rest of your evidence fairly, and I am sure you will not stop doing so now ; I did not ask you did you see him doing anything, but if you heard what he was doing?—I did not hear.

4013. Do you think it at all likely that he was walking about the streets seven or eight weeks doing nothing ; did you see him attend Mr. Leahy?—I do not know ; he might be attending him while he was in town.

4014. He dined and had meals in your place?—He did, sir.

4015. Mr. MOLLOY.—Have you any land?—I have, sir.

4016. How many horses have you working on it?—I only have two horses of my own—three sometimes.

4017. You do not hire out cars?—I do ; to go out with cars of my own.

4018. What was this £19 12*s.* for?—I have some cars of my own licensed, sir.

4019. Where were they going?—To the Commons, and several places.

4020. Did any persons get cars from you for the election except your son?—No, sir, on them occasions ; of course any person that hired a car I gave it to him.

4021. For this £19 12*s.* did any person get the cars but your son?—They were used during the election time and after it.

4022. Were there any covered cars amongst them?—No, sir ; but sometimes when I would borrow one.

4023. When did you borrow the covered car?—I did not borrow one during the election, only when I would want it for my own use.

4024. Did your son Patsey borrow a covered car during the election?—He might, sir ; not to my knowledge, though.

4025. From whom used he borrow the covered car?—Different persons in town ; any person that might have it convenient.

4026. Who were the persons you would borrow it

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Thomas Cunningham.

from?—He would get it at Corcoran's or Dunne's, or places, if he wanted it. I do not know of any business he wanted it for.

4027. Mr. Griffin.—This claim put in by your son is for "butchers, voters, &c.;" what voters used to be in your house getting refreshment?—I could not tell you, sir; there may be thirty or forty persons, not voters at all, in my place.

4028. Do you not know all the voters of Cashel?—I know some, but I cannot know all.

4029. Do you mean to say you cannot tell me the name of a single voter that got refreshment in your house?—I could, sir.

4030. Well, tell me the names of those you remember?—Different persons got refreshments.

4031. Tell me who they were?—There was one or two from the Commons, or three, that got it there.

4032. Who were they?—One Moloney from the Commons, John Moloney.

4033. Who else?—There was Dwyer.

4034. Who else?—William Ryan from part of the Commons.

4035. Who else?—I could not know of any more except Denis Ryan from the Commons; I did not mind any of the rest.

4036. Can you not remember anybody else?—No, sir.

4037. Did you see any town voters there at all?—Any way I can recollect, I did not.

4038. Try if you can recollect some of the townspeople?—I cannot recollect, sir; they might be in and I not to know or recollect them; there may be thirty or forty people in the shop at a time, and they go in and out without my seeing them.

4039. They might take a drink at the counter?—They may, sir; and they may take it and I not to be there.

4040. I suppose the three persons you recollect were in oftener than the others?—They might; it is not to say very often they were in; the same persons were often in every day as well as them days; they are people in the habit of dealing with me for corn and every way.

4041. Was it by a bank order that you were paid the £56 in 1865?—Yes, an order on the bank, sir.

4042. Mr. Waters, Q.C.—So far as we can judge, you have given your evidence very freely; but your son is in an exceedingly dangerous position; I suppose you heard that two men swore yesterday that they got £30 each from him?—I was not here, sir, but I was told it.

4043. He has placed himself in an exceedingly awkward position, and if he does not come up here and earn our certificate by telling the truth honestly and candidly—if he remains without our certificate, and if we go away from this town without giving it to him—he will be in an exceedingly awkward position; so that you had better make every exertion, if you value his safety, to get him to come here and tell honestly and openly everything he knows; if you desire a certificate yourself we shall give it to you if nothing occurs before the inquiry is over to alter the opinion we have formed. You will do well to make every exertion to have your son come?—I will, sir.

Mr. John Davis White.

Mr. *John Davis White* recalled; examined by Mr. Waters, Q.C.

4044. You were a partner, I believe, of the late Mr. Johnson; were you not?—I was.

4045. He was, we have heard, conducting agent for Mr. O'Beirne at the election of 1865?—He was.

4046. Do you know who it was that disbursed the moneys that were used in the election of 1865?—I suppose it was Mr. Johnson.

4047. Do you only say "suppose"?—Only suppose.

4048. Were you a partner of his then?—I was employed by him to see after business connected with the election, but I am not aware that I made any payments myself personally; I do not recollect that I made any payments to anyone.

4049. But were you not his partner at that time?—I should define how far I was his partner, sir; any business that came in this town, that should be transacted in Dublin, I forwarded to him, and took part of the profits; I could not call myself his partner in the full sense of the word.

4050. Did he reside in Dublin?—Yes.

4051. And you here?—Yes.

4052. You then were concerned in the election of 1865?—I was, taking his orders and directions.

4053. Do you know of certain moneys having been paid to people on the Commons?—I know that I discounted bills for some of the voters on the Commons; I believe ten.

4054. I think you said they were ten in number?—To the best of my memory it was ten.

4055. Do you know about how many voters there are on the Commons altogether?—I have heard there are about thirty-five or forty.

4056. We heard to-day from Mr. Daniel Laffan that he thinks all the Commons voters, except one or two, voted for Mr. O'Beirne in 1865?—I could not affirm that, sir.

4057. But you have no reason to doubt it, I suppose?—I think the great majority of them did.

4058. I wish to be informed if you know of any consideration having been given to voters of the Commons in 1865, except in those ten cases?—I could not say positively, sir; if you ask me my belief, I believe that there must have been more than the ten; but those ten, as I tell you, so far as my dealings with them, had nothing to do with the election.

4059. Do you know who it was that bribed any of the people of the Commons at the time?—I could not tell you, sir.

4060. You are not able to give us any assistance in arriving at the person's name?—No, sir.

4061. In those ten cases that you have mentioned, I believe you witnessed ten promissory notes of £30 each?—I did.

4062. Are you able to give the names of those persons?—I can only remember the names of two that I gave at the time of the election petition. I could identify the men.

4063. Who were those two men?—Those two men were William Meehan and William Cashin.

4064. Those two men you identified?—Those two men I identified as the parties at the time. Those ten men were total strangers to me at the time they came to me.

4065. But you knew that they were voters from the Commons; without having absolute knowledge of it you had no doubt of it?—I believed that they were.

4066. The ten notes were for £30 each?—Yes.

4067. And they were made payable I see to John Phelan?—Yes.

4068. At the time of the petition you did not know who John Phelan was; did you inquire since?—I think I stated at the time that I heard from Mr. Johnson that he was an attorney's clerk in Dublin.

4069. Can you give us any further information on that matter?—I cannot.

4070. Mr. Johnson is dead; is he not?—He is.

4071. And he has left a son?—Yes.

4072. Does he continue in the business of his father?—The son is at present employed I believe in an attorney's office in Downpatrick.

4073. What is his name?—The son's name is Richard Beaton Johnson.

4074. You saw some notes in the hands of Geary?—I did not see them.

4075. Did you hear that he produced some notes?—I heard he gave some evidence with regard to notes, but I do not think I saw any notes.

4076. Are you aware if those notes were any of the ten that you had anything to say to; did you write your name to the ten?—I would say as a matter of business I did.

4077. And your presumption is that you did?—Yes, my presumption is that I did.

4078. After you saw those notes witnessed what did you do with them?—To the best of my memory I sent them to Mr. Johnson; it would be my duty to do so.

4079. You used the expression, "I discounted notes for some of the voters on the Commons?"—I should have said "cashed" rather than "discounted." There was no interest or discount charged.

4080. You gave £30 in each case to the men?—Yes.

4081. From whom did you receive that £300?—My memory is that Mr. Johnson sent me a cheque for £300 on the National Bank here. I think he had told me a couple of days before that, when he was in Cashel, that ten men would call on me, and he sent me I think a cheque from Dublin.

4082. A cheque in his own name?—I think so.

4083. Did you keep any record of this transaction at all?—No, sir, only my memory.

4084. Did you keep Mr. Johnson's letters?—I do not think there was any letter which would give any clue about it. His directions were verbal, before he went away.

4085. Can you tell us exactly the date?—Oh, not at all, sir.

4086. Was it shortly after the election of 1865?—It was before it, sir; I suppose during the time of the election he was ten times backward and forward.

4087. Had he not gone to Dublin?—Yes.

4088. Had you any conversation with Mr. Johnson about it?—I could not charge my memory; I had thousands of conversations with him.

4089. At any rate it was not necessary for you to ask him if this £300 was given to those men for their votes; you understood it perfectly?—I think that Mr. Johnson, as far as he could, avoided giving me information of that sort.

4090. If it was an ordinary transaction you would ask your partner, naturally, what he was giving this money for; it is because it was not an ordinary transaction that you did not ask him?—I don't think it was necessary that I should ask him, because I suspected—I could not give legal evidence—that it was for the election.

4091. I am only asking your suspicion, and strong belief going far beyond suspicion?—Yes.

4092. If you saw persons from the Commons, I dare say you would be able to identify more of them?—There is one man I have seen since, and I strongly suspect he was one of them.

4093. What is his name?—I think his name was Jeremiah Neill. I would not swear positively to him, but I suspect he is the man.

4094. Now, Mr. White, that accounts for only three—do you recollect having seen any more?—I suppose I have seen them since, but I would not undertake to swear that I knew the appearance of any of the others.

4095. Are you able to give me any further information with respect to the election of 1865?—Well, sir, if I were to tell you all I heard, and all I believe, it would take me two or three days to detail it to you.

4096. That would be nearly as long as the history of the ruins of Cashel?—I do not think I could give you much more legal evidence with regard to it.

4097. Do you know anything with regard to any of the townspeople in 1865?—Do you mean of my own knowledge, sir? I do not.

4098. Well, now give us the strong suspicion that you have. The reason we ask this question is that it may lead us on the track of inquiry?—If I tell you of things connected with parties, they may come up and say that I have told an untruth.

4099. Your answer is that you are under the obligation of an oath here, and that you cannot make any distinction of persons; and no just-minded man can say a word to you. I ask you to give me such information in your power as may lead me on the track of getting evidence?—I did hear of parties who were very strongly suspected of having got money, sir.

4100. Just mention their names, please?—There is one party that I know Mr. Johnson told me did get it.

4101. Who is that?—The person Mr. Laffan mentioned a while ago—Mr. Fahie.

4102. Of the post office?—Yes.

4103. Did you hear some other names mentioned by Mr. Laffan a while ago?—I did, sir, but I cannot remember them now.

4104. Just mention any other names you heard of at the time?—I cannot remember anyone else in the town that I was told by Mr. Johnson that got it.

4105. Now we will come to the election of 1868, if you please. Did you take much interest in that election?—I did not take much interest in it, sir.

4106. Whom did you support?—Mr. Munster.

4107. Were you long supporting him—I suppose from the commencement of his canvass?—I believe from the time he came to the town, sir, that I did.

4108. Were you canvassed by Mr. O'Beirne?—I was.

4109. Were you canvassed by anybody else on his behalf?—I was.

4110. By whom?—I think Mr. O'Beirne, Mr. James Cody, the late Mr. Michael Hanley, and Dr. Coyle came together to me.

4111. Had you at that time promised to support Mr. Munster?—I had not, sir. I was not canvassed by Mr. Munster; I never promised to vote for him.

4112. What answer did you give to Mr. O'Beirne and his friends?—I told Mr. O'Beirne that he behaved very badly towards me.

4113. You had some private reason?—Yes, there is a large sum of money due by him to me at present.

4114. May I ask what it is for?—In connexion with the election of '65.

4115. How much is it, sir?—I am at a loss of about £60 by Mr. O'Beirne.

4116. Was that money spent for him?—It was spent in carrying out an arrangement between Mr. Johnson and me, by carrying on a newspaper in his interest; according to Mr. Johnson's promise to me that is still due.

4117. You still conduct a newspaper in Cashel, I believe?—Yes, sir.

4118. Was that the only occasion on which you had an interview with Mr. O'Beirne?—I met him at the time of the petition here.

4119. With reference to the election of '68 had you any other interview with Mr. O'Beirne at the time of canvassing?—I believe I met him several times during the time he was here, sir, and he sent for me but I would not go to him.

4120. On that occasion that you told him he treated you badly what did he say?—He did not seem to believe me.

4121. Did he understand the cause of complaint?—Oh, perfectly.

4122. Was there any offer made by him to pay that money to you, or by any of his friends?—I think there was an offer made if I would come to him that he would settle with me, but I refused to go near him.

4123. Who made that offer?—Well, I really cannot tell you, sir.

4124. Was it made by any of those gentlemen that were with him when he came to you?—No.

4125. Was it communicated by letter or otherwise?—It was some person—I would not wonder if it was Keeffe, that met me and told me that Mr. O'Beirne wanted me, and I would not go near him. I would not swear positively as to the party that told me.

4126. That is to the best of your recollection?—To the best of my recollection.

4127. You refused to go—I refused to go. I could see that Mr. O'Beirne by his conduct looked on me as

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Mr. John Davis White.

both a rogue and a liar, and I had nothing more to do with him. His conduct was an insinuation of that.

4128. What interval occurred between the time you told him he had treated you badly and the message you got from Keeffe or some other person that he wanted you?—About a week, I should think. I cannot be accurate.

4129. And do you recollect if in the interval you had given your support to Mr. Munster?—I had, sir; but I was not professionally engaged for Mr. Munster.

4130. You voted for Mr. Munster?—I did, sir.

4131. And I suppose you had advertisements for Mr. Munster?—I had, sir.

4132. And you had an account with him, I presume?—I do not think I had for some time after. I do not think I gave any account until after the election.

4133. What is the name of your paper, sir?—The *Cashel Gazette*.

Mr E. H. Biggin.

Mr. *E. H. Biggin* recalled; by Mr. WATERS, Q.C.

4134. The amount of this claim is blank, Mr. Biggin; how much should it be?—I do not know, sir. [Mr. *J. D. White.*—About £20. I got it from Mr. Richardson.]

4135. Have you not got the account?—No, sir; I never saw the account.

4136. Give me claim No. 17?—I have not that claim, sir.

Mr. John Davis White.

Mr. *John Davis White's* examination resumed by Mr. WATERS, Q.C.

4137. Did you send in a claim to Mr. Munster, or anyone on his behalf?—I do not think I did, unless I was asked for it.

4138. Whether asked or not, you got the money?—I got it.

4139. Did you not get a cheque from Mr. Munster himself?—I did.

4140. For £50?—I did, sir.

4141. You got a cheque from Mr. Munster for £50?—That had nothing to do with the election, sir. I should tell you that I had not promised to vote for Mr. Munster, and need not have voted for him if I did not like; and I just voted the very last person, for to confirm the idea, to show that when my vote was of no use I voted, just to confirm the impression on every one that I was not his agent. I never promised to vote for him.

4142. Did you send in a claim for £50?—No, I did not, sir.

Mr. E. H. Biggin.

Mr. *E. H. Biggin* recalled; by Mr. WATERS, Q.C.

4143. Mr. Biggin, how comes this claim by Mr. White for £50? You told me that you wrote this list from the claims sent in?—Off from a list, sir, I wish to add—a list Mr. Richardson had himself.

4144. I understood you to say it was from the claims you drew up this list, and that they were numbered. When I find No. 17 here it is calculated to lead to the belief that there was a claim having that number?—Yes.

4145. Mr. GRIFFIN.—I think you said yesterday that you and Mr. Richardson numbered those claims before Christmas?—We did, when the claims came in.

4146. Mr. MOLLOY.—The list of claims is headed, "List of claims in the order received?"—Yes, sir; that is it.

Mr. John Davis White.

Mr. *J. D. White's* examination resumed by Mr. WATERS, Q.C.

4147. Now, Mr. White, amongst this "list of election claims in the order received," numbered from one to ninety-nine consecutively, I find No. 17, which Mr. Biggin says was numbered by him when received, as follows: "J. D. White"—your name—"service, £50; advertising, £20?"—To the best of my belief I never put in a claim.

4148. On the other side there is, "By cheque, H. M., £50," and "By cheque, G. R., £20." At the first item at the other side, that is, "By cheque, H. M., £50," there is a line drawn across the entry, and this observation written above it, "Cancelled by consent." Did you get a cheque for £50 from Mr. Munster?—I did, sir.

4149. Was that cheque cancelled by consent afterwards?—Mr. Laffan entered into some sort of agreement with me. [Mr. Munster here expressed his desire to leave court, and accordingly retired.] Mr. Laffan called upon me.

4150. Which Mr. Laffan?—Mr. Michael Laffan, in order to engage the advocacy of Mr. Munster's claims in my paper. I refused to undertake the advocacy of Mr. Munster's cause, for more than a fortnight, as I thought Mr. O'Beirne might possibly in that time pay me what he owed me, and behave as I expected he would. At the end of this interval I agreed with Mr. Laffan that I would, in consideration of £50 do so. When it came to Mr. Munster's ears he repudiated the bargain on his behalf as far as he was concerned, so that that matter was cancelled so far.

4151. But did you not get a cheque from Mr. Munster?—Oh, long after.

4152. For £50?—Long after the election was over. I was entirely at Mr. Munster's mercy in the matter.

4153. Was that cheque for £50 in lieu of the £50 you were to have got for advocating his claims?—Well, I suppose it was, sir.

4154. You have no doubt about it, have you?—Mr. Munster need not have paid me if he did not like.

4155. You have no doubt that it was for that purpose?—I took it in that light, sir.

4156. If it escaped your recollection, of course you have no doubt now that you sent in a claim?—I do not think I did, sir.

4157. You do not think you did?—Except that I might have given a memorandum at the time, or something of that sort.

4158. Hearing the evidence of Mr. Biggin, that he took all the claims and numbered them one after another, do you still think you sent no claim?—I might have given Mr. Biggin a memorandum. I did not send in an independent claim until, being asked to do it, I might have written it then and there.

4159. Hearing the evidence on the matter, do you not believe that you must have done so?—I must have given some memorandum to Mr. Biggin.

4160. Which included £50 for services and £20 for advertising?—I think they were entirely distinct, sir. I do not think they were mixed up together. [Mr. *Biggin.*—I earnestly believe Mr. White sent in no

claim, sir. I believe Mr. Richardson wrote it out on the spot there, and said, "I must put Mr. White's in." I do not think Mr. White put a claim in. The fact about Mr. White was, when Mr. Munster saw that book, and saw Mr. White's name, he said, "I have never given assent to this; I shall not pay it, and you will put over it 'cancelled by consent.'"]

4161. This is a cheque you got from Mr. Richardson in payment of an account for advertising?—Yes.

4162. It is dated November, I think?—It looks more like to be March.

4163. In Mr. Biggan's account it is 2nd November?—I do not remember the date.

4164. You got a cheque yourself afterwards from Mr. Munster?—I did.

4165. Did you cash that cheque?—I did.

4166. And you kept the money for your own use, of course?—Yes.

4167. I suppose you cashed it at the bank?—I happened to be in the town of Tipperary next day, and it was at Tipperary I cashed it.

4168. Do you recollect the date?—No, sir.

4169. Could you say about what time it was?—I could not tell you at all, sir.

4170. Do you recollect on what bank the cheque was?—On the Bank of Ireland.

4171. Is there a branch of the Bank of Ireland in Tipperary?—There is. It is not I who cashed it, I should say. I gave it to another person to cash for me. I wanted to pay some head rent, and the bank was closed, and I asked a friend of mine in Tipperary for to pay the money for me to a gentleman in Cahir I had to pay head rent.

4172. To whom in Tipperary did you give it?—Mr. Thomas Quirke.

4173. Was it a cheque on the Tipperary branch?—I think not.

4174. On what branch was it?—I think on the Thurles branch.

4175. The cheque which you got from Mr. Richardson was on the National Bank?—Yes.

4176. Was the other cheque written on an ordinary cheque, or was it written on a plain sheet of paper?—It was written on a lithographed or copper-plate cheque.

4177. You recollect that?—I do.

4178. Mr. MOLLOY.—Did you endorse it, or was it payable to bearer?—I am quite sure I endorsed it.

4179. Mr. WATERS, Q.C.—I think I understood you to say that you withheld accepting Mr. Laffan's offer for a fortnight?—Yes.

4180. And you gave Mr. O'Beirne that fortnight to see if he would treat you properly, and pay you what he owed you?—Yes.

4181. And you would have supported him and acted for him if he had done so?—If Mr. O'Beirne had not by his act shown me that he believed I was making a false claim on him, no money consideration could have got me to change from Mr. O'Beirne; but I will take an insult from no man, sir.

4182. But was not the fortnight that you gave him after the first interview?—No, before he came to the town at all, sir.

4183. Then you must have written to him for it?—I had written to him several times during the interval between the election of '65, and he did not answer until a short time before the election; and by his letter he insinuated that I had been sufficiently paid for any services I had rendered him, and repudiated Mr. Johnson's bargain with me.

4184. Do you know anything of the election of 1868, or of any money paid to anyone, or any consideration of any kind offered, or any promise given, or inducement held out to any voters?—I do not, sir; I was not an agent of Mr. Munster, and I studiously avoided mixing myself up with it.

4185. Has anything come to your knowledge, or have you heard of anything about the election except what we have had before us here?—I think not, sir; of course many persons came to me knowing that I was mixed up with the previous election; numbers of people came to me to speak about it; in fact I have spoken to more than three-fourths of the electors, and they have asked me this and that thing; I have always said "I am not an agent of Mr. Munster, and I am not authorized to offer or promise anything."

4186. Then persons came asking you was there something to be got?—There did, sir.

4187. Tell me the names of those persons who so came to you?—There was a person came to me and told me that he would take my word, and that forty of the Commons voters would vote on my word if I would give it. I said "I am not authorized to do that."

4188. Who said that?—A man named Timothy Shea.

4189. Is he a voter?—He is not a voter. He said he only wanted my word, and that they would vote for Mr. Munster if I gave it.

4190. Did he say what the figure was to be?—He did not.

4191. Had you the curiosity to ask him how much was expected?—I cannot remember, but I remember that circumstance.

4192. And do you not remember if he told you how much the Commons people wanted for their votes?—I do not think they had made up their minds at the time, sir.

4193. At that time, then, they were in entire doubt, not only as to the side at which they would vote, but also as to the amount that would induce them to go either way?—I think so. A great many spoke to me about it; there was a great deal of talk. I told them that I had nothing to do with it, and that I could tell them nothing.

4194. You told them that you had nothing to do with it, and that you could not tell them anything about it; that implies that more than Shea came to you?—A next door neighbour of mine, who is gone to America now—a man named Noonan—was amongst them.

4195. Do you recollect anybody else?—There were several other persons spoke to me. I cannot remember their names now, sir. It was not exactly demanding that I should see about it, but just common conversation.

4196. I ask you who were the voters that came to you asking your directions as to whom they should go in order to get money, or anything of that kind?—I cannot mention any other person, sir.

4197. Mr. GRIFFIN.—Did Jeremiah Meehan come to you?—None of the Commons people came that year.

4198. Mr. MOLLOY.—Where does Jeremiah Meehan live?—In Cashel, not far from this; he is a tailor. He was an active agent for Mr. O'Beirne at a former election under Mr. Johnson, and that is the reason he was so well acquainted with the Commons people, and I suppose that is the reason they trusted him as a messenger. I should say, sir, that it might possibly have been a trap, because he was very much interested for Mr. O'Beirne at the last election, and in both elections he was the sincere friend of Mr. O'Beirne.

4199. At what time did he come to you?—I suppose, probably, a week before the polling. I should not wonder if it was a trap to catch me.

4200. I wish you would try and recollect any other names for me. I shall ask you again?—Very well, sir.

Nicholas Burke sworn; examined by Mr. MOLLOY.

4201. Were you employed for Mr. Munster at the last election?—I was, sir.

4202. You were a door-keeper?—I was, sir.

4203. Do you know Pat Mackay?—I do, sir.

4204. Do you recollect being sent on a message to Mackay the Sunday before the election?—I do, sir.

4205. Who sent you on the message?—Mr. Michael Laffan, sir.

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4206. What was the message that you delivered to Mackay?—I went to Mackay by the order of Mr. Laffan; only "would he stand word for his house," not knowing what the word was. When I went to Mackay, Mackay told me that Mr. Laffan before passed him by down at the other side of the street, not telling him what to do nor coming to console with him, and for that reason that he gave his vote to Mr. O'Beirne, and would not break his word for the full of his hat of gold. I turned on him and I said, "Begor, if I had a house I would give it to anyone," not having any privilege to say it; that is truly what I said; "any money you want for your house you will get it;" just out of my own head I said that, sir.

4207. Mr. Griffin.—Was it Mr. Michael Laffan that sent you?—Yes, sir.

4208. Mr. Molloy.—The message you were desired to give him was, "Would he stand word for his house"?—Yes, sir; and he made the reply to me that Mr. Laffan passed him by and did not come to console with him, and he pledged himself to Mr. O'Beirne, and would not break his word for the full of his hat of gold.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled by Mr. Waters, Q.C.

4209. Mr. Laffan, you have heard what that man said?—Yes.

4210. Do you recollect what he says having taken place?—I do not. I do not like to say it is not the truth, as he is after swearing it.

4211. There was a negotiation between you and Mackay?—If I were asked before I heard his evidence, unquestionably I would say I never sent him.

4212. You are not certain, now?—I am not certain.

4213. There was a negotiation with Mackay for his house?—There was. After Mr. Munster was announced as candidate, and I was retained for him, one of the first things I did was to consider where we would take committee rooms. The first persons applied to were Ryan and Murnane. The negotiation failed there, and then I went to Mackay. This was about the 21st or 22nd September. I asked Mackay would he let us have the rooms, for they were John Lanigan's committee-rooms. He was willing to let us have them, but he wanted to have fifty pounds, which I thought too much. Accordingly the negotiation came to nothing. I read or heard that he said I offered him twenty-five pounds; but I do not think I made him any offer, because I thought the amount too large. I did not go further with the negotiation, and I did not go afterwards about the house. As he says, I passed him by without seeing him about it. We took Mrs. Corcoran's as a committee-room.

4214. You are not prepared to contradict what he says about the offer of £25?—I may have said to him, "Would not £25 be enough."

4215. What did you pay for those rooms when Mr. Lanigan had them?—Twenty pounds. Those were then our committee-rooms.

4216. Mr. Griffin.—You had not agreed to give fifty pounds to Ryan?—I had not agreed.

4217. It was agreed by somebody?—It was agreed. I am quite sure that the first time I sent for Ryan, and we talked about the rooms, I must have made him some offer, but I know he wanted an exorbitant sum.

Denis Geary.

Denis Geary sworn; examined by Mr. Waters, Q.C.

4218. You are an elector of Cashel, and voted for Mr. O'Beirne at the last election?—Yes, sir.

4219. You have some bills or notes to give me?—I have, sir.

4220. Produce them if you please?—The number is six, with a draft I got from Mr. Johnson. [He hands them in.]

4221. Do you recollect the date of the election of 1865?—I think it was about the 6th July, 1865, to the best of my knowledge.

4222. These are all bills for £30?—£30 in each case makes £180 the six.

4223. They are all dated 22nd June?—Yes, sir; that is about three weeks before the election, I think.

4224. Did you get the £180 from Mr. Johnson?—I did, sir.

4225. And you paid it, I suppose, in sums of £30 each to each of those men?—I did, sir.

4226. Do you know where those men then resided?—Yes, sir, I do—the Commons, Cashel.

4227. All of them?—I should think so, sir.

4228. Where did Michael Carew live?—He was in the Commons, Cashel, sir.

4229. He was a voter—was he not?—He was, sir.

4230. And he lived in Lawlor's lot?—That is on the Commons, sir.

4231. Who was John Carew?—A brother of his, sir.

4232. He was also of Lawlor's lot, and he was a voter?—He was, sir.

4233. Michael Ryan, rated as John Dwyer and Michael Ryan, was a voter also?—He was, sir.

4234. Did James Dwyer also live on the Commons?—Yes, sir.

4235. And he was a voter?—Yes, sir.

4236. Daniel Dwyer also lived on the Commons, I presume?—Yes, sir.

4237. And was a voter?—Yes, sir.

4238. John Dwyer also lived on the Commons?—Yes, sir.

4239. And was a voter?—Yes.

4240. Mr. Johnson gave you that money?—He did, sir.

4241. And he told you that those men would call to you?—Yes, he called, I believe, on the 22nd, in the morning, about ten o'clock, to my house.

4242. And he left these drafts with you?—He did, sir.

4243. And told you that those men would call?—He called for pen and ink when he came in on the 22nd June, 1865. He walked into my kitchen. I gave him a pen and ink, and he wrote a draft and gave it to me with his own hand in my kitchen. I gave the money.

4244. Have you told us all that passed?—There was nothing more, sir; I had no previous conversation with him about it.

4245. You have told us you say, all that passed when he went into your house?—I did, sir.

4246. You knew what it was done for?—I knew that there was an election pending, and I also knew that I saw an advertisement in John Davis White's gazette; I don't know was it £5,000 was there; and to make application to Charles Frazer Johnson. I had no intimation of whether he was going to give me the money or pass the house.

4247. I assume from your not asking any questions of Mr. Johnson that you knew what it was about?—It was an unforeseen incident.

4248. You did not expect that he was coming?—No; no intimation.

4249. He walked in and gave you £180, and told you that those men would call?—Exactly.

4250. You did not ask him any question?—No question whatever either from him or the voters.

4251. You knew it was for voters, and to be given to them for their votes?—I cannot swear that; I had no intimation previously of the fact.

4252. Listen to me; do you believe that you are alive to-day?—I do, sir.

4253. Do you as firmly believe, that that money

was for those voters, for their votes, on that day?—I might guess at it.

4254. Of course you cannot positively swear, because you did not ask any question; but are you not as sure as you are of being alive that that money was a bribe?—If I was to give my belief, I would believe it was for this purpose.

4255. So does every man that hears you believe it to have been. You did not stop any discount?—Nothing whatsoever.

4256. You gave them the thirty pounds each, and even paid for the stamps for them?—Out of my own pocket I did. I never had drawn a bill in my lifetime before, and previously these things were strangers to me. There were stamp bills handed to me by some of the parties; then I sent to the post office for six penny stamps and put them on.

4257. The next time you are going to draw a bill—I do not say for the same purpose, because I do not suppose you will again undertake such a commission?—I do not think I will.

4258. Listen to me; remember the next time that a postage stamp will not suit. These were never intended to be put in force?—I cannot swear that.

4259. They have remained since in your possession?—They did, sir.

4260. Mr. Johnson never asked them from you?—He did.

4261. When?—About three or four weeks after the election he said, "Geary will you give me those bills?" "I will not, indeed," said I; "I think they are in good care." He went down stairs and never said another word.

4262. Why did you not give them to Mr. Johnson when he asked you for them?—On second conclusion I believed something was going to transpire. I saw the position that I stood in, and I was determined that I would not make myself the accomplice of Mr. Johnson or any other man.

4263. Did any of those men whose names are written in those bills, ever come to you and ask you to give them up?—One did.

4264. Who was he?—Michael Carew.

4265. When did he come to you?—I cannot exactly swear. I swore at the election petition about three or four weeks. I cannot recollect everything. He asked the bill however.

4266. Do you know is he a voter now?—He is, sir.

4267. Do you know for whom he voted at the last election?—I swore at the election petition that I did not know who he voted for, but I hear since that he voted for Mr. Munster.

4268. I suppose you know that he voted at the election of 1865 for Mr. O'Beirne?—I heard so; I am aware of it.

4269. This man, Michael Carew, came to you, you say, and asked you for his bill?—Yes, he came to me, and asked me for the bill three weeks before the election. I refused to give the bill.

4270. Before the last election?—Yes, sir, before the last election.

4271. I suppose he did not offer you any money?—No, nor I did not require it.

4272. But he did not offer you any?—Certainly not.

4273. Did he say what he wanted it for?—He did not say particularly what he wanted it for.

4274. What did he say to you?—"Mr. Geary," said he, "you had better give me that bill." "Do you mistrust me," said I; "I will not give it to you." He felt angry and went down stairs.

4275. Did he say how he was going to vote at the election?—He did not say, sir, nor what his intentions were at the time he required the bill.

4276. Did he give you any reason whatever for wishing to have this document?—He assigned no reason, but asked it in a plain demand; that is all.

4277. And he did not give you any reason for wishing to be possessed of it?—He did not state any reason to me. He said, "give me that document; you have it quite long enough."

4278. He did not say that he had paid the amount of it?—Never, and I did not question him either.

4279. You put in here the name, "John Whelan, or order, 44, Main-street," who lived there?—I have never ascertained before or since where 44 Main-street is. I know the house I live in has no number.

4280. Do you know anything of John Whelan?—Never knew anything about him.

4281. Do you know any person of the name?—I know John Phelan, but that is Whelan.

4282. I suppose they are the same?—I think they are.

4283. Who is John Phelan of Cashel?—He deals in cattle, and is also a money lender, I have heard.

4284. Was his name put in these bills because he was a money lender —— ?—I do not know.

4285. To give them the appearance of ordinary money bills?—I do not know.

4286. Did you suspect that?—I never suspected it, I had no cause for suspicion.

4287. Did you take much interest for Mr. O'Beirne in the last election?—In the last election, sir?

4288. Yes, the election of 1868?—I warmly supported him; as warmly as any man in the world could do.

4289. I am sure you will tell me candidly, and at once, if you believed or suspected when Michael Carew came to you to get the bill, that he was going to vote for Mr. Munster?—I did not believe any such thing, sir; I could not, sir.

4290. Did you keep it as a check over him?—If I had done it in my mind, it was an act of my own to hold a threat.

4291. Was it in your mind?—It might have occurred to my mind.

4292. It occurred to me now?—It is just rational, sir.

4293. You wanted to keep it over him in that way, and then he got angry with you for not giving it to him?—He asked the bill before, I will not say several times; but he asked it previous to the election, and I refused it.

4294. In point of fact, according to your belief and suspicion he wanted to be free?—It looked like it.

4295. And that was what you believed?—Well, to a certain extent, I did believe it.

4296. I believe some of those persons are dead?—There are two, sir, I have heard.

4297. Who are they?—Michael Ryan and John Carew.

4298. The names of the others are Michael Carew, James Dwyer, Daniel Dwyer, and John Dwyer?—Yes.

4299. Now tell me candidly if you know of any money to have been going at the last election?—Not to my knowledge.

4300. Some of your neighbours may have told you?—I did not hear of any.

4301. You did not hear of any?—I heard there was money. The fact is there were so many reports about money, it was impossible to know. For eight weeks, previous to the election, there was nothing but the talks of money.

4302. Going on which side?—It was talked of on both sides.

4303. On both sides?—Yes, on both sides.

4304. I suppose you had many conversations with your neighbours, who were voters?—I had, sir.

4305. And was the general conversation about the money that was going?—Some talked of Mr. O'Beirne's career in Parliament, and said it was good; and others said that another was coming to contest it with him.

4306. You frequently heard them speaking of the amount of money would be going for votes: you told me that money was, for weeks, the topic of conversation?—I admit that still.

4307. I suppose that occasionally the amount was named?—Some talked of the old figure of 1865.

4308. What figure did they say?—Some said thirty pounds.

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October 8.
Denis Geary.

4309. Did some say that there would be more than the old figure this time?—I never heard it. I was not in the market of any class to hear what was going.

4310. You are a warm supporter of Mr. O'Beirne?—No more warm supporter.

4311. You admit that you wanted to keep Michael Dwyer to his traces, if you could?—The fact is there was a bill. I never coerced.

4312. Gentle moral pressure?—Well, there might be a great deal of gentleness about it, but I never attempted to exercise it.

4313. As you were such a warm supporter of Mr. O'Beirne, as you state yourself to have been, you might have heard of what was going on at Mr. Munster's side?—I never heard from Mr. Munster. I never spoke to the man. He called to me trying to canvass me.

4314. I did not mean that; what I meant was that you must have heard of the amount of money going on Mr. Munster's side, because it was talked of, according to your own admission, as going on both sides?—Yes, I heard it as street talk.

4315. Did you hear it in conversation with any persons in particular?—The night Carroll came to my shop before the election—I do not swear whether Maloughney came in with him or not—Carroll made a statement about an envelope he had in his pocket with money in it. He went up to Grace's and gave it up the same evening, I believe.

4316. Was there anything else that we have not heard of?—I do not know, sir; I am not aware, sir.

4317. Do you know Simon Tracey?—I do, sir.

4318. I dare say you had some talk with him?—During the election?

4319. Yes, about the election?—Very little I talked to him. I met him during the election.

4320. He was taking an active part for Mr. O'Beirne?—He might be doing the best he could.

4321. He says himself that he was not?—I really don't know.

4322. Did you hear of his getting £60?—I heard it at the election petition.

4323. But you heard it before then surely?—That may be; I don't recollect it.

4324. Would you be surprised at his getting £60 for himself?—I don't know what men might do at the spur of the moment.

4325. Would you not be surprised at his getting it for himself, he not being a voter?—That depends on the means of the man coming into the field.

4326. Would you not be surprised at his getting £60 from Mr. O'Beirne?—I couldn't say.

4327. Were you not surprised at hearing it?—Of course, in the common-sense view of the matter a man would be surprised, seeing the amount of value that might be given.

4328. Did you hear at any time the two voters for whom the money was?—I have not particularly heard it.

4329. Tell me what you heard about it?—After the trial of the election petition it was said Lamb and Kennedy.

4330. Did you hear it before the election petition?—No. There is also another thing—I heard of money being given. There is a man named Coffey, I believe, who is gone to America. There was something assigned to him in the way of money when going.

4331. Tell us of somebody that is here and that is not gone to America?—I assure you my hours of business are rather long and severe, and I attach more importance to my business than to electioneering. I do not go on a platform to make my living by electioneering.

4332. You were one of those who entertained Mr. O'Beirne at a dinner?—Yes, sir, I was.

4333. Was that an entertainment to be paid for by the persons at the dinner?—I thought so, sir. I did pay.

4334. You did pay?—I think so, sir. I gave it.

4335. Did you ever hear that Mr. Munster sent out a bill, and that it was posted and circulated, offering to indemnify all parties who had given illegal bills at former elections, against any action that could be taken against them?—To the best of my opinion I never heard that there was any such placard. I never heard it to my recollection. No, no, no.

4336. Mr. MOLLOY.—Do you know what houses Mr. Munster had taken in Cashel at the last election?—I couldn't swear, sir.

4337. What houses did you hear he had taken?—Corcoran's hotel I heard in one case.

4338. Did you hear of any other?—I really don't know.

4339. Do you know a Mr. Flynn in Cashel?—I heard Coffey's house was taken.

4340. Do you know Mr. Flynn in Cashel?—No.

4341. Do you know any voter of the name of Flynn in Cashel?—No, I do not. Oh, I do; a poor-rate collector. Yes, I do.

4342. Is his mother living?—I am not aware.

4343. Is he married?—Yes.

4344. Do you know Mr. Jerome Scully?—I do; but he doesn't live in Cashel, if he is the man you mean.

4345. What relation is he to Mr. Denis J. Scully?—Brother, I suspect.

4346. Do you know Edmond Walsh of Main-street?—I do.

4347. Has he a brother named James Walsh?—He might. He has two or three sons in Dublin; but I am not aware he has a brother in Cashel of the name of James.

4348. Is there a James Walsh in Cashel a voter?—There is, sir.

4349. Has Edmond Walsh any member of his family named James Walsh?—I am not aware, sir.

Mr. William James O'Brien.

Mr. *William James O'Brien* recalled by Mr. WATERS, Q.C.

4350. Have you got the letter?—I searched for the letter; it is either lost or mislaid; it has not been found; I asked the manager; it was from the Shelbourne Hotel in Dublin he wrote to me not to pay any more cheques at present.

Dr. Daniel Moloney.

Dr. *Daniel Moloney* sworn; examined by Mr. WATERS, Q.C.

4351. You wish to make a communication I understand; what have you got to say?—It was imputed by Mr. Laffan, I heard, that I was one of the parties that were bribed in this election, or the last, or both, I do not know which—that there was something to that effect; I am here now to answer any question.

4352. We are here to hear anything you have to say?—Well, I received no money for my vote at either election.

4353. By Mr. GRIFFIN.—For whom did you vote in 1865?—Mr. O'Beirne.

4354. For whom did you vote at the last election?—For Mr. O'Beirne.

4355. For whom in 1859?—I was not in Cashel in 1859.

4356. I presume you wish to be asked whether you received any inducement for your vote at the last election?—No.

4357. No inducement of any kind?—No inducement of any kind. I had an appointment from Mr. O'Beirne made immediately after the election of 1865, to attend the poor people of the Commons, at a salary of £25 a year—everybody knows that.

4358. The voters you mean?—No, he did not mention the voters.

4359. How much did you get for that?—£25 a year.

4360. When was that appointment made?—It was made immediately after the election of 1865.

4361. When was the idea of such an appointment first suggested to you?—After the election.

4362. When did you promise Mr. O'Beirne to vote for him?—The very first day he called on me in 1865; I think I must be amongst the first to promise him.

4363. Before the election did Mr. O'Beirne intimate anything of his intention towards the poor people of the Commons?—No.

4364. Was the first you heard of his intention to provide for their medical wants, after the election?—About an hour or two after his being declared.

4365. What did he say to you when he proposed that appointment?—He said for my kindness and promptness in telling him at once that I would vote for him, he would pay me some compliment or contribute to my dispensary; I told him that the dispensary was under the poor law, and he could not do it that way. "I have it," said he; "I will pay you for attending the poor people of the Commons." I thanked him. "How much shall it be?" said he. "Anything you like," said I. "Well," said he, "let it be £25 a year."

4366. How long have you been paid it?—For two years—1865 and 1866.

4367. How often do your duties as medical officer take you through the Commons?—Very often; it is my dispensary district.

4368. If any of those people were ill, and got dispensary tickets, it would be your duty to attend them as dispensary doctor?—Not to all the Commons; there is a large portion of the Commons not in my district at all.

4369. How large is the portion of the Commons which is not in your dispensary district?—I should say it runs about a mile and a half out of town.

4370. Is it a populous district?—Well it is; like the rest of the Commons.

4371. How often, on an average, does your business take you to that part of the Commons?—There is scarcely a week that I am not out there.

4372. Is there scarcely a week that you are not obliged to go to the Union Dispensary part of the Commons?—I have to go through the other portion to get at the dispensary portion.

4373. Therefore it is in your way to the dispensary portion?—It is.

4374. Do you often stop at the portion of the Commons that is not the dispensary part, without going on?—No, unless I am professionally required.

4375. Have you ever gone to the portion of the Commons not in your dispensary district, without going on to the other portion?—frequently.

4376. Does it occur often?—It occurs in a casual way.

4377. And when Mr. O'Beirne said he would like to pay you some compliment for your kindness in voting for him, he mentioned that he would contribute to the dispensary, and you told him he could not?—I told him he could not; that it was under the poor law.

4378. That it would be better to give it to you directly?—I gave him no hint at all in any way.

4379. I suppose you thought in consequence of his kindness on that occasion, that you ought to vote for him at the last election?—That coupled with other matters—being a useful member.

4380. Mr. MOLLOY.—What is the name of your dispensary district?—Tullansay.

4381. And what is the name of the dispensary which forms a portion of the Commons but is not belonging to yours?—Cashel, I think.

4382. Do you know that the part of the Commons not belonging to your dispensary district is in the Cashel division?—I should say Cashel.

4383. Is not the Commons all in one poor law division?—I think so; I am not sure. Killeenasteera is in it also.

4384. Mr. GRIFFIN.—Who is the medical officer of the dispensary district in which the other part of the Commons is situated?—Dr. Cormac.

4385. Is he a dispensary doctor also?—Yes.

4386. Mr. Munster wishes to have you asked did you ever sell a horse to him?—Not to him, but to Captain Byrne.

4387. That was for Mr. Munster, I presume?—It was.

4388. I suppose you have seen him since?—Frequently.

4389. We are asked to inquire from you how much you sold him for?—£55.

4390. Who paid you that £55?—It was Mr. Michael Laffan.

4391. Was it by cheque?—I think it was a deposit receipt of his own.

4392. You think it was a deposit receipt of Mr. Laffan's own?—Of Mr. Laffan's own, as well as I remember.

4393. Mr. WATERS, Q.C.—You understand, of course, the difference between a deposit receipt and a cheque?—I swear it was a deposit receipt.

4394. When was the sale made?—I do not recollect the date of the sale.

4395. Did you cash the deposit receipt yourself, or give it back to Mr. Laffan?—No, I got cash for it in the bank.

4396. There is another question we are asked to put to you. What did you give for the horse?—£14.

4397. You made a good profit on him?—I did.

4398. When did Captain Byrne buy this horse from you? It was before the election, of course?—Before the election.

4399. I suppose you would not think it fair to ask you was he worth £55?—He was not worth it at the time, but I think he would make a good strong hunter.

4400. How much was he worth at the time that you sold him?—I bought him not a fortnight before for £14, and his value was not greatly increased, I should say, up to that.

4401. I am requested to ask you did you ever say that Mr. Munster had attempted to bribe you?—I never spoke a word to Mr. Munster in my life.

4402. Did you ever say or circulate that he had attempted to bribe you?—I will not say that I did or did not, because there was a great deal of idle conversation going, and I might have taken part in it.

4403. Do you know to what this question points? Did you ever boast that Mr. Munster had attempted to bribe you?—I am not aware that I did.

4404. Did you ever say it?—I may; I will not swear that I did not.

4405. Therefore it is likely that you did?—It is quite possible.

4406. To what did you refer if you said that Mr. Munster had attempted to bribe you?—I must be referring to the horse—to what was paid for the horse. If I said so I have no recollection of it.

4407. Mr. GRIFFIN.—The Captain Byrne of whom you speak is Mr. Dudley Byrne?—He is called Dudley.

4408. At the time he bought the horse from you had you any conversation about the election?—None whatever.

4409. Does Captain Byrne know much about the value of horses?—I cannot say.

4410. Were you under the impression that the reason you got this price for your horse was with the view of influencing your vote?—Well, I should say Captain Byrne would be the best to answer that.

4411. Do you think his intention in giving you that high price for the horse was to induce you to vote for Mr. Munster?—I should say that that had something to do with it; otherwise he would not.

4412. Do you think he knew it was too much?—I should say he was not worth so much.

4413. Do you think Captain Byrne knew the horse was not worth so much?—I cannot say.

4414. How much did you ask?—£60. I had no horse but one at the time, and from the time the horse went away I had to take a car.

4415. Did he ask you where you got the horse?—I do not think he did.

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October 8.

Dr. Daniel Moloney.

4416. Did he close at once for the horse at £55?—Yes.

4417. How old was the horse?—I could not tell you.

4418. Did you look at his mouth?—I am not a judge of a horse's mouth.

4419. Was he so old that no person could tell his age?—I am not sure. Mr. Munster has him still; I saw him to-day.

4420. Had Mr. Patrick Laffan anything to do with this bargain about the horse?—He was with Captain Byrne.

4421. Is Mr. Laffan a good judge of a horse?—I cannot say I am sure.

4422. You say that Mr. Byrne said nothing to you about the election at the time?—Not a word.

4423. Did Mr. Laffan?—No.

4424. Mr. Laffan was canvassing I believe for Mr. Munster?—He never asked me to vote for him.

4425. But Mr. Laffan was canvassing was he not? I had seen him going about.

4426. He knew you were a voter?—He must have known that.

4427. Did he not take advantage of that opportunity of the purchase of the horse, to say anything to you about your vote for Mr. Munster?—He never said a word about a vote at all.

4428. Were you never canvassed for Mr. Munster?—No, I do not think I was. Mr. Munster left his card at my place when I was not at home.

4429. Were you ever canvassed by any of Mr. Munster's friends, for Mr. Munster?—I will not swear that I was.

4430. Will you swear that you were not?—I have not the slightest recollection of being canvassed by any person, except I might have mentioned the matter to Michal Laffan. He might have said something to me about it.

4431. Was that after the purchase of the horse?—It was before and after.

4432. He asked you both before and after?—He asked me after, I recollect distinctly, if I would go to the Commons with him, and I then told him that I did not intend going to the Commons with a person I intended to vote against.

4433. Did he say, "Then what made you take £55 for that old horse?"—He said nothing of the kind.

4434. Mr. WATERS, Q.C.—You said that the sum of £25 a year for attending the poor people of the Commons was only paid for two years?—Two years.

4435. Have you continued doing the same duty since?—I gave it up.

4436. You gave it up after the two years?—Not exactly after two years.

4437. If Mr. Munster gave you £40 a year for attending at the opposite end of the town, would you have voted for him?—I swear I would not. I think it would be derogatory to have supported one man but not to continue.

4438. But when your pay was stopped?—I swear distinctly it was not the pay that made me vote for him.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* tenders himself; examined by Mr. WATERS, Q.C.

4439. What do you wish to state?—Dr. Moloney applied to me for payment for the horse. I had exactly a deposit receipt for the amount, and handed it to him, and I afterwards got the same amount by cheque. I think Dr. Moloney was going to some other fair to buy another horse. My recollection is, that the cheque was drawn before, but that the gentleman to whom the cheque was payable was not there to indorse it.

4440. How were you paid the £55?—By this cheque.

4441. Which cheque?—A cheque drawn by Mr. Richardson, payable to Mr. Edmond Leahy. Mr. Leahy was not there to indorse the cheque. Dr. Moloney told me "You ought to pay me; I want to go to the fair of Clonmel." I had exactly the sum of my own lodged in the bank, and I gave him my deposit receipt. Afterwards they replaced the deposit receipt by lodging the amount of the cheque.

4442. We asked Mr. Richardson about this matter, and he said he gave a cheque in the name of Dr. Moloney for the price of the horse, and that the money was never applied in payment for the horse. It appears that there was a cheque drawn for Dr. Moloney; now what became of that?—I am quite sure the bank books will show it.

James Cullen.

James Cullen sworn; examined by Mr. MOLLOY.

4443. What is your father's name?—William Cullen, sir.

4444. Where does he live?—Lower Gate, sir.

4445. He is a voter?—He is, sir.

4446. Were you employed at the last election?—I was, sir.

4447. For whom?—For Mr. O'Beirne.

4448. What were you to do?—To go about the streets.

4449. What were you to be doing in the streets?—Watching Mr. Laffan and all the Munsterites.

4450. Now what were you paid?—One pound.

4451. Was that all you got?—That is all.

4452. Did you get it in one sum?—I did, sir.

4453. Was it the day you were employed that you got it?—No, sir, a few days after.

4454. Who gave it to you?—Mr. O'Beirne's valet, Henry Raven.

4455. Who employed you?—Mr. O'Beirne himself.

4456. Did he tell you who was to pay you?—He told me the valet would give me a pound.

4457. When you went to the valet what did you say?—Mr. O'Beirne was after telling him, and I told him I wanted the pound Mr. O'Beirne gave orders to him.

4458. How did your father vote at the election?—For Mr. O'Beirne.

4459. How did he vote in '65?—He had not a vote in '65.

4460. What was your father to get for his vote?—I don't know.

4461. Did he get anything to your knowledge?—Not to my knowledge.

4462. How many days were you employed?—Either ten or eleven.

4463. And you only got a pound?—That's all.

4464. Do you expect to get anything more?—Well, I don't know. I sent in a bill for £5. I don't know whether I will get it or not; but I suppose it is "out of sight out of mind" with Mr. O'Beirne.

4465. Were you promised £5?—No, I was not.

4466. Did the valet tell you that that was only part payment?—He did not; I only chanced the bill.

4467. Had you any talk with your father about how he was going to vote?—I had not.

4468. Did he tell you how much he got on account?—He did not, sir.

4469. Had you any talk about the money that was going?—I had not, sir.

4470. Tell us what talk you had with your father about the money he was to get?—I never said a word to him, nor he never told me.

4471. Did you never talk about the money that was going, and about what he was to get?—He did not tell me.

4472. Did he not tell you, that now he would come in for his share of the money that was going at the election?—He did not tell me any such thing.

4473. Mr. Waters, Q.C.—Would your father have taken money if it was offered to him?—It was offered to him.

4474. By whom was it offered to him?—Mr. Pat Laffan.

4475. When?—Before the election.

4476. Were you present when he came in?—He did not come, but he sent for him.

4477. Who came?—Pat Cunningham.

4478. And your father went up?—Yes.

4479. Are you working with your father?—I am, sir.

4480. Is your mother living?—No, sir.

4481. What did your father say when he came back?—I was not there when he came back.

4482. You know that is not an answer to my question. I want you to tell me when you saw your father after he came back, what did he say to you?—I do not think he told me anything about it at the time.

4483. He told you some time or other. Tell me what he said. You know you are sworn to tell the truth. You saw him after he went to Mr. Laffan, and he told you what Mr. Laffan said to him?—I do not think he said anything to me about what Mr. Pat Laffan said.

4484. Well, about what somebody said?—He did not tell me anything.

4485. He told you something about the votes, and money for voting?—I think he said he would get money.

4486. How much?—He did not mention.

4487. Did he say at any time how much?—I think I heard him say once £15 pounds, but not that time.

4488. When was that?—After the election.

4489. Was it to be got from Mr. Munster or Mr. O'Beirne?—From Mr. Laffan.

4490. Why did he not take the £15 pounds from Mr. Laffan and vote for Mr. Munster?—I do not know.

4491. Ah! you do. You may as well tell us at once?—I do not know, sir.

4492. Did you never hear your father speaking of it?—Never.

4493. I think you could tell me if you liked?—I could not, sir, indeed; if I could I would tell you.

4494. When did your father promise to vote for Mr. O'Beirne?—I think about a fortnight before the election.

4495. Was that before or after Mr. Pat Laffan sent for him?—I believe before it; I am not sure now; I do not know.

4496. You say that your father never told you he was offered any money for voting for Mr. O'Beirne?—Not to my knowledge.

4497. Or that you recollect?—No, sir.

4498. Are you sure that you never heard what he was to get from Mr. O'Beirne?—No, I never heard.

Timothy Shea sworn; examined by Mr. Waters, Q.C.

Timothy Shea.

4499. I believe you are a tailor?—Yes, sir.

4500. And not a voter, I believe?—No, sir.

4501. You were a very active agent for Mr. O'Beirne, I believe?—Not on this occasion.

4502. Well, on what occasion?—I was busying myself on behalf of Mr. O'Beirne on this occasion, but I was not employed by any person.

4503. That is exactly what I asked you or something tantamount to it. You were actively engaged for Mr. O'Beirne at the last election?—Not actively engaged, sir. I was not engaged. I was not employed, sir, and so I was not very active on his part.

4504. Do you know Mr. White?—I do, sir, this thirty years.

4505. I suppose you heard that he was examined here to-day?—I did not, sir; I heard a rumour of it. I got a summons, sir.

4506. Mr. White told us to-day that you called upon him, and told him that forty of the Commons people would vote if he gave his word?—Well, sir, I have no recollection of it.

4507. Ah, you have?—I have not, sir, upon my word, I will just tell your worship. When I passed the savings-bank and passed Mr. White, himself and myself are very good friends for the last fifteen years, I was at my own door and he was coming to the savings-bank, and I went over, talking to him on the merits of the election, and he says to me, "Are you retained," he says, "yet?" "No," says I, "I am not retained." "Did you get your money," says he, "that was due in '65?" "I got a portion of it," says I, "but I did not get it all." "Well," says he, "what do you intend for to do now?" "I do not know," says I, "I am employed by no person; if I got my money I might change my mind," but I did not change my mind.

4508. That is, the money that was due since '65?—Yes, sir, it was due to me by Mr. Johnson. "Well," says he, "I will endeavour to get you employed if you consent." "Well," says I, "I am employed by no person; but do," says I, "if you can." I said that out of a joke, not intended to be employed by Mr. Munster.

4509. You do not mean to tell me that you would refuse Mr. Munster's good money?—Well, sir, I am on my oath, and before your worships and before God, if Mr. O'Beirne was as poor as a church mouse I would not, I would not renaig him; at the same time I am under no compliment to him.

4510. What is the reason that you were not paid by him in '65, if you had such warm sentiments for him?—He promised repeatedly to pay me, but I believe he was so poor that he could not pay me, and my bill, sir, was suspending; in fact I sent in a bill but I was suspending without payment until '68. Mr. Johnson pledged himself to me that he would pay me.

4511. Were you paid anything in '68?—Not a farthing, sir, but what I earned in '65.

4512. Were you paid any balance in '65?—I was paid £25 in '68.

4513. When were you paid the £25?—A part when Mr. O'Beirne came to town, and part some time before the election was over.

4514. Who paid it to you?—Mr. O'Beirne paid me a part of it. I went up one day, determined for to get it and he sent it out to me by his valet.

4515. How much did he send out?—£10, sir.

4516. Did you see Mr. O'Beirne himself?—I did not. Previous to that I asked it of him in the street.

4517. What did he say?—He says, "Shea," says he, "I will see about it," says he.

4518. Did you say anything to him about the Commons at that time?—No, sir, for I intended not to interfere in it at all only as little as I could. I had to do business over and hither, and I was only going about the town on his behalf, that is all.

4519. And you worked for him?—I did, sir.

4520. But at the time that you were speaking to Mr. White you had not got it all?—The best of my opinion I got the whole at this time.

4521. Finish what you said to Mr. White?—I met him at the savings-bank and he asked me was I retained. "No," says I, "I am retained by no person; perhaps" says I, "you could get me retained; you have no right to go against Mr. O'Beirne this time." We were speaking previous about Mr. O'Beirne and he told me he was badly treated by Mr. O'Beirne, "and you were badly treated," says he, "by Mr. O'Beirne." "We cannot help that," says I, "but you know as a liberal he was superior to any man returned here, and if we want a good representative, and a flowery speaker in the House of Commons, we ought to support him."

4522. What did you say about the Commons people?—"Well," says he, "how does the Commons go?" he says to me, "Well," says I, "I do not exactly know; I was not talking to any of them," says I, "but I think they are inclined to vote for Mr. O'Beirne."

FIFTH DAY. October 8. Timothy Shea.

"Well," says he, "I think the Commons people would depend on me." "Well, I think so," says I. "What do you think?" says he, "I suppose so," says I; "they have a great wish for you; I hear them speaking very respectful of you from time to time."

4523. Then you were talking about the Commons people?—That is all the conversation we had about the matter.

4524. Did you say that you thought the Commons people would take his word?—I did not mean anything in the way of money by it.

4525. What did you mean?—That they would go along with him, that they had a great wish for him.

4526. And that they might rely on his word?—I said that they might. He introduced the matter first. "Well, I suppose so," says I, "I hear them speaking of you repeatedly, very respectful."

4527. At first you told me that you did not say anything about the Commons people at all; but your memory is getting better. Mr. White swore to-day on his oath that you and he had this conversation, and that you said to him that forty of the Commons people would take his word, and vote?—I have no recollection, your worship, whatever, direct or indirect.

4528. If Mr. White swore it you would not contradict him?—Not the Commoners, sir, or people of the Commons. I know the Commons since I was born.

4529. And therefore you know the Commoners?—I was out there on the cars, sir, with Mr. O'Beirne.

4530. When was that?—Previous to the election.

4531. How often?—Three or four times, I suppose; I went out once or twice on the cars, and on another occasion.

4532. What was the figure there for the election of 1865?—I do not know, sir.

4533. Ah, you do, man! Sure we all know it now. Tell the truth, was it thirty pounds?—On my oath I don't know, sir.

4534. Do you mean to swear that you do not know that thirty pounds was given to the Commoners for the election of 1865?—I heard it, sir. It was generally believed, sir; but I had no money to give to no people.

4535. I did not ask you did you give money to any people. I recommend you to listen to my questions and tell the truth. Was it thirty pounds at the election of 1868, the last election?—I don't know, sir.

4536. It was thirty pounds at the election of 1865?—I don't know, sir.

4537. You do, very well?—I heard it, sir.

4538. And you believe it?—I believe it, sir, but I cannot swear what I don't know.

4539. Do you not know that Mr. White paid ten men thirty pounds each?—I heard it.

4540. And that Mr. Geary paid six men thirty pounds each?—I heard it, sir, at the petition.

4541. What was the amount in 1868?—I have stated what I believe to be true. I did not hear any word about any men on the Commons getting money.

4542. Did you hear that I announced here to all the people, that if any man tells me honestly what he knows, he will be rendered free from all responsibility, because we will give him a certificate; but if a man withholds the truth, we will give him no certificate. Now, we will have every man from the Commons up here, and ten times as many more if necessary; and if we find out anything about your having been connected with election matters, it will be brought against you; but if you tell out the truth now, it cannot afterwards affect you. Do you persist in saying that you do not know that there was anything given to people of the Commons in 1868?—I do not, your worship; I persist in that.

4543. Or to any of the electors of the town?—Or to any of the electors of the town. I didn't interfere at all, but as little as I possibly could.

4544. Did you tell me you did not interfere, and a minute afterwards tell me you went out to the Commons with Mr. O'Beirne?—I went and came, but with many others, sir.

4545. Which of the two answers is true, that you did not interfere, or that you went out with Mr. O'Beirne on his canvass. Which is the truth?—I will explain that to your worship. First, when Mr. O'Beirne came to town he went to canvass the Commons. I wasn't paid what I earned in 1865 at this time I wanted to come by my payment, and I went on the cars with the people of the town.

4546. Then your first answer was untrue, that you did not interfere at all in the election?—Not actively, I said, sir.

4547. Do you know Keeffe and Connors?—I do, sir.

4548. Were they going to the Commons any night?—They were, sir.

4549. Did you go out?—I did, sir.

4550. This was a different time from the one you went with Mr. O'Beirne?—I did, sir.

4551. What hour of the day or night was it?—To the best of my belief about seven o'clock.

4552. With whom did you go out to the Commons then?—With Tom Connors.

4553. Was there anyone else?—No, sir, but the driver.

4554. Did you go into many houses that night?—I went, to the best of my belief, into six or seven houses.

4555. Recollect now?—That is all I went into, sir, to the best of my recollection.

4556. Did you go into more?—I don't think I did, sir; six or seven, or eight houses; something about that way, sir.

4557. That was twice you went to the Commons?—This was the third time.

4558. Canvassing for Mr. O'Beirne?—Not canvassing on this occasion.

4559. Did you go about the election?—Yes, sir, about the election.

4560. For Mr. O'Beirne?—On behalf of Mr. O'Beirne, at the request of Tom Connors.

4561. When you told me that you did not interfere in the election, was it true?—Not actively, sir; I will explain that to you.

4562. Do you think you are telling me the truth all through?—I think so, sir.

4563. You were examined before, and you were asked how many houses did you go into that night with Connors; were you with Connors?—I told you this instant, six, or seven, or eight.

4564. Were you with Connors?—I was, sir.

4565. Did you go into the houses with Connors?—Not into all the houses with Connors, sir.

4566. If Connors swore he went into thirty, it is likely that you let him go into twenty-three without you?—Connors went out next morning.

4567. No, but that night?—Not that night, sir.

4568. Tell me the names of any of the persons into whose houses you went?—I went into Paddy Duggan's; into Daniel Dwyer's. I don't recollect all the houses now, but I know the houses, sir. I went into Tom Walsh's—I recollect that name, sir. I did not go into John Ryan's of the Racecourse; the driver and myself remained in the field. I went into Billy Meehan's, to the best of my belief. There was seven or eight signed this paper, sir, in one house—in Paddy Duggan's house.

4569. They signed the paper that night?—They did, sir, that night. There was six or seven or eight signed the paper in that house that night.

4570. Did you bring the paper away with you?—I had nothing to do with it, sir.

4571. Did you bring it away?—He brought it.

4572. Who brought it?—Tom Connors.

4573. Were you not with him?—It was he that had the paper.

4574. Did any person sign it in your own house?—They did not, sir. I was walking the street. Tom Connors came to me and asked me would I go to the Commons with him. I think I was speaking to Keeffe that night. "What would I want to the Commons?" says I. "I have a requisition," says he, "to sign, and there is a report that the greater part of the

Commons people are going to vote with Munster." With that I went out. Says I, "You must satisfy me what you want me for." He brought me into a house and read a kind of requisition. "Is that," says I, "what you want me for?"

4575. If you thought it was anything about money you would not have gone?—No, sir.

4576. Oh, you would not touch it?—I would not, sir.

4577. Mr. GRIFFIN.—What use were you to be about this requisition?—Just to accompany him on the car. He read the requisition and satisfied me that that was what he wanted.

4578. Why did he want you to go with him?—For company, sir.

4579. Is it not that Keeffe was going with him, and Keeffe met you, and you went instead of Keeffe?—I was standing near Hanley's door when I saw Keeffe, and he came down the street.

4580. Did Keeffe say that you would do as well as himself?—Tom Connors asked me would I go out to the Commons.

4581. Did Keeffe ask you?—To the best of my recollection he did not.

4582. Daniel Dwyer and William Meehan are two of the men who signed the requisition that night?—Yes, sir.

4583. You went out because you heard that the Commons people were going over to Mr. Munster?—Yes.

4584. They signed that requisition?—They did, sir. Tom Connors read the requisition. There were seven or eight signed it in one house.

4585. Will you swear that there was no talk about those votes?—Not a word, sir, not a sentence.

[Adjourned.]

FIFTH DAY. *October* 8. Timothy Shea.]

SIXTH DAY.

SIXTH DAY.

SATURDAY, OCTOBER 9, 1869.

October 9.

William Gorman sworn; examined by Mr. WATERS, Q.C.

William Gorman.

4586. You are a voter in Cashel, I believe?—Yes, sir.

4587. For whom did you vote at the last election?—I voted for Mr. O'Beirne.

4588. Was the last election the first at which you had a vote?—It was, sir.

4589. Were you canvassed by Mr. Munster or by any of his agents?—Mr. Munster came, but I did not see him. He came to the shambles, but I walked away. He came to my door and I walked away the same way.

4590. You are a butcher?—I am.

4591. Most of the butchers, I believe, voted for Mr. Munster?—I believe all but myself.

4592. How did you come to be an exception to all the rest?—I always considered Mr. O'Beirne to be the best man, and do now.

4593. Who introduced you first to Mr. O'Beirne—how did you come to know him?—By gor, I hear of Mr. O'Beirne and knew him to be here the election before, and I hear of his career since in Parliament, and no fault to be found with him either in town or country. I have recourse to the country and to every one.

4594. Is that the only reason that made you favourable to him?—The only reason, sir.

4595. Who first introduced you to Mr. O'Beirne himself?—I never spoke to Mr. O'Beirne since the last election but one.

4596. Before the last election?—I didn't speak to him but once before the election.

4597. Once only?—Once; that is all.

4598. Where was that?—It was at Dunn's hotel.

4599. What carried you there?—Mr. Pat Laffan sent up for me from Corcoran's hotel, and there were retainers given the same time. I didn't go; I was afraid I might get a retainer by post or any other way.

4600. Would you have been dreadfully frightened at getting any money?—I would be frightened to take any sort of money; I would not take it.

4601. Who came for you from Mr. Patrick Laffan?—One Meagher, from the Kiln, to the best of my belief; the Kiln, at the lower end of Cashel.

4602. Did any person canvass you for Mr. O'Beirne?—Oh, there were several asked me who was I voting for, and I told them Mr. O'Beirne. I told every one before Mr. O'Beirne or Mr. Munster came to Cashel.

4603. Did anyone canvass you on behalf of Mr. O'Beirne?—Mr. O'Beirne came to my house and I did not see him. I was going up the street, and some others stopped me in the street, and they said Mr. O'Beirne called to my house. Michael Hanley asked me who was I voting for. Captain Graham asked me who was I voting for. I told them Mr. O'Beirne.

4604. Did Captain Graham call on you?—He did not call, but he met me accidentally in the street.

4605. He knew you, I suppose?—He knows me well.

4606. How long does he know you?—He knows me this four years or more, I believe.

4607. I believe he does not live in Cashel?—No, he used to live in Cashel.

4608. How long ago?—Gor, to the best of my opinion, but it is two or three years ago, more or less.

4609. Did he know you when he was living here?—He did, sir.

4610. Was there any sort of inducement offered to you by anyone on behalf of either Mr. O'Beirne or Mr. Munster?—Well there was some of the butchers at the shambles wanted me to vote, and said I would get thirty pounds, or something that way. That is all the inducement.

4611. From whom would you have got £30, if you had voted?—I believe it was from Mr. Munster.

4612. Some of the butchers said that to you?—Yes, sir.

4613. Did anybody else say it besides some of the butchers?—No, sir.

4614. Do you recollect what butcher said it to you?—Well, I cannot exactly say. There were three or four of them there together. I could not say exactly which of them that mentioned the words.

4615. You knew, of course, that there was money going?—Well, I heard that at any rate, that the £30 or £35 would be better for me, and I would be a long time earning it; but I said I didn't regard £30 or £35.

4616. You say that you would sooner vote for Mr. O'Beirne than get £30?—I do, and I maintain it.

4617. And no sort of offer was ever made to you on behalf of Mr. O'Beirne?—Never, I never looked for it, nor never wanted to get it.

4618. Are there many of the butchers having votes?—Well, I believe, twenty-five or twenty-six.

4619. They all voted for Mr. Munster except yourself?—They did.

4620. Was there any unpleasant feeling between you and the other butchers on account of your not going along with them?—There was, for some time, but I beared it all.

4621. And you bore it all for Mr. O'Beirne, to whom you had never spoken before?—I did.

4622. You are a married man, I believe?—I am, sir.

4623. Now, who were the butchers that were present when you were told that you would get £30 from Mr. Munster's party?—Well, there were five or six. There was one Pat Connors, often was up at my house.

SIXTH DAY. *October* 9.

William Gorman.

He was there on the night I was sent for from Dunn's. There was John Butler and Michael Carr, and I do not know how many may be around me at the time.

4624. Is Connors a butcher?—A cattle dealer.

4625. Is he a voter?—No, sir.

4626. Is Michael Carr a voter?—No, sir.

4627. I want the other names?—John Butler.

4628. Were there any others?—I could not swear, but I know them three to be there.

4629. And you say Connors was there when the message came for you to go to Dunn's hotel?—Yes, sir.

4630. When you went to Dunn's hotel, whom did you see?—The message did not come to me but to my wife, to go up, that Mrs. Dunn wanted her, that she wanted chops.

4631. You were not there?—I went afterwards with the meat myself, and delivered it.

4632. To whom did you give it?—I left it in the kitchen with some of the girls; Mrs. Dunn's kitchen.

4633. You were sent for: did you go to Mr. O'Beirne, to Dunn's hotel?—No, I did not, sir, the night I was sent for.

4634. Did you ever speak to Mr. O'Beirne at Dunn's hotel?—I spoke once, the night Mr. Laffan sent for me, and the night I heard of the retainers.

4635. Did you go to Mr. O'Beirne of your own accord that night?—I did. I told him I was afraid I would get a retainer; he told me not to mind it—if I got a retainer, to let him know it.

4636. You told him of the offer of thirty pounds?—No, I never spoke a word of it.

4637. You told him you were afraid you would get a retainer?—Yes.

4638. And you did not say that you would get thirty pounds?—No; it was after that they told me at the shambles it would be better for me to get thirty pounds than give my vote for nothing, and I told them it was not.

4639. That is, that you would not lose by giving your vote for Mr. O'Beirne?—Yes.

4640. Do you understand that—is that what you said?—Yes; I told them any sacrifice I did not care, and that I would not take any money at all, good or bad.

4641. Did you tell them that you would not lose by voting for Mr. O'Beirne?—I told them as much as that I did not consider it as a loss; that it did not belong to me.

4642. Your story is that you were afraid you would get a retainer, and that you went and told that to Mr. O'Beirne?—Yes.

4643. And that was because you were so much interested for Mr. O'Beirne?—Yes.

4644. To let him know what was going on?—To let him know that I might get a retainer by post or any way.

4645. And afterwards, when you were told you would get thirty pounds, you did not go and tell him that?—I did not. I never spoke to him but once. I never went to any of their hotels, or meeting-houses, or speeches but once.

4646. Mr. MOLLOY.—Did you tell any of his friends that you were offered the money?—Never; it never troubled me.

4647. The retainer appears to have troubled you very much?—I would not wish to break my vote by the retainer.

4648. Mr. GRIFFIN.—Who told you that you would get the thirty pounds?—I cannot swear which of them.

4649. Can you form any opinion as to which of them it was?—I cannot form any opinion; even I wanted to go out, and they kept me by the collar.

4650. Who caught you by the collar?—I could not say.

4651. Was it Michael Cahill that said it to you?—I could not say exactly which of them said it to me.

4652. But you are sure it was one of those three men?—I am sure it was one of the three.

4653. What is Connors' Christian name?—Thomas.

4654. Where does he live?—Bohermore.

4655. Has he a vote himself?—No, sir.

4656. Where does Michael Carr live?—I believe it is the Green, here beyond. It is upper Friar-street, sir; it is near the Green.

4657. Where does Butler live?—Ladyswell-street.

4658. He is a voter?—He is, sir. I wish to make a remark. There were bills for butchers put in here for eating and drinking. I wish to be excluded, for I never went to one of their houses.

4659. Mr. WATERS, Q.C.—You voted only from pure patriotism?—I voted honestly, sir, and no mistake; and if you find my name in any of them over or hither, you may be sure I am honest, sir.

Thomas Looby.

Thomas Looby of Lower Gate sworn; examined by Mr. WATERS, Q.C.

4660. Are you a voter of Cashel?—Why, I am. I am a butcher in Cashel—a cattle dealer.

4661. And I suppose you voted at the last election?—I did, my lord.

4662. Have you a family, Mr. Looby; have you sons?—I have one son and one daughter, and my wife.

4663. What is the son's name?—Michael Looby.

4664. You voted for Mr. Munster, I believe?—I did, my lord.

4665. You are a cattle dealer, you say?—Butcher and cattle dealer.

4666. Did you sell any cattle or any animal to Mr. Munster?—I did, my lord—not to Mr. Munster, but I sold to Mr. Laffan, my lord, a jennet.

4667. Which Mr. Laffan?—Why, Mr. Pat Laffan, I believe.

4668. When did you sell the jennet to Mr. Pat Laffan?—I believe eight days before the election commenced, my lord.

4669. Now, what price did you get for it?—Twenty pounds, my lord.

4670. Twenty pounds?—Yes, all I got is twenty, my lord. It was deemed seventy-five pounds some time ago, my lord.

4671. Who deemed it seventy-five pounds, now?—Mr. Munster, I am told, at the Commission. Some person here deemed it. I didn't get seventy-five pounds; I didn't get more than twenty pounds, and passed a receipt for it.

4672. You passed a receipt for it?—Yes, my lord.

4673. And who paid you?—Mr. Pat Laffan.

4674. How did he pay you—was it by a cheque?—No, but four five pound notes.

4675. What age was the jennet?—Six years old, my lord.

4676. Did you breed her yourself?—No, my lord; I gave six pounds for her two years previous, and then I could get fourteen pounds within the two years for her.

4677. Fourteen pounds was a high price for a jennet?—She was good, and I wouldn't part with her; but she ran away with herself once or twice.

4678. You fed her too highly, I suppose?—I always feed everything good.

4679. Did you see Mr. Munster riding that jennet afterwards?—Yes; when Mr. Laffan bought the mule and paid me on a Friday, he told me to keep her in the stable five or six days; and I told him I would. I kept her till the day that he brought his man down to take her, and I saw Mr. Munster riding her next day.

4680. What man did he bring?—I couldn't tell you; he was a fellow—I believe they call him Burke.

4681. Is that Nicholas Burke?—He is the very man, my lord.

4682. What is he?—He is a driver; he is everything. He was Mr. Munster's driver.

4683. You gave the jennet to him, and saw Mr. Munster riding him?—I did; I gave my jennet to him, and he took her away.

4684. That must have been the day before the election?—No, I think it was on that day, my lord—on, I believe, the evening of the election.

4685. That the jennet went away from you?—Yes, my lord. On Friday the election commenced, and on the evening I gave up the jennet to Mr. Laffan.

4686. What price did you ask Mr. Laffan for the jennet?—£25, my lord.

4687. Did you know for whom he was buying it? No, my lord.

4688. Did he tell you for whom he intended it?—No, my lord.

4689. Did he say he wanted it for himself?—He came to me. I am sixty years selling cows, horses, jennets, and anything of that kind. I would sell anything and buy anything.

4690. Mr. MOLLOY.—How much was the most you got for a jennet before?—I got £80 for a horse.

4691. Mr. WATERS, Q.C.—How much for a jennet?—I got £8 or £10.

4692. But never £20 before?—No, my lord.

4693. And I suppose you do not expect so much again?—If I had her back again to-morrow I would not give her for £20.

4694. Did you often see Mr. Munster riding it?—Only one day, my lord.

4695. Did she run away with him?—No, my lord; when I seen him riding her I rubbed her face with my hand. "Was it you that had this jennet?" said he. "It was, sir," said I, rubbing my hand. "Take care of yourself," said he; so he rode away, and I never seen her since.

4696. Did you ever see the jennet since, or hear anything of her?—I hear she was given away for nothing. I hear she is down towards Carrick in Waterford.

4697. Who was caring her?—A man of the name of Brenan here in town.

4698. To whom did you hear she was given away for nothing?—To Brenan.

4699. Does Brenan live in this town?—He does, sir.

4700. What is Brenan's Christian name?—Tom, I believe. I don't know. I knew his father very well—William Brenan, I believe.

4701. Have you been canvassed by Mr. O'Beirne?—I was, my lord, twice or three times.

4702. Did you vote in '65 for anybody?—No, my lord.

4703. Had you never a vote before the last election?—I had always since the corporation was reformed. There is a good many times I didn't vote, for I didn't like the parties. I voted for the Pennefathers always and would now, and for Councillor Hemphill.

4704. Did you vote for Mr. Lanigan?—No, my lord.

4705. Are you a Conservative in politics?—I am a Catholic. I don't know what you mean about that.

4706. Why would you not vote for Mr. Lanigan?—Why, my lord, I did not think sufficient. I passed through. There was a gentleman here formerly, Mr. Tuite, and a great many judges. Any man I didn't like I wouldn't vote for.

4707. But you were very fond of the Pennefathers?—Always, and am now.

4708. Mr. MOLLOY.—Did you ever vote for the Pennefathers?—Always, and would now.

4709. Mr. WATERS, Q.C.—Did you ever vote for Sir Timothy O'Brien?—No.

4710. Did you ever vote for Mr. M'Garrell?—No; but Judge Perrin was here one time, and I denied him.

4711. Mr. GRIFFIN.—You never saw Mr. Munster except the day you saw him on the jennet?—Oh, I did, my lord; previous to that, my lord.

4712. Mr. WATERS, Q.C.—Were you canvassed by Mr. Lanigan when he was a candidate here?—I was.

4713. Why did you not vote for him?—Because I didn't like him.

4714. Were you canvassed by Mr. O'Beirne in 1865?—Mr. O'Beirne! No, my lord; I hadn't a vote at that time.

4715. In '65?—In '65, my lord. I had no vote that time.

4716. Well, then, you were canvassed for Mr. Lanigan in '59, I suppose?—Yes, I think I was, my lord.

4717. Mr. Laffan was his conducting agent then—was he not?—I think not, my lord.

4718. Are you Thomas Looby, senior, of Hughes's lot?—I am, my lord.

4719. I find you had a vote in '65?—I think not, my lord.

4720. What is your name?—Thomas Looby, butcher and cattle dealer.

4721. There are two Thomas Loobys?—There are three or four more of them.

4722. Do you live at Loughnafina?—I do, my lord.

4723. That is not Hughes's lot. You were canvassed by Mr. O'Beirne in '68, the last election?—I was.

4724. Who came to canvass you?—Mr. O'Beirne himself came first, and came a second time.

4725. When did he come to you first? About how long before the election?—About ten or twelve days; and Counsellor Scully canvassed me also the same time, the same way.

4726. Mr. O'Beirne came to canvass you ten or twelve days before the election?—He did.

4727. And how long afterwards?—He came in my absence and told my wife I promised him my vote. I met him then in the street coming down. "Won't you stand to me?" said he. "No," said I, "I made one promise and I won't make a promise again."

4728. To whom did you make the promise?—To Mr. Sam Cooper.

4729. Who is he?—He is a gentleman. He is dead now, God be with him; I made him a promise.

4730. When did you make him a promise?—At what election was that—M'Garrell. I made him a promise, my lord.

4731. Mr. MOLLOY.—Did you fulfil the promise?—I did, my lord.

4732. Mr. WATERS, Q.C.—I am asking you about what you said to Mr. O'Beirne. Mr. O'Beirne came to you again you say in the street?—In the street.

4733. And asked you again?—Yes.

4734. When he came to your house the first time did you promise him?—No, my lord.

4735. And he said to your wife that you had promised to vote for him?—He did, my lord, in my absence.

4736. Who introduced Mr. Munster to you?—Why, my lord, all the introduction I ever had I never spoke a word to him. He was driving his carriage through the street and he came to my door, and he introduced meat and broth and everything for the poor of Cashel. There was a poor woman lived next door to me, and her cloak and clothes were in the pawn-office; and "Mr. Munster," says I, "you might as well give them charity." He said, "Has she a vote?" "No, my lord," said I, "and no means for it." He called the woman up and said, "Have you a vote?" "No," said she. He put his hand in his pocket and gave her a sovereign.

4737. What was her name?—I cannot recollect. She lives next door to me.

4738. And you do not recollect her name?—By gor I do not, my lord.

4739. Did you promise Mr. Munster then that you would vote for him?—Never.

4740. You never promised him?—No, my lord.

4741. Why did you vote for him?—Why! because I liked it.

4742. When did you make up your mind to vote for him?—The evening previous to the election.

4743. And up to that time you had not made up your mind?—No; nor nobody in my house knew for whom I would vote; nor never made any promise, though sent for by Mr. Munster several times.

4744. Who sent for you?—Why, some of what I call the meeting mob.

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4745. Did you see any person that came to you for Mr. Munster besides Mr. Patrick Laffan?—No, my lord.

4746. Mr. Patrick Laffan, I suppose, spoke to you about your vote?—He never asked me, nor Mr. Munster, nor any of his men.

4747. Did Mr. Munster never ask you for your vote?—He did not.

4748. Nor Mr. Patrick Laffan?—No.

4749. Did anybody ask you?—No person in the wide world asked me.

4750. Did any person at all ask you for your vote at the last election?—No, but Mr. O'Beirne and Mr. Scully.

4751. Mr. Michael Laffan never canvassed you?—He spoke to me, but never about a vote, on my oath.

4752. He never asked you for a vote?—No, on my oath.

4753. What decided your mind on the evening before the election?—My mind was decided as Mr Munster was so charitable, and I had a wife and family. I was in bed when they sent down for me to go up and I wouldn't go; and my son came, and then my daughter wanted me to go up, and I would not; but I got up the next morning and went and voted.

4754. What did you know of Mr. Munster's charity?—Didn't I see him give a sovereign to the poor woman?

4755. Would that determine you?—I heard he was throwing cash about the town.

4756. What did you hear he was doing?—Throwing money about the town, my lord.

4757. And that was what made you make up your mind to vote for Mr. Munster?—The very same thing, my lord.

4758. Tell me how you heard he was throwing it about?—By gor I couldn't tell you. I heard he was throwing money about the town out of his car. All the charity I ever seen him give was the sovereign to the poor woman next door.

4759. Are you quite certain that no person ever asked you to vote for Mr. Munster?—On my oath, never.

4760. You told me that some of your own family came up to you at night?—The night previous—my wife, my son, and my daughter.

4761. They wanted to know for whom you would vote?—They wanted me to go to the meeting.

4762. To Mr. Munster's committee-room?—Yes, my lord—and I was in bed; so I got up early next morning and went up.

4763. Where was the meeting?—At Corcoran's hotel below, my lord. Several meetings were there; I was never there, though.

4764. Did your wife, or son, or daughter ever ask you to vote for Mr. Munster?—No, my lord.

4765. They never asked you at any time?—They never asked me, but "Why do not you go up when you are called upon?"

4766. Who called on you?—Why, some men, Cashel boys, I believe, came down; I was in bed, my lord.

4767. Do you know Patsey Cunningham?—I do, my lord.

4768. Did you ever see him, or had you ever a talk with him about the election?—Indeed I did. On the same morning of the election I was going down from the polling, and I met him; he brought me to Corcoran's hotel, and up to the top room, and knocked at the door, and there was a man there in his shirt-sleeves and breeches, or trowsers, and short clothes. When Cunningham rapped at the door I went in, my lord, and the door shut again; so I met the man coming out of his bed, and he came, and "Come," says he, "I have some money here for you." "Very good," says I, and I took the money. "Will you count it?" says he. "No," says I, "I can't well see; I haven't my specs." So I put the money in my pocket and went home. I put my name to some document, my lord. When I counted it I had nine £3 notes and three single notes, that is £30.

4769. Was that the morning of the voting?—The very morning, my lord, about seven o'clock. It is with candle-light I got the money.

4770. Did you sign in the hotel "Thomas Looby?"—I did.

4771. To what did you sign it—what was written above where you signed?—I did not read it.

4772. You did not read it?—No; but "Put your name to that," says the man, and I put "Thomas Looby."

4773. Mr. MOLLOY.—Was that the man in his shirt-sleeves?—Yes, my lord, it was.

4774. Mr. WATERS, Q.C.—Do you know that man?—No, my lord.

4775. Did you ever see him before?—I could not swear; I may often see him, but I never seen him to my knowledge; I couldn't swear to him.

4776. Did you ever hear his name?—No, I never heard one ha'p'orth in the world but what I tell your lordship.

4777. Did Patsey Cunningham tell you his name?—No; he brought me up and knocked at the door, and it was opened, and when I went in it was closed, and the man came out of his bed in his shirt-sleeves and pantaloons and gave me the money.

4778. Did he say anything to you?—Not a word, my lord.

4779. Did he ask your name?—He knew me very well.

4780. If he knew you it is a wonder that you did not know him?—Was it Patsey Cunningham?

4781. No, but the man in his shirt-sleeves?—He did not ask me.

4782. Did Cunningham say anything to him?—No, he did not come in.

4783. You knocked at the door, the door was opened, and you went in and saw this man?—I did, my lord. "Count them," says he. There was nine £3 notes and three single notes, my lord.

4784. He did not tell you what he was giving them to you for?—No, my lord, not a bit nor a ha'p'orth he asked me about.

4785. Of course you knew that it was for your vote?—I ascertained it was, my lord.

4786. How did you ascertain it?—Why, many things. What brought me there but for it? I was brought from my own house to the hotel.

4787. You have told us that transaction. I want you to tell what you went with Patsey Cunningham for?—He told me he wanted me. I met him at his house, midway between the hotel and my house. I walked up with him. He knocked at the door, and the man got up in the shirt-sleeves and shut the door again. I went in and got the money.

4788. Did you know what you were going up with Patsey Cunningham for?—No, my lord.

4789. Did you meet Patsey Cunningham accidentally or on purpose?—I met him on my way from the hotel to my own house.

4790. What brought you there at that hour of the morning?—Why, my lord, as I told you before, I was sent for the night before. I got up that morning to know what they wanted me for.

4791. Were you going to the hotel when you met Cunningham?—No, from the hotel.

4792. Were you up at the hotel before you met Cunningham?—I was.

4793. And did you ask for anyone there?—Indeed I did, sir. Doctor Cormac, Mr. Leahy, Mr. Scully—they asked me to take a glass of wine and I objected.

4794. That was in the morning before you met Patsey Cunningham?—On the very same morning.

4795. Before you met Cunningham?—Yes, my lord.

4796. For whom did you ask at the hotel?—No person. I walked in.

4797. Did you say to anyone "You sent for me last night"?—No.

4798. Had you any talk with any of them?—Yes, with Mr. Leahy. "Come take some wine," said he, "or a glass of punch." "No, I will take nothing," said I.

4799. What other conversation had you with him?—Nothing. I walked out back again, and came home and met Cunningham.

4800. Had you any conversation with anyone in the hotel about Cunningham?—No conversation in the world, but they asked me to take a cup of tea. Mr. Watkins and Jerome Scully were drinking it. I said "I wouldn't give it to my pigs."

4801. Was there any writing going on at the hotel by anyone?—No, my lord.

4802. Do you mean that you met Patsey Cunningham only by chance?—I met him and I going home, and he came back.

4803. Were you going to Cunningham?—No, going to my own house.

4804. Going back from Corcoran's at that time?—Yes, my lord.

4805. Do you mean to say that nobody mentioned anything to you in conversation about Cunningham or the man upstairs?—I think not.

4806. And when you went back with Cunningham did he tell you what it was for?—No, my lord.

4807. What did Cunningham say to you?—"I want you back," says he. He took me up and knocked at the door, the door was opened; the man got up in his shirt-sleeves and a trousers on him.

4808. You know Mr. Leahy well?—I do, my lord.

4809. Do you live near Cunningham's house?—No, I believe about 200 yards.

4810. Did you see a man that was stopping in Cunningham's house here during the time of the election?—No, my lord. I never had any conversation with any man.

4811. It is a wonder Cunningham did not tell you the man's name?—He did not.

4812. What part of the house was the room in?—In the top of the house. There were four or five beds in the same room.

4813. And this was the morning of the voting?—It was, my lord.

4814. Was there anyone in the room but that man?—I could not say.

4815. There was a candle lighting there?—There was.

4816. Would you not see if there was anybody else in the room?—I could not.

4817. Did you see anybody else in the room?—I did not.

4818. Did you look at the beds?—I did not. I cannot well see without my specs.

4819. Could you tell me what sort of a man he was?—By gor, he was a thin handsome man.

4820. Was he tall or short?—Much about my own size.

4821. Was he old or young?—He appeared to me to be old, my lord.

4822. Would you say he was past fifty or sixty years?—I could not say.

4823. Was his hair gray or what colour was it?—I could not ascertain.

4824. Was he gray haired?—Indeed I didn't look at his hair at all, my lord.

4825. And you never saw him since to your knowledge?—To my knowledge since or before, my lord.

4826. Could you guess to his name at all: did you ever hear who he was?—No.

4827. And you never asked anyone?—No.

4828. Would you know the room again?—I would.

4829. Is it in the front of the house?—In the upper part of the front of the house. I could tie my cravat about my eyes and go into the same room.

4830. And that was on the morning of the voting?—On the very morning, my lord.

4831. Did you ever since see the paper you signed?—Never, my lord.

4832. And you do not know what was written on it?—No, but I put "Thomas Looby" on it, my lord; and also I put my name on the price of the jennet; twenty pounds I got for the jennet.

4833. Mr. MOLLOY.—What was the size of the piece of paper on which you wrote your name at Corcoran's hotel?—I couldn't tell you.

4834. Mr. GRIFFIN.—Were there any other names on it?—I couldn't tell you. All I can tell is that I got the thirty pounds and put my name to it.

4835. Mr. WATERS, Q.C.—Do you mean to say that you had no talk about money, until you got that money from him?—On my oath I had not. "I have a command here for you," said he, handing me a bundle of notes—thirty pounds.

4836. Mr. GRIFFIN.—Did your wife or son say anything to you about going to Corcoran's hotel?—Yes, the evening previous to the election my wife and daughter were scolding me "why wouldn't I be at the meeting?"

4837. Did they say anything about voting in the morning?—No. They were in bed, and I got out of bed, and walked up.

4838. You carried home the money?—I did, by gor, my lord.

4839. Does the wife keep the money for you at home?—I keep it myself, my lord.

4840. Did you tell her you got it?—Of course I did.

4841. And you told your daughter?—I brought it down and counted it on the table again.

4842. In your own house?—In my own house, my lord.

4843. Was your wife there when you counted it?—She was, my lord.

4844. And the daughter?—And the daughter—both.

4845. Was your son there?—Why, my lord, I cannot rightly say. I think he was, my lord.

4846. Mr. MOLLOY.—Was that the most money you ever got at an election?—I never took a penn'orth of ale at all the elections.

4847. You never got so much at an election before?—I never got a glass of ale at Pennefather's, or Judge Perrin's, or all of them.

4848. Did you ever get so much money before at an election?—I never got one penny.

4849. Mr. WATERS, Q.C.—Mr. Looby go with the constable to Corcoran's hotel, and the constable will ask permission from the proprietor of the hotel to see the room you will point out?—I will, my lord.

4850. Mr. GRIFFIN.—It was dark when you got into the hotel that morning?—Yes, my lord.

4851. Where were Mr. Leahy, Doctor Cormack, Mr. Watkins, and Mr. Jerome Scully?—In the room below that.

4852. Were they all staying together?—No; one here and another there, and they were all dancing and drinking about the house—ay, by gor.

4853. Had they been at it all night, do you think?—I hear they were, my lord. I wasn't by, my lord. I hear they were all night at it.

4854. Do you remember any other persons that were in the room?—There was a great many there, but I took no notice, except Mr. Watkins, Jerome Scully, Doctor Cormack, and Mr. Leahy; and by the same token, they ate meat that morning—Friday morning it was.

4855. Mr. WATERS, Q.C.—I must ask you to recollect the position in which you are. If we refuse to give you a certificate you may be imprisoned for two years for what you have disclosed here. Therefore I recommend you to keep yourself quiet?—My lord, if I committed anything wrong it must be against my own nature. I am standing here telling the truth.

4856. Recollect the position in which you are. I will not have any joking or levity. Were you examined as a witness on the petition?—No, my lord.

4857. Where were you then?—I was in Dublin two or three days.

4858. Where in Dublin were you?—With Mr. Cuffe selling cattle.

4859. Had you any communication with Mr. Laffan or Patsey Cunningham before you went to Dublin?—I had, my lord.

4860. What conversation had you?—I went to Mr. Laffan the Sunday night previous, and I asked him was

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there any danger in my going away, and not being in court, and he told me not.

4861. Which Mr. Laffan was that?—There he is there. (Identifies Mr. Michael J. Laffan.)

4862. Did you tell him what you knew?—I told him nothing at all, but asked him was there any danger of my going away.

4863. Did you get a summons as a witness?—I am not sure.

4864. Then he knew you were going away?—Of course he did.

4865. What made you go to Mr. Laffan to ask him was there any danger in your going away?—I would be last week at the fair of Thurles unless I was afraid there would be subpœnas here for me.

4866. Did you go to Mr. Laffan to ask him about that also?—No.

4867. But you went to Mr. Laffan before the petition, before you went to Dublin?—I did.

4868. To ask him was there any danger, and if you ought to go away?—Yes, when I was not subpœnaed.

4869. What did he say?—He told me he thought there was no danger.

4870. Did he tell you to stay away until the petition was over?—He did not, my lord.

4871. How long did you stay in Dublin?—I was in Cashel on Saturday. I went on Sunday—Monday—Tuesday I went to Dublin, and I came back on Friday to Cashel.

4872. You went on Tuesday?—On Tuesday.

4873. Did you remain in Dublin on that occasion?—On what occasion?

4874. On the occasion of your going when the petition was tried here?—No, my lord, I did not.

4875. Listen—did you remain in Dublin longer than was necessary to sell your cattle?—No, my lord. On Thursday I sold my cattle, and Friday I was here.

4876. Were you here before the petition was over?—I believe on the day before, I was, my lord. I believe it was over on Saturday, and Friday I was here, my lord.

4877. Are you sure you did not say to Mr. Laffan anything about your being a witness, or what you could prove?—No, my lord.

4878. All you said to him was, "Is there any danger of my going away;" was that what you said?—I said, "Was there any doubt or danger of my going to Dublin with my cattle?" He told me he did not think there was—was I subpœnaed, and I said I was not.

4879. Did anybody tell you to ask him that?—No, my lord.

4880. Is it your son that usually sells your cattle?—I sell my cattle myself.

4881. Do you say that no person told you to go to Mr. Laffan?—No, my lord.

4882. Mr. MOLLOY.—Did you send the cattle to the market by train?—What else?

4883. What day did you put them into the boxes of the train?—I put them in on Wednesday.

4884. At what station did you box them?—At Goold's Cross, and formerly Dundrum.

4885. Where were you on Monday and Tuesday?—I was buying cattle on that Sunday and Monday and Tuesday; I have Mr. Cuffe's quotations here—my salesmaster in Dublin.

4886. Mr. WATERS, Q.C.—What is your wife's Christian name?—Catherine Hayes Looby.

4887. And your daughter's?—Mary Anne Looby.

4888. And your son's?—Michael Looby, my lord.

4889. You will go now and show the constable the room at Mrs. Corcoran's that you were speaking of?—I will, my lord.

Mary Rochford.

Mary Rochford sworn and examined by Mr. WATERS, Q.C.

4890. Are you the wife of John Rochford?—Yes, sir.

4891. He is a voter I believe?—Yes, sir.

4892. Is he a carpenter?—Yes, sir.

4893. Do you recollect some short time before the election being at Mrs. Tracey's house?—Yes, sir.

4894. How did you happen to go there?—I went in on the purpose of buying a tick to put feathers in.

4895. Go on and tell me all that occurred?—When I went in she asked me upstairs in the room; I went up with her; she went to a chest of drawers and pulled out a small box out of it with some cheques; she laid it on the table; she told me to sit on a chair convenient to the bed; she laid the cheques on the table; she told me she would give me one of them cheques for £30 if my husband would go with Simon; that Mr. O'Beirne trusted him with his cheques and money; I said in reply that I would rather get the money; she said she would give me the money; I told her then I should go and acquaint my husband, and know would he go; I returned straight, and Tracey was in the shop with my husband and Meara; they were in conversation when I went in; in some moments Simon Tracey came in, and called me out to the back yard; he asked what would I take and have my husband go with him; I said I feared it was useless, that my husband promised Mr. Michael Laffan—at the same time I would speak to him; I spoke to him about it, and asked him would I take a cheque; he said no, that if I took a cheque it would be lost; that he wouldn't go at all, and he wouldn't break his word; that he promised Mr. Michael Laffan, and that he would support his word.

4896. Did you see what cheques Mrs. Tracey had at the time she showed them to you?—She laid them on the table—the cheques; she took them out of the chest of drawers, out of a little box, and laid them on the table; she took up one cheque, to the best of my belief, and showed it to me.

4897. How much was that cheque for?—It was a £50 cheque; I took notice of the plain figures—a £50 cheque.

4898. Did she say what she had the cheque for?—She told me that cheque was for two of her relatives.

4899. What did she say?—To the best of my belief she said, "Here is a £50 cheque I have." I think I looked at it carelessly, and saw £50. "This is for two of my relatives," said she, and "try if you can get John to go with Simon; he is engaged for Mr. O'Beirne."

4900. You did not ask her who the relatives were?—No, my lord.

4901. Is that all that occurred between you on that occasion?—To the best of my belief as far as I think.

4902. Do you recollect Mrs. Tracey's saying anything to you about Mr. O'Beirne's having got money?—She mentioned to me that the cheques were got from Mr. O'Beirne, that her husband got money and cheques from Mr. O'Beirne.

4903. Did you buy a tick from her?—No sir; I returned home then immediately after that; she kept me for some time in the room chatting.

4904. Had you any talk at all about the tick with her?—Yes, sir; when I went in I asked had she a good second hand tick; I wanted to put feathers in it; for generally in election times I had one or two stopping with me.

4905. Did she show you a tick at all?—No, she immediately asked me to come upstairs with her; before I went with her I didn't know what she wanted me for.

4906. Did you go in to ask for her husband?—No, sir, I never mentioned anything about her husband to her.

4907. Mr. GRIFFIN.—£30 she said was for your husband if he would go with Simon?—A £30 cheque, sir, she meant.

4908. Did you see money as well as cheques?—Yes, sir; she pulled out a bundle of notes, and said she

would give me the money, and then I didn't like without asking my husband.

4909. Did she take the money from the same box as the cheques?—To the best of my belief she did, and laid it on the table.

4910. Was it out of the chest of drawers she took the box?—Out of the chest of drawers she took a small box.

4911. And you think it was out of the small box she took both money and cheques?—To the best of my belief it was, sir.

4912. You saw the cheque distinctly that she said was for her two relatives?—Yes, sir, £50.

4913. You are sure it was £50?—Yes, sir, I saw the plain figures on it.

4914. The cheque that she said was for two of her relatives?—Yes, sir.

4915. That would be only £25 pounds each?—That is what she told me.

4916. Do you not know that two twenty-fives make fifty?—Yes, sir.

4917. Did you think it queer that she would give more to your husband, who was a stranger, than to her own relatives?—Well, I couldn't say that, sir. She didn't say she would give me £30 in notes, sir; she said she would give me the money in notes. I said I would rather have the money than a cheque.

4918. She was going to give you money instead of the cheque?—I made the remark to her.

4919. When you made the remark she was going to do it?—Yes, sir, she was.

4920. Did she say I cannot give £30 in notes; I can only give £25?—No, sir, no remark of that kind.

4921. Mr. MOLLOY.—Do you use spectacles?—Yes, I do, sir; one pair of spectacles between myself and my husband. I neither can read nor write without spectacles.

4922. Mr. WATERS, Q.C.—You know Mrs. Hackett?—Yes, sir.

4923. You had a conversation with her about the election?—Yes, sir.

4924. Tell me what occurred between you?—She came in the election week—to the best of my belief it was the election week; I think it was. She came in and asked me would I get John to go and vote with James for Mr. O'Beirne.

4925. John was your husband, and James was Mrs. Hackett's husband?—Yes, sir. She asked me would I get John to go with James for Mr. O'Beirne. I made the remark I didn't consider John would, for he was pledged to Mr. Michael Laffan, and I feared he wouldn't break his word. She said if he would go that Mr. O'Beirne had a lot of money; that he got £2,000 at the bank on Saturday morning, and James would get recompensed the same as himself.

4926. Is that all that happened?—That is all, sir.

4927. Did anything more occur between you?—I think, sir, it was that James should be recompensed the same as himself. I said I feared he wouldn't go; that he was a man no way clever to get out of a thing that way. She said Mr. O'Beirne was a clever man, and would get him out of any difficulty.

4928. Did she say anything about Captain Graham?—She said Captain Graham and William Power the tobacconist were with him, and she saw Mr. Power and Captain Graham with Mr. O'Beirne, and they received £2,000 at ten o'clock out of the bank on Saturday morning.

4929. Have you a son?—Yes, sir.

4930. What is his name?—William Rochford, sir.

4931. Where is he?—He is at work with his father, sir.

4932. He is a carpenter, is he?—Yes, sir.

4933. Had you ever any talk with him about the election or about getting money at the election?—By gor, I don't remember ever to speak to him about it, for we never looked for it.

4934. Did you ever hear your son say he was looking for it?—No, sir, for I don't think he interfered with the election, at all, for he was continually at work with his father. I never knew him to be interfering, except a small chap that I have.

4935. Where is your son?—In Rose Green. I believe it is four or five miles from this.

4936. What is the Christian name of the small chap you have?—Paul, sir.

4937. Look at that. [Is handed a claim.] Is that your son's writing?—It is not, sir.

4938. Whose writing is it?—I couldn't say, sir.

4939. Is it your own?—No, sir.

4940. Is it your husband's?—I couldn't say, sir.

4941. Did you ever see that paper before?—Never, sir.

Mr. *E. H. Biggin* recalled by Mr. WATERS, Q.C.

4942. Mr. Biggin, from whom was this document received?—With the other papers I received it from Mr. Laffan.

Mr. *Michael J. Laffan* recalled by Mr. WATERS, Q.C.

4943. Mr. Laffan, do you know anything about it?—I got it in the ordinary course.

4944. Do you know whose writing it is?—I do not.

4945. Do you recollect getting it from this woman's husband or son?—I cannot say from whom I got it; but I am quite certain that it came from one of the family.

4946. Have you any recollection of who handed it to you?—No.

Mary Rochford's examination resumed by Mr. WATERS, Q.C.

4947. Mrs. Rochford, did you never hear of this before?—No, sir, I don't recollect.

4948. Perhaps it is your son Paul's writing?—I don't think it is, sir; he is not so clever as that.

4949. How old is Paul?—A young chap growing up, going to school.

4950. How old is he?—About twelve years, to the best of my belief.

4951. Did you ever hear that anyone wrote this; it might be that somebody wrote it for them?—I did not hear, sir, to the best of my belief.

4952. Did you ever hear your husband say that he put in this claim?—I did not. To the best of my belief I never heard any remark made on it.

4953. Try and recollect?—If I heard it, sir, I would tell you, but I disremember ever hearing anything about it.

4954. You never heard of either your husband or your son William having sent in this claim?—I did not.

4955. Can you tell me which of them sent it in?—To the best of my belief I never heard anything about it.

4956. Mr. MOLLOY.—In what way was Paul interfering in the election?—He was only running along with the children.

4957. Mr. WATERS, Q.C.—Mr. Munster wishes to have you asked did you ever tell Mr. Munster or ask anyone to tell him, that it was not safe for him to go

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Mary Rochford.

out after dusk, even in a carriage?—Perhaps I did, sir, I forget. Perhaps I did. There was so much passing round that I forget.

4958. What was the meaning of it?—By gor, I couldn't say, sir; but being an Englishman their feelings weren't warmly disposed towards him.

4959. They were not as warmly disposed towards him as Mr. O'Beirne?—No, sir, that was my opinion.

4960. When did you tell that to Mr. Munster?—I never was speaking to him but at one time.

4961. Did you go to his house to tell him that?—I went one time to request him to forgive Simon Tracey, as I was informed he was under the expense to be under a fine.

4962. Was that after the election?—Yes, sir.

4963. Was it then you said it would be unsafe for him to go out after dusk, even in a carriage?—I really forget indeed, sir.

4964. Was it after the election or before it?—I really forget the right time. I might have expressed it when I saw their feelings were bad towards him.

4965. How was it that you came to ask forgiveness for Simon Tracey?—I heard he didn't attend, and that he would be fined.

4966. At the petition?—Yes, sir, and that he would be fined.

4967. And why did you ask Mr. Munster?—I thought he might pay me that compliment to forgive him, for I heard Mr. Munster could forgive the fine.

4968. Sure it was you that gave the information against Tracey?—I should tell the truth.

4969. And you wanted to make it up with Tracey, by asking forgiveness for him?—Tracey didn't ask me, but I thought it was in Mr. Munster's power to forgive the fine.

Thomas Looby.

Thomas Looby recalled by Mr. WATERS Q.C.

4970. Did you point out the room to the constable?—Yes, my lord, I did.

Constable William Lynam.

Constable *William Lynam* sworn; examined by Mr. WATERS, Q.C.

4971. Did Looby point out the room to you?—He did.

4972. Is there a number on it?—No. 6.

4973. Is there more than one bed in the room?—There are two beds, sir, and a fireplace.

4974. Whom did you see in the house?—I asked for Mrs. Corcoran, and a servant girl told me she was in. I met the summons-server and brought him back. He told me he could not find Mrs. Corcoran. One of the servants told him she was upstairs. I brought the summons-server back; he was in the room with Mr. Looby and myself.

4975. Mr. GRIFFIN.—Is it a top front room?—Top front room, sir. There is a window in front and rere of the room.

4976. Then it extends the whole length of the house?—Yes, sir.

4977. Mr. WATERS, Q.C.—Have you seen Mrs. Corcoran lately?—Yes, sir.

Thomas Meara of Canopy-street was called but did not appear.

John Bernard O'Meara.

John Bernard O'Meara sworn; examined by Mr. WATERS, Q.C.

4978. Your father I believe is a voter?—My father is a voter.

4979. For whom did he vote at the last election?—For Mr. Munster.

4980. Were you engaged about the election?—I was, sir.

4981. By whom were you engaged?—On Mr. Munster's side by Mr. Laffan.

4982. Which Mr. Laffan?—I do not know exactly from whom the appointment came, but I was doing business in Mr. Michael Laffan's office over two months.

4983. How long were you doing business?—Well, sir, I think from the 20th September to the day of the polling, from the 20th or 21st, or probably up to the 24th.

4984. Were you engaged every day?—Well, I might say I was engaged every day, sir.

4985. Well, but do you say it?—I do not recollect any day that I did not do some business.

4986. What were your hours of attendance?—That was according to the pressure of business.

4987. What were the hours of attendance?—There were no hours specified.

4988. Who told you that you were to go there, was it Mr. Patrick or Mr. Michael Laffan?—I do not recollect. I was sent for by Mr. Michael Laffan; but previous to that I was in the habit of writing in Mr. Laffan's office, and Dr. Laffan spoke to me about the election and said that probably my services would be required. I said of course if there was anything to be earned I would be happy to earn it.

4989. How long have you been in the habit of working for Mr. Laffan—writing for him?—It is only when Mr. Laffan has any extraordinary business that he requires me at all.

4990. Does he pay you per day, or by the work done, or how?—By the work done I think it is.

4991. So much a folio, I suppose?—Yes, generally for brief sheets he used to pay me $4\frac{1}{2}d.$ or $4\frac{1}{4}d.$ for transcribing.

4992. What was the longest time you spent any day in his office during the election time?—For a single day the greatest number of hours, I think I must have spent from ten in the morning to ten at night. There may have been some intervening hours between them that I would sit later there.

4993. Did you often sit so long as that?—Sometimes.

4994. Did you often sit so long?—Yes, frequently.

4995. I did not understand you to say that you were there every day?—I used often work below at Mrs. Corcoran's hotel.

4996. Whom did you see at Corcoran's hotel—were you often writing there?—I was, sir.

4997. You saw Mr. Leahy there?—Yes, and Captain Byrne, Captain Stuart, Mr. Munster some two or three times.

4998. Were you there the night before the election?—I was; I was up all that night.

4999. Were there many there that night?—I could not exactly say how many were there. I could not give a guess. In fact, I did not leave the room scarcely. I had some writing there. I remained there up to two o'clock, and then went to the lower part of the house, where several were in the lower part of the house. I never saw that part of the house. I did not inquire the part they were in. I knew they were in some part.

5000. Did you hear a noise?—Yes, there was a bustle in the lower part of the house.

5001. Dancing and singing?—I heard some music.

5002. Did you not go to see what was going on?—No; there were two or three young men with me, and we played cards.

5003. Do you know in what room you were?—I do, sir.

5004. Do you know room No. 6?—I do not know the rooms by numbers.

5005. Do you know the front room?—The room I was working in that night was, I believe, the largest room in the house. It is the principal room in the house. It is on the street.

5006. On a level with the street, or on the first storey?—On the first storey.

5007. Were the young men that were with you persons engaged about the election?—I believe they were; some of them at least.

5008. Who were they?—A young man of the name of Hubert Cahill; another, Jeremiah Connolly. I do not recollect if there were any others.

5009. You told me there were four or five in the room?—There was another young man in the early part of the night, but he left; he was not well, I think.

5010. Do you recollect any others?—Mr. Laffan and others were in the room.

5011. Who else?—Another young man named Considine. I cannot positively swear was he there or not, but I think he was in the commencement of the night.

5012. Were you writing in the commencement of the night?—I was, from eleven to two.

5013. Were those young men writing?—I cannot swear, but I think they were.

5014. After that you amused yourselves playing cards?—Yes, sir.

5015. And you never went to where the voters were?—No, sir.

5016. Nor where the dancing was?—I went down to the lower part of the house where there was another portion of the voters.

5017. What were they doing?—Amusing themselves—some playing cards, more dancing.

5018. And drinking, I suppose?—I do not recollect that they were drinking. When I went down they were not drinking. That was the later small hours in the morning.

5019. Had they been drinking?—I cannot swear that they were drinking that night, but I saw voters drinking there previously.

5020. Was there no sign of bottles or glasses?—No; there was some speech-making there, I believe. The tables were clear when I went down.

5021. But you know that drinking went on there on other occasions?—Yes, sir.

5022. What did you see them drinking?—Wines—whiskey.

5023. Were they in large quantity?—No, the drink was always very limited there, sir.

5024. You said you know Mr. Leahy and saw him there?—Yes, sir.

5025. And you saw Captain Byrne there?—I cannot swear that I saw Captain Byrne there that night. I saw him there frequently previous to that night.

5026. Did you know a man that was there with Mr. Leahy—we heard his name to be Moran, or some such name?—I do not recollect such a name. As well as I can recollect, Captain Stuart came to the house that night; that was the day previous to the polling.

5027. Did you hear of Moran?—I never heard of a voter of Cashel named Moran.

5028. You know Patsey Cunningham?—I know him well.

5029. Who was the man that was stopping at his house?—I was never more than two or three times at his house.

5030. Do you know a man of the name of Murrin?—I heard of Mullan.

5031. No, but Murrin?—I never heard of him.

5032. Did you ever hear of a man who was stopping at Cunningham's?—No, sir.

5033. Did Patsey Cunningham never tell you of a man who was stopping at his father's?—I never spoke to Cunningham during the election.

5034. How much were you paid for your services?—I was paid £3.

5035. Only £3?—Only. At least I presented a bill to Mr. Laffan for more.

5036. You only got £3?—I swear positively I got only that.

5037. Surely that would not pay you?—Certainly not.

5038. You expected a great deal more?—Of course I expected to be paid.

5039. When did you get the £3?—I went with Mr. Laffan on Monday, and, I think, on the third day after commencing business Mr. Pat. Laffan asked me to go for a package of envelopes; I said I would; they were for the election. He gave me a note in my hand, and says, "This is for you." "Very well, sir," says I. I drew the note out of my pocket and discovered it was a £3 note. I thought he might have made a mistake, and when I went back I said, "Are you aware, sir, of the amount of money you have given me?" "Yes," says he—"it is a £3 note."

5040. Did he say anything more?—He asked me did it satisfy me. I said I was satisfied.

5041. That was when you were three days there?—Yes, about three days.

5042. It was Mr. Patrick Laffan with whom that occurred?—Yes.

5043. You were working in Mr. Michael Laffan's office?—Yes.

5044. Had you afterwards any conversation with Mr. Michael Laffan about that £3?—Yes, Mr. Michael Laffan was aware of it, for I asked him for a small sum approaching the day of the polling, and he said he could not give it to me, but if I presented a bill and mentioned the amount due he would try and get it for me, but he would give no money on account. That is, as well as I recollect, his words.

5045. Did you make any arrangement about what you were to be paid?—Never, sir.

5046. Was there no talk as to the amount you were to get?—Yes; I never spoke of any specified sum. The only amount ever mentioned to me was by Dr. Thomas Laffan; I am sure it was more out of a joke than otherwise. He said one day in the office, "Now, Meara, probably you will earn £20 or £25 about this election!" "If I do," says I, "it is very good." I do not remember to have any sum named to me otherwise than that conversation.

5047. You said you thought he mentioned it as a joke. What was there apparent of joke about it—is it that it was too large or too little?—Well, I do not know, sir. I did not know the amount of work I was to do, and consequently I thought he could not calculate the sum for me.

5048. You thought it strange that he should name a particular sum not knowing how much labour was to be done?—He told me he was aware of the amount of work I was to go through; I was not at the time.

5049. When did that conversation take place?—It was, I am sure, the day on which I went to work to the office, as well as I can recollect.

5050. After being paid £3 by Mr. Patrick Laffan, I presume you applied for the remainder of what you expected to get?—Never, sir; I never applied, with the exception of once or twice I asked Mr. Michael Laffan previous to the election—a small sum, and he refused me.

5051. In what terms did he refuse you?—He said that I could recollect the amount of the work done. I recollect that he said that if I put in my bill, and mentioned the amount of work done, he would try and get me paid, or could pay me himself—I forget which; but he said it would be better for me to let it stand over.

5052. To let it stand over?—I do not recollect positively, but as far as I recollect this was the substance of his words.

5053. Did he give any reason for letting it stand

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John Bernard O'Meara.

over?—He said if I was paid now—"Probably you know," says he, "we must only pay you now by the ordinary rate; probably you will be better remunerated hereafter."

5054. When did that conversation take place with Mr. Michael Laffan?—As I say, it was some time previous to the election, sir; it must have been in the commencement of November—from that to the 7th.

5055. Of course you understood what he said as to your being paid only the ordinary rate then and more afterwards, had reference to your father being a voter?—I cannot swear that.

5056. I did not ask you to swear it—I asked you what you understood. Did you believe that at the time?—Well no, sir.

5057. Do you entertain the slightest possible doubt that when, as you tell me, Mr. Michael Laffan said, "If you are paid now you will only get the ordinary rate, but if you wait it will be more," it had some connexion with your father's vote?—Probably it had, sir.

5058. You seem disposed to answer me candidly; and although the question may not be a very pleasant one it is your duty to answer it honestly and truly. I am not asking you to say what was in Mr. Laffan's mind, but what you believe yourself. I ask you did you not believe when that was said that your father's vote was meant?—This I can say, that my going to Mr. Michael Laffan's office had no connexion I am sure with my father. My father, I do not suppose, was ever aware what I was to receive, neither did I tell him what Mr. Laffan told me. When I did apply to Mr. Laffan for money I never told my father; it was for my own private purposes I wanted it; neither did I tell my father what Mr. Michael Laffan said.

5059. But still do you not say to me that you understood that that was the meaning of Mr. Laffan's observation?—Well, it is; at least I scarcely could infer otherwise, sir.

5060. You afterwards sent in an application for £35?—No, sir.

5061. For how much?—£30, sir.

Mr. E. H. Biggin.

Mr. *E. H. Biggin* recalled by Mr. WATERS, Q.C.

5062. Mr. Biggin, give me claim number 94?—I have not that claim.

J. B. O'Meara.

J. B. O'Meara's examination resumed by Mr. WATERS, Q.C.

5063. To whom did you give that claim?—I left it in Mr. Laffan's office.

5064. Do you swear positively that it was £30 you claimed?—I recollect it. That is the impression always on my mind that it was £30, sir.

5065. Can you recollect it with any degree of certainty?—I always recollected it.

5066. You are quite sure it was £30?—Yes.

Mr. M. J. Laffan.

Mr. *M. J. Laffan* recalled by Mr. WATERS, Q.C.

5067. Mr. Laffan, can you explain how this comes to be £35 in the book?—I cannot say. If he put in a claim for £30 I did not make it £35 for him. I gave it as I got it.

Mr. E. H. Biggin.

Mr. *E. H. Biggin* recalled by Mr. WATERS, Q.C.

5068. Do you know, Mr. Biggin, what has become of this claim?—I do not know, sir.

5069. Had you the claim before you when you entered it?—I think I had.

5070. Did you alter it?—I do not think I did, sir.

John B. O'Meara.—I believe Mr. Munster published a notice that the claims were to be in in a certain time. As far as I recollect it was £30. It was my determination to name that sum. I do not recollect otherwise.

John B. O'Meara.

John B. O'Meara's examination resumed by Mr. WATERS, Q.C.

5071. The sum of £3 was paid by Mr. Patrick Laffan to you?—Yes, sir.

5072. And was it on account of services you had rendered in the office?—I understood it so, sir.

Mr. M. J. Laffan.

Mr. *M. J. Laffan* recalled by Mr. WATERS, Q.C.

5073. Mr. Laffan, can you explain how it happens that that payment does not appear here?—It has no business to appear there.

5074. Was he not one of the assistants at the election?—Yes, but when I come to account for the £513, that will appear then.

5075. £513 over and above this list of expenses?—Not at all. Mr. Richardson charges me with £513; when I come to discharge myself of the charge, you will find that £3 in the items.

5076. But not included in these items?—There are items put down there, canvassers, messengers, clerks, &c., put down *in globo*.

5077. And this is included in them?—Yes, quite so.

John B. O'Meara.

John B. O'Meara's examination resumed by Mr. WATERS, Q.C.

5078. Had you any conversation with your father or brother about the amount of your claim? Did you mention to them what you were going to put in the claim for?—They were not aware of the amount of my claim. My father, after I put in the claim, asked me had I put in a claim for my services, and I named something under the sum I put in—considerably lower; I do not know how much, but it was considerably lower, what I mentioned to my father.

5079. Did he make any remark as to the amount being too little, or that you ought to claim £30?—No, sir, he never named a sum to me to claim.

5080. Then who made you alter the small sum that you first mentioned to your father to £30 which you claimed?—This I did of myself, sir.

5081. Did you say to me a moment ago that it was after you put in the claim you told your father a lower sum? Therefore this conversation with your father was after

John B. O'Meara.

you put in the claim?—He asked me, I recollect, both before, after, and previous to my putting in a claim; but I believe my father was not aware of my putting it in.

5082. You told him a sum very much lower than the sum you did put in?—Yes.

5083. Did you mention that lower sum, because you thought your father would require you to pay him the sum you were to get?—Probably some motive like that actuated me to do it.

5084. Then you believe that your father would have demanded the money?—I am sure he had a right to it. I must confess I earn little or nothing for my father. I am quite dependent on my father.

Catherine Hayes Looby sworn; examined by Mr. Waters, Q.C.

Catherine Hayes Looby.

5085. Your good man here told us that he got £30 at the election?—He did, the morning of the election.

5086. The morning of the election?—Yes.

5087. He told us he does not know the man that gave it to him?—So he told us too.

5088. Did any persons come to you the night before to tell you that they wanted to see him?—They did, sir.

5089. Who came?—I could not tell you who it was, sir, now. I disremember.

5090. Did any person come to you more than once about your husband's vote?—Mr. O'Beirne came one day to me and asked me for it, and I said himself was not there. He said he promised it to him, and I said I did not know which.

5091. Did anyone come from Mr. Munster for his vote?—No.

5092. Do you know Patsey Cunningham?—I do.

5093. Was he with you?—No, sir.

5094. I suppose your husband told you how he got the money?—He told me from a man, and he did not know him, in a room above in Corcoran's; and he did not know who it was, and he had not his specs to see who it was.

5095. What brought him to Corcoran's hotel that morning?—Because it is there all the meetings was.

5096. Did you see him when he got up that morning?—I did, sir.

5097. When he was going away from you did you ask him, "Tom, where are you going?"—I asked him no questions.

5098. You knew where he was going?—I did.

5099. To Corcoran's?—Yes.

5100. What did he go there for?—I suppose to meet the rest of the voters.

5101. You knew he had made up his mind, at that time, to vote for Mr. Munster?—I did, sir.

5102. I want you to tell me shortly, who was it that told you he would get the £30?—No one, until he brought it down.

5103. Did you ever know or hear anything about it?—I knew nothing about it until he brought it down and gave it to me to keep it.

5104. Were you very much surprised when he gave it to you?—I was not, for I always had plenty of money before it.

5105. I do not mean that—what I mean is, were you surprised at his getting £30 for his vote?—I was not.

5106. Had you heard that he was going to get it?—I did not, until he brought it in and gave it to me to put it up.

5107. Why were you not surprised?—I was not surprised.

5108. Did you know that others got the same amount?—I did not know nor see anyone to get it. If I knew any more about it I would tell you. I was not there, day nor night, to know anything about it.

5109. Was your son there when the old man came back with the money?—He was not, sir.

5110. Your daughter was, I believe?—She was, sir

Michael Looby sworn; examined by Mr. Waters, Q.C.

Michael Looby.

5111. Do you know how old the jennet was?—About five years old? five, or beyond it; I could not say which. I am a bad judge of them, sir, unless a cow or a sheep.

5112. We heard that your father got £30 the morning of the election?—Yes, sir.

5113. And your father told us you were pressing him the night before to go to Corcoran's hotel?—Yes, I did, sir, to go to the meeting.

5114. Who told you to try to get him up to Corcoran's?—No one at all but myself.

5115. He would not go up that night?—No, sir.

5116. But he got up in the morning and went there?—Yes, sir.

5117. I suppose he told you how he got the money?—He told me he got the money at Corcoran's hotel, from some person he did not know.

5118. Do you know Patsey Cunningham?—I do, sir.

5119. Had you any talk with him about it?—I had not.

5120. Never?—Never, because I was off and on to Liverpool with cattle.

5121. But you were at home at the time of the £30?—I was at home that morning.

5122. And you were also at home the night before?—I was, sir.

5123. And you knew that Mr. Munster's people wanted to have your father go up to Corcoran's?—I did not know which.

5124. Sure you know that some of the boys came down for him?—No, sir, not to my knowledge.

5125. Why did you press him to go up? What was Mr. Munster to you more than Mr. O'Beirne?—By gor, nothing, sir.

5126. Why, then, did you press him to go up to Corcoran's?—When he was inclined to vote for him.

5127. How was it your father went up and got the money?—I do not know how he got it. All I know he got £20 for his jennet, and £30 after, and that is all I know. There is the truth for you.

5128. You do not know how it was that he was brought up to this man at Corcoran's?—I do not, sir.

5129. Had you any talk with Mr. Patrick Laffan?—Never, sir.

5130. Had you anything to say to the selling of the jennet?—Not a word; I was not at home at all when he was sold.

5131. Did you consider the jennet sold at a high price?—No, I considered the jennet worth ten or twelve pounds; any day we could get that for him.

5132. If ten or twelve pounds was the value, twenty pounds was a good price?—By gor! it was a good price.

Thomas Looby.—I refused £14 for him two years before from a gentleman within a mile of the town.

Sixth Day.
October 9.
Mrs. Bridget Corcoran.

Mrs. *Bridget Corcoran* sworn; examined by Mr. Waters, Q.C.

5133. Are you the owner of a hotel in this town?—Yes.

5134. Your hotel, I believe, or a portion of it, was taken by Mr. Munster for the last election?—Yes.

5135. The night before the election I believe you had several persons in your house?—Yes.

5136. Do you know who occupied that night one of your rooms known as "bed-room No. 6"?—No, I have no knowledge at all of who occupied it.

5137. You keep books, of course?—Yes, but my place is in the bar, and my servants notice all parties coming into the hotel; and during Mr. Munster's time—during the election—I had no recourse to his rooms upstairs.

5138. Was bed-room No. 6 one of his rooms?—Well, no; but I believe they used that room. Mr. Munster used the lower floor, a large drawing-room and two bed-rooms. Any room they wished they had the use of; I did not prevent them.

5139. Was No. 6 one of the bed-rooms for which you were paid?—No, I was not paid. It was for a large drawing-room and two bed-rooms.

5140. Was No. 6 one of those bed-rooms?—No.

5141. But you stated to me that you had no objection to their using other rooms, and No. 6 was used by Mr. Munster's people?—It might without my knowledge. I had no objection to their using it.

5142. Did you not say that it was actually one of the rooms used by his people?—My servant told me so.

5143. What is that servant's name?—Catherine Duggan.

5144. Have you her still?—She left me after the election.

5145. Where is she now?—She was living with Mrs. Dolan of the Main-street since.

5146. Is she there still?—I do not know.

5147. Did you ascertain why she had left?—No.

5148. Is Catherine Duggan a native of Cashel?—Yes, sir.

5149. Do you know what her people here are?—I do not know, indeed.

5150. What other servants had you in the hotel? I want to find out who was the person that slept in that room. It has been proved that Mr. Thomas Luby went to your house and was taken upstairs to that bed-room; that after knocking at the door the door was opened, and he went into the bed-room; that there was a candle lighting there, and a man in his trowsers and shirt, who seems to have got out of bed, then and there gave him £30?—That was the only servant I had that night to my rooms.

5151. You understand that, however disagreeable it may be to you, it is your duty, under the obligation of your oath, to give us every assistance to find out who that person was. Is there any servant in your house that will be able to give us any information?—There is no servant in my house that knows anything about it.

5152. Had you not a boots?—No, I had only a kitchen maid and servant.

5153. But no man attended?—No.

5154. Was Catherine Duggan the only one who had recourse to the bed-rooms?—Yes, she was the only one that could tell that.

5155. Mr. Molloy.—Who used to attend the dinner-table?—She was the only servant that used to attend the table. The kitchen servant always attended her, brought what she required to the doors, and then she attended the rooms.

5156. Mr. Griffin.—Do you remember, at all, a man named Murrin, or some name like that, who was some servant in the employment of Mr. Leahy?—Yes, I remember him.

5157. What was his name exactly?—I think his name was Morrogh.

5158. What was his Christian name?—I do not know.

5159. He was stopping most of the time at Cunningham's, I believe?—This man that I mean slept at the hotel.

5160. How often did he sleep at the hotel?—He slept there during the time he remained.

5161. How long did he remain?—Well, I do not remember. I am sure he remained for a week.

5162. That was the week of the election, I suppose?—No, I cannot say exactly; I remember him being there.

5163. Do you not remember seeing him there during the election—Mr. Leahy was there then?—Mr. Leahy was.

5164. Do you not remember that this man of whom we are speaking was there too?—I remember him being there, but I cannot say he was there during the week of the election.

5165. What kind of man was he?—A middle-sized, dark-complexioned man.

5166. What age was he—was he a young man?—No; middle-aged—not a young man.

5167. About forty?—Yes, I think so.

5168. What was he doing about Mr. Leahy do you know?—I do not know. I was always in the bar, at my own business.

5169. You saw this man going in and out the hotel?—Yes.

5170. You do not know had he been stopping at Cunningham's before he came to you?—No, I think he came direct to me.

5171. He is not a Cashel man, I believe?—I think not. I believe he came with some of Mr. Munster's party.

5172. Mr. Waters, Q.C.—With whom did you make the arrangement for your house during the election?—With Mr. Richardson.

5173. What were you to be paid for it?—£30 for the use of a drawing-room and two bed-rooms.

5174. During the election?—During the election.

5175. How much money have you been paid by Mr. Richardson or anybody else on account of the use of your hotel and anything consumed in it during the election by Mr. Munster's people?—I have received in all £228, including cars.

5176. How much was the amount for the cars?—I think I furnished the car bill separately.

Mr. E. H Biggin.

Mr. *E. H. Biggin* recalled by Mr. Waters, Q.C.

5177. Mr. Biggin, have you Mrs. Corcoran's car bill?—No, sir.

Mrs. Corcoran.

Mrs. *Corcoran's* examination resumed by Mr. Waters, Q.C.

5178. Can you tell me how much it was, Mrs. Corcoran?—I could let you know.

5179. You said £228 was what you got altogether; £30 was for the use of the rooms; the portion for cars you are not able to tell me at present?—No, but the cars are included.

5180. What was the rest of the money for?—For Mr. Munster's party; they were staying from the first time he came to Cashel—they were living at the hotel.

5181. Mr. Leahy was stopping there?—He was.

5182. And his bill was paid by Mr. Munster?—All went in the general account.

5183. Was Mr. Patrick Laffan staying there?—He sometimes dined.

5184. Did he sleep there?—He did, I think, once or twice he happened to sit up late.

5185. Do you recollect if he slept there the night before the election?—I could not recollect.

5186. There were a great number of people there that night?—Yes.

5187. And we understand there was dancing and great hilarity amongst some of the company?—I know they occupied the coffee-room and amused themselves the best way they could.

5188. Were they voters?—I cannot say.

5189. You surely know the voters?—Very few voters I know.

5190. You are a long time living in Cashel?—Yes.

5191. Then you know a great many of the voters of Cashel—you saw them there that night?—There were a great many in the house that were not voters.

5192. And I am sure there were a great many who were voters?—Well, I suppose so.

5193. And you supplied drink to them, I suppose, that night?—There were refreshments that night.

5194. And of course you can tell the value of the drink you supplied that night?—The refreshment given that night was ordered by Mr. Cahill, which I am not paid for yet.

5195. What Mr. Cahill is that?—He lives in the Main-street.

5196. Is that old Mr. Cahill?—Yes.

5197. Do you mean all that was ordered that night?—Yes; he was the principal person that ordered. He said he would be accountable for what went into the room.

5198. But there were several rooms occupied?—There were.

5199. We have it that Mr. John Bernard O'Meara and some of his friends were in one room, and never saw those that were dancing at all?—They were.

5200. But refreshment was sent to that room?—When the servant came to the bar I gave whatever was wanted, and did not mind where it went to.

5201. Do you mean that what was sent to the coffee-room was not included in the general bill?—All went into the general bill; but when Mr. Richardson was paying he would not pay for the supply to the coffee-room, and he deducted it, and I am not paid it yet.

5202. How much was the amount of it?—£20 12*s.* 6*d.*, I think.

5203. I understood that the amount you got was £258?—The use of the rooms was not included in the account. I was paid that after the agreement was made.

5204. Then the £228 was altogether for refreshments and provisions?—Yes.

5205. £20 12*s.* 6*d.* remains unpaid?—Yes.

5206. And Mr. Richardson told you it should be deducted?—Yes, that he could not certify it.

5207. Did he tell you that it would be paid at any future time, or lead you to suppose it would?—No, he said nothing.

5208. Did you ever ask Mr. Munster for it?—I did; I applied for it to Mr. Munster, and got no answer.

5209. Did you apply to anybody else?—I applied to Miss Sterne for the balance of the election account, and got no answer.

5210. Was it by letter you applied?—Yes.

5211. Did you ever apply verbally to anyone?—No, not to any of Mr. Munster's people.

5212. Did you ask Mr. Cahill?—No, I did not ask Mr. Cahill a word about it.

5213. You never asked Mr. Cahill?—No.

5214. I suppose you do not think Mr. Cahill is the person to pay it?—I do not know.

5215. Mr. Munster wishes to know if you had a son in the employment of Mr. O'Beirne in the bank at the time of the election?—Yes, I had.

Patrick Cunningham was called, but did not appear; *Thomas Meara* was called, but did not appear.

Patrick Hackett sworn; examined by Mr. Waters, Q.C.

Patrick Hackett.

5216. Mr. Hackett, you live at Mrs. Dolan's I believe, in this town?—Yes, sir.

5217. And you manage her business?—Yes.

5218. May I ask what the business is?—General business.

5219. Is that the place where Catherine Duggan was lately a servant?—Yes.

5220. Is she there still?—No, she left on Sunday from Mrs. Dolan's, for the purpose of going to England with her husband some day in the week.

5221. Do you know if she has left the town?—I am quite sure she has.

5222. And she has got married since?—She was married previously; I think she got married about the time of the election.

[Mr. *Munster*.—I am in a position to give some information about that person. I gave the money to enable her to be married, about eight months ago, at a rough guess.]

5223. I believe, Mr. Hackett, that you were interested about Mr. Munster at the last election?—In the very last days of it I was, sir; I refused to interfere in the early part of it.

5224. Are you a voter yourself?—No sir.

5225. But I believe you have considerable influence?—I thought I had, but I refused to use it until the very last day.

5226. But you did ultimately use it?—I did; those on whom I called were pledged, and I did not press the matter.

5227. Who were they?—I sent for one or two, and they refused to come.

5228. Who were they?—Pat Halloran and Jer. Neill.

5229. Are those persons voters of the town of Cashel?—They are voters on the Commons.

5230. Anybody else?—I called on one or two others, and they were pledged also.

5231. On whom did you call?—Dan Dwyer and Edward Keating.

5232. You sent for Halloran and Neill?—Yes, and they refused to come to me; I called on the others and they were pledged.

5233. Did you not call on, or send for, more than those four?—Never.

5234. Do you know anything of any money having been given to any voter at the last election?—Not to my knowledge.

5235. Or given for voters?—I heard of it, but beyond hearing I do not know who got it.

5236. Did you give any money to anyone yourself?—I did, sir.

5237. How much?—I paid two persons two thirty-fives.

5238. To whom was the first £35 given?—One was for John Molony, and the other for Halley.

5239. Is Molony a voter?—Yes, sir.

5240. Where did you pay the money to John Molony?—In Mrs. Dolan's house I paid it.

5241. That was for his vote at the election?—Well, it appears to me that it was, for the money was left with me to dispose of it.

5242. Is that John Molony of Carron?—Yes, sir.

5243. On what day did you pay him that £35?—I cannot say exactly, but I think it was some day in April.

SIXTH DAY.
October 9.
Patrick Hackett.

5244. Was it after the election?—Long after the election—even after the petition.

5245. Who gave you the money to give to him?—It was left to me by Mr. Laffan.

5246. By which Mr. Laffan?—Mr. Patrick Laffan. He told me those persons would call on me, and we had no further conversation about it.

5247. When did Mr. Patrick Laffan give you the money?—I think it was some time previous to the election.

5248. Was it long previous to the election?—Not long.

5249. Molony came to you in April; was it by appointment, or how was it?—He saw me some time previously and asked me would I give the money. I told him hold on for some time, that it was all right. Then he came subsequently.

5250. Did he come to you more than once?—He came once, and I told him it would be all right.

5251. Did he say that anybody told him to come to you?—No, never. Oh, I understood that there was an arrangement between himself and some friends of Mr. Munster.

5252. Who were the friends of Mr. Munster with whom there was an arrangement?—I think it must be Mr. Laffan.

5253. On the last occasion that he came to you, when you paid him the money, did any conversation occur between you; did he say that anybody but Mr. Patrick Laffan told him to come?—He did not say then, sir.

5254. Did he at any time?—He never told me that anyone told him come.

5255. Had you any conversation with any person about this money except Mr. Patrick Laffan and John Molony?—Never.

5256. Had you any conversation with any other person interested for Mr. Munster?—No, sir. I never went to their committee rooms, or mixed with them at all.

5257. Was it in Mrs. Dolan's house that Mr. Laffan asked you to keep this money?—I think it was in Mrs. Dolan's garden. I kept it in a private drawer. I had no conversation with others about it. Anybody never spoke to me about it.

5258. To whom did you pay another £35?—To Michael Halley.

5259. Was his name also mentioned by Mr. Patrick Laffan as a person who was to be paid by you?—Yes.

5260. And it was for his vote?—Well, I do not know, sir. It must have been, I fancy.

5261. Did he say it was for anything else?—He did not say it was for anything, but I understood that pretty well. I do not know that they gave any value. I am not aware they did.

5262. Is it Michael Halley?—Michael Halley.

5263. Where does he live?—In Carron also.

5264. Is Carron in the town of Cashel?—On the Commons.

5265. After you got the money from Mr. Patrick Laffan how soon did Halley call?—Some short time after the election, but I refused to give it then, as the petition was talked about.

5266. Did you give that as a reason for refusing to give the money then?—I did.

5267. Then it was perfectly understood between you and those men that they were to get that money for their votes?—I did not tell them; I do not know.

5268. You told them that you would not give them the money until after the petition?—I did.

5269. You were aware that they had voted for Mr. Munster?—I knew they did.

5270. You referred in conversation with them to their having voted for Mr. Munster?—They talked of it.

5271. When did you pay Halley?—The very same time as Molony. I think it was in April, or thereabouts.

5272. Was all the £35 for Halley?—Yes.

5273. That is rather above the usual figure, is it not?—I had nothing to do with the arrangement of the figure.

5274. But it is over it?—I suppose so from what I have heard. I was made the medium.

5275. Is that all the money you got?—That is all. All the money I got I handed back to Mr. Laffan.

5276. How much more did you get?—I kept no account.

5277. How much did you get; give me some idea of the amount?—I got altogether, I think, over £100.

5278. That is including the £70 you have now accounted for?—All inclusive. I handed back the difference to Mr. Laffan.

5279. Did you get all the money together from Mr. Laffan?—I think I got it two different times.

5280. You got £70 in one sum, was that the first?—I did not get any particular sum. I think I got £80 or £90 first.

5281. I understood you to say it was in Mrs. Dolan's garden Mr. Patrick Laffan gave you those two sums of £35 each, and told you that John Moloney and Michael Halley would call on you?—I did not mention that; I mentioned a sum of money; I did not say any particular sum.

5282. You got over £100 in two payments?—Something over £100.

5283. It was given to you in two payments?—In two payments at two different times.

5284. When you got the first portion, Mr. Patrick Laffan said that John Moloney and Michael Halley would call on you, and that they were to get £35 each?—Yes.

5285. What other men did he say?—He did not say any other men, but he was under the impression that I could influence others.

5286. Were there no names mentioned?—No names mentioned.

5287. Was the rest of the money to be applied at your discretion?—I believe so: that I might use it as I pleased.

5288. To influence votes at the election?—I called on those people.

5289. It was given to you to influence votes at the election?—I understood so.

5290. Was it after you got the money that you called on the people you have named?—It was.

5291. Just mention them again?—I sent for Halloran and Neill.

5292. Those were people from the Commons?—Yes.

5293. And you called on Keating and Dwyer?—Yes.

5294. Are these also people from the Commons?—Yes.

5295. Which Dwyer is that?—Dan Dwyer.

5296. Did you mention anything about the money to Keating or Dwyer?—I do not think I did. When I found they were engaged I did not press them.

5297. Did you mention anything about money to anybody else?—I do not think I did; I had no conversation with any others with regard to money or terms.

5298. Had you any communication with reference to votes with the wives, or daughters, or sisters, of any voters?—No, sir. I spoke to another person; I think her name was Alice Stapleton, the daughter of Daniel Stapleton. I asked her would her father vote for Mr. Munster, and she gave me no decided answer. I think her father voted for Mr. O'Beirne.

5299. Did you tell her that something would be received by his voting for Mr. Munster?—I think I gave her that to understand, sir.

5300. Mr. GRIFFIN.—How did Halloran and Neill vote?—I think they voted for Mr. O'Beirne.

5301. Mr. WATERS, Q.C.—Do you know a man named Cunningham?—I know two of the name, Thomas and Patrick; Thomas is the father of Patrick.

5302. Do you know anyone else named Cunningham?—I do not know a third person named Cunningham.

5303. Do you know Richard Cunningham?—No, sir.

5304. Do you know Richard Cummins?—I do, sir.

5305. Have you seen Patrick Cunningham lately?—Not for the last week or more; some short time.

5306. Cummins, I believe, is a voter on the Commons?—Yes, sir.

5307. Did you ever see him about his vote?—I never spoke to him at all, sir, on that occasion, with reference to the election.

5308. Now, I must ask you if you knew anything of the election of 1865?—No, sir, I mean so far as to interfere, but I did not directly or indirectly interfere by offering a bribe or anything that way. I talked to the people.

5309. I did not ask you very plainly about Dwyer and Keating. When you called on them you found they were pledged?—Yes, sir.

5310. Did you mention to them that there was something to be got by their voting for Mr. Munster?—I did not broach the matter. They were very stern and said they should go with the neighbours.

5311. To whom were they pledged?—To Mr. O'Beirne. I did not press them.

5312. They said they should go with the neighbours; which neighbours?—There appeared to have been a body pledged to vote for Mr. O'Beirne—all the Commons people.

5313. Halloran and Neill did not come to you?—No, they did not come.

5314. You never saw them or spoke to them on the subject?—Not before the election; I did since.

5315. Had you any conversation with them about money?—No.

5316. Or with any others of the Commons people?—No, I never touched on the subject after the election. I kept to my own legitimate business.

5317. You have told us very frankly, I am bound to say. Do you know of any other matters touching this inquiry, than those you have already told us?—No, sir.

5318. Mr. Griffin.—Did you hear of any promises made to voters?—No, sir, I did not mix myself up much with it.

5319. When Dwyer and Keating told you that they were pledged to Mr. O'Beirne, did they say anything about having passed notes?—No, sir, I did not enter it that.

5320. Mr. Waters, Q.C.—Can you fix the time when the money was given to you by Mr. Laffan?—I do not think it was more than a week before the election. It was not at all a week, because I refused to interfere at all until after the nomination. After the nomination I got it.

5321. That is, the day before the election?—It must have been after the nomination day, for I refused to have anything at all to say in the matter until after the nomination.

5322. Are you quite sure that it was before the polling was over?—It must have been.

5323. Therefore it was either the day between the nomination and the polling, or it was the day of polling?—Either of these days.

5324. Who pressed you before then to interfere?—I think Mr. Michael Laffan asked me to give a helping hand, and I gave some reasons to him not to interfere.

5325. What were the reasons?—Mr. Vincent Scully was a candidate. There is a relative of mine doing business for them. They called on me to interfere, and I told them I had no influence. As I did not do anything for Mr. Scully I would not do anything against him. When he withdrew I thought I would do what I could for Mr. Munster.

5326. When did you get the remainder of the money from Mr. Patrick Laffan?—Immediately after the election.

5327. You got two sums; the first after the nomination day?—Yes.

5328. When did you get the second?—It must have been the day after. I must have got the money first on the nomination day, for I got it on two different days.

5329. On two different days?—Yes, or early on one, and late the same day, I got the two sums.

5330. You got the two sums before the election, and after the nomination?—Yes, sir.

5331. After you knew you would not use any more of the money you handed back the difference?—Yes.

5332. How much did you hand back?—I assure you I could not tell you exactly. I know he kindly pressed me to take something for my own services and I would not have it. I wrote to him to that effect.

5333. You wrote to Mr. Patrick Laffan?—I wrote to him to say that I would not have anything for my own services.

James Mulcahy sworn; examined by Mr. Molloy.

James Mulcahy.

5334. Do you live at Bohermoor?—I do, sir.

5335. Are you one of the Commons people?—No, sir, for I live in the town.

5336. Did you vote at the last election?—I did, your worship.

5337. For whom did you vote?—For Mr. Munster, sir.

5338. You have a family?—I have, sir.

5339. How many sons have you?—Six.

5340. Tell me their names?—I have but five now—Andrew, Thomas, Michael, Edmond, and John. I had James until a month ago.

5341. How old is Michael?—Something about twenty-five years.

5342. Is Tom older or younger?—He is older; but Michael is a clerk in Clonmel; he is not here at all.

5343. How old is Tom?—About twenty-eight or twenty-nine.

5344. What was he doing at the election?—By gor, I see him doing nothing, only running about.

5345. Was he engaged on any side in the election?—I cannot say. I am on my oath on the brink of the grave. I didn't know what they were doing. I always should stay inside, I am bad in my health.

5346. Does Tom live with you?—He do.

5347. And does he mind your business?—Yes.

5348. What business do you follow?—Always at contracts.

5349. Roads?—Roads; every place I can make by a contract.

5350. Is it Tom that always attends to the doing of the contracts for you?—It is himself and two more.

5351. Was Tom employed by either candidate at the last election?—I do not know. He might for what I know. He never told me about it.

5352. Who canvassed you in the last election?—Mr. Laffan's father, old Mr. Laffan, I being his tenant, and he asked me would I vote for his friend, and I told him I would.

5353. Was he the only person that canvassed you at the last election?—By gor he was, and Mr. Michael Laffan and Mr. Munster after that promise came to my room, and I told Mr. Munster that I would vote for him.

5354. As he was Dan Laffan's friend?—Yes.

5355. Did you vote at the election of '65?—I did.

5356. For whom did you vote in 1865?—For Mr. O'Beirne.

5357. Now why did you turn round from Mr. O'Beirne?—Why should I go against my landlord?

5358. Did you not go against your landlord's friend in '65?—I did not, sir.

5359. Did you not vote against John Lanigan in '65?—I did, sir, certainly.

5360. Was not Mr. Laffan supporting John Lanigan in '65?—He was.

Sixth Day. October 9.

James Mulcahy.

5361. And you went against him?—I did.

5362. What did Mr. O'Beirne do to displease you in the meantime?—He did nothing to me, nor I asked him nothing, nor I got nothing from either one or the other this thirty-five years.

5363. Did you vote for John Lanigan in '59?—I did not, sir; I had no vote at that time.

5364. He was a Tipperary man?—He was, sir.

5365. And you would not vote for him?—I did not.

5366. Even for your landlord?—I did not.

5367. What was it that Mr. O'Beirne did to displease you. Surely he did not change his principles or politics after the time you voted for him?—When my landlord asked me to vote along with him, I told him I would.

5368. Did he not ask you in '65 to vote along with him for John Lanigan?—He did not, sir.

5369. He did not?—No, sir, Mr. Laffan did not.

5370. Did Mr. Lanigan himself canvass you in '65?—He did.

5371. And you would not vote for him?—I would not.

5372. Why did you prefer Mr. O'Beirne to John Lanigan in '65?—Because Mr. Laffan asked me and I did not know Mr. Munster's people.

5373. I am asking you Mr. Mulcahy, why in '65 you preferred Mr. O'Beirne to Mr. Lanigan?—It was all to my own wishes.

5374. But why, tell me, did you prefer Mr. O'Beirne?—Well, I don't know.

5375. Come now, tell me why you voted for him. Did you not get money in '65?—Money?

5376. Yes?—This thirty-five years I didn't get the value of that stick, sir, by any election, nor ask it, nor never was promised it, nor never expected it.

5377. Was it not the boys that told you you should vote for Mr. O'Beirne in '65?—Faith it was not; it was not, your worship.

5378. Did your sons get anything in '65?—Nothing.

5379. Did your sons tell you that you should desert Mr. O'Beirne and vote for Mr. Munster?—I should have my own way.

5380. Is your wife alive?—She is.

5381. You would pay regard to what the Mrs. would tell you, and the boys?—My mind was made up to vote for Mr. O'Beirne at that time.

5382. Did any person say to you, "oh, you cannot go with Mr. O'Beirne this time; you must go with the person Tom is engaged for"?—I was checked by no one, nor I am not obliged to do so by no man, either landlord or anybody else.

5383. Did any person tell you you could not go with Mr. O'Beirne this time as Tom was engaged?—No, it was myself that told Mr. O'Beirne when he came to my house, I would not vote for him.

5384. Did Tom tell you that he was to get anything?—No, nor to my knowledge he did not get anything.

5385. Did he tell you he had a claim on Mr. Munster?—I suppose he was running about canvassing for him.

5386. Was he doing it for nothing?—For nothing! faith, I don't know. He got nothing at all events.

5387. You know all about the claim he has on Mr. Munster for what he did for him at the election?—No, sir.

5388. Would you be astonished to find he sent in a bill to Mr. Munster?—He did.

5389. So you know that he sent in a bill to Mr. Munster?—A bill! I can give my solemn oath I do not; on the mortal spot that I don't know it. A bill!

5390. Did you hear that he sent in a bill for his services?—I can give the same oath that I didn't hear it.

5391. Nor that he sent in an account?—Nor sent in an account.

Mr. E. H. Biggin.

Mr. *E. H. Biggin* recalled by Mr. Molloy.

5392. Mr. Biggin have you got claim number eleven?—Yes. [Hands it in.]

James Mulcahy.

James Mulcahy's examination resumed; by Mr. Molloy.

5393. Are you the person in whose name the contracts are taken?—Yes.

5394. Who sends in the proposal for you? Do you write it out yourself?—My eldest son, Andrew; and I go with it myself.

5395. Tell me, is that Andrew's writing? (is handed claim No. 11)—Begar, I don't think it is.

5396. Tell me whose handwriting you think it is?—Begar, I don't know.

5397. I do not want you to swear positively?—If I was on my oath I do not, sir.

5398. But you are on your oath?—Sure I am, sir. [Is handed claim No. 69]. Begar, that is very like Andrew's writing.

5399. Do you not think both are like Andrew's?—I don't know.

5400. What was he doing for Mr. Laffan?—He was at business for him for over three months.

5401. What was he doing for Mr. Munster during the three months?—Writing and messaging.

5402. How old is Andrew?—I believe about thirty-two.

5403. Does he live with you also?—Also.

5404. When was he employed at those messages for Mr. Munster?—Before the election.

5405. Who employed him?—At the first time that Mr. Munster came to town.

5406. How soon after Mr. Munster came to town was he employed?—I can't tell.

5407. Who employed him?—I believe it is Mr. Michael Laffan.

5408. How much of his time was taken up by this employment?—Faith, I don't know, sir.

5409. You live in the same house?—By my credit I don't know. Part of the days he would be out the whole day; other days a few hours, and so on.

5410. What did he tell you he was to get for that employment?—He didn't tell me anything.

5411. Did you not say to him, "if you go on this way neglecting the roads, it will not do"?—He never handled a shovel nor a spade.

5412. Did he tell you what he was to get?—He never did.

5413. Did he ever speak to you about how you were to vote?—Never to my knowledge.

5414. Had you any conversation with him about how you were to vote?—I had not.

5415. Did you ever speak to him about it?—Never, your worship; I am telling you the truth. I am a man that generally—mostly give all my time, saving your worship's presence, in bed, and I am badly healthed.

5416. Did your son get anything on account of the election?—Not to my knowledge.

5417. Listen to this [claim for £10, dated 7th December, 1868, read]?—It is not the same way with Tom as Andrew.

5418. Was Tom as busy as Andrew?—He was not then.

Thomas Meara sworn; examined by Mr. Griffin.

5419. You voted for Mr. Munster at the last election, I believe?—Yes, sir.

5420. You are the father of Mr. John Bernard O'Meara, who was examined here to-day?—Yes, sir.

5421. When were you first canvassed for Mr. Munster?—Well, I couldn't exactly say the day or the week, but Mr. O'Beirne canvassed me before Mr. Munster.

5422. What did you say to Mr. O'Beirne when he went and canvassed you?—I told him I would reserve my vote.

5423. Did you vote in the election of '65?—No.

5424. You had no vote then?—No, sir.

5425. You had not made up your mind how you would vote when Mr. O'Beirne canvassed you?—I intended my vote for Mr. Munster, knowing he would be a fit and proper person to represent our borough.

5426. Had Mr. Munster at that time employed your son?—Not to my knowledge at that time.

5427. Do you remember when that interview occurred?—I have not the day of the month nor the month, but I know some time about eleven months ago, when Mr. Munster came to town. To the best of my knowledge it is nearly eleven months ago.

5428. At the time that Mr. O'Beirne canvassed you Mr. Munster had come to town?—Mr. Munster was in town before Mr. O'Beirne, sir; but Mr. O'Beirne canvassed me before Mr. Munster.

5429. That would be in the early part of November or the end of October?—I don't know, sir.

[Mr. *Michael J. Laffan.*—It was from the 20th to the 25th October—say from the 18th to the 26th—that was about the time.]

5430. You knew at that time that Mr. Munster was coming?—I heard he was coming.

5431. When you spoke to Mr. O'Beirne Mr. Munster was in town?—Mr. Munster was spoken of before that.

5432. Had Mr. Munster arrived at the time Mr. O'Beirne canvassed you?—I cannot say; I believe not. In a few days, I believe. I cannot swear to it, sir.

5433. Your son told us that he was engaged about the 20th September—that was a month or very nearly a month before Mr. Munster came to town?—My recollection leads me, sir, that Mr. Munster was in town previous to Mr. O'Beirne.

5434. If your son was engaged before Mr. Munster came, he was engaged before you were canvassed by Mr. O'Beirne?—He was working in Mr. Laffan's office; he was working for Mr. Laffan, I believe, previous to the late election of Cashel, doing his own private business.

5435. Do you remember your son telling you that he was engaged about the election?—I believe it was Doctor Laffan got him the job. I don't know, sir, any more than I knew he spent some time in Mr. Munster's hotel.

5436. That was at the time of the election?—During the election.

5437. Did he ever tell you that he got £3 as part payment?—He told me he got a small sum of money, but I cannot say how much it was.

5438. That was before Mr. O'Beirne canvassed you?—After, sir. Mr. O'Beirne canvassed me long after.

5439. You heard of this employment of your son before Mr. O'Beirne canvassed you?—My son told me he got a small trifle from Mr. Laffan.

5440. It was after your son told you that that Mr. O'Beirne came to you?—I think Mr. O'Beirne came to me, sir, before that, to the best of my knowledge; for Mr. O'Beirne came to me and canvassed the Main-street of Cashel in the first days he entered Cashel; and my son was doing business previous—before that, I believe—for Mr. Laffan.

5441. After the election, do you remember a conversation with him about a claim on Mr. Munster?—I never heard it, sir.

5442. Your son told us that you and he had some talk about Mr. Munster's owing him money for the work he had done during the election?—If my son stated that, sir, I do not believe it to be true; for he and I never spoke about his statement to Mr. Munster.

5443. Did you know that your son had sent in a claim?—I heard he did, sir.

5444. From whom did you hear it?—I heard a rumour in my own house. My son is a schoolboy, sir, and I am a working man. I am from six in the morning to ten at night at work, and I have no communication whatever in the street.

5445. What is your occupation?—I am a tailor by trade, sir.

5446. When you heard this rumour in your house did you say anything about it to your son?—I never interfered, sir.

5447. Did you ask him anything about it?—Never.

5448. Did he tell you anything about it?—Never.

5449. What is your son's name?—John Meara, sir.

5450. If your son said he told you about the claim would he be making a mistake?—I might be making a mistake; but I don't remember it.

5451. Did you ever do work for Mr. Munster?—I did, sir.

5452. What did you do for him?—I couldn't account, sir. I am working for Mr. Munster and his friends since he was a fortnight in town, up to the present day.

5453. How much do you think you got from him altogether?—I couldn't tell you. Every job of work I done for Mr. Munster I furnished him with my bill, and he paid on the spot. I am a poor man, and I could not let my bill remain three or four months. He always paid my little bills at all times.

5454. Did they come to £50?—No, sir, nor £30.

5455. Did they come to £20?—I don't know, sir; but I am certain they didn't come to half the sum you mentioned.

5456. That is, they did not come to £25?—To the best of my knowledge they did not.

5457. Would you swear they did not amount to £25?—I kept no book account of my bills to Mr. Munster.

5458. What work did you do for him?—I couldn't tell you, sir. Can a tradesman that is dealing with three or four hundred people keep an account of one man's custom? Eh, I ask you?

5459. Mr. Molloy.—Answer the question?—Yes, but that is getting too good.

5460. Mr. Waters, Q.C.—You are able to answer the question very well if you like. Answer the question—what work did you do for Mr. Munster? You had no customer like Mr. Munster, giving you four or five pounds worth at a time?—I had not, sir; and if I had four or five like him I wouldn't care for the gentry of Cashel. I made for Mr. Munster and made for his sons, and made for his servants, and made for his friends.

5461. Mr. Griffin.—You did all his tailoring work?—I did, sir.

5462. When did you first do any work for him?—First—he wasn't long in town at the time.

5463. Was the first piece of work you did for him before or after Mr. O'Beirne came to you?—I think Mr. O'Beirne canvassed me long before.

5464. You told me that Mr. O'Beirne did not come to you until after Mr. Munster?—Yes.

5465. You say Mr. Munster gave you work almost immediately on his coming?—I think to the best of my knowledge Mr. O'Beirne canvassed me before Mr. Munster employed me as his tailor.

5466. Are you positive of that?—I am not positive, but to the best of my knowledge.

5467. Do you provide materials for clothes?—No, sir. I have not means for that, sir; but Mr. Munster purchased in the shop and I worked the materials.

5468. Where did Mr. Munster buy the things, do you know?—He bought them in every drapery house in town. He bought them in Cork, in Dublin, in

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Thomas Meara.

Thurles, and in Cashel. I don't think Mr. Munster had a select place for buying his goods. [Mr. Munster says it was not with the witness, but with his son Mathew, that he dealt.]

5469. Have you a son called Mathew?—Yes, sir.

5470. What is Mathew?—He is my eldest son, sir. It is he measured Mr. Munster.

5471. He is a working tailor?—Yes, sir.

5472. Does he live with you?—He do, sir. I am the conductor of the house. I know my own business.

5473. Mr. Waters, Q.C.—Mr. Munster says it was with Mathew he was dealing, and you say it was with you?—I consider when I am the man of the house it was with me Mr. Munster dealt.

[Mr. *Munster*.—Would you please to ask the witness, sir, if he ever saw me on his own business in his life?]

5474. Did you ever see Mr. Munster on your own business?—Never.

5475. Mr. Griffin.—Was it your son Mathew that did all the tailoring business for you?—I sent my son on every business to Mr. Munster's. I being the man of the house, my son measured and got his orders.

5476. Do you say you had no conversation with your son about the claim he put in?—No, sir; he told me he put in his claim, and I have no knowledge of it.

5477. He told you he put in his claim?—Yes.

5478. Do you remember whether you thought he asked too much or too little?—No.

5479. You do not remember?—No.

5480. What would you have expected him to do with the amount of his claim, if he got it from Mr. Munster. If he got £20 or £30, do you think he ought to have given any of it to you?—I don't want it from him. I am able to earn.

5481. Would you expect it if he got it?—I don't expect a shilling from him, but he expects a hundred pounds from me.

5482. If he had got the money would you have expected it?—Not a shilling; but I wish he may get money to take him out of the country, because he is a burden in my house.

5483. As he is a burden, I suppose if he got money you would expect it?—I want money from no man. I have hands to earn money.

5484. Mr. Molloy.—Would you not like a little for your vote?—I am not covetous. I have hands to earn money.

5485. Would you not take money for your vote?—If I got money in a fair way I would take it.

5486. Would you not take money for your vote at the election if it was going?—I would, but I was not offered it. I lost the chance.

5487. Mr. Griffin.—How did you lose the chance?—Because I didn't go in the way of getting it.

5488. Mr. Munster is a very charitable man?—I believe he is.

5489. Would you be surprised if Mr. Munster gave you anything now?—I don't expect it, nor I don't want it. I want nothing from no man only my earnings, and that I will get.

5490. Did anyone say he would "make it all right," or offer you any inducement to vote for Mr. Munster?—Not one man connected with Mr. Munster ever made me the slightest promise for my vote.

5491. Mr. Molloy.—Did any person in the world offer you any inducement?—No inducement whatever.

5492. Why, when Mr. Griffin asked you the question, did you say "No person connected with Mr. Munster?"—I am an illiterate man; I might not understand Mr. Griffin. Explain the word, and I'll give an answer.

5493. Mr. Griffin.—My question is, did anybody, on any side, offer you any inducement, or tell you it would be well for you, or offer you any advantage, or tell you it would be all right, or anything of that kind, if you voted for Mr. O'Beirne, or Mr. Munster?—I will tell you, Mr. Griffin. No man at Mr. Munster's side, ever; at Mr. Munster's side, ever made me a promise of a shilling; nor neither did they make me a promise of a shilling at Mr. O'Beirne's side. You are putting the questions very hard to me, gentlemen. Of course I did give my support to Mr. Munster, when I considered Mr. Munster the best man for our unfortunate town.

5494. Mr. Waters, Q.C.—You were getting a good deal of work from him?—I did not know what I would get at the time.

5495. Did you not get work from him?—After the election I earned the most from him; not before the election. No money could induce me, sir.

5496. That is, to vote against your principles?—I couldn't vote for a schemer, and turn my back to an honest man e'er a day.

5497. You would not vote against your principles, but you might vote for a man according to your principles, and take money if he offered it?—If it was legal I would.

5498. Legal or illegal you would take it—we know that very well. Were you not induced to vote for Mr. Munster because he was living here and spending money?—I know the man for a long time.

5499. Answer my question straightforwardly; if you do not, I will do something you do not like?—I don't care, sir.

5500. Answer my question, sir. Were you induced to vote for Mr. Munster because Mr. Munster was living here and spending money, and you expected to get some of it?—I will give an answer to that.

5501. Answer it?—At the time I authorized my son, at the time Mr. Munster came around in his carriage, that I pledged myself.

5502. What did you authorize your son?—I told my son, as being a working man, and not fit to appear in Mr. Munster's carriage, to promise Mr. Munster my support; and the same time I really believe Mr. Munster was not one week in town; nor neither do I believe did I earn £1 of Mr. Munster's money at the present time. It is after Mr. Munster's election whatever I earned I earned it principally.

5503. Go on?—I have no more to say.

5504. That is not an answer to my question. I ask you was it the expectation of money from him that induced you to vote for Mr. Munster?—I am after stating that I considered him the best man.

5505. You only knew him a week. Did he not come here a stranger?—He did, but he bore a character.

5506. From whom?—Do you want to know? I will tell you. From the Bishop of Salford, and from different other clergy.

5507. Did the Bishop of Salford write to you?—He did not.

5508. Mr. Munster was an entire stranger to you?—He was.

5509. An Englishman whom you had never seen or heard of before?—Yes.

5510. And after one week you knew he was the best man for this place?—It was public opinion.

5511. Do you swear it was only public opinion of that kind that influenced you in your vote?—Nothing of the kind, sir. Will you give me a certificate, sir?

5512. Do you know what a certificate is for?—No, but I am told about the town you give it.

5513. Do you not know, on your oath, that a certificate is given to free a man from any penalty incurred by having done corrupt things during the election?—Well, then, I am the last man to do that.

5514. Do you not swear that you gave your vote from high patriotic principle, believing Mr. Munster the best man?—Yes.

5515. Why then do you want a certificate?—I am a working man, sir, and may be called again.

5516. Mr. Molloy.—You were very anxious to have Mr. Munster returned?—It was public opinion, sir.

5517. Did you induce any other persons to vote with you?—No, sir. I work from six o'clock in the morning to ten at night.

5518. I do not want to hear of your work. Did you speak to any persons about voting for Mr. Munster?—Never, sir; I had no influence; nor if I had itself I wouldn't do it. I never done it.

Mr. *Michael J. Laffan* tenders himself.

Michael J. Laffan.

5519. *Witness.*—In the evidence of this man's son, my brother the Doctor was brought in—that he said to young Meara this would be a good thing for him. I do not want to have his name mixed up with the election, as he had no part in it. I wish to show what relation he stood in.

5520. Mr. WATERS, Q.C.—I will hear anything you have to say?—I can state he was not taking any part in the election; that he was merely here on a visit with his father; and that anything he did say was without any authority to interfere in the election, and merely a piece of idle gossip. If the reporter would strike it out——

5521. The reporter for the Commission certainly cannot strike anything out. The others I have nothing to say to. I may say this, however, that I think Doctor Laffan must have an opportunity of saying that for himself, because he must be here unless your brother Patrick comes. If your brother Patrick does not appear we must give the doctor the trouble of coming?—I think my brother Patrick will be here. I have got a letter from the doctor. He does not know where he is, but I have given directions to advertise at the head of the Commission proceedings to find him out.

5522. He was in Dublin a short time ago?—He was, and he is there still, I believe, if he can find him.

5523. If your brother Thomas wishes to be saved the trouble of coming down here, he will do his best to find him.

Mr. *John Coman* sworn; examined by Mr. MOLLOY.

John Coman.

5524. You voted at a good many elections in Cashel, I believe?—Yes, every election since '32.

5525. And you voted at the last election for Mr. Munster?—I did.

5526. And took a great interest in his behalf?—Not a bit of it.

5527. You did not?—No indeed.

5528. Did you not take a great interest in the return of Mr. Munster?—No, nor would I vote for him but that I detested the other.

5529. You detested the other candidate?—I detested Mr. O'Beirne for former acts, nor had I my mind made up, good or bad, to vote until I got a letter from Dean Cantwell.

5530. Why did you detest Mr. O'Beirne?—For previous acts in Cashel.

5531. What were the acts for which you detested him?—If I can go back to '57 I will tell you.

5532. We are obliged to go back?—I know Cashel well, and took an active part in the elections here, and I was often proud to be a Cashel man before that election. I saw the greatest men that ever adorned the House of Commons returned from Cashel—Judge Perrin and Chief Baron Woulfe. Until that time I scarcely heard a word, or heard bribery mentioned.

5533. Until what time?—Until '57. I think I heard the late Judge Perrin say that his two elections did not cost him a five pound note. He was first returned in '35. He was not long then when he was made Attorney-General. Poor Woulfe came then, and was returned without opposition.

5534. Was there no contest when Woulfe was returned?—No. There was a contest for Judge Perrin with Pennefather.

5535. Did you hear talk of bribery in Sir Timothy O'Brien's time?—That was in '57.

5536. When was Sir Timothy first elected? was it at the general election of '47?—I believe it was then. He was elected at the time Doctor Stock retired.

5537. Was that Sergeant Stock?—That was Sergeant Stock.

5538. What did you hear about Sir Timothy O'Brien's election in '57?—At that time Mr. Johnson, who was a very celebrated electioneering agent, came to Cashel. He was here two or three years before with two Englishmen, Hughen and MacGarrel. Hughen came first, and could make no way. MacGarrel came afterwards, accompanied with a host of attorneys, and with another rather appropriate name—a Mr. Hook. These came after Mr. Hughen. He left, and then came MacGarrel. They were going about, and they made MacGarrel believe, as he stated at the hustings, that he had a majority of two or three. He went to the poll, and he had only nineteen to vote for him.

5539. Who was Johnson?—An attorney, I believe, in the county of Kildare. I know he had an office in Dublin—Charles Frazer Johnson, I believe.

5540. He is dead?—He is dead.

5541. Was he the conducting agent of Mr. O'Beirne in '65?—He was.

5542. Was Mr. O'Beirne here in '57?—He was, and that was the first time he came here.

5543. Was he proposed?—He was proposed, and made a grand speech; and a great cry went out that he was full of money. He commenced taking houses, and made a great deal of noise. He took Murnane's house. The day of the nomination came on, and there were four candidates—Sir Timothy O'Brien, Mr. Hemphill, John Lanigan the popular candidate, and Mr. O'Beirne. They were proposed and seconded; and going down the street immediately after, I was walking with Mr. Lanigan, Mr. Phelan, of Cashel a respectable merchant, and Mr. Mullins, chairman of the Town Commissioners, when Mr. O'Beirne tapped Mr. Lanigan on the shoulder, and said, "I will retire if you pay my expenses." Mr. O'Beirne did not go to the poll.

5544. In '57 did you hear that there was a petition presented to the House of Commons?—I will give you a long history of that. Mr. O'Beirne stopped in town after the election. In three or four days after he wrote a note across to me to say he wished to see me. I went over. He said, "I know how you feel about the election—that John Lanigan would be returned if there was a fair election. If you allow this election," said he, "to stand you will never have a fair election again. You have it in your power," he said, "to furnish plenty materials; if you assist me I will lodge a petition." I said, "I can give you no answer until I ask." I went to consult Mr. Cahill, Mr. Phelan, Mr. Pierce Grace, and Mr. John Mullins, chairman of the Town Comissioners. They all agreed it would be well to do it. We all firmly resolved to get as much information as we could for Mr. Lyster O'Beirne. He lodged the petition; the day for trying it was named, a committee struck, and fourteen witnesses summoned from Cashel. The petition was against Sir Timothy O'Brien. John Scully came to me with a letter, saying they could not well go on if I was not over: that they did not want to examine me, but to place me in the room. I refused going; I was not in good health. He telegraphed, and had the Speaker's warrant next day. I had, without sleeping a wink, to cut away to London. I arrived at the hotel in Sussex-street at eleven at night. I asked was Mr. Johnson, an Irish gentleman, stopping there, and I was told he was. Mr. Johnson came down, and the first salute he gave me was, "Oh, by the law, we made the fellow bleed to-day." "What do you mean?" said I. "Oh," said he, "the petition is over, and Sir Timothy had to fork down a thousand pounds." "What, you villain, is it for that you dragged me over here?" "Oh," said he, "some of your neighbours will be very glad." I was not three hours at home when I heard from Mr. O'Beirne, saying how much he regretted he did not see me, but that he had £300 to spare that he would send to me to be laid out for the benefit of the town whatever way the committee would wish.

SIXTH DAY. *October* 9. John Coman.

I showed that letter, and they said not to answer it at all. I never heard a word about the £300. That is the history of '57.

5545. Was the three hundred pounds ever sent?—Never. The next thing I heard was that Mr. Johnson was £316 short of their expenses, or something of that kind.

5546. And there were fourteen witnesses of the Commons?—Fourteen of the Commons and townspeople, the late hotel keeper, James Ryan, and others, in all fourteen witnesses brought over to London.

5547. What were the grounds for the petition against Sir Timothy O'Brien in '57?—It was strongly suspected that he did resort to corrupt practices, and that he was forced to do so from the corrupt course Mr. O'Beirne was taking.

5548. Did you go as a witness to prove corruption?—No; they said they wanted to let me stand in the committee room, that some parties who made some admissions could not go back of it. There were no parties made admissions to me. I gathered a great deal of information from a man named Carew, who is not in the Commons now.

5549. Who is the man named Carew?—His name is Michael Carew. He is not living there now.

5550. Where does he live now?—I cannot tell. He let his little place. He had a small place in the Commons. I happened to be receiver for the Corporation property.

5551. Was the corruption confined to the Commons, or did it extend to the town?—I believe it was principally confined to the Commons, but I believe it extended to the town too.

5552. You first heard of taking houses in '57?—That was the first time I heard of it.

5553. Has the taking of houses become an established practice since?—Indeed it has; and I look upon it as being quite as corrupt as paying a bribe into a man's hand. I never yet knew one of them to take a house that there was not a vote in. Wherever a house was taken there was sure to be a vote.

5554. Was there a contest at the general election in 1852?—No; we had no contest in '52; it was in '59. This is '59 that I am speaking of.

5555. There was a general election in '52, the time James Sadleir and Scully were elected for the county?—I believe it was in '52 MacGarrel stood. Yes, it was in '52. It was a mere shadow of a contest. There were only sixteen conservatives and three liberals voted for him.

5556. Was it at MacGarrell's election that Hook and those other parties came over?—Yes, in '52.

5557. Would you try and recollect which was it in respect of the election of '52, or the election of '57 that the petition was?—'57; '52 was the time MacGarrell stood against Sir Timothy O'Brien. It was a mere shadow of a contest, and he only polled eighteen or nineteen. It was in '57 Mr. Hemphill was here. It was in '57 the petition was.

5558. Did Mr. Hemphill go to the poll in '57?—He did, he was second on the poll.

5559. Come now to the election of 1859?—The candidates then were John Lanigan, Charles Hare Hemphill, and John Carden. That election I am sure was carried on fairly. I heard nothing about bribery. Mr. Hemphill was twice a candidate here, and I never heard anybody speaking of him. Mr. Lanigan polled over ninety I think, Carden, ten, Hemphill, eight. He told me when he saw the time was running against him that he thought it right to stop any more of his friends to vote. He might have polled more, but he saw there was no chance. I think he admitted to some of his friends that there was no chance of a return.

5560. Lanigan was elected?—Lanigan was elected, and would be always elected if there was no corruption. The next election was in '65.

5561. Who were the candidates in '65?—Lyster O'Beirne and John Lanigan.

5562. Do you believe there was corruption at the election of '65?—I have no doubt of it. I am as sure as I am sitting here that Lanigan would be returned by ten to one majority if it was a fair election—a man that was always in the ranks of the people, and one of the leaders of the Irish people at one time, greatly liked, and represented the town six years before.

5563. Was the corruption confined to Mr. O'Beirne's side?—I have not the slightest doubt of it. I am not aware of any corruption at Lanigan's side. I was greatly interested and took an active part, and I am not aware of any corruption on his side.

5564. Did you hear of any case of corruption on Lanigan's side in '65?—I did not.

5565. I suppose if there had been one you would have heard of it?—I think I would.

5566. You never heard of any corruption on the part of Lanigan in '65?—I did not hear that there was a shilling given to anybody.

5567. Or that anything was promised to anybody?—Or hear that anything was promised. However, if such a thing was going, probably I would not be the man people would like to speak to about it.

5568. What was the corruption that existed?—You have it in evidence.

5569. Do you of your own knowledge know of any corruption?—I do not know any more about their election than any in the town. They would not come and tell me.

5570. Did the Commons people in '57 and '59 support Lanigan?—In '59 they all supported him.

5571. How did they vote in '65?—Every man of them went with Mr. O'Beirne, except one of them, a man named John Hickey, that voted for Lanigan.

5572. Were there houses taken in the town in 1865 by Mr. O'Beirne?—I should think so; I think Murnane's; his house was taken and other houses. I am sure they went very openly to work in '65.

5573. Was there corruption at the last election, 1868?—At the last election, I scarcely made a move at all. I did not take any trouble. I went one night to the hotel—the night before the polling—about a few minutes, but I do not know anything at all about it.

5574. Have you known anything of Mr. Munster before 1868?—I never recollect to hear of his name until he came to Cashel; never.

5575. You knew nothing about him until shortly before he became a candidate for Cashel?—I knew nothing at all about him until he became a candidate for Cashel.

5576. And time did not diminish your hostility to Mr. O'Beirne, who put out your friend John Lanigan?—No, indeed. I lay the blame on him of having Cashel so disgraced as it is. I have no hesitation in saying that.

5577. Tell us what you know of the conversation with Carroll about his house?—Cornelius Carroll and Cunningham are always free in my house. They were both customers in my house twenty years. I am a wholesale dealer in the spirit trade, and they are retailers and sell whiskey. They were very often in and out of my house together. Before the election Carroll came several times to me to say, "You should do something for me during this election, and I will be just as active as Patsey Cunningham." I said, "I have no power to do anything for you; I would advise you to mind your business and have nothing to do with elections. I never saw anyone have a day's luck by them." He was frequently coming. He said, "If I get an order on you for whiskey would you give it?" I said, "I will give you any amount of whiskey on your own order, but will have nothing to do, directly or indirectly, with elections." I was speaking with Mr. Laffan and Cunningham one Sunday and he came up. "Now," said he to Mr. Laffan, "as I have you together, will I get an order for the whiskey?" I turned round, "Damn you, didn't I tell you before I would not supply any such order?" Mr. Laffan turned round and said, "What, man, such a thing could not be heard of."

5578. Was that Pat Laffan?—Michael Laffan. He

went away then. I did not hear any more about him until one day I was in the newsroom, and a messenger went to me to say I was wanted.

5579. Had he not spoken to you before about your getting something done for him, or getting him employment at the election?—He spoke to me to get his house taken. I said I could not interfere. He said, "You have a great deal of influence with Mr. Laffan." He thought he ought to get something to do.

5580. Was that long before the election?—Eight or ten days I should say.

5581. Was it long before you were sent across for from the newsroom?—Three or four or five days before.

5582. And the conversation about the whiskey was only about that time before it also?—Only about that time.

5583. Proceed if you please?—I was sent for, I came to the shop, and Mrs. Coman said, "there are two inside that want to speak to you." I went in, and being quite free with them I said, "what do you want?" "We want to leave a letter in your hands," said Cunningham. "What letter?" said I. "They took my house and yard," said Carroll, "and they would not trust me with the money." "It must be something about the election," said I. "It is," said they. I said, "you must be a pair of corrupt blackguards, how dare you come to me? You have a great deal of impudence to attempt to come here with such a letter, and I have a great mind to kick the pair of you out of the room." Cunningham gave as his reason, that they had Murnane's house taken, and that they would not give him the money. I said, "I have nothing at all to do with that, but you have a great deal of impudence to come here with a letter of the sort."

5584. When Carroll asked you to get him something to do at the election, did he say that he could get money?—He did. He said, "if I get a letter for whiskey from Mr. Laffan will you give it?" "No," said I, "I will give you any amount on your own order"—and so I would give £100 worth—"but I will have nothing to do connected with the election."

5585. Did you supply any drink on orders during the election?—No. I do not think I did. The night Mr. Munster came to town there was an order sent for five gallons of old whiskey, and a couple of days after an order for two gallons more. The whole amount of my account about the election is about £6 or £7, and that was for old whiskey going to Mr. Munster's house. It was charged to Mr. Laffan.

5586. Was is to Mr. Munster's own house it was sent?—To Mr. Munster's own house. There were two half barrels of porter the night he came in. The boys that came for the order, went away with two half barrels of porter from the door; I would much rather not give it. That is all I gave for election purposes.

5587. You were paid for that porter?—I was.

5588. By Mr. Munster?—They were included in the bill. It was Mr. Laffan I furnished with the account, and they were included in the bill with the rest.

5589. Do you know anything else, Mr. Coman, of any other case, or of anything of a similar character to that of Carroll, in the way of giving money or promising money, at the election?—No.

5590. Do you know anything of the kind on either side?—I think I would be the last person anyone would come to speak to about money.

5591. Did you never hear of any of those cases that have come out on this inquiry?—No.

5592. We have learned some cases here?—There was a trial in Dublin after the election of '65. Mr. Johnson was sued for the penalty of £100 for corrupt practice. Some parties came and told me a most plausible story that I believed at the time, and I think I believe up to this day; and on the strength of these accounts there was an action taken against Mr. Johnson for acts of bribery. Those parties who made the statements swore quite the contrary at the trial in Dublin before Chief Justice Monahan.

5593. Mr. MOLLOY.—Then it went to trial?—It did. It was tried in Dublin. Sergeant Armstrong and the present Judge Morris were at one side.

5594. What was the name of the man who brought the action against Mr. Johnson?—The attorney was a Mr. O'Mahony that lives in Stephen's-green, and he got a young man in Dublin named Ryan to become plaintiff. The late Mr. Carroll, and Mr. Phelan and myself took a very active part. We went to Dublin and were there until the trial came on. Sergeant Armstrong agreed to withdraw the case, because all the parties that swore here they got something swore there they got nothing. Some of the same parties were examined here on this trial and swore here they got something.

5595. Mr. GRIFFIN.—Do you remember the names of any of those parties that told one story here and another there, or that told you they would give evidence they had got money?—The principal person is William Ryan of the Race-course. He came to me and I said, "sure you cannot want money so soon after the election."

5596. When was that?—In '57. He said he did. "Why," said I, "did not you get money?" "I did," said he. "How much?" "Thirty pounds." "From whom?" "From Mr. Johnson." "Where did you get it?" "In a room at Tom Cunningham's house." Four or five more and myself came to town, that was the principal case I thought we would have against Johnson but he went to Dublin after and swore the contrary.

5597. Is William Ryan there still?—He is, sir.

5598. Do you remember the name of any other person who told you a similar thing?—I do not.

5599. Did William Ryan vote at the last election?—He did, for Mr. O'Beirne.

5600. Do you not remember anybody else?—There were a good many brought up and we suspected a few of them. We tried and Sergeant Armstrong found they were not come up to the mark, and he agreed to a nonsuit. There were not more than three or four or five examined.

5601. Mr. WATERS, Q.C.—Did I understand you to say that some of those were examined before us here?—Some of them were brought up. (Witness hands in his account against Mr. Laffan.) It was Mr. Laffan I charged.

5602. Why were you not paid the whole of it?—They said the porter business was not for the household, but that it would be paid afterwards, and so it was.

5603. When was it paid afterwards?—Long after the election.

5604. After the petition, perhaps?—No, I think it was not after the petition. Mr. Munster came to my house, I believe New Year's Day, 1st of January, and he said a man of his would call for forty bottles of whiskey. It was packed in a hamper, and his man did call, and I think that £1 14*s.*, or something, was included in the price.

5605. Mr. MOLLOY.—Had you any other dealings with Mr. Munster?—Not anything.

5606. Mr. WATERS, Q.C.—Then all the money you received from Mr. Munster is £7 17*s.*?—I will tell you—forty bottles of whiskey at 3*s.* a bottle; that is all the money I received from him.

5607. Mr. MOLLOY.—You have a family?—I have.

5608. Did any of your family receive presents from Mr. Munster?—I am not aware. I heard he purchased at the bazaar, and that he gave one of them a doll worth three or four pence, and another a sixpenny rattle.

5609. Did he give anything else to any member of your family?—Not anything.

5610. Did Mr. Lanigan make you or your family any presents?—Never; on the contrary, I lost a good deal of money by Mr. Lanigan. I went to Dublin three or four times on the trial; I paid my own expenses, and I never got as much as one single farthing for it; every shilling of it was out of my own pocket. I never met the candidate that would not sooner get something than give me anything.

5611. Mr. GRIFFIN.—There was a John Ryan examined at the petition, and I see he lived at the Race Course. Is he any relation to the Ryan you have mentioned?—They are connected by marriage. They live in the same yard. They both pay me rent.

Sixth Day.
October 9.
John Coman.

5612. Mr. Waters, Q.C.—They are men of the Commons, are they?—They are, sir. The place is called Race Course. It is part of Lawlor's lot.

5613. Mr. Griffin.—There are two Race Courses here?—Yes, there is the celebrated Race Course at present, but I mean the old Race Course.

5614. Mr. Waters, Q.C.—Mr. Munster wishes to have these questions asked: Did Mr. Munster show by statements he made to you with references he made to Mr. O'Beirne, printed and published, that he had some old grudge, as you yourself had, against him?—Oh, by-the-by, a very wicked pamphlet appeared from him; so much so, that some of the friends of Mr. O'Beirne said they would never know him unless he took an action against him, and some of the friends of Mr. O'Beirne said that only he took that course they would never vote for him.

5615. Were you subpœnaed by Mr. Munster in the action against Carroll?—I was, by Mr. Munster. They subpœnaed me and they telegraphed to me afterwards that they did not want me.

5616. Then you did not go up?—I did go up, but I was not produced.

5617. Mr. Munster wishes to know what party subpœnaed you as a witness first?—Carroll's party.

5618. Mr. *Munster*.—And then they telegraphed?—They then telegraphed that I need not go. I thought that Mr. Munster having an eye to the telegraph knew that I was not to go, and that he brought me up himself.

5619. Mr. Waters, Q.C.—At the time Carroll made that request of you about taking his house, did he appear perfectly serious, and desirous to make money of it?—He did, but it appeared to me by his conduct afterwards that he was set on to try to entrap me. We were always most friendly. He was always a very valuable customer of mine.

5620. He swore he did not intend to entrap you. Did he appear desirous to make money by letting his house or getting the whiskey?—Quite serious. He would say two or three times a day passing by, "You are a great friend of Mr. Laffan's, and you could get whiskey for me," but I always advised him to have nothing to do with it, that he would be always better off.

Margaret Moloney.

Margaret Moloney sworn; examined by Mr. Griffin.

5621. You live in the Main-street?—Yes, sir.

5622. Are you any connexion or relation of Denis Ryan?—Yes, he is a brother-in-law of mine.

5623. Do you remember his leaving a parcel at your house?—Yes, sir.

5624. For whom did he leave it?—He did not say, sir.

5625. What was the nature of the parcel?—I could not tell.

5626. What did it look like?—A small parcel.

5627. Was it an envelope?—It was not so large as that.

5628. Could you form any idea of what was in it?—Well, no; it felt soft.

5629. As if there were notes in it?—There might; I could not say, but I did not open it.

5630. Would you be surprised if there were bank notes in it?—I do not know why I should be surprised at anything like it.

5631. It looked like bank notes, I suppose?—It looked a small soft parcel.

5632. And light?—Quite light.

5633. What did he say?—He said, "keep that for me until to-morrow; you need not mind what it contains," or something to that effect.

5634. Did he say that anybody would call for it, or might call for it?—No, sir.

5635. Did he not mention anybody's name about it at all?—Not to me.

5636. What became of the parcel afterwards?—He took it away the next day.

5637. Did he see any person at all at your house?—He saw Mr. Laffan.

5638. Mr. Patrick Laffan?—Mr. Michael Laffan, I should think.

5639. That gentleman there?—Yes. (Witness identifies Mr. Michael J. Laffan.)

5640. Do you know many of the Common's people?—Well, I do.

5641. Did you see any of the Commons people talking to him in your house?—I do not think I could say that I did. No, not one.

5642. Where does Denis Ryan live?—Out a little on the Commons; on the Common's road about half a mile outside Cashel.

5643. On the road through the Commons?—Yes.

5644. Did he tell you anything about the election?—Nothing, any more than that I knew he was an elector himself, so that he need not have told me.

5645. What day did he leave that parcel at your house?—I cannot say what day it was.

5646. Was it before the election?—I think it was previous to the election; some short time before.

5647. Did he tell you where he got this parcel or from whom?—No, sir.

5648. Did he tell you to take great care of it?—He had no more conversation with me about it than I am after stating to you.

5649. Did you hear anything about money going at the last election?—Of course, everybody heard it.

5650. Did you hear it from Dan Ryan?—I could not say what I heard it is so long ago.

5651. Oh, you can recollect very well; what did Dan Ryan tell you about it?—I could not say he told me anything, but I told him often go for Mr. O'Beirne.

5652. He voted for Mr. Munster?—He did. My feelings were for Mr. O'Beirne.

5653. What reason did he give you for not voting for Mr. O'Beirne?—I cannot say.

5654. Did he say it would be for his interest?—I cannot say.

5655. Do you think it was more for his advantage?—Indeed I do not know.

5656. Do you not think he got more from Mr. Munster than he would from Mr. O'Beirne?—I did not know what he got.

5657. But you knew he got something?—I heard he did.

5658. From whom did you hear he got something?—From his wife.

5659. What is her name?—Anastasia Moloney.

5660. Is she your sister?—Yes.

5661. What did he get?—Thirty pounds, I think.

5662. When did she tell you that he got that thirty pounds?—After he received it. I cannot say how soon after.

5663. When did you hear it; was it before the election?—I believe it was after the election, as well as I can remember.

5664. Can you say if it was after the election you heard about his getting that thirty pounds?—I cannot say whether it was before or after the election.

5665. Did you hear whether the money was given to him before the election or not?—I believe it was after the election he received it.

5666. Do you know from whom he got it?—Do you mean the last election?

5667. Yes?—I do not know was it that at all, but the election before of '65.

5668. Did you not tell me he got it for voting for Mr. Munster?—I do not know what he got for his vote. I know he got some money some time ago, not at the last election, but before it. The last election I did not know he got money from either of the parties.

5669. Did you not hear from your sister about his

getting money at the last election?—I often heard her say he got no money at the last election.

5670. Did you hear her complain that he got none although it was promised?—I heard he was promised some, but I heard no complaint that he did not get it.

5671. From whom did you hear that he was promised?—From my sister.

5672. Who did she say promised him?—I cannot say whether it was either Mr. Laffan or Mr. Munster.

5673. It was either Mr. Laffan or Mr. Munster?—It was.

5674. Was that since the election or before it?—I cannot say was it before or after.

5675. But it was about the time of the election at all events?—Some time about it.

5676. Where did she tell you this? Was it in your own house?—It was.

5677. And it was about the time of the election?—In or about the time; I cannot say exactly before or after.

5678. You were yourself in favour of Mr. O'Beirne?—Well, I was.

5679. Do you know a person named Stapleton?—Yes.

5680. Did you hear that he got any money?—Yes.

5681. At the last election?—Yes.

5682. From whom did he get it, did you hear?—I cannot say.

5683. Who told you that he got it?—I could not say. It was remarked.

5684. Do you know Alice Stapleton?—I know both Richard and Edmund Stapleton.

5685. Did you hear it from either of them?—No.

5686. Are you sure?—I am, sir.

5687. Mr. MOLLOY.—Do you know Alice Stapleton?—I do, sir.

5688. What relation is she of theirs?—I cannot say.

5689. With whom does she live?—With her father.

5690. What is her father's name?—Daniel.

5691. Is he a voter?—He is.

5692. Did you hear that he got money?—I heard the daughter got it.

5693. From whom did you hear she got it?—I cannot say.

5694. Who told you she got it?—Indeed I disremember. It did not concern me much, and I do not care to remember them things.

5695. Could you not remember who told you that Alice Stapleton got money?—I heard it from so many that I could not name one more than another.

5696. Did you hear it from Denis Ryan?—I cannot say that I did.

5697. Could you say that you did not?—I would not say that either.

5698. Did you ever hear afterwards what was in that parcel that Dan Ryan brought to your house?—Never. All I heard was, I think I might safely say, that it was intended for some voter.

5699. Then you think it was something that a voter would consider worth having?—At the same time I cannot say it was money.

5700. Mr. WATERS, Q.C.—From whom did you hear that it was from a voter?—From Denis Ryan.

5701. For what voter did he say?—I cannot recollect.

5702. Tell us what you believe you heard. Tell the truth?—I would be more anxious to tell the truth than anything else, for I have no interest in it either one way or the other.

5703. I am quite sure that even if you had an interest you would tell us the truth. Did you hear from whom it was?—I cannot say.

5704. But your recollection is, that Denis Ryan told you that it was for some voter?—I am not quite sure he did. I only think he did. I am not quite sure.

5705. Mr. GRIFFIN.—Are you married?—Not married, sir.

5706. Mr. Laffan wishes to have you asked how long before that parcel was left at your house did you see Ryan and Mr. Laffan in your house?—I cannot say.

5707. Was it before or after the election?—It was before the election.

5708. Do you recollect was it before or after Ryan left the parcel with you that Mr. Laffan was in your house?—Mr. Laffan was not with Ryan then; it was long before.

5709. Mr. Munster wishes to know who was the person that told you that Denis Ryan was promised something by Mr. Munster or Mr. Laffan?—Denis Ryan's wife, Anastatia Ryan.

5710. Mr. WATERS, Q.C.—Mr. Munster wishes that you would tell us, as well as you recollect, the words she said?—She said Mr. Munster promised some money to Denis Ryan, because he was an agent, I think, at the time; at least he was canvassing. She said he was promised some money.

5711. Mr. GRIFFIN.—Do you know how much she said he was promised?—She did not say how much.

5712. She did not say £30?—No.

5713. You do not know of Denis Ryan giving money to anybody?—I never saw him giving money to any person.

5714. Mr. WATERS, Q.C.—What age is Denis Ryan?—I believe he is sixty years.

5715. Has he a son?—He has.

5716. What is his name?—John Ryan.

5717. What is his age?—About twenty-six.

5718. Has he any relative named Thomas Ryan?—No; not that I know.

5719. Mr. GRIFFIN.—Mr. Munster desires to have you asked, at the time that your sister told you of this promise by Mr. Munster, was there anything said about Mr. Laffan?—Yes, I think it is Mr. Laffan that did make the promise.

5720. Mr. WATERS, Q.C.—I understood you to say at first that you heard he was promised something either by Mr. Patrick Laffan or Mr. Munster?—Not by either of them, but by Mr. Michael Laffan.

[Questions and answers No. 5671, 5672, 5673, and 5710, are read by the shorthand writer.]

5721. Do you wish to correct your answer and say that it was Mr. Laffan and not Mr. Munster that promised the money?—It was Mr. Laffan and not Mr. Munster. My sister said it was £50.

Thomas Cunningham recalled; examined by Mr. WATERS, Q.C.

Thomas Cunningham.

5722. Have you heard from your son since?—I got a letter from them to-day from where I wrote. That is the statement I gave you at the commencement. They say he left that to go to the fair of Clonmel.

5723. When was that fair over?—It was Wednesday last, sir. I might be thinking he was going to Waterford, for they invited him there.

5724. I recommend you if he is to be got in Ireland to get him to come here?—I promised you that before, sir.

5725. Do you know anything more about him?—Nothing more, sir; since he left I did not see him.

5726. Did you hear about him?—No, sir.

5727. Did you hear, by word of mouth or by letter anything about him?—Nothing but what I am stating here to you, sir.

5728. Mr. GRIFFIN.—Was that man named Murrin, Mr. Leahy's man, who was staying with you, stopping in your house during the election?—He was partly, sir. Sometimes he used to go away and come back again.

5729. When he went away was he stopping at the hotel?—I do not think he was, sir, only going back to Cahir. He had a family and used to go back. I cannot say, but any way I could know, I do not think he was.

SIXTH DAY
October 9.

Mr. *Henry Munster*, recalled by Mr. WATERS, Q.C.

Mr. Henry Munster.

5730. Mr. Munster, do you know the address of Mr. Leahy?—I do, 21, Carlington-street, Hampton-road, London.

5731. Do you think it would be necessary to send a messenger expressly from this, or that he will come if the secretary communicates with him?—I have no doubt whatever if you intimate a request for his attendance that he will come. I wish to make an application with regard to that transaction of Mr. White. I should esteem it a great favour, if you wish to examine me on that subject, that you would do so at present. I will tell you why. I went out of court not to hear what Mr. White said; I have not seen Mr. White; I want to see him; it is exceedingly inconvenient to me, and I should be glad if you would examine me now.

5732. We will hear anything you have to say now?—I am sworn.

5733. I will tell you what he said?—I do not want to hear what he said. Amongst that list of claims, considered mostly by Mr. Richardson and attested by Mr. Laffan, were two items by Mr. White, one for advertising, some £26—I speak solely from memory—and the other for £50 for services other than advertising in the *Cashel Gazette*, which he told me was a stipulation, or bargain, or contract he had made with somebody in my behalf; I think, though I am not certain, with Mr. Michael Laffan. I asked Mr. White if he had voted for me, which I thought he had. I was not quite certain, and I pointed out to him that there might be a doubt on the subject of those services, inasmuch as they were not exactly tangible. I pointed out to him also the exceedingly moderate amount of his bill for advertising, compared with other newspapers, and I suggested—perhaps it was improper—that he should reconsider his charges for advertising and withdraw the other. Mr. White declined to do that at all. He maintained his opinion as to his charge, and I then told him that although I coincided with him as a matter of opinion, that his service in writing my cause up was such as perhaps he could charge for; still I held such doubt about it that I would not pay him of my own accord, and if he meant to press that claim he must bring an action and I would defend it. Thereupon he said that he would not insist upon that claim; and then I put it to him as that was the case, if he was willing to rescind that contract altogether, which he said he was, and he did that without any stipulation on my part that I should do anything else in lieu of it; and when he had done that, I, of my own accord, told him I would make a purchase of him of £50 worth of antiquities, which he was not then in a position to deliver, because he had not any of them. That I paid him for, somewhere about I think the month of March, by my own cheque on the bank. That is all I can say.

5734. You did not get any of the antiquities?—No, they are not reprinted yet, and Mr. White said, "I will undertake to give you value for it." That was the last word that passed between us on the subject.

5735. Mr. GRIFFIN.—Do you mean the book about the antiquities of Cashel?—I so understood him.

5736. Mr. WATERS, Q.C.—At any rate the cheque was given. Are you able to say why those words "cancelled by consent," were written on the entry there. It was, of course, after the entry "by cheque" had been written at the credit side of that account?—I do not know at what period exactly this book was written by Mr. Biggin, but my belief is that "by cheque £50 per H. M.," that that was written by Mr. Biggin from my bank pass-book in which that cheque would appear; and that when I saw that entry I said to him, "No, that must not be so; that is not quite correct," and I directed him to insert these words, "cancelled by consent."

5737. In this account of Mr. White's I see on the left hand side "cancelled," in pencil, and on the right hand side, "cancelled," in pencil, and "cancelled by consent" written on the top?—The whole of that was done after the trial of the election petition.

5738. Mr. WATERS, Q.C.—The whole of the book?—No, but as far as I am concerned that entry was.

5739. On what bank was the cheque given?—On the Bank of Ireland at Thurles.

5740. Have you the cheque back?—No, the cheque is lying there still. My recollection is that it was the first cheque I drew in my Bank of Ireland chequebook. I withdrew my account from the National Bank in consequence of something that transpired here, so by that I fix it. I will bring that cheque on Monday.

5741. Some other day we may learn the date of that cheque?—I will bring it on Monday.

[Adjourned.]

SEVENTH DAY.
October 11.

SEVENTH DAY.

MONDAY, OCTOBER 11, 1869.

Patrick Cunningham was called but did not appear; Mrs. *Henrietta Boyton* was called but did not appear.

Mortimer Shea.

Mortimer Shea recalled; examined by Mr. WATERS, Q.C.

5742. Did you serve a summons on Mrs. Boyton to attend here?—On Saturday night I went to the house and inquired for her, and was told by the servant girl in Mr. Munster's house that she was at dinner, and I could not see her. At a very late hour I left a summons for Mrs. Boyton; but I saw her with her husband come out from second Mass yesterday.

5743. Does she live in Mr. Munster's house?—She does, your worship, in John-street.

Andrew Meara was called but did not appear.

Mary Moloney.

Mary Moloney sworn; examined by Mr. WATERS, Q.C.

5744. You are a sister, I believe, of Miss Margaret Moloney, who was examined here on Saturday?—I am, sir.

5745. And I believe Denis Ryan is your brother-in-law?—Yes, sir.

5746. Your sister Anastasia is married to him?—Yes, sir.

5747. Do you recollect Denis Ryan leaving a parcel at your house?—I do, sir.

5748. To whom did he give it?—To my sister.

5749. Were you present when he gave it to her?—Well, I think I was, sir.

5750. What day was it when he left it there?—I cannot exactly say, sir.

5751. Do you recollect the day of the week?—I could not, sir; but a very short time before the election.

5752. Before the election?—Yes, sir. I kept no account.

5753. Do you recollect how long it remained with your sister?—Do I recollect how long?

5754. Yes. Do you recollect how long it remained in the house?—A day or two. I cannot say. I kept no account at all, sir.

5755. Do you recollect what he said it was for?—No, sir.

5756. Did you hear him say that somebody would call for it?—Himself.

5757. Did he say anything else about it?—To keep it safe for him till he would call for it.

5758. Did he say anybody would call for it but himself?—No.

5759. You said that all he said was to keep it safe until he would call for it?—Yes.

5760. What was in the parcel?—I could not say; I never opened it.

5761. What do you believe to have been in it?—I could not say, sir.

5762. I ask you what you believe?—Really I could not say.

5763. Do you believe it was snuff?—I could not say.

5764. What do you believe? You cannot hurt yourself or anybody else by telling the truth. What do you believe to have been in it?—I could not say, sir.

5765. Could you not make any guess?—No, sir.

5766. Do you not believe anything about it?—I could not in the world wide say what was in it.

5767. You have sworn to tell the entire truth, and I am quite sure you mean to do it honestly. You have sworn "So help your God" that you will tell the entire truth. Now, I ask you what do you believe was in it?—I could not say, sir.

5768. Do you think you are answering honestly? I ask you what you believe, and you say "I cannot tell?"—I could not know what was in it.

5769. I ask you do you believe anything was in it?—Anything? well I couldn't say, sir, what was in it. Sure if you gave me a parcel how could I know what was in it?

5770. Do you believe there was anything in it?—I could not say, sir.

5771. Was it an empty parcel?—I don't know, sir.

5772. Mr. MOLLOY.—Where was the parcel put when he gave it?—My sister took it.

5773. Did she lock it up in a box?—She said she did.

5774. Mr. WATERS, Q.C.—Do you swear to me that you do not know that there was anything at all in it?—I could not say.

5775. Was it a parcel rolled up in paper?—It was, sir, a small parcel.

5776. Do you believe there was anything inside the paper?—I don't know, sir, what was in it. Do I believe? I could not say what was in it.

5777. You will answer me the truth. Do you believe that there was anything inside the paper that you saw?—Do I believe?

5778. Yes?—I could not say, sir, what was in it.

5779. Listen to me, Miss Moloney?—Sure I could not say what was in the parcel.

5780. I did not ask you what was in it. I have asked you, at least a dozen times, "Do you believe that there was anything in the parcel," and you say, "I do not know what was in it." I will ask you once more, and if you do not anwer me straightforwardly I shall have to commit you. I should be very sorry to do that. Now, I ask you again do you believe there was anything inside that paper that you saw rolled round?—Sure when I didn't open it, sir, I could not say what was in it—when I didn't see the paper opened. I am in doubt, but perhaps there might be money in it. I suppose that is what you want to come at. Is it, sir?

5781. I want to know what you believe, and you will not answer me?—I am in doubt there was money in it.

5782. I suppose you mean that you think there was money in it, or that you suspect there was?—Yes, sir, suspect; but by the way you have asked me I cannot know what was in it.

5783. I asked you did you believe there was anything in it, and you would not answer me straightforwardly at once?—It is a very hard question for me to answer, sir.

5784. It was a very easy question to answer if you wished to tell me the entire truth?—Well, indeed it is with that intention I came here.

5785. You have answered me at last that you suspect there was money in it, but that you do not know?—I do not know, sir.

5786. Did any person come to you or to your sister about that parcel, from the time Denis Ryan left it until he came for it again?—No, sir.

5787. Did you hear Denis Ryan say anything about it except to tell your sister to put it up?—No, sir.

5788. Did you hear anyone since say what that parcel was for, or for whom it was?—Did I hear anyone say who that parcel was for?

5789. Yes?—Well, I am in doubt; I think I did.

5790. Well, what do you think you heard?—That it was for a voter.

5791. What is his name?—Stapleton, I think, sir.

5792. Is that Edmond Stapleton?—Yes, sir.

5793. Now, Miss Moloney, do you recollect from whom you heard that it was for Edmond Stapleton?—Well, I think from my sister, sir.

5794. Your sister Anastasia?—Yes, sir.

5795. When did you see your sister Anastasia last?—On Saturday, sir.

5796. At what hour on Saturday? Was it after your sister Margaret was examined?—Well, I think it was, sir.

5797. And naturally, of course, you had some talk with her about what your sister was asked on Saturday?—Yes, sir.

5798. When did you see your brother-in-law, Denis Ryan, last?—That day, sir.

5799. Where is he, do you know?—He is in town. I cannot say what part of the town he is in.

5800. Was he at your house?—He was, sir.

5801. Did he sleep there last night?—No, sir.

5802. At what hour to-day did you see him?—Very shortly before I came here.

5803. At your house?—Yes, sir.

5804. Had you any conversation with him about that parcel?—I had, sir.

5805. Now, tell me what passed about it?—That he left it to my sister.

5806. Well?—That he took it away then; that he took it away.

5807. Did he tell you what he did with it?—No, sir.

5808. Did you not hear anything more from him this morning or any time?—No more about it.

5809. What was he talking about this morning? Tell me all he said to you?—I told him I was summoned, and I said what a pity to summon me that had nothing to say about this; that it was a curious thing to summon me on this business.

5810. And what did he say to you?—Well, I cannot say indeed.

5811. Try and recollect?—He said what difference did it make to me when I knew so little about it.

5812. He spoke of the parcel that was left?—Yes, sir.

5813. What did he say about it?—Nothing more than what I said, that he left the parcel and took it away again.

5814. He said something more than that about it?—No more.

5815. Did he tell you what was in it?—No.

5816. Or what it was for?—No.

5817. Or any more about it?—No.

5818. Did he not say anything more than what you have now told me?—No, sir; I was greatly guarded against speaking much to him at all.

5819. I suppose you did not wish to know anything?—I did not wish to know anything about it—what did not concern me.

SEVENTH DAY.
October 11.

Mary Moloney.

5820. Did you hear that your brother-in-law, Denis Ryan, got money for the last election?—For the last election?

5821. Yes?—I did, sir.

5822. From whom did you hear it?—From himself.

5823. How much did he get?—Two pounds or two guineas, I cannot say which.

5824. From whom did he get that?—From Mr. Laffan, as an acting agent.

5825. From which Mr. Laffan, do you know?—Mr. Laffan the solicitor.

5826. Is it that gentleman who is sitting there?—Yes, sir, that is he. (Identifies Mr. Michael J. Laffan.)

5827. When did you hear that he got it?—I heard it from himself, sir, to-day.

5828. To-day?—To-day.

5829. Did he tell you when he got it?—When he got it?

5830. Yes?—About the election time, sir, I cannot say exactly.

5831. Did he say that he got any more money?—Not at this election, sir.

5832. Did you hear your sister Anastasia ever say anything about it?—About what, sir?

5833. About your brother-in-law having got money at the election?—At which election, sir?

5834. At the last election?—I did, sir; the two pounds or two guineas, I cannot say which.

5835. Your sister Margaret told me on Saturday that Anastasia told her that her husband was promised money at the last election?—At the last election; not for his vote, but as an agent.

5836. Did you hear how much he was promised?—I did, sir.

5837. How much?—Fifty pounds.

5838. From whom did you hear that?—From whom did I hear it? I heard it from himself.

5839. That he was promised £50 at the last election?—Yes, not for his vote, but for being an agent—an agent, sir.

5840. When did he tell you that?—He told it to me to-day.

5841. Did he say who promised him the £50?—Mr. Laffan, sir.

5842. Is it the same Mr. Laffan?—Yes, sir.

5843. Did he tell you of his having got any money for any voters?—No, sir.

5844. I do not mean to-day, but at any time; did he tell you he had got any money for voters?—No, sir.

5845. Did your sister tell you he had got any money for voters?—No, sir.

5846. Your sister Anastasia?—No, sir.

5847. Did she tell you he had got any money at all at an election except two guineas or two pounds?—No, sir.

5848. Do you know Edmund Stapleton?—I do, sir.

5849. Did you ever hear him say anything about money?—Never.

5850. Or his daughter?—Never.

5851. Or anyone belonging to him?—Never, sir.

5852. Do you know has Edmund Stapleton a daughter?—Really I do not know what family he has, sir.

5853. Do you know is he a married man?—He is, sir.

5854. Do you know his wife?—I do, sir.

5855. Did you ever hear her say anything about it?—Oh never, sir.

5856. Mr. MOLLOY.—Did you ever hear Alice Stapleton say anything?—Never, sir.

5857. Or Alley's father?—Or Alley's father.

5858. Mr. GRIFFIN.—What is Alley's father's name?—Dan Stapleton.

5859. Where does he live?—I think it is in the Commons, sir.

Patrick Cunningham was called but did not appear. Mrs. *Henrietta Boyton* was called but did not appear.

Mr. Henry Munster.

Mr. *Henry Munster* comes forward.

5860. *Witness.*—Sir, in Mr. Coman's evidence something came out about forty bottles of whiskey. I have a man here that I should wish that you examine as to having made a demand on me for drink pending the election, stating that Mr. O'Beirne had a house open to his people; to which I told him go to Mr. O'Beirne and drink if he wanted it. But I afterwards said that I would give forty men a bottle of whiskey each at Christmas, and a bottle of whiskey each on New Year's day, to be consumed in their families, and I eventually did so. The man is here and his name is John Murphy, if you like to call him.

5861. Mr. WATERS, Q.C.—Do you know the men to whom you gave the forty bottles of whiskey?—Not at all. They were part, I imagine, of what might be called the mob. I made the offer in consequence of a sermon of the Archdeacon, and I solicited the Archdeacon and he consented, though it was not carried out in the way that I wished, that it should be deposited with some person named by him for those men in that way.

James Connors of the Green was called but did not appear.

Thomas Donnell.

Thomas Donnell of Main-street sworn; examined by Mr. WATERS, Q.C.

5862. Mr. Donnell, you are a voter of Cashel I believe?—Yes, sir.

5863. And you voted for Mr. Munster at the last election?—Yes, your honour.

5864. Was the last election the first at which you had a vote?—No, sir, it was not.

5865. For whom did you vote in 1865?—For Mr. O'Beirne, sir.

5866. Did you receive anything from Mr. O'Beirne for voting for him in '65?—Got any from him, sir?

5867. Yes?—I did, sir.

5868. How much?—£20, sir.

5869. I suppose Mr. O'Beirne canvassed you at the last election?—Yes, sir.

5870. Mr. MOLLOY.—Who gave you the £20 in '65?—Mr. Johnson, sir.

5871. Mr. WATERS, Q.C.—When did Mr. O'Beirne canvass you at the last election?—Really, I do not know. I did not see him at the last election. I do not recollect seeing himself at the last election.

5872. When were you paid the £20 for '65?—Well, I was paid it previous to the election, sir.

5873. Were you offered any money by Mr. O'Beirne for the last election?—No, sir, I do not remember I was.

5874. Or by any person for him?—Well, there was parties came to me influencing me; at the same time my mind was made up to vote for Mr. Munster.

5875. Who came influencing you to vote for Mr. O'Beirne?—There was Tim Shea and other parties that I did not know their names. I said I would vote for Mr. Munster before that in consequence of he becoming my landlord.

5876. Tim Shea?—Yes, he came to me.

5877. Did he tell you that you would get anything for voting for Mr. O'Beirne?—I cannot say. He said I would do better if I was to vote for Mr. O'Beirne.

5878. Did anybody else come to you for Mr. O'Beirne?—I think there was, but I really forget their names.

5879. Who came do you know?—I really could not say, sir.

5880. Did Keeffe come to you?—He may, but I forget it. I quite forget it, sir. I could not bring to my memory, if he did.

5881. Did Tracey come to you?—Well, no, sir, he did not.

5882. Did Captain Graham call on you?—Well, I don't know did he come on a canvass or no. I don't think he did at the last time. I don't think he did on the last occasion, sir. I am not certain that he did.

5883. You say your mind was made up to vote for Mr. Munster?—It was, sir.

5884. What was the reason you stated?—He became my landlord, sir.

5885. Who did?—Mr. Munster, sir.

5886. Is it for your house he became landlord?—Yes, sir.

5887. Where do you live?—In the Main-street, sir.

5888. What part of the Main-street?—In part of the centre of it; opposite the tank.

5889. When did Mr. Munster become your landlord?—Sometime previous to the election.

5890. It must have been some short time?—It was, sometime before, sir, he bought it.

5891. Do I understand you to say that he purchased your house?—Yes, sir.

5892. Who was the former landlord?—Doctor Butler in Thurles, and he was selling out all his property at the same time. Whatever holdings he had he sold them out to different parties.

5893. Mr. Munster bought your house?—Yes, sir.

5894. What rent do you pay?—£8 9*s.* 1*d.* I paid Dr. Butler.

5895. What rent do you pay, Mr. Munster?—There was no gale come since to pay any rent.

5896. What were your gale days?—November.

5897. Did not May come?—I did not pay any rent in May.

5898. Were you asked by Mr. Munster to pay any rent in May?—I was not, sir, to pay any rent yet.

5899. Your gale days are November and May?—Yes, sir.

5900. Were you asked by Mr. Munster to pay rent in November?—I was not, sir, because it was in the month of November the place was purchased.

5901. In what time in November was it purchased?—I think it was in November, or the end of October.

5902. Are the first of November and the first of May your gale days?—Yes, sir.

5903. Did you pay any rent to Dr. Butler for the November gale?—No, sir; I don't think I did.

5904. You have not paid the November or May rent?—No, sir, I did not.

5905. Had you any conversation with Mr. Munster or any agent of his?—I don't recollect I had with regard to it, but I believe I said at one time all the place was to be sold. I think I said that at one time.

5906. To whom did you say it?—I forget whether it was to Mr. Laffan or Mr. Munster I said it. I don't think it was to Mr. Munster. I think it was to Mr. Laffan. I suppose then they said after that to purchase the place.

5907. Tell me what you said?—That my landlord was selling out his properties.

5908. Well?—That is all I said, sir, and that I would wish that some one would purchase my place that would leave me and would not eject me.

5909. Was it to Mr. Michael Laffan you said that?—I don't think it was. I think it was to Mr. Laffan.

5910. Was it to Mr. Michael Laffan?—I don't think it was, sir. I cannot exactly say.

5911. Was it to his brother Patrick?—I cannot say, sir.

5912. Had you conversations with him?—I had, sir, at different times.

5913. Tell me candidly and honestly at once, what you said about your vote also?—Me, sir!

5914. Did you not say that if Mr. Munster bought the house you would vote for Mr. Munster?—Of course I did, sir; that if I was his tenant I would vote for him. It was not for money though. I never made use of that word.

5915. You ought to listen to my question before you answer.—I never made use of that word.

5916. What did you say?—I pledged myself to him that if I was his tenant that of course I would support him always. That is what I said.

5917. Would you be able to say whether it was to Mr. Pat Laffan you said that—to which of the Laffans?—I could not exactly say now.

5918. The time that you said if he was your landlord you would vote for him, was the same time that you told him Dr. Butler was going to sell the house?—Every one knew it as well as myself, at least a good many parties knew it in the town because it got publication through the newspapers.

5919. You told me that you went to Mr. Laffan and told him your house was going to be sold?—Yes, sir.

5920. Did you ask him to have it bought?—I don't remember that I did, sir.

5921. Did you not say that if Mr. Munster bought it you would vote for him?—No, my lord, I did not. I don't remember that I told him that.

(Questions 5914 and 5916, with the answers, read by the shorthand writer.)

5922. Did you say that if Mr. Munster bought the house you would vote for Mr. Munster?—I may, sir, but I quite forget.

5923. Mr. Molloy.—Had Dr. Butler any other houses in Cashel?—He had.

5924. Are they sold?—They are.

5925. Who bought the rest of them?—The tenants that is in them.

5926. Are they next to yours?—They are.

5927. How many houses had he?—Three of them; they are sold to the tenants.

5928. And are they next to you?—They are, one on both sides of me.

5929. Who lives in them?—Miss Molony and Mr. Daniel Ferris.

5930. Was your house taken in '65 by Mr. O'Beirne?—It was, sir.

5931. What was it taken for?—I suppose for the use of the voters, sir; for a committee-room, I suppose.

5932. Was there any use made of it?—There was not, indeed.

5933. None?—None.

5934. Mr. Waters, Q.C.—You say Miss Molony and Mr. Ferris bought their own houses?—Yes, sir.

5935. I suppose you were not able to buy yours?—No, sir.

5936. And you were afraid of being turned out by some person buying it over your head?—Yes.

5937. And you went to Mr. Laffan and said——?—I did not go to Mr. Laffan, but some people told him besides me.

5938. Did Mr. Laffan come to you?—He came to me and asked me was not it the case.

5939. And you told him if Mr. Munster bought the house so that you would not be turned out you would vote for him?—I was inclined to vote for him, even if the house was not sold at all.

5940. If a man bought your house would you vote for him?—It is likely that I may.

5941. Are you not sure you would?—It is likely that I would vote for him.

5942. Will you tell me have you a son?—I have not, sir.

5943. Have you anyone belonging to you?—No.

SEVENTH DAY. *October* 11.

Thomas Donnell.

5944. Is there anyone belonging to you named Pat Donnell?—No.

5945. No one at all?—Not one.

5946. Mr. Munster wishes to have you asked did you tell Mr. Munster that you wished him to buy your house, and to give you the option of buying it from him again?—Well, yes, I believe there was something that way in it.

5947. With whom was the conversation?—I forget whether it was with Mr. Laffan or Mr. Munster.

5948. You forget which of them it was?—I really forget which it was I spoke to with regard to it.

5949. How long ago is it since you had the conversation about buying back the house from Mr. Munster?—I suppose it was long before the election.

5950. Was there not any bargain between you and Mr. Munster as to how he would sell you the house?—Not a bargain, sir.

5951. Do you expect to get the house from Mr. Munster?—All I expect to get is that I would not be ejected by his being my landlord.

5952. Do you expect to get it on any terms?—I do not expect it in any form, but not to be ejected.

5953. What did Mr. Munster pay for the house?—£80, and there is over a year's rent on hands for supplies that I gave during the election.

5954. What supplies did you give?—I gave refreshment to his voters, sir.

5955. By whose orders did you give refreshment to his voters?—Mr. Patrick Laffan's, sir.

5956. Was the refreshment drink?—With which there was eating and drinking, sir.

5957. Eating and drinking?—There was.

5958. Mr. MOLLOY.—Have you any account of what you gave?—I have, sir. I gave a bill of it to Mr. Laffan, there.

5959. Mr. WATERS, Q.C.—Where is it?—I have not it, sir. I gave it to Mr. Laffan before.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled; by Mr. WATERS, Q.C.

5960. Have you that account, Mr. Laffan?—I am sure it is with the others.

Thomas Donnell.

Thomas Donnell's examination resumed; by Mr. MOLLOY.

5961. How much was the amount of the bill?—About £11, sir.

5962. Did you put in the bill in the name of Thomas O'Donnell?—Yes, sir.

5963. Mr. GRIFFIN.—Is your name Donnell or O'Donnell?—Donnell, sir.

5964. Mr. MOLLOY.—Were you paid any money before the election?—I was, sir, before the election.

5965. How much?—Six or seven pounds, in three payments.

5966. Mr. WATERS, Q.C.—By whom?—Mr. Patrick Laffan, sir.

5967. What was it for?—Refreshment, sir, for parties.

5968. Who were the parties?—Various parties, sir, I could not tell their names.

5969. Were they voters?—Some was and some was not, sir. A good many was not.

5970. Mr. Munster wishes to have you asked did you promise to vote for Mr. Munster when he canvassed you?—I did, sir.

5971. That was after the conversation about your house?—Yes.

5972. Mr. Munster wants to know are you sure that when he canvassed you and you promised to vote for him, was after the conversation about the buying of your house. You talked with Mr. Laffan about your house being bought; it was sold, and you said you promised Mr. Munster when he canvassed you. I want to know was the promise to vote for Mr. Munster after the talk with Mr. Laffan about buying the house?—No, before that, sir.

5973. Before it?—Before that.

5974. Mr. MOLLOY.—Do you know any person in Cashel or about it of the name of Pat Donnell or Pat O'Donnell?—Well, I do not, sir.

5975. Mr. WATERS, Q.C.—This is the bill you sent in? (Is handed claim No 7.)—Yes, sir, I believe that is it.

5976. Mr. GRIFFIN.—Had you any idea that Mr. Munster would purchase your house at the time he canvassed you?—Not the least, sir.

5977. Did you not say that if Mr. Munster purchased your house you would probably vote for him?—Well, I could not say that for a fact. The man that would become my landlord I wish to support him, that is what I say. It is natural to expect that from anyone—to support his landlord.

5978. If Mr. O'Beirne had bought the house what would you have to say about your promise to Mr Munster?—My promise to Mr. Munster!

5979. Would you have voted for Mr. Munster if Mr. O'Beirne bought your house?—I don't know how that may go. I didn't weigh them things in my mind at the time.

5980. Did Patrick Laffan or Patrick Cunningham, or anybody at all, on behalf of Mr. Munster, or in his interest, offer you any inducement to vote for Mr. Munster?—Not the least in the world. Not the least in the world, nor I don't suppose they had any authority either to do so.

5981. Did they tell you anything?—They did not tell me anything.

5982. Was anything said to the effect that he would not be very hard on you for the rent?—They knew nothing about his business with regard to rent, I suppose. Either Patrick Laffan or Pat Cunningham never spoke one word to me about it.

5983. Did Mr. Michael Laffan talk to you about the house?—He didn't say anything, but that he transacted business for Mr. Munster in the sale of it. All he said to me is "Mind," says he, "that you are Mr. Munster's tenant."

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled; examined by Mr. WATERS, Q.C.

5984. Are you able to tell me who the Richard Donnell—claim No. 13—is?—He is a different man from this.

Thomas Donnell.

Thomas Donnell recalled at Mr. Munster's request; examined by Mr. WATERS, Q.C.

5985. Has Mr. Munster engaged to give you the house on your paying him? Is there any engagement of that kind on Mr. Munster's part?—I really forget anything of the sort.

5986. You forget?—I don't remember anything of the sort.

5987. It is a most important matter to you not to be turned out of your house. What about a fixed number of years in which you are to get back the house? Do you recollect it?—No, sir, I don't.

Andrew Meara sworn; examined by Mr. WATERS, Q.C.

5988. You are a voter in Cashel?—Yes, sir.

5989. And you voted, I believe, for Mr. Munster?—Yes.

5990. At the last election?—Yes.

5991. What business do you carry on?—Drapery business.

5992. Besides voting for Mr. Munster I believe you actively supported him in the town?—Yes.

5993. You were a very ardent and warm supporter of his?—Not a bit in the world about it.

5994. Did you not care that he should be returned?—I would care he should be returned.

5995. What do you mean by saying that you were not a warm supporter of his?—I did not make anyone vote against his will. I did not press them.

5996. Did you ask anyone to vote for him?—Directly, I don't think I did. As far as I can remember, directly I did not.

5997. I do not understand your use of that word "directly?"—That is, I did not press them.

5998. Did you indirectly?—I might say they ought to vote for him in conversation; but to go to them directly I don't think I did.

5999. But if a person came into your shop on business you might ask him to vote for Mr. Munster?—Not directly, I did not. We may have a conversation that I was going to vote for him myself.

6000. Do you know a nam named Carew?—I do.

6001. Was he in your house?—He was, several times.

6002. Did you ask him to vote for Mr. Munster?—I never directly asked him to vote for him plump.

6003. You said something about several times?—Several times we had conversations about it, and I wished he would vote for him too; but to have him vote for him I did not.

6004. I do not understand the distinction you draw. I must ask you to explain that further. Did you ask him to vote for Mr. Munster?—Not plainly I did not; but he understood that I was inclined that he would vote for him from our conversation.

6005. Tell me the obscure manner in which you asked him?—I cannot tell; he was often in.

6006. Was there ever any talk of money between you?—Yes, he expected money, I thought.

6007. Which of the Carews was that?—Michael Carew.

6008. Tell me how you surmised that he expected money?—From his own conversation.

6009. Did he ask for it?—Not me. I thought by his conversation.

6010. Did he speak several times of it?—I don't think he said it plumply; but I understood he expected money from what passed.

6011. To whom did you tell that expectation? Was it to Mr. Patrick Laffan?—Me! I don't think I ever spoke a word to him.

6012. To whom then did you tell it?—I don't think I spoke a word to anybody belonging to him.

6013. You told it to somebody?—I may tell it to some of my own family.

6014. Who gave him the money?—I could not tell you whether he got it or no, or anything at all about it.

6015. Did you ever hear he got it?—Never.

6016. From himself or anybody else?—Never.

6017. Do you know that he voted for Mr. Munster?—I do not know. I can swear I do not know.

6018. Did you hear he voted for Mr. Munster?—I did not hear or inquire.

6019. Mr. GRIFFIN—Did you hear that Mr. Munster was defeated at the last election?—Yes, of course I did. I thought Carew got a retainer and that he could not vote or something of that kind.

6020. You often heard that I suppose?—I suppose I did: that is what I understood.

6021. Mr. WATERS, Q.C.—That is Michael Carew, junior, you are talking of?—Yes, that is the name.

6022. Did he tell you how much money he expected?—Not a word about it. I never heard him mention a sum of money; not a penny more than a pound.

6023. You had several conversations?—Several conversations.

6024. Did he in none of them say how much he expected?—Not a word about it. Never.

6025. Did any other men come to you?—Several.

6026. Several others came to you?—Yes.

6027. Were they voters from the Commons?—Yes, some of them were.

6028. Tell me their names?—I think John Moloney was in two or three times, and Michael Halley, I think.

6029. Who else?—I forget.

6030. Had you any conversation with Michael Halley about voting?—Very often; two or three times, I think.

6031. And you in some measure asked him to vote?—I did not, indeed.

6032. Do you mean to say that you never advocated——?—I never asked him such a question.

6033. Listen to my question. You cannot answer it unless you know what it is. Do you mean to say that in the several conversations you had with Halley, you never advocated Mr. Munster?—I did, decidedly; he knew I was for him.

6034. Listen to me. Do you think you were giving your evidence in a very candid way when you said you never asked him to vote?—I never asked him plumply "will you vote for Mr. Munster."

6035. In one breath you say to me "in several conversations with him I advocated Mr. Munster's cause," and in the next breath you say you never asked him to vote?—Not plumply.

6036. Do you think that is giving straightforward evidence?—I think it is, as far as I am concerned.

6037. I think it is not, sir?—Well as I don't know, I could not make it more strict.

6038. Have you been in attendance here before?—Not during the commission; I was not.

6039. Have you read about it?—I have.

6040. You have read of the power the Commissioners have of giving certificates to those who tell them the truth?—Yes, I am giving my evidence as fairly as any man.

6041. I do not know that?—He knew by my manner that I would wish he would vote for him, but directly to say "will you vote for him," I don't think I used the expression.

6042. In the rest of this examination do not hang upon the syllables that I utter, but when I ask you "did you ask the man to vote for him," answer straightforwardly from your heart the truth?—Of course that is what I intended.

6043. Answer the meaning of my question and not the words of it?—Yes.

6044. Michael Halley, you say, was in with you on several occasions?—Yes, two or three times.

6045. Did he talk with you about money?—I thought by his expression that he expected money; I do not know that he ever mentioned money to me.

6046. I presume you know he was paid money?—I heard so since this Commission, but before it I never did.

6047. Thirty-five pounds?—Yes.

6048. Was that the sum named in any of the conversations with you?—Never, sir, any sum, of any amount, good, bad, or indifferent.

6049. Will you have the goodness to tell me, as well as you can, what expression he used that led you to believe he expected money?—I don't know; I couldn't say.

6050. You can recollect something. What expression did he use that made you believe he expected money?—I really could not say. I think whatever side he would vote at he expected money now.

6051. Are you able to recollect any expression?—Indeed I am not, but I knew by his manner and conversations that he expected it.

SEVENTH DAY.
October 11.
Andrew Meara.

6052. And the same from Michael Carew?—Yes.

6053. What other voter came in?—John Moloney.

6054. The men all got £35?—Yes, so I heard.

6055. You said something to me about retainers. You used the word "retainer" with reference to Carew?—I thought he got a retainer and could not vote.

6056. From whom did he get the retainer, as you thought?—From Mr. Munster's side. That is the reason I said I did not know whether he voted or not.

6057. Did he tell you he had got it?—I don't know.

6058. Besides these three men, Carew, Moloney, and Halley, tell me any other men that called on you with whom you had conversations?—A man of the name of William Ryan.

6059. Is that William Ryan of the Race-course?—Yes.

6060. He also, I presume, led you to believe from his conversation that he expected money?—Yes.

6061. Was there any sum named?—No; there was a bill of his due the day of the polling in the bank. The night before that I told him I would have the bill settled for him the next day. I think £25 was the amount of it. That was the evening before the polling. My name was on the bill; that was the reason I took it afterwards.

6062. Was it his acceptance of your draft?—Yes, it was an accommodation for him.

6063. Have you got that bill?—No; I have nothing at all to do with it. He came to me in half-an-hour after this and told me he was pleased at the other side, and preferred voting there; so I didn't see him after.

6064. You told him you would get the bill paid for him?—Settled the next day; that I would see it settled.

6065. He came back the next day?—No, the same evening; about half-an-hour after.

6066. Did he tell you anything more than what you have said?—He said he was pleased at the other side, and that he would prefer voting there. I didn't see him after.

6067. Who subsequently took up the bill?—I never heard a word about it afterwards.

6068. Then you did not take it up?—No, sir.

6069. Mr. MOLLOY.—What was the amount of it?—£25.

6070. Mr. WATERS, Q.C.—What was the date of the bill?—It was due the day of the polling, whatever day that was.

6071. What was the date?—It was a three-months' bill.

6072. Had it been passed three months before then?—It was due the very day of the polling. It was after three months and three days.

6073. And the time had fully expired?—Fully expired.

6074. Were you on very friendly terms with the man for whose accommodation you accepted a bill?—Oh, certainly. He is a customer of mine. He deals largely with me. I oblige him always when he requires it.

6075. Now, sir, give me the name of another man?—I don't recollect anyone else. I had conversations with several other parties, but I don't know their names.

6076. Come to any other conversation, with any other man, of the same character as those you have told me?—I don't think I had conversations with anybody else.

6077. Had you with any persons in the town?—Oh, I had of course, very often.

6078. Had you any conversations of a similar character to any of these?—Well, I don't think I had.

6079. I suppose you had frequent conversations with Mr. Patrick Laffan during the course of the election?—Yes, I had.

6080. Did you know that he, Mr. Patrick Laffan, was engaged in inducing persons to vote for Mr. Munster?—I did, of course.

6081. Did you know that he had money at his disposal?—I don't think he said that to me. I don't think he said he had.

6082. Had you any conversation with Mr. Patrick Laffan about the way of inducing any persons to vote?—Yes; he asked me to do it and I refused.

6083. To do what?—To try to influence them.

6084. And you refused?—I did.

6085. What term did he use?—I don't know. I had no conversation with him about it. I said I would give my vote. I had no more to do about it.

6086. You expected to get Ryan. By your own account you offered Ryan a bribe?—I didn't do it for myself. I spoke to Mr. Michael Laffan, and he said I might settle the bill and they would see it all right for me.

6087. To Mr. Michael Laffan?—Yes.

6088. Did you tell him what party it was?—I think I did.

6089. Did you mention the name?—I think I did mention the name.

6090. Did you tell him it was the bill of a voter?—Yes.

6091. Did you tell him you offered to settle his bill if he voted for Mr. Munster?—Yes.

6092. And Mr. Laffan told you that you might do it?—Yes.

6093. And that he would see you all right?—Yes.

6094. Mr. GRIFFIN.—Was the conversation with Mr. Laffan before or after you offered to settle the bill?—Before it, of course. I didn't want to be down for it myself. I couldn't afford to lose so much.

6095. Mr. WATERS, Q.C.—You wanted to be sure that you did not pay it out of your own pocket?—Decidedly.

6096. Can you recollect any of the persons to whom Mr. Patrick Laffan wanted you to speak?—He did not mention a name in the world, nor was not two minutes talking to me when I turned away and said if I gave Mr. Munster my vote that was all I wanted to know.

6097. Are those four men, Moloney, Carew, Halley, and Ryan, the only persons you endeavoured to influence?—I did not endeavour to influence them only in the one respect.

6098. Do not play upon my words. You have admitted to me that you offered a man to settle his bill?—That is the only one out of the four.

6099. Is there any other case of a similar kind?—I don't think there is.

6100. I would prefer that you would tell me than that I should refresh your memory?—I gave Mr. Michael Laffan that day of the bill £5 5*s.* to give some one. I don't know what it was for.

6101. Have you been paid it?—No.

6102. Did he say what he wanted it for?—He didn't directly say what he wanted it for.

6103. Mr. GRIFFIN.—What do you think he wanted it for?—It looked so like a retainer that I thought it was for a retainer.

6104. Did you hear since to whom he gave it?—Well, I think it was to a man of the name of Rawlins. He came to me himself first, and he would not take it. I was giving it to him and he would not take it.

6105. Rawlins came to you first?—First by Mr. Laffan's directions, and he would not take it.

6106. Did he say he came by Mr. Laffan's directions?—Yes.

6107. Mr. WATERS, Q.C.—Had you a written order?—Mr. Laffan himself told me to give it to him before that.

6108. Did Rawlins give you any reason for not taking it?—Not a word about it.

6109. Mr. GRIFFIN.—If he was not going to take it, what did he come to you for?—I could not say. He was getting his commands from me.

6110. Mr. WATERS, Q.C.—What commands?—£5 5*s.*

6111. Did you offer it to him?—Yes, I put it on the counter.

6112. Did he refuse to take it?—He did.

6113. Did he say it was too little?—He took it in his hands and put it back again.

6114. He looked at it?—I believe he did.

6115. And he put it down again?—He did.

6116. I want to know do you believe he laid it down because he thought it was too little?—I could not tell you that.

6117. Do you believe that was his reason?—I cannot say.

6118. You saw the money in his hand?—I think he was afraid to take it, or something or other.

6119. Did you not give him the amount directed?—I did, and he made some observation that he was afraid to take it, or something tantamount to that.

6120. Yet he came to you for it?—He did.

6121. When you gave him the five guineas that you were directed to give him, he did not take it?—I think he knew the amount he was to get before he came to the shop at all.

6122. And he did not take it?—No. Mr. Laffan turned in in a few minutes after.

6123. Mr. GRIFFIN.—Were you present when he took it from Mr. Laffan?—I could not say: it was not in my place he took it.

6124. Mr. WATERS, Q.C.—What is Rawlins' Christian name?—Thomas.

6125. Mr. Laffan wishes to have this question put to you, are you quite sure you gave the money to Mr. Laffan or to Rawlins?—I gave it first to Rawlins and he laid it on the counter. Mr. Laffan then entered the shop and I gave it to him.

6126. You have no doubt about it?—I have not.

6127. Mr. Laffan wishes to have you asked, was what Mr. Laffan said to lend him the money?—Yes.

6128. Was what Mr. Laffan said, to lend him the money, and he would be security, or something of that kind?—I should think so—something of that kind.

6129. To lend whom the money?—To himself; but I think he was lending it to the other.

6130. The question implies that Mr. Laffan asked you to lend Rawlins the money, and Mr. Laffan would be security for it?—That is what I understood.

6131. And that is what you call Mr. Laffan's direction to you to pay Rawlins?—Yes.

6132. And when Rawlins refused it you gave it to Mr. Laffan?—Yes.

6133. Did you see Mr. Laffan give it to Rawlins?—I did not.

6134. Were they together in your house?—No; Mr. Laffan came in two or three minutes after Rawlins, and turned out again by himself.

6135. Mr. GRIFFIN.—You told him what occured about Rawlins?—I did.

6136. Did you charge any person in your account with the five guineas?—I do not think I charged him at all. It is more than probable I put it in Mr. Michael Laffan's account, as a debt with me.

6137. Mr. WATERS, Q.C.—I must trouble you to get me the account. Had you any conversation with him since about it?—I asked him once or twice about it since.

6138. What did he say?—Some other time.

6139. Is that all he said?—I think so.

6140. I believe Mr. Munster has been a tolerably large customer of yours since he came to Cashel?—Yes.

6141. How much money did you receive for goods from him?—His account is not paid up yet, but I suppose I have received over £80 or £90 from him in cash, and there is a good deal due still—some money due still.

6142. What was the money paid for?—For drapery goods, carpetings, furnishing two dwelling-houses.

6143. Were those goods sent to Mr. Munster himself?—No.

6144. To whom?—To some ladies or parties that live with him.

6145. They were all for Mr. Munster?—Oh, no, he bought a lot of cheap dresses for the poor.

6146. To what amount?—I should think £14, or something that way.

6147. Do you recollect a bill of yours amounting to £10 14*s.* 3*d.*?—Yes.

6148. Were the things got for the poor included in that?—I should think there was more than that got for the poor.

6149. Could you tell me exactly?—I could.

6150. Have the goodness to refer to your account, and show me where you have charged the five pounds, and the amount of the goods Mr. Munster got from you for the poor. You will also be able to tell us the whole amount of Mr. Munster's account?—Yes.

6151. Mr. GRIFFIN.—A number of the voters from the Commons used to deal in your place?—Yes.

6152. Were you in the habit of accommodating any of them with bills?—I believe not.

6153. Did you ever put your name to any bill to accommodate any other person except that one man you have mentioned?—I don't think I did.

6154. Are you positive?—I don't think I did.

6155. I do not mean several years, but within the last six months?—I don't think I did. I am certain I did not.

6156. Do you remember the election of 1865?—I do.

6157. Do you remember any money going or any inducement to voters at that election?—I do not.

6158. Are you quite sure about that?—I am quite sure. At the side I voted at all events, I don't think any such thing occurred.

6159. At which side did you vote?—For Mr. Lanigan.

6160. You had not any bills for voters at that time?—No.

6161. Mr. WATERS, Q.C.—I called your attention to an amount of £10 14*s.* 2*d.* There is here £66 8*s.* 1*d.* in Mr. Munster's bank pass book. Those two sums together would make £77 2*s.* 3*d.* You said there was something about £4 more. That would make about £80?—Well, yes.

6162. Mr. Munster wishes to have you asked was not the whole of his account actually settled?—No, it is not.

6163. About how much is there due at present?—Well, I could not say. I can let you know it.

6164. Mr. Munster desires to ask was not the whole of his account paid at Christmas?—Oh, yes, I believe it was. It was my own fault not to send the bill.

6165. Mr. Munster wishes you to state if he owes anything is it not on a running account?—Yes.

6166. Your account has been settled up to Christmas?—Certainly.

6167. I understand that you have not furnished the account that is at present due?—Yes, sir.

Mrs. *Henrietta Boyton* sworn; examined by Mr. WATERS, Q.C.

6168. Mrs. Boyton, your husband, I believe is a voter in Cashel?—Yes.

6169. He is Mr. John Boyton I understand?—Yes.

6170. And he voted at the last election for Mr. Munster?—Yes.

6171. I believe, Mrs. Boyton, that you and your husband reside in Mr. Munster's house at present?—Yes.

6172. Mr. Munster also I believe has taken a house from you?—Yes, he has my house—Abbeyview.

6173. That house I believe belonged to the late Mr. Doheny?—Yes; we took it from Mrs. Jordan.

6174. And you have held it from Mr. Doheny's widow?—We hold it now from Mrs. Doheny.

6175. What rent do you pay Mrs. Doheny for it?—£15 a year.

SEVENTH DAY.
October 11.
Mrs. Henrietta Boyton.

6176. When did you let it to Mr. Munster?—The 16th October.

6177. Was the letting made by written or verbal agreement?—A written agreement.

6178. Has your husband got it?—No, I think Mr. Laffan has it.

6179. Mr. Michael Laffan?—Mr. Michael Laffan, I think.

6180. May I ask what rent he pays?—He does not pay any rent to us at present.

6181. But he is to pay rent?—I do not think he is. We are residing in Mr. Munster's house.

6182. Does the agreement not provide for the payment of any rent?—No; the agreement terminated the 16th January, for three months.

6183. Were you not to be paid any sum for it?—After that, no.

6184. Were you not to be paid any sum for the interval between October and January?—No; it was taken for three months.

6185. And were you not to be paid anything for it?—We were paid for three months.

6186. How much?—Twenty pounds, amount for three months, for a house furnished.

6187. Then was it furnished when you gave it to Mr. Munster?—Yes.

6188. Was it furnished during the interval from October to January?—Yes. I left it to him just as I lived in it.

6189. Since then I presume you have some fresh agreement with Mr. Munster?—No arrangement whatever.

6190. Is Mr. Munster holding it now without the payment of any rent for it?—Yes.

6191. You say that you and your husband are living in Mr. Munster's house?—Yes.

6192. At his house in John-street?—Yes, we are living in John-street.

6193. Did you go to live there at once when you gave up Abbeyview?—No; we went to Miss O'Dwyer's, at the hotel.

6194. How long did you remain there?—I think two months.

6195. Did you then go to John-street?—No; we went to Abbeyview again. John-street house was not ready then.

6196. You then went to live with Mr. Munster in Abbeyview?—Yes.

6197. I am sorry to be obliged to put all these questions. It is our painful duty to do it?—It is no matter.

6198. That house was furnished when he took it?—No, he furnished it but recently.

6199. You and your husband reside in John-street?—I reside in John-street at present; yes.

6200. And your husband with you?—Yes.

6201. Do you reside at Mr. Munster's expense?—Yes; he visits us there.

6202. You know Mr. Patrick Laffan?—Yes.

6203. You saw him frequently about the election?—Yes.

6204. You know that he was actively engaged for Mr. Munster during the election?—I saw him going about.

6205. You knew he was engaged?—I understood he was. I think he was.

6206. Do you know Patrick Cunningham?—I do.

6207. You saw him repeatedly engaged about the election?—Yes.

6208. With Mr. Michael Laffan?—I cannot say. I saw him going about.

6209. Have you heard anything relative to Mr. Patrick Laffan?—No; I have not.

6210. Have you heard anything lately of Patrick Cunningham?—No; I have not heard anything about Cunningham.

6211. Have you not seen him lately. Yes, I did.

6212. When did you see him last?—I saw him last Wednesday I think, last Wednesday week.

6213. Wednesday week, or last Wednesday of all?—Last Wednesday.

6214. Last Wednesday?—Yes.

6215. Who was with you last Wednesday when you saw him?—Mrs. Needham.

6216. Who is Mrs. Needham?—The housekeeper at Abbeyview.

6217. That is, Mr. Munster's house?—Yes.

6218. What time on Wednesday did you see him?—About two or three o'clock; about three o'clock.

6219. Where, may I ask?—At Clogheen.

6220. How far is Clogheen from this?—It is about fourteen miles.

Mr. *Munster*—Seventeen miles.

6221. Did you tell Mr. Munster that you had seen him there?—No, I did not.

6222. Mrs. Needham was with you and knew that, I suppose?—Yes.

6223. And she is living in the house with Mr. Munster?—She is.

6224. I suppose you have heard that we have been endeavouring to get Cunningham to appear here?—No, I did not hear a word about it.

6225. Where in Clogheen did you see him—I went to Clogheen to pay a visit at Bayville. I did not wish to go by myself, and I asked to have Mrs. Needham allowed to go with me. When I stepped out of the car at the hotel there—no, I was after returning, after paying the visit, when I met him in the street.

6226. Were you talking with him?—No, not above two minutes.

6227. In the hotel, I suppose?—At the hotel door; I did not delay a moment.

6228. No doubt you talked about the Commission?—I do not recollect speaking a word about it.

6229. I understand that you were after paying your visit?—Yes.

6230. Then, were you driving or walking at the time?—I was walking at the time. I was just turning into the hotel, and he was in the street.

6231. Had you any reason to believe that he was stopping in the hotel?—Not the least. I turned into the house to order the car around at once, and he just stood at the door.

6232. And you were speaking to him for about two minutes?—I do not think more than two minutes. I just said, "it was a fine day, and I was surprised to see him there," or something to that effect.

6233. He is not of the class of persons in life that you would stop talking to there. I should like to know what you were talking to him about?—He is not certainly the class in life, and that is the reason I did not stay a moment, but just pass.

6234. You say you were two minutes in conversation?—I was.

6235. Did you ask him where he was going to?—No.

4236. Or why he was at the hotel?—No.

6237. Did you ask where he was going to?—I did not think of such a thing. He was not a person I would ask where he was going. I thought he was only after coming to Clogheen.

6238. This was all on Wednesday?—Wednesday night.

6239. Did Mrs. Needham speak to him?—I do not think she did, unless she bowed her head to him.

6240. She knew who he was?—She did.

6241. She may have spoken to him?—She may; I did not take the least notice, for I was hurried, and was coming away.

6242. Mr. MOLLOY.—Was Mrs. Needham with you on the visit?—No, she was not.

6243. Mr. WATERS, Q.C.—Was Mrs. Needham with Cunningham, or in company with him, at the time you came up?—Oh, no; I do not think she was; I did not mind it a bit; I just saw him as I would any man, and I did not notice him.

6244. And you tell me that you did not hear he was wanted at the inquiry?—No, not a word about it.

6245. You knew he had very essential evidence to give on such an occasion as this?—I did not know anything at all about it, nor think about it.

6246. Did you know that he was examined at the petition?—I did not ask.

6247. Or did you hear of his examination by any chance?—No, I did not.

6248. You have told me that you do not know at all where he is at present?—Oh, no; I do not know anything at all about him.

6249. I must ask you to tell me if you please, who was the servant that drove you that day you went to Clogheen?—I do not know who the driver of the car was.

6250. Was he one of Mr. Munster's servants?—Oh, no; one of Mr. Quirke's men.

6251. Mr. Munster wishes to know did you go to Clogheen to see a priest, a friend of yours, about a meeting at Clogheen concerning Father Sheehy's monument?—Yes.

Mr. *Munster.*—I would further wish that you would ask if the witness has any reason to suppose that her meeting Cunningham was anything but accident.

6252. I do not think it necessary to ask that, for I am assured Mrs. Boyton would tell me. I feel satisfied she has told the truth. Mr. Munster wishes to ask you, Mrs. Boyton, if, after you left Miss O'Dwyer's and went to Abbeyview, you returned to Miss O'Dwyer's again?—Yes, I remained two days at Mr. Munster's and then returned to Miss O'Dwyer's again.

6253. A further question he wishes to ask you is, do you know how it happened that you remained two days at his house?—There was a lady at Mr. Munster's—a Mrs. Leahy. She came over with a young person that was with Mr. Munster, and she left, and I was invited to stop at Mr. Munster's until Mrs. Richardson came over to remain in Mr. Munster's house as the head of his house. I remained the two days, between the time that Mrs. Leahy left and Mrs. Richardson came. I stopped the two days and returned to Miss O'Dwyer's again.

6254. You were examined, Mrs. Boyton, at the petition with reference to a young man named Ryan?—Yes.

6255. I will ask you to tell me the circumstance from beginning to end, as you recollect it?—I met Mr. Ryan. I was returning over from John-street one day and I met Mr. Ryan, and he asked me could he see Mr. Boyton, as he wanted to speak to him on some business. I said he was detained in the bank at that time late, and that the only time he could see him was about tea hour, when he would be sure to be in; and he said he would call in the evening, and he did come in the evening, and he wanted Mr. Boyton, or wanted to see could we get a horse purchased from him.

6256. Purchased by whom?—By Mr. Munster's agents from him. He had a horse at the time, and he wanted to know, as we were friends, and as Mr. Munster was buying horses that time for his own use, he wanted to know could we get his horse bought; and he asked £70 for the horse; and then after tea there was some conversation about votes. I cannot say I asked him, but I dare say I did, for at the time it was quite usual for every one to say, "who will you vote for." He said he had not his mind made up, but that all the Commons' votes were to be got for Mr. Munster—that is what I understood.

6257. Did you understand from him that if he got a good price for his horse he would vote for Mr. Munster?—Yes, I understood it would make him friendly to Mr. Munster.

6258. Will you tell me the very words he used that led you to believe that; if you can bring to your recollection any particular expression of his, or any words of his, that led you to believe that if he got this long price for his horse, he would vote for Mr. Munster?—I could not recollect that he said anything distinctly that if the horse was bought he would vote; but I understood that if the horse was bought he would vote for Mr. Munster; also, that if he would vote, he would not vote without money.

6259. Where did all this conversation take place?—In the public sitting room in Miss O'Dwyer's hotel.

6260. That person is John Ryan of the Race-course?—Yes.

6261. Is he one of the voters from the Commons?—Yes.

6262. Do you know how he voted afterwards?—He voted for Mr. O'Beirne.

6263. Did all the conversation take place in the sitting room?—Yes, all the conversation, but there was a passage going out, and I spoke to him going along the passage. There was a folding door between it and the drawing room where we were.

6264. Was your husband present?—Yes, he was in the room. There was a newspaper on the table, and I do not think he was much minding what was going on from time to time.

6265. There was a door from the stairs to the sitting room?—There was a door from the stairs to the sitting room, and you went from the passage into the room where we were.

6266. Is there no door from the drawing room to the stairs or landing outside?—No, there is not; you can only enter the drawing room by passing through. That is the way it was that time.

6267. Was he brought to you to the drawing room?—Yes.

6268. I suppose a servant came and said a man wanted to see you?—I could not say that, it being a public hotel, I believe it is usual for people to walk up stairs.

6269. You were in the drawing room with your husband?—Yes.

6270. And this conversation about selling the horse took place in the passage?—No, it took place in the drawing room.

6271. All in the drawing room?—All in the drawing room, and then going away I might still have continued the conversation with him about the matter. He said the Commons' people were divided into sections—ten in each place, I believe, and that he led one section, and that he could bring ten people with him, I think.

6272. Did he say what the figure would be?—Yes, he said £30.

6273. Did he give you their names?—Oh, no, he did not.

6274. You did not go so fully into particulars?—I did not hear a word about it.

6275. Was your husband present?—He may have heard it all; I dare say he did.

6276. Your husband voted for Mr. Munster?—Yes.

6277. And, no doubt, was anxious for his return?—He was.

6278. This conversation having occurred in the room occurred in such a way that Mr. Boyton could have heard it?—He could.

6279. And he naturally would listen to it if it arose?—Yes, I am sure he would.

6280. Was not your husband examined on the petition?—Yes.

6281. Did he not say that he did not know anything of this?—The conversation?

6282. About the votes?—I do not know.

6283. You are aware of what Ryan swore at the election petition?—Yes.

6284. About your having money there?—Yes, I am quite aware he swore that I had money.

6285. He will be examined again, and I do not know whether he will repeat that or not; but I wish you to have an opportunity of saying anything you can in reference to it?—I never had a shilling belonging to him, nor no authority to offer money.

6286. Mr. Baron Fitzgerald on your examination shortly summed up the statement made by Ryan, and put it in this way. "He says that you took him into a bedroom and showed him a box which, you said, contained £1,225?"—I never said it. I could not have said such a thing.

6287. Did you say anything about any money at all to him?—Nothing of any money. I was going to say that when he spoke of getting £30 a man for the voters, I might have said that one side would give it as well

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as the other. I did not know there was any harm in that.

6288. Did you say something to the effect that there was money to get those votes at Mr. Munster's side?—I do not say that I did.

6289. You said one side as well as the other?—I said in conversation that I supposed one side would pay as well as the other.

6290. Is that the only thing you recollect to have said with reference to money?—I never said another word. I never kept money. I never had money at all.

6291. All he says was that you said it was there?—I never said the like. I could not assert such a falsehood.

6292. Did you show him a box?—Never. I never showed him a box at all.

6293. And all you recollect to have said to him with reference to money is, that one side would give it as well as the other?—I may have said that, but I do not recollect.

6294. At least the best of your belief is, that you mentioned that if Mr. O'Beirne's side was giving money, it would be procurable at Mr. Munster's side as well?—Yes, I thought it was given. I thought when he said no voters from the Commons were got without money, I took it for granted then that they would not vote without money; but I had no authority from anyone to offer money.

6295. Do you recollect the way in which you expressed yourself about the money being at one side as well as at the other? Do you recollect how you expressed that idea to him: what words you used?—I do not recollect.

6296. Mr. GRIFFIN.—Did he say that Mr. O'Beirne was giving it?—I do not recollect that he said Mr. O'Beirne was giving it; but he said the votes would not be got without money, and that whoever would give the most money would get the votes.

6297. Mr. WATERS, Q.C.—Then all you recollect to have said was that one side would pay as well as the other?—Yes.

6298. That meant to convey to him, I suppose, that Mr. Munster's side would be as ready to pay as the other?—I did not know anything at all about Mr. Munster's side that time; for at that time I did not know Mr. Munster at all. I had not met Mr. Munster at that time, nor for over a week after it.

6299. Was your husband a voter in '65 do you know, Mrs. Boyton?—He was not.

6300. Mr. Munster wishes to have you asked this question, which is a very pertinent and proper one; can you fix the date of the conversation with John Ryan?—I think it was about the 2nd November—the 2nd or 3rd November; about that time.

6301. Mr. Munster wishes to have you asked if at that time his acquaintance with you was anything beyond that of a casual visiter?—I scarcely knew Mr. Munster at all.

6302. You had let your house to him?—Yes.

6303. And had been a couple of days on a visit with him?—No; I had not been in his house at all.

6304. On the 2nd November?—I might have been in his house, but I was not stopping in Mr. Munster's house at that time.

6305. This is a question Mr. Munster wishes to ask, and I have no objection to put it, although I do not see how it applies; is or was Miss O'Dwyer a friend or enemy of Mr. Munster's?—An enemy, decidedly.

6306. This is another question that Mr. Munster wishes to have asked—did Cunningham supply oats to Mr. Munster, and has he a store back of Abbeyview gate?—I know he has a store. I saw his father often standing at the door there; but I do not know anything at all about it.

6307. This place that you speak of outside the drawing-room, and that you call a passage, is a room?—Yes.

6308. It is not a lobby, or head of a staircase, or anything of that kind?—No.

6309. Was that room used for any purpose? Was it a bed-room, or used for any purpose?—No, I never saw it used as a bed-room.

6310. Do you recollect being in that room with Ryan?—Yes, while I was speaking to him.

6311. In that room?—Yes.

6312. You did not go to show him out, I presume?—I did go that part of the way out with him; but it was the one room; there is only a step just going down.

6313. It would be unusual for a lady in your condition to show out a man like this Ryan—a man who says he is the head of ten men who are to be paid for their votes. You would hardly have gone to show him out as a matter of courtesy. Your husband would have done that if it were necessary, I suppose. Did you go there for the purpose of having any of this conversation with him alone?—I continued the conversation that was in the drawing-room going along.

6314. It looks strange that you, a lady, should have gone there with that man. You did not go as a matter of courtesy?—It was as a matter of courtesy, I suppose. I did go out with him, I am sure.

6315. Did you go out for the purpose of having a portion of the conversation quite private with him?—I am quite sure I did walk out along there and continue the conversation.

6316. Was that with the object of private conversation?—No; I do not think I said anything private to Ryan—not a word.

6317. My question is, did you leave the room where your husband was and go into this room with Ryan for the purpose of having any portion of the conversation between you and Ryan alone?—I did not.

6318. Then why did you go into that room?—When he was going out I walked out with him.

6319. Why?—I continued the conversation about the voters, and to speak more to him about it.

6320. Was it to continue that conversation?—It was.

6321. I suppose your husband would not interfere about voting, as he has been in the bank?—No.

6322. He would not be allowed by his manager?—No.

6323. Did you want then to continue the conversation with Ryan?—Yes; it was I that had the conversation with Ryan all along.

6324. And it was with that object that you went out with him?—I went along with him and continued the conversation.

6325. Mr. GRIFFIN.—You were interested in the conversation about the votes?—Yes.

6326. And wanted to hear all about it?—Yes.

6327. And went out of the room for the purpose of finishing it?—Yes.

6328. Did you communicate this conversation to anybody?—Yes, I told about the selling of the horse.

6329. Did you tell anybody about the votes?—I did.

6330. Whom did you tell?—I think I told Mr. Patrick Laffan.

6331. When did you tell him?—Immediately after the conversation.

6332. Did you see Mr. Patrick Laffan that evening?—Oh, no, I do not think I did.

6333. But the next day?—I think I did.

6334. At the first opportunity you told Mr. Patrick Laffan?—Yes, I told him about selling the horse and the votes.

6335. You told him that Ryan told you he would sell the horse for £70, and that he could get ten votes at £30 each, besides?—Yes.

6336. Your husband being in the bank did not wish to enter into a conversation of the kind you had with Ryan?—He had nothing to do with votes.

6337. Do you not think that the reason Ryan had that conversation with you and not with Mr. Boyton was, that Mr. Boyton being in the bank could not interfere in the election?—No, I think he spoke openly before both. I do not think it was that at all.

6338. Do you not think it likely that a man coming

to sell a horse would go to the gentleman and not to the lady?—Well, he did; he spoke to both.

6339. But your husband did not encourage him?—He said what I said, that he would give the message to the friends of Mr. Munster.

6340. He was not as much interested as you in the matter?—I was more active about it than he was. I know I had more talk about it.

6341. Mr. MOLLOY.—Was there any person in the drawingroom that evening besides yourself, your husband and John Ryan?—There was, but they left immediately.

6342. And as Ryan got up to leave the room there was no person present?—There was a Mr. Raftery.

6343. Did you go out in order that Mr. Raftery might not hear the conversation?—No, I spoke in the presence of Mr. Raftery. He was reading, I think, at the table.

6344. Who is Mr. Raftery?—He is in the bank too.

6345. While you were continuing the conversation did you open the door?—Yes. I think the servant opened the door. She was in the habit of being continually in and out of the room when anyone was with me, listening, and at the doors and everything.

6346. Who were the persons that went out before Ryan came in?—A Miss Ryan that was lodging there; she went to her own room, that was next the drawing-room, when Ryan came in.

6347. Was she asked to leave the room?—Oh, not at all. She had a little girl with her, and she went out I think to let the child go to bed.

6348. Why did you not remain there and finish the conversation in the drawing room?—It is a habit of mine when any people are with me to go out with them.

6349. Are you certain that it was you and not your husband that went out with Ryan?—He went out also.

6350. You were not in any room that night with Ryan except the passage?—No, most positively. I never went upstairs.

6351. Mr. WATERS, Q.C.—Mr. Munster wishes to have the question asked—was Mr. John Ryan, the poor-rate collector?—He was.

Mr. *Munster.*—Also whether he was a relative of Mr. Guiry, J.P., of Clonmel, and a connexion of Mr. Grace's.

6352. Do you know that?—Yes, I know there is a connexion. His nephew Guiry is at Clonmel, and Mr. Grace's sister is married to him.

6353. Mr. GRIFFIN.—Was Mr. Boyton present at the conversation between you and Ryan in that outer room?—He was, but it was not a conversation; it was only walking along. I did not think he meant what he was saying at all.

6354. But your husband heard it?—I cannot tell.

Mr. *Pierce Grace* wished to have a question asked.

Mr. WATERS, Q.C.—I think I must stop those questions. I do not see how the last of Mr. Munster's questions affects the case. It only leads to continual interruptions to our inquiry, to put such questions.

Mr. *Munster.*—You put to the witness that there was an inequality of rank between the witness and Mr. Ryan.

Mr. *Grace.*—There was evidence given at the trial of the petition that Mrs. Boyton was in a bedroom upstairs with Mr. Ryan. That is his story. That could not be a passage. I do not think she was asked that.

Mr. MOLLOY.—Oh, yes, "was she in any room with him."

Andrew Meara recalled; examined by Mr. WATERS, Q.C.

[Witness hands in his ledger, and points out entry of purchases for the poor.]

6355. That is exactly the amount I made it, £10 14*s.* 2*d.* Is that the entire amount?—There were some little things. Yes.

6356. I see you have the other entry charged as "cash to Mr. Michael Laffan £5 5*s.*?"—Yes.

6357. It is charged on the 27th November. Now you lent it before that, nearly a week before it?—It is one of the young men's entries.

Denis Ryan sworn; examined by Mr. WATERS, Q.C.

6358. Mr. Ryan, you are an elector, I believe, of Cashel, and reside on the Commons?—Yes, in Cooper's lot.

6359. You voted at the last election for Mr. Munster?—Yes, sir.

6360. And you are the brother-in-law of Margaret Moloney and Mary Moloney?—Yes, sir.

6361. They have told us of the paper parcel that you left in their keeping, and that you told them to put up safe for a few days?—Yes, sir.

6362. How much money was in it?—£35.

6363. For whom was that money, Mr. Ryan?—The person it was intended for—Edmund Stapleton.

6364. Edmund Stapleton is a voter, I believe?—Yes, sir.

6365. Who gave it to you to give to Edmund Stapleton?—I couldn't tell.

6366. Oh, you can! You did not find it surely. Who gave it to you?—Some man gave it to me in Mrs. Corcoran's hotel that I did not know.

6367. Some man that you did not know?—Yes.

6368. Who brought you to that man?—Patrick Cunningham told me to go into the room.

6369. Did he tell you whom you would see there?—He said I would meet a man.

6370. In what room did you see him?—Part of the second flight, convenient to the lobby.

6371. Was it a bedroom?—I couldn't exactly say, but to the best of my belief it was, sir, a bedroom. It was dark.

6372. What hour of the day or night was it?—Four or five o'clock in the evening.

6373. Was there no candle lighting?—No, sir.

6374. How did you count the money?—I couldn't count it in the dark. It was put into my pocket.

6375. By the man?—Yes.

6376. Was it in a parcel?—Yes.

6377. How did you know it was £35 if you did not count it?—I counted it when I brought it out where there was light.

6378. In Mrs. Corcoran's house?—Either there or in the yard.

6379. Did you ever see that man before?—I might have seen him, but at the same time I could not know the man.

6380. Did you suspect who he was?—No, sir.

6381. What sort of man was he?—I couldn't say, the light being dark.

6382. Was he an old or a young man?—I couldn't say, sir. I kept down my head. I didn't fancy to know him.

6383. And he told you the money was for Edmund Stapleton?—The man I got it from, it is most likely that he didn't know who it was for. It is myself says it was for Edmund Stapleton.

6384. Patrick Cunningham took you to the place?—I was in the hotel myself at the same time.

6385. In what part of the hotel?—In the front room, I think.

6386. Were you in the front room?—Either there or the lobby.

6387. I want to know whom you saw in the front room?—Patrick Cunningham at that tine.

6388. And no one else?—It was on the lobby I met him—on the stairs.

6389. Whom else did you see in the hotel, besides Patrick Cunningham and that man?—I couldn't say.

6390. Did you see Mr. Patrick Laffan?—No.

6391. Did you see Mr. Leahy there?—No, not at that time.

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6392. Did you see him there that day at all?—I might have seen him, but I cannot recollect.

6393. Did you see him there that day?—I might have seen him that morning.

6394. Did you see him in the morning?—I cannot recollect, there were so many going in there.

6395. Did you see Mr. Leahy or Mr. Laffan there any other day?—I often saw them there.

6396. Had you any conversation with them about voters?—Who?

6397. You know very well whom I mean?—If you mention the parties, sir.

6398. I will commit you to prison if you do not answer?—I will answer, sir.

6399. Had you any conversation about voters?—I might have conversations with parties.

6400. With whom?—To the best of my belief Patrick Laffan asked me "what about the voters," or "did I think they would be all right." I told him my opinion, that I think some of the parties were gone to Mr. O'Beirne's side.

6401. Go on; that is not all that passed?—Well, there might have more passed. Any question you ask I am satisfied to answer.

6402. Did you speak about the price that was to be paid for them?—No, sir.

6403. Was there no mention of the price that was to be paid?—No, by Mr. Patrick Laffan, Mr. Leahy, or any of the Laffans.

6404. Did you speak to Mr. Leahy about money to the voters?—I told him there was a good deal turning over to Mr. O'Beirne.

6405. Was there any talk about getting them back or keeping them?—About getting them back?

6406. Have you been here before?—No, sir.

6407. Are you aware that you have admitted now, and that it has been already proved that you have been concerned in this business about giving the money for this vote, and that if a case were pressed against you in a criminal court you are liable to two years' imprisonment?—I am, sir.

6408. And that you are also liable to a penalty of £100?—I am aware of it.

6409. Are you aware that if you give your evidence candidly and straightforwardly, and tell us all you know, we can give you a certificate that will free you from all penalties?—I am, sir.

6410. If you do not give your evidence candidly, and tell all you know, you will get no certificate?—I will tell you, sir, all I know.

6411. Tell all the conversation you had with Mr. Leahy, or with Mr. Patrick Laffan, about votes?—Very seldom I was talking to Mr. Leahy unless he happened to be there.

6412. On any occasion did you speak to him about the price of the votes of the people of the Commons?—No, sir.

6413. Did you speak about giving money or getting money for them?—Not to Mr. Leahy or Mr. Laffan, but to Pat Cunningham, for Edmund Stapleton.

6414. Answer my question as you understand it. Had you any conversation about money with any one except Patrick Cunningham?—No, sir; and Stapleton himself.

6415. And Stapleton himself?—Yes, sir.

6416. Did you arrange the price Stapleton was to get?—I gave him to understand what he was to get.

6417. How much did you give him to understand he was to get?—£35.

6418. When had you the conversation with Stapleton?—I had it with him on the evening of the nomination day.

6419. Where had you the conversation?—At the corner of Dr. Coyle's house.

6420. In Cashel?—Yes, sir.

6421. Did he tell you then how he was going to vote?—He told me he would vote for Mr. Munster.

6422. Did he tell you that he should get anything for voting?—Not at that time.

6423. Did he afterwards?—I told him afterwards if he did vote for Mr. Munster I would be inclined to serve him.

6424. Did you tell him the amount?—I did, the day after.

6425. Thirty-five pounds?—Yes.

6426. Who gave you authority to say £35?—I had it in my own possession at the same time.

6427. Who gave it to you?—I had it the evening before that previous in my possession, and the reason I didn't give it was because he got drunk at the hotel.

6428. Did any one authorize you to offer him money except Patrick Cunningham?—Patrick Cunningham didn't authorize me, but I asked Cunningham.

6429. And then Cunningham took you to this man?—He took me to him.

6430. You told Cunningham you left the money for Stapleton?—Yes.

6431. You left the money for Stapleton with your sister-in-law?—Yes, I left it for safety until the following day.

6432. What did you do with it?—I met Stapleton in the street.

6433. Did you give it to him?—No. I brought him back to the hotel, and met Mr. Cunningham. I called him to one side from Stapleton, and I told him—"Bring this back where I got it; I will not give it to Stapleton; I will not be in his power."

6434. Then, you gave it back to Cunningham?—Yes, and he made a token for me to send him into the room. I sent him into the room, and what happened between them I don't know.

6435. Then, you gave back the money to Cunningham?—I did, sir.

6436. When was it that you told Stapleton the amount you would give him—was it the night before?—The same day, sir. On my way going to the hotel I told him.

6437. For whom did you vote at the election of 1865?—For Mr. O'Beirne.

6438. What money did you get?—I got £50 from him to act as an agent.

6439. Were you promised any money for your vote at the last election?—Mr. Laffan employed me as agent for Mr. Munster.

6440. I asked you were you promised any money?—No, sir, for voting.

6441. Were you promised any money at the last election?—Not for voting. I was promised money to act as agent.

6442. How much money were you promised?—£50.

6443. By which Mr. Laffan?—Mr. Michael Laffan.

6444. This gentleman here?—Yes; it is he engaged me. [Identifies Mr. Michael J. Laffan.]

6445. Did you tell him how much you had been paid by Mr. O'Beirne in 1865?—I did, sir.

6446. Did you say that you would not take less from him?—I told him I got £50 from Mr. O'Beirne to act as agent.

6447. Tell me all the conversation that took place between you and Mr. Laffan?—He asked me would I go to town, and I told him I would. When I went to town then I was standing at Miss Moloney's door, and he came up, and we went up stairs, and he gave me a retainer.

6448. How much was the retainer?—Two guineas.

6449. Was that two guineas to be a part of the £50?—Well, we had no conversation about it, sir.

6450. Have you been paid any of the £50 since?—No, sir.

6451. Have you been paid none of the £50?—No, sir.

6452. Have you received any money from any one except the two guineas?—No, sir.

6453. Did you ask for the £50?—After the petition here I furnished him with a bill in my son's name.

6454. In your son's name?—Yes, sir.

Mr. *E. H. Biggin* recalled by Mr. WATERS, Q.C.

6455. Produce that bill if you please, Mr. Biggin?—I do not think I have it, sir. [Subsequently handed in.]

Denis Ryan's examination resumed by Mr. MOLLOY.

6456. What is your son's name?—John, sir.

6457. Were you told to furnish the bill in your son John's name?—No, I went up to see if I was to get it, and I drew up the bill in my son's name.

6458. Why did you draw it in your son's name?—As my son was not a voter.

6459. Mr. WATERS, Q.C.—I suppose you thought it might look like a bribe if it was in your own name?—I did not want to have anything to do with it.

6460. Is that the bill you sent in? [Is handed document.] Who wrote it for you?—Patrick Cunningham, sir.

6461. Patrick Cunningham wrote this?—I asked him to write it.

6462. Read it?—"28th December, 1868."

6463. Did you tell me that it was after the petition?—To the best of my belief it was.

6464. The petition was not tried here until February?—I was under the impression it was after the petition; I took no note of it.

6465. Where did Cunningham write this for you?—In Mr. Laffan's office.

6466. Was Mr. Laffan present?—To the best of my belief I saw him engaged at one side there.

6467. Had you any conversation with Mr. Laffan before this was written about the money?—I asked him could I get the £50 several times, and he said I could not, that it could not be got until after the petition or the special.

6468. Special Commission?—Yes, sir.

6469. Is it this Commission?—Yes, sir.

6470. And his answer was that no money could be given until the petition and Commission were over?—Yes, sir.

6471. Was that answer of Mr. Laffan's to you, before or after you put in this claim?—Before and after, that is what he always told me. I asked him twice before it.

6672. How many times altogether did you ask him?—To the best of my belief two or three times. When I saw there was no prospect of it I was not annoying him.

6473. Mr. MOLLOY.—From whom did you get the money for the election of 1865?—From Mr. O'Beirne himself.

6474. When did you get it?—Last Christmas twelve months I got it from him.

6475. Christmas, 1866?—1867.

6476. Did you go for it to London?—I did.

6477. For that money?—Yes.

6478. Did you get it there?—I did not get it in cash there.

6479. How did you get it?—He gave a bill on the bank of Cashel for it.

6480. Did you receive the £50 on the bill?—Yes, sir.

6481. Before you went up to the room where the money was put into your pocket, you were in the front room at Corcoran's hotel?—Yes, sir; I was on the lobby.

6482. You said you were in the front room?—On the lobby I was standing when I was told to go up to the front room.

6483. You said you had been in the front room?—Not that time, but previous to that time.

6484. How soon before that were you in the front room?—I cannot exactly say, sir.

6485. When you were in the front room that day who was in it?—I could not exactly say.

6486. How many persons?—I could not tell. I should think there was not many.

6487. Where did Stapleton get drunk?—In the coffee-room. He was partly half drunk before he came in.

6488. Was he getting liquor there?—In the coffee-room?

6489. Yes?—I understand he got one liquor there in my presence.

6490. Who gave him the treat?—I could not exactly tell though I saw the person.

6491. Was it whiskey or brandy?—Brandy.

6492. And you do not recollect who it was?—Of course I don't. I knew him, but I don't recollect.

6493. Were the voters getting drink there?—They were.

6494. Was he so drunk after your getting the money that you could not give it to him?—He was, sir.

6495. For whom did you vote at the election of 1859?—For Mr. Lanigan.

6496. Did you get any money then?—No, sir, nor anyone else in the Commons that I am aware of.

6497. In 1859?—Yes, sir.

6498. Did you ever get money at any election except 1865?—Never at any election in Cashel except what I got from Mr. O'Beirne, and the retainer. I lost more than what I gained.

6499. How did you lose more than you got?—I lost my time, and often spent some of my money foolishly about the streets taken up with them.

6500. Mr. GRIFFIN.—You say that there was no money paid in 1859?—Not to my knowledge, unless some parties might have got it unknown to me.

6501. Did you know of £15 paid to any of the Commoners, or any agreement to have it paid?—I have no knowledge of it, sir, nor cannot recollect.

6502. You did not hear there were £15?—Oh, yes, it was understood there would be something like that done.

6503. That was in 1859?—Yes, it was, at the time that Mr. Lanigan was elected.

6504. What was understood?—That there was something like £15; some prospect when all would be over.

6505. To the Commoners?—Yes, the Commoners.

6506. And to other people, too?—I cannot exactly say that either. I have not much knowledge of the people of the town.

6507. What voters were to get that £15?—It was understood that when all would be over that they might be considered, to give something like that.

6508. Who might be considered?—The voters of the Commons.

6509. From whom were they to get it?—I suppose from Lanigan's party.

6510. It was the voters that would vote for Lanigan that were to get it?—Yes.

6511. Mr. MOLLOY.—Did you vote in '59 on that understanding?—I was employed on that understanding.

6512. Did you vote in '59 on the understanding that when the voting was over £15 were to be got?—I did, sir.

6513. Mr. GRIFFIN.—Were you an agent for Mr. Lanigan in '59?—I was, sir.

6514. What were you to get?—I left it to himself, sir.

6515. What did he give you?—Nothing at all.

6516. You expected to be paid as an agent?—He did not promise positively, but he made something like a promise that there would be something come out. I took him at his word, and the Commoners took me at my word, and there was nothing came out after.

6517. The "something that was to come out" was £15?—Something like that.

6518. Did you hear anything of voters that got money?—I don't recollect.

6519. Did those Commons' voters that took your word complain to you afterwards of not getting something?—They did, sir.

SEVENTH DAY.
October 11.
Denis Ryan.

6520. Who were they?—It would be hard to tell their names.

6521. How many were they?—At the time I had the interview with them there were only five or six, to the best of my belief.

6522. Only five or six complained to you?—It is with them I had the interview.

6523. Did more than five or six complain?—Of course they did. They said they were badly treated.

6524. Do you remember who they were?—I think James Dwyer was one of them.

6525. Anybody else?—To the best of my belief Pat Halloran.

6526. Anybody else?—There were more there, but I am not sure was Dan Moloney there. I may be wrong in that, sir, to the best of my belief.

6527. Is he alive?—He is, sir. I suppose you will have him here some time.

6528. Did any of those men come to you about the last election?—Yes, we used to be talking about it. We all met in the street, or perhaps elsewhere, and we used to be talking.

6529. Did they ask you was any more money going?—I understand they did.

6530. That is this last time?—Yes, sir.

6531. What did you tell them?—I told them not; that Mr. Munster was not paying; that I had it from Mr. Laffan; that Mr. Munster was a good man, and that anyone that voted for him he would be most likely not to forget after the election would be over.

6532. Did you tell them, though Mr. Munster had not promised you anything, about the £35 you had for Stapleton?—Not before I gave it; I told it after.

6533. Was that before the election?—Oh, no, sir, for a long time after the election.

6534. You told them that Mr. Munster would be inclined to be liberal with them afterwards?—After; when all would be over.

6535. You told them you got £35 for Stapleton?—Not at that time. This was four or five weeks previous to the election.

6536. But you told them afterwards?—I did, after the election, sir, but that I did not give it to him; it was not I gave it to him, but I had it for him.

6537. Mr. MOLLOY.—You say that at the last election Stapleton got £35 in a dark room at Corcoran's?—I said I got it there for him. Stapleton did not get it there.

6538. Did he go into the dark room?—He did, sir. I understood he said he did not get it there.

6539. How did he vote at the election?—He voted for Mr. O'Beirne, sir.

6540. Did he say anything about having got £30 from Mr. O'Beirne, and that he would not vote for Mr. Munster unless he got more?—No, sir.

6541. Did he say anything like that?—No, sir.

6542. What was the token you gave him?—I told him to tap at the door.

6543. Mr. WATERS, Q.C.—Was he to tap any number of times?—Twice or once, I do not recollect which.

6544. Mr. MOLLOY.—Was Cunningham by when he went into the room?—No, sir. Cunningham went away. He was not there at all.

6545. Mr. GRIFFIN.—Did you mention anything about that dark room and about Stapleton going into it, to any of the voters of the Commons before the election was over?—No, until after the election.

6546. Mr. WATERS, Q.C.—Mr. Laffan wants to have you asked did Mr. Laffan tell you when he gave you the two guineas that you could not vote?—He did, sir.

6547. Mr. Munster wishes to have this question asked of you, is Dr. Coyle a friend of Mr. Munster's?—I should think not.

6548. Where had you the conversation with Stapleton?—At the gable end of Doctor Coyle's house. I did not give him room to understand what he was to get until we were going for the money at that time; but he pledged and promised me to vote for Mr. Munster.

6549. I have to say this, that as far as I am able to judge at present you appear to have told what you know?—I did, sir.

6550. Unless I find between this and the end of this inquiry that you have concealed something from us, I think you will be entitled to a certificate?—I will be here, sir, in attendance. Perhaps I could answer more some other time.

6551. Do you know of anything more that you have to tell me?—Not presently, sir.

6552. Mr. MOLLOY.—Do you know of any money passing at last election?—Not from myself.

6553. Or from any person?—I heard there were a few of the Commoners that are said that did get money. I believe that is Halley and Moloney.

6554. Did you hear of any persons in town that money was promised to or that got money?—No, sir, I don't interfere much in the town. I know there were a great many rumours going that are false.

6555. Mr. WATERS, Q.C.—If you have anything to tell me do so; if not, retire?—Presently, sir, I have not.

6556. It will not do to have another man tell something, and then you come to tell me you forgot that?—Perhaps I might forget, sir.

6557. Mr. GRIFFIN.—You have a brother named William Ryan, I believe?—Yes, sir.

6558. Did you hear that he got money?—I heard that he did not get it, sir, and I really believe that to be the truth.

6559. Did you hear that he was promised any money?—I didn't promise him, at all events.

6560. Did you hear that any person made him a promise?—I didn't hear it, sir.

6561. Did he talk to you about the election?—He did, sir.

6562. Did he say he ought to get anything?—He said if anyone was getting it, that he would expect it.

6563. Did he complain that he did not get anything?—He did, sir, different times.

6564. Did he say he was promised it, and that they had not kept their words?—Well, he did, sir.

6565. Did he say who promised him?—No, sir, not to me.

6566. Did he say it to anybody else?—He said to me that they promised it.

6567. Did he say who promised?—He did not.

6568. Did you hear who promised him?—If anyone did, it is likely it is Pat Cunningham.

6569. Did you hear that Pat Cunningham had promised to him?—Unless from my brother, sir, I didn't hear anyone else saying it.

6570. You heard from your brother that he was promised it. Who told you that it was Pat Cunningham promised it?—I heard my brother say it, that is what I understood from him, that Pat Cunningham promised it to him.

6571. Mr. MOLLOY.—Did he say how much he was promised?—I understood he expected £30.

6572. Mr. GRIFFIN.—Was he told he would get it after the petition and commission were over?—Yes, sir, that answers the time I understood he was to get it.

6473. Then he would not be entitled to get it yet?—Yes, sir; no more he didn't get it.

6574. He expects still to get it, I suppose?—If it is Mr. Munster's goodness to give it to him.

6575. He expects it still?—I believe he does. I cannot rightly tell what is in his mind.

6576. Do you know Michael and James Carew?—I do.

6577. Did you hear them say that they expected to get anything?—From my knowledge of Michael Carew I understood he got no money.

6578. Mr. MOLLOY.—Do you know John Hanley of Hughes's lot?—I do.

6579. Did you hear of his being promised any money?—He always told me he got nothing for his vote.

6580. Did you hear he was promised any money for his vote?—I understand he left Mr. Munster to himself. He would vote for him in any case.

Denis Ryan.

6581. What was it he was to leave to Mr. Munster himself?—His own goodness, if it was his wish to give him anything.

6582. Do you know Edmund Hogan?—I do, sir.

6583. Was he promised any money?—Not by me.

6584. By whom was he promised?—I couldn't say, though he is living next door to me.

6585. Did he tell you he was promised anything?—The old man never told me anything that way.

6586. Did anybody else tell you?—I understood they expected it. Whether they have got it or not I don't know.

6587. Mr. WATERS, Q.C.—Who told you they expected it?—I heard the son saying something about it.

6588. What is the son's name?—Edmund Hogan.

6589. I believe the old man is blind?—He is partly blind; I am not sure.

6590. The son, I suppose, would manage for him?—I should think he would be able to do so.

6591. Mr. MOLLOY.—How much did you hear Hanley was to get?—I couldn't tell you, sir.

6592. That is John Hanley of Hughes's lot?—I couldn't tell you, sir; he never told me.

6593. Has he any sons?—John Hanley has no children.

Thomas Cunningham recalled; examined by Mr. WATERS, Q.C.

Thomas Cunningham.

6594. What about your son?—I didn't hear anything from him since, but a few minutes ago I was told by Mrs. Boyton she met him in Clogheen.

6595. You have not heard anything about him?—No; I expect daily that he will be home wherever he is. I was told not five minutes ago that, as I was coming in by Mrs. Boyton.

James Connor sworn; examined by Mr. WATERS, Q.C.

James Connor.

6596. You are not a voter?—No, sir.

6597. Were you engaged at the election?—I was, sir.

6598. For whom?—For Mr. Munster.

6599. Who engaged you for him?—Mr. Michael Laffan, sir, engaged five of us, I think to do Mr. Munster's dirty work that he engaged us.

6600. What was that?—To bribe, I think, and to pay voters, and no payment for it either, any of the five men of us.

6601. Who were the five persons engaged?—Edmund Looby.

6602. Who else?—Thomas Connor, my brother.

6603. Who else?—John Butler.

6604. Next?—Michael Cahill.

6605. That is only four?—Myself, sir, is five.

6606. What did he engage you for?—Gor, my humble opinion is, that it was of course to influence voters.

6607. Were you together when he engaged you?—There were four of us together, sir.

6608. You paid some money?—I did.

6609. How much did you pay?—I paid thirty pounds to one voter.

6610. Who was that?—Pat Ryan, sir. I got nothing for myself at all, sir.

6611. Who gave you the money to pay Pat Ryan?—Mr. Patrick Laffan brought me up to the top of Mrs. Corcoran's house.

6612. Do you know the room he brought you to?—I do, sir.

6613. Is it number six?—I am not sure of the number. It was about eleven o'clock on the night before the polling day. He tapped at the door, and of course arranged matters with the man in the room. I was then let in, and the man inside knew what I was to get better than I did myself. I just received thirty sovereigns.

6614. Sovereigns?—Sovereigns, sir. I put them into my waistcoat pocket. At the same time I told the man below that I had the money for him. I didn't tell him how much, but tipped my pocket.

6615. Who was the man that gave you the money in the room?—I don't know, my lord.

6616. Did you ever see him before?—No, sir.

6617. Or since?—Not to my knowledge.

6618. Was there a candle lighting in the room?—There was.

6619. Describe the man who gave you the money?—He was sitting at the table with a Carolina hat on him, and a muffler of orange around his neck. The room was dark. There was a candle lighting, and a few beds in the room. He handed me the money—"There is thirty sovereigns for you." He didn't say what it was for. I took it and walked down. I didn't know the man.

6620. Was he an old or a young man?—I think he was a man about forty or fifty years.

6621. Was his hair grey or not?—I couldn't tell with the hat, and didn't pass many remarks.

6622. Do you recollect how he was dressed?—To the best of my opinion I think it was a sort of a whitish coat he had. I wouldn't swear, my lord, to it.

6623. Had he the appearance of a person in the position of a gentleman?—No, sir, he had not.

6624. Are you certain he had not?—He had not, sir. He had not the appearance of a gentleman.

6625. You got those thirty sovereigns from him then?—Yes, sir.

6626. And you went down and paid it to Pat Ryan?—I paid the thirty sovereigns to Pat Ryan, but not that night.

6627. Mr. GRIFFIN.—Is that Patrick Ryan of Lady's Well?—It is, sir; Pat Ryan of Lady's Well.

6628. Mr. WATERS, Q.C.—He voted for Mr. Munster?—Yes, sir, for Mr. Munster.

6629. When did you pay him the thirty pounds?—I think it was after the election. Eh! it was after the election I paid it, but he knew I had it that night before he voted.

6630. Mr. MOLLOY.—You let him feel it in your pocket?—I did, sir.

6631. Mr. WATERS, Q.C.—You had a conversation with him before you went?—Oh, yes, he told me he would leave it all to me. I said to Mr. Pat Laffan, "Patrick Ryan," said I, "is in the room, and it would be better settle with him;" so he had no hesitation about it.

6632. And he knew that you got the thirty sovereigns for his vote?—Yes, sir.

6633. You were engaged by Mr. Michael Laffan?—Yes, sir.

6634. What did he say to you when he was engaging you?—He sent for these other men, and he put down the five of our names.

6635. Did he say anything to yourself?—Nothing to myself, only to do all we could, the five of us, on the part of Mr. Munster. It seems I had no vote, and anything I had to do was on behalf of Mr. Munster in an agent like.

6636. Did you send in a claim afterwards?—Michael Clarke sent in a claim afterwards for the five of us. We had as much work going for it. I was sent from Mr. Laffan to Mr. Biggin, and from Mr. Biggin to somebody else. The people say I built slate houses by Mr. Munster's money, but I never got a pound.

6637. Do you know that other man, Edmund Looby, who was examined?—Yes, sir.

6638. Do you know to whom he paid money?—To Denis Heffernan, sir, and John Duggan.

6639. Do you know of his paying anybody else?—No, sir.

SEVENTH DAY. *October* 11.

James Connor.

6640. Do you know whom your father, Thomas Connor, paid?—I do not think he paid anyone.

6641. Do you know of his having paid any person?—No, sir.

6642. Do you know of his having paid John Butler?—No, sir.

6643. Do you know of his having paid Michael Halloran?—No, sir. I do not think he ever got money to pay anyone.

6644. Did you ask for money for anybody else but Pat Ryan?—I was sent for to the house.

6645. Who sent for you?—Mr. Patrick Laffan. It was a couple of days before the polling day. I was sent for to go to John Phelan. I went to him and proffered him money.

6646. How much did you proffer him?—By gor, I believe I proffered him a good deal—I don't know how much—I believe £40 or £50.

6647. What Phelan was that?—John Phelan.

6648. Where does he live?—In the Main-street.

6649. What did Phelan say to you?—He didn't give me a decided answer on it at that present time. When I came back I told them, "I don't think we could rely on him."

6650. Is he a voter?—He is, sir, and voted for Mr. O'Beirne—John Phelan, Cashel, the Main-street.

6651. What more took place between you and Phelan?—I followed Phelan down street in the morning, before the election—two or three days before it.

6652. Did you ever hear this man called Whelan?—Whelan they call him, sir—Whelan or Phelan, I don't know which.

6653. Is he the man whose name is mentioned in the bills passed in '65?—Yes, sir.

6654. Somebody said here that he used to lend money?—That is he, sir—that is the gentleman.

6655. What happened when you went to him?—I don't know exactly the amount of money I said to him, but he didn't give me a decided answer. He said he would see me in a short time again. I went to Pat Ryan and told him, and Ryan told me he didn't think it was any use to come for John Phelan for he would vote for Mr. O'Beirne.

6656. Did he say why?—We were of opinion that he got the bribe at Mr. O'Beirne's side. Then I didn't go to him after.

6657. You did not go back again?—No, sir; I came back and told Mr. Pat Laffan the same.

6658. Did you go to anybody else?—I went to Paddy Fitzgerald in the Commons.

6659. Who told you to go to him?—Mr. Pat Laffan, sir, and I went of my own accord.

6660. What passed between you and Fitzgerald?—I was to get him £30, at least I proffered him £30. He asked could I get him any more. I said I thought I could. I brought him to Mr. Laffan, and handed him into Mr. Pat Laffan; to the best of my belief he brought him to the dark room.

6661. Where did you bring him to Mr. Patrick Laffan?—To Mrs. Corcoran's hotel. I am badly paid, sir, to tell a lie about it.

6662. No payment would reward you for concealing the truth?—I wouldn't do it, sir. I was summoned to the Commission, and I was asked, and I wouldn't perjure myself either.

6663. Did you see him go up to the dark room?—Yes, I saw him going up. I didn't follow him up the stairs.

6664. Who was with him?—Mr. Patrick Laffan, sir.

6665. Mr. WATERS, Q.C.—Did you ever hear who was the man that was in the dark room?—Never, sir, to my knowledge.

6666. Did you go to anyone else but Fitzgerald?—No, sir, I did not. I don't think I have any more to say.

6667. Do not leave anything unsaid, because I would be glad to be in a position to give you a certificate?—I am so happy, sir, to have the town disfranchised; I would tell you, sir, if I knew it. What I want, sir, is to ask them two men, were any of the five of us ever compensated—Mr. Biggin and Mr. Michael Laffan.

[Mr. *Michael J. Laffan.*—Anyone of the five never got anything to my knowledge.

Mr. *Biggin.*—Nor to mine.

Mr. *M. J. Laffan.*—I can say that for them, for the mobsmen and the butchers, I did give some money to one of them to distribute—not for themselves.

6668. Mr. WATERS, Q.C.—How much?

Mr. *M. J. Laffan.*—When I produce the accounts it will be found to be forty or fifty pounds.]

6669. Mr. GRIFFIN.—Did you hear that John Reilly of Lady's Well got money?—I don't know, sir. They all have so many connoisseurs, two or three men was enough to have a vote.

6670. Did you hear that John Reilly got money?—No, sir.

6671. Did you hear about Rody Fogarty?—No, sir, I did not.

6672. Who is John Connors of Bohermore? Is he a cousin of yours?—No, sir, he is not.

6673. Did you hear any more?—No, sir, I did not hear any more.

Daniel Ferris, junior.

Daniel Ferris, junior, sworn; examined by Mr. WATERS, Q.C.

6674. You are a voter of this town, I believe?—Yes, sir.

6675. And you voted for Mr. Munster?—Yes, sir.

6676. Were you a voter at the previous election?—No; this is the first time I had a vote.

6676. Is your father a voter also?—Yes, sir.

6678. He was a voter at former elections?—No; he was not.

6679. I suppose you were canvassed by Mr. O'Beirne's side?—Yes; I was.

6680. By whom were you canvassed?—By Mr. O'Beirne himself.

6681. Were you canvassed by anybody else?—Yes, a good many—Dr. Coyle and some more.

6682. Did Captain Graham ever canvass you?—No; he did not.

6683. Did you take an active interest in the election for Mr. Munster?—I did.

6684. I believe Mr. Munster was a considerable customer of yours?—Not very; he was a customer.

6685. About how much did he purchase from you?—I could not say.

6686. Have you never looked since he commenced so as to see how much he left you?—No, I did not.

6687. He had not an account with you?—No; because when Mr. Munster would buy any goods from me I would bring them to Abbeyview with a bill, and he always paid me.

6688. Do you make no entry of goods sold in your establishment?—No; I always enter them with the week.

6689. You could give a guess as to what you sold him?—He may have bought £40 worth from me.

6690. Perhaps he bought more?—I do not think he bought more.

6691. What is the amount of the largest bill you ever got from him?—About £14, I think, is the largest that I did; I am not sure.

6692. I find one bill £18 9*s.*?—That is the largest.

6693. Mr. MOLLOY.—Did you receive over £50 from him?—On my word really I could not tell you. I should be very happy to give you any information in my power.

6694. Did you canvass for him at the election?—No; I did not.

6695. Did you ask any persons to vote for him?—No.

6696. Did you speak or advocate his cause with any person?—I did, with one person.

6697. Who is that one person?—John Flavan.

6698. Is John Flavan a voter?—No; he is not.

6699. Why did you speak to Flavan about it?—I spoke to him about a friend of his.

6700. Who is the friend?—John Farrell; he is a voter.

6701. Is that John Farrell of the Main-street?—Yes.

6702. He voted for Mr. Munster, I believe?—He did.

6703. What conversation had you with John Flavan about him?—First to know how he would vote; afterwards he told me he would vote for Mr. Munster. I told Mr. Laffan that he would vote for Mr. Munster if he got something.

6704. How much?—What every person was getting—£30, and I gave him £30.

6705. You gave him £30?—Yes. I did not give it to him, but I gave it to Flavan.

6706. From whom did you get the £30 that you gave him?—From Mr. Pat Laffan.

6707. Where did you get it from him?—In my shop.

6708. Do you know did Flavan give the money to Farrell?—I cannot say, but I suppose he did. It is more than probable he did.

6709. Did you ever hear from Farrell afterwards that he got it?—No; I was not speaking to him at all.

6710. From whom did you hear first that Farrell was going to vote?—I did not know who he was going to vote for. I never asked him, and I never spoke to him.

6711. Do you know of any other case of money having been given?—No; only the reports I heard in the *Irish Times* or *Freeman*.

6712. Do you know of any case in or about the election in Cashel?—No, I do not.

6713. Or did you hear of any person having got money for voting?—No, I did not.

6714. Or do you know of any money having been given at all to voters?—No, I do not.

6715. Can you fix the date of giving the money?—About a week before the election.

6716. Mr. GRIFFIN.—It was given before the election?—He gave it to me about a week before the election.

6717. Mr. WATERS, Q.C.—Can you give us any further information?—I cannot, sir. That is all I can say I know.

6718. Mr. MOLLOY.—Did Hogan show you a cheque?—John Hogan—no, he did not show me a cheque.

6719. Did he show you a letter?—He did.

6720. Did it refer to a cheque?—It did.

6721. What was the amount of the cheque?—£60.

6722. When was this?—After the election, I think.

6723. Mr. WATERS, Q.C.—That was a letter of Mr. O'Beirne's?—Yes; from Mr. O'Beirne.

6724. Who is John Hogan?—He was in partnership with Ryan.

6725. When you saw Mr. O'Beirne's letter what occurred?—Nothing occurred.

6726. Who brought it to you?—He handed it to me to read.

6727. Who handed it to you to read?—John Hogan.

6728. And what did he say?—Not to present the cheque at the Bank until I heard again, I think. It was a cheque for £60.

6729. Where is this Hogan now?—I could not tell you.

6730. Was he living in Cashel at that time?—He was in business at the time.

6731. You do not know where he lives now?—I do not know. He may be at home for what I know.

6732. What were the goods that you supplied?—Everything—carpet-bags, candlesticks, rosary beads.

6733. How many carpet-bags did you supply?—One or two. He may have bought two—large size.

6734. Did you say that the greater part of what you supplied him were toys?—The reason I said that was, that I knew that my business is mostly toys. Mr. Hemphill asked me in cross-examination.

6735. And you told him that they were toys?—Yes, mostly toys. One day Mr. Munster bought about £5 worth of toys from me to give to schools.

6736. To what schools?—Some to the National and some to the Presentation schools.

6737. What was the rest of the goods that make up the amount that you said you were paid?—Every description of goods that I had.

6738. Do you know what Mr. Munster did with them?—No, I do not.

6739. Were any of the goods he purchased from you for charity, or given in the name of charity, except the toys?—Oh, there were; he bought combs, rosary beads, and religious books.

6740. Did he give them away?—He did; a part of them, I think.

6741. Have you an account of them?—I have not.

6742. About how much is the value of the whole altogether?—I could not say.

6743. Were you paid for some over the counter?—No; but when I carried up the goods I carried the bills, and was paid.

6744. And you made no entries in your books of those sales?—No; only the week's receipts are the only entries I keep.

6745. Did he purchase some bedding from you?—No.

6746. He did not?—No.

6747. Mr. WATERS, Q.C.—Here is an item—"Ferris, bedding, £7 16*s*.?"—That is my father—not me.

6748. Did you yourself get any inducement, or offer of any kind whatever for your vote?—I did not, sir.

6749. None whatever?—None whatever.

6750. I suppose you were naturally influenced by the charities of Mr. Munster?—No; it did not.

6751. You were influenced favourably towards him by his expenditure in Cashel?—No; I was not influenced in any way. That would not influence me.

6752. Would you not rather support a man who was spending money in Cashel than one who was not?—Of course; I thought he would do more service for the town than Mr. O'Beirne.

6753. In the way of expenditure?—That is what I mean—yes.

6754. Mr. MOLLOY.—You did not poll until late in the day?—No.

6755. Why did you not go early?—I was in the court-house, and there was a lot of people going up and down, and I said I would wait until one or two o'clock.

6756. To whom did you tell that?—To no person, but I said it to myself.

6757. Some person asked you?—No, they did not.

6758. And you made up your mind not to vote until one or two o'clock?—No, I did not—not previous.

6759. Did you not tell me that you did?—I said on the morning of the polling I would not come up until about one or two o'clock to poll.

6760. Farrell's name was John?—John Farrell.

6761. Do you know Thomas Farrell?—I do.

6762. What relation is he to John?—I could not tell you.

6763. Has John Farrell a family?—He has.

6764. Sons?—He has young sons.

6765. Has he a son named John?—I could not tell you.

6766. How many sons has he?—I could not tell you.

Michael Beary.

Michael Beary sworn; examined by Mr. WATERS, Q.C.

6767. Mr. Beary, I believe you are not a voter?—No, your worship.

6768. What are you?—I am a process-server in Cashel, and rent warner to Mr. Butler and Mr. White.

6769. Were you engaged at the last election for anyone?—I was your worship.

6770. For whom were you engaged?—Mr. Michael Laffan employed me to do the best I could for Mr. Munster.

6771. And I suppose you did it?—Well, I did.

6772. Tell us what is the best you could do?—Every day that I would come down street I would, wherever

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Michael Beary.

there would be a crowd, I would maybe be speaking to them and speaking favourable for Mr. Munster; no more than that. I never went to a voter's house to canvass him.

6773. You did not?—No.

6774. Were you paid anything?—I was.

6775. How much?—I got £10 and I thought I was well paid by it, and some more money from Mr. Laffan for serving subpœnas here at the petition.

6776. You got £10 for doing nothing but talking to people in a crowd?—I didn't go to canvass with him. I went one day to the Commons of Cashel.

6777. Did you ever earn money easier than that in all your life?—Well, I don't think I did ever earn it easier.

6778. You know Mr. Beary that they expected more service than that from you. Tell us something more?—I spoke to some of my neighbours living on Bianconi's property, and then I spoke to him again, when Mr. Bianconi in the latter end gave me a message to see would they vote for Mr. O'Beirne, and they would not. I think they had promised or said they would not vote for him on any account in regard to the election of '65 when they voted for Lanigan; and they would support any man that would be an enemy to Mr. O'Beirne, for ever.

6779. Where else were you?—I never asked I think a man from the Commons.

6780. You said you went out there one day—that escaped from you?—I did the day of the meeting.

6781. Did you go the day of the meeting to do anything?—No; but to listen to them speeching.

6782. Perhaps you got some of the wine they carried there?—I did not.

6783. Did you not speak to any person?—Not to a mortal soul on the Commons, I think, unless to Denny Ryan. You will have him here, I suppose. I never spoke to one on the Commons unless to salute them.

6784. What did you get the £10 for?—For going as a messenger about the street and going about. I had no further communication with anything else.

6785. Nothing else?—No knowledge of money dealing or anything with any man.

6786. You did not suspect that there was any money going at the last election?—I heard it; but I didn't hear it from any person that I would give you as an author.

6787. Did any man speak to you about money?—No person.

6788. Are you sure of that?—I am, as far as I have recollection.

6789. Try and recollect, because I do not like to be jogging your memory. Did any man speak to you about money?—Well, I don't think there did, as far as I can recollect.

6790. No person at all spoke to you about money?—Well, I don't think I can recollect I spoke to any man.

6791. Any voter in the Commons or on Mr. Bianconi's property, or anywhere?—No. They knew the parties they would speak to. I suppose that is the way.

6792. Mr. MOLLOY.—How much did you expect to get for your services?—I put in a bill for £25. I didn't expect it. I would be satisfied with £5, and thankful too.

6793. When did you get the £10?—Well, I believe it was before the petition was tried.

6794. Recollect now, was it before or after the petition?—Well, it was after. I recollect it was. Yes, it was after the petition.

6795. Who gave you the cheque?—This gentleman (pointing to Mr. Biggin.) Yes, it was.

6796. Did Mr. Bianconi's people prefer to go against their landlord?—They said any man in regard to the man that was in his grave.

6797. Who were those people?—John Hurley, John Looby; he is summoned here.

6798. Mr. GRIFFIN.—How do you know he is summoned?—He told me he was, your worship.

6799. Were there any more?—Tom Looby, I believe Reilly—and that old Johnny—James Mulcahy.

6800. Was Tom Looby the man that sold the jennet?—No.

6801. His name is Tom also?—Yes. He said he could take no money or ask any money, but would go for any man that would be against O'Beirne with regard to the parish priest and Mr. Lanigan.

6802. With regard to the parish priest?—The Archdeacon Laffan—God be merciful to him. I hadn't many conversations and didn't want to get into it at all.

6803. Mr. *Michael J. Laffan.*—He said he got the money from Mr. Laffan—I want to make it clear he did not from me.

6804. Mr. WATERS, Q.C.—I have it down Mr. Patrick Laffan.

Mr. *Denis J. Scully* sworn; examined by Mr. WATERS, Q.C.

Mr. Denis J. Scully.

6805. Mr. Scully, I believe you are a voter in Cashel?—I am.

6806. And you voted for Mr. Munster at the last election?—I did.

6807. Are you the brother of Mr. Jerome Scully?—I am.

6808. Do you know was Mr. Jerome Scully engaged in the last election?—He was engaged by my cousin, Vincent Scully.

6809. Was he interested for Mr. Munster?—After the nomination day. On that day I understand he went down and assisted Mr. Munster afterwards.

6810. After the nomination day?—I believe on the evening of the nomination day.

6811. Mr. Scully, a man named Thomas Looby says that he got £30 in Corcoran's hotel, that he went up there one morning early and saw a number of people that had been there all night, and that you were there?—I think it was a mistake; I was not there.

6812. I beg your pardon, it was your brother Jerome?—I cannot account for that.

6813. There is no other one of the name, I suppose?—If any person of my name was there it is likely to be him.

6814. Do you know anything of any person having got money at the last election?—Why, I know the first money given here—publicly given, which everyone knows—was £500 given by Mr. Munster for the Christian Brothers, to the parish priest. He got it on a Saturday. Next morning I happened to be at Mass, and he came out very disparagingly of Vincent Scully at first Mass next morning after his receiving it. It was publicly known.

6815. Do you mean to say he spoke in explanation?—He did.

6816. On the Sunday morning?—On the following morning.

6817. Having received £500?—£500 the day before for the Christian Brothers, in which community it was publicly stated that he had two nephews.

6818. You say that he came out the following morning disparaging Vincent Scully?—Disparaging to Vincent Scully.

6819. Did he advocate the cause of anybody else?—He said the other two were pretty much of the same way of thinking. He did not name Vincent Scully, but there could be no mistake as to who he meant.

6820. But did he advocate anyone of the other two?—No; he said the other two were much alike in politics.

6821. Do you know of any other money given at the election?—I do not.

6822. Or of any promise?—No; I voted at all the elections in Cashel for several years, and never directly or indirectly, or by any means received one halfpenny for my vote, or any promise, or anything directly or indirectly for it. I am aware that at the time of Dean M'Donnell, when he was parish priest, he would never

allow an elector to take money, nor take money himself from a candidate.

6823. When was he parish priest?—I believe he was parish priest, I should say, for over twenty years in Cashel. I believe he was in Cashel for near forty years.

6824. In what years?—I believe it was in 1852 or 1853 he died.

6825. Mr. MOLLOY.—Did he receive any subscriptions for charitable purposes from candidates?—I believe not from candidates, but he would after the election from members.

6826. Mr. WATERS, Q.C.—Did you hear that announced by him publicly, or is it only matter of observation of your own. Did he openly announce he would not take money from candidates?—No, but I have heard that, and at the time coming on elections, known him to denounce people who would attempt to take a bribe.

6827. But you thought he would not himself take money?—I am confident he would not. He was a man of very high principles.

6828. Mr. MOLLOY.—How did you vote at the election of 1865?—For James Lyster O'Beirne in 1865.

6829. How did you come to vote against him in 1868?—Why it was partly hearing of his connexion with parties in London, of whom I formed a very bad opinion, and also that his supporter, Captain Graham, and another supporter of his, nominated the parish priest here at the nomination, and it was when that was done I made up my mind to vote for Mr. Munster.

6830. For whom did you vote in 1859 when Lanigan and O'Beirne were candidates?—I do not think it was Lanigan and O'Beirne.

6831. Lanigan was elected?—I voted one time for Lanigan. I will tell you. Lanigan came out at the time as an Independent Oppositionist, but I found when he went to Parliament he was anything but that.

6832. Was not O'Beirne in 1865 an Independent Oppositionist, and of the very same party that John Lanigan professed to belong to?—I voted in 1865 for James Lyster O'Beirne.

6833. You voted against Lanigan?—I did, in 1865.

6834. Did John Lanigan, after he addressed the electors of Cashel, ever alter his principles? Did he ever belong to any party but what was called the Independent Opposition?—I thought he did. I think he was a Government supporter in Parliament.

6835. When did he belong to the Independent Opposition?—In his address.

6836. In his address?—In his address and electioneering speech.

6837. Which was Mr. O'Beirne or Mr. Lanigan the greater supporter of the Government?—Well, I think Lanigan was.

6838. You think that Lanigan was?—I do.

6839. You spoke of something making you change your mind which occurred on the day of the nomination?—The parish priest here was proposed by Captain Graham and seconded by James Hackett, both supporters of Mr. O'Beirne. He came out and made assertions here with regard to Vincent Scully, many of which I did not believe—in fact, some of them I knew to be false, and that made me change my mind: that made me make up my mind to vote for Mr. Munster.

6840. Is Mr. Vincent Scully your cousin?—He is.

6841. You would have voted for him?—I would.

6842. Is Archdeacon Quirke parish priest of Cashel?—He is.

6843. In the observations he used that day did he say anything about Mr. O'Beirne at all?—No; his argument was abusing Vincent Scully.

6844. Or did he say anything of Mr. Munster?—No, he did not say much in favour of either.

6845. How were you influenced to change from Mr. O'Beirne to Mr. Munster?—Because he was put forward by Mr. O'Beirne's supporters. In fact it appeared to me from his proposer and seconder that he was put forward by Mr. O'Beirne's supporters, and Captain Graham was a most out-and-out supporter of Mr. O'Beirne at the time.

6846. Does your brother Jerome live with you?—No, he does not; he has a family of his own.

6847. Where does he live?—He lives at Silverfort about, five or six miles from Cashel.

Mathew Murrin was called, but did not appear.

William Meehan sworn; examined by Mr. WATERS, Q.C. William Meehan.

6848. Meehan, for whom did you vote in '65?—Mr. O'Beirne, sir.

6849. How much money did you get that year?—I did not get any money, sir.

6850. Oh, now, recollect yourself—you did, now—we know you did—just tell me how much you got?—I got no money, sir.

6851. Did you get a promise of any money?—I did not, sir.

6852. Did you get any money in '68?—No, sir.

6853. Or a promise of any money?—No, sir.

6854. You got no money in '65?—No, sir.

6855. Are you sure of that?—I am, sir.

Mr. *John Davis White* recalled; examined by Mr. WATERS, Q.C. Mr. John Davis White.

6856. Mr. White, do you see this man?—I do, sir.

6857. Did you pay this man money in '65?—I did, sir.

6858. How much did you pay him in '65?—£30. I cashed a bill for him.

William Meehan's examination resumed by Mr. WATERS, Q.C. William Meehan.

6859. Now, recollect yourself. Would you know your own handwriting?—I never signed a bill. I never had occasion to go to Mr. White or any man to get a bill, nor never wanted it.

6860. Did you ever get money in '65?—No.

6761. Did you ever hear of any man getting money at the election?—Never.

6862. Do you live in Cashel?—I do, sir.

6863. Do you swear on your solemn oath, so help your God, that you never heard of money being given at the election until you heard it here?—I do.

6864. Go down off the table. Go down. You will have to attend here again, mind. You will come here to-morrow.

Patrick Halloran was called, but did not appear.

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William Meehan recalled by Mr. WATERS, Q.C.

William Meehan.

6865. Come up here again, Meehan, for fear of any mistake about it. Did you understand the question? One of my brother Commissioners thinks you did not understand the question. Do you understand the question I put to you about hearing of money being given?—I did, sir.

6866. [The shorthand writer reads question and answer No. 6863.]—*Witness.*—I heard of money.

6867. Did you hear that question?—Of course I heard of money being given.

6868. Why did you say you did not hear it?—It must be a mistake of mine. I didn't understand the question rightly.

6869. When did you hear of money being given at the election?—I heard of it at the petition.

6870. Did you never hear of it before the petition?—I did not, sir.

6871. Now, you understand my question perfectly. Before the last election—that is, before the day of the polling—did you never hear of any voter on the Commons getting money for his vote?—I don't recollect I did.

6872. You never did? Go down off the table.

William Flynne.

William Flynne sworn; examined by Mr. WATERS, Q.C.

6873. Mr. Flynne, for whom did you vote at the last election?—For Mr. Munster, sir.

6874. Was your house taken for anyone?—It was not taken out of a face; I will explain that to you. I promised my vote to Mr. Laffan as he was the first man that came to me, and that was before Mr. Munster's address was out.

6875. Before his address was out?—Yes; Mr. Laffan and I were friends. He was very kind to me. I was going to Fethard and he used to give me a seat going to the sessions. He asked me would I give my vote; he was going to be employed by an English gentleman. I said it was premature until I would see his address. He said that his principles were equal to Mr. O'Beirne's. When his address came out I got his address in a circular. In some time after I met Mr. Laffan, and he asked me did I read Mr. Munster's address, and I said I did. "Will you give me your vote?" said he. I said, "I will." He said then, "perhaps I may want your house." I said, "I do not care which. My house and my vote have nothing to do with each other."

6876. Did you say that to Mr. Laffan?—I did, sir. He is present. I often set my house to the police and bazaar men, and parties passing by. I set it since the election. In some time after, I cannot say how long, I met him and asked him did he think he would want the house, and he said he didn't know. After this he met me in John-street and he said, "William," says he, "your house is, I am afraid, too far off, and I must take a house in a more conspicuous place, that is Mr. Walshe's in the main street." "Mr. Laffan," says I, "it makes no difference. I suppose you don't dread my promise; I will stick to my word." He said he did not. Sometime afterwards I am sure he said that he would want it.

6877. That he would want it?—Yes; but they never took possession of it.

6878. They never took possession of it?—Never.

6879. Did you put in a claim, Mr. Flynne?—No.

6880. Mr. MOLLOY.—Who is the owner of the house?—I am, sir.

6881. You are the tenant for it?—I am, sir.

6882. Is your mother alive?—No, sir. My father and mother are dead a long time.

Mr. Edward Henry Biggin.

Mr. *Edward Henry Biggin* recalled by Mr. WATERS, Q.C.

6883. Give me claim 72?—I have not the claim.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* tenders himself; examined by Mr. WATERS, Q.C.

6884. *Witness.*—I do not think he can have the claim; for Flynne never put in a claim.

6885. Mr. WATERS, Q.C.—Why is it here then?—For I put it in for him.

6886. This is "Mrs. Flynne"?—It is "William" abbreviated, and looks like "Mrs."

6887. I not only find it there, but I find it in three different places, and this remarkable observation, "Mrs. Flynne, house not used, £30."

William Flynne.

William Flynne's examination resumed by Mr. WATERS, Q.C.

6888. Had you any conversation afterwards, Mr. Flynne, with Mr. Laffan about the payment of that claim?—No, sir; I never asked anything of him.

6889. Mr. MOLLOY.—Did you agree for any sum?—No. We never mentioned any sum.

6890. Mr. WATERS, Q.C.—You never mentioned any sum?—No, sir. I didn't like to have anything to tell about houses. I was as well pleased they didn't take it.

6891. And no sum was mentioned at any time?—Not a penny, sir.

6892. Do you know of any persons getting money at the election?—Faith, I do not, sir. I am relieving officer, and at that time my district was so large that I had not time to meddle or make with the election. I didn't attend meetings, or listen to them, or anything else.

6893. A good many people were talking of the election?—They were saying money was going. They said I got it myself, and say it up to this very day.

6894. It looked very suspicious, Mr. Flynne, for sometime—I do not mean to say on your part?—And don't you see, sir, that it would be a lie going about, and that the truth would not be able to overtake it.

6895. "Mrs. Flynne, house for tallyroom never used"?—Mrs. Flynne never had anything to say to it, sir.

6896. Mr. MOLLOY.—How would you vote if Mr. Munster was not a candidate?—I would vote for Mr. Lanigan, or any man before O'Beirne.

6897. Mr. *Michael J. Laffan*—He says he thinks I told him that I would take his house or would want it.

6898. Mr. WATERS, Q.C.—There is no incorrectness in taking down your evidence as this, that Mr. Laffan said to you he thought your house was too far off?—No, sir.

6899. And that he spoke of Mr. Walshe's house?—That was the third time, sir.

6900. And after that he said to you that he would want it?—I think he did, sir.

6901. That is what you told us already?—I am thinking he did.

6902. Do you recollect was it after he said he would not want it?—I think it is after, sir.

6903. So you said three times. That will do, thank you.

John Looby sworn: examined by Mr. WATERS, Q.C. — John Looby.

6904. Looby, are you a voter?—Yes, sir.

6905. For whom did you vote at the last election?—For Mr. Munster, sir.

6906. Were you a voter before the last election?—Yes, sir, I was; I believe three times. Once I voted for Councillor Hemphill, and Mr. John Lanigan, and for this man. I think that is all I voted for; for my father had the place before, sir. I believe that is the time I came in, sir.

6907. Is your father alive?—No, sir.

6908. Are you a married man?—I am, sir.

6909. Have you children?—I have, sir.

6910. What are the names of your children?—One of them, the eldest, is Maurice, and there is George, and there is Tom, John, and Pat, sir, and two little girls, sir.

[Mr. *Biggin* is asked for claims No. 32 and 33.]

6911. Did you put in claims for any of them for the election?—No, sir, never. I am on my oath. I never looked for a claim for any of them, or got it.

6912. How old is Maurice?—Maurice is gone to America, sir.

6913. When did he go?—Before the election.

6914. How long before it?—I am not a clerk; I cannot tell you, sir.

6915. Is there any other Maurice Looby?—There is a cousin of mine in the same place. He voted for Mr. O'Beirne, I believe.

6916. Is there any other person of the name Maurice Looby?—There was another on the Green, I believe. He is dead, I believe.

6917. Has your brother a son named Maurice?—He has not, sir.

6918. Is George the eldest boy you have at home now?—He is, sir.

6919. Do you know any George Looby about Cashel but your son?—No, sir, nor never knew him to be there.

6920. Do you know of anybody having put in a claim for your son, George Looby, £35?—Not to my knowledge, nor would not allow him, if I knew it.

6921. You say there is no other George Looby in Cashel?—As far as my knowledge goes there is no other George Looby, and there was not a George until I called him after my wife's father. I did not know nor hear of it.

Mr. *Michael J. Laffan* recalled; examined by Mr. WATERS, Q.C. — Mr. Michael J. Laffan.

6922. Mr. Laffan, do you know anything about this claim?—I am prepared to accept, to the fullest extent, whatever responsibility attaches to the claim.

6923. Did you mean that the money should be given to this man?—I did, certainly, to him or to his son. I intended it to the son as a compliment to the father. I intended that those voters, who voted honestly and independently, as I conceived, should not afterwards be worse off than those who made a corrupt bargain; and when I come to deal with the claims, there are four or five I shall be prepared to point out when I get the list of claims.

6924. With whose knowledge did you do that?—Unless Cunningham may have been staying in my office at the time I do not recollect anybody else; but John Looby, the witness on the table, knew nothing whatever about it.

[*John Looby.*—Never, your worship.]

6925. Then, at the time you were doing this, Mr. Laffan, did you know that corrupt practices had been prevailing here?—I had heard of it.

6926. And you were quite satisfied of it?—I not only was satisfied, but I knew as a matter of course that it was done on both sides. I knew they would not have voted if it had not been done.

6927. Done by your brother on your side?—Well, I suspected it, but did not know to what extent he was mixed up.

6928. Whose was the money to pay George Looby, in consideration of his father's vote?—Mr. Munster's.

6929. And you were his conducting agent at the election?—I was.

6930. Did you do that with Mr. Munster's knowledge?—No. I must tell you that as regards his son—of course when I come to give my evidence, I will, perhaps, enter into an explanation at greater length. They were active persons about the streets. I saw George on Mr. Munster's side, and I considered that a compliment ought to be paid the sons of people who voted honestly.

6931. *Mr. Munster*—Might I request you to ask Mr. Laffan who those four or five were that he has spoken of?

6932. Mr. WATERS, Q.C.—I will give Mr. Laffan the fullest opportunity on another occasion. He shall have the book and go through them all.

Mr. Munster.—I might not be here.

6933. Mr. WATERS, Q.C.—We have a number of them already.

6934. *Witness.*—I will point them out to Mr. Munster.

6935. *Mr. Munster.*—Anything I do, I will do publicly.

6936. Mr. WATERS, Q.C.—Write them down and give the names now. Was it on the same principle you put down Mrs. Flynn's house?—Yes, very nearly the same: substantially it is the same.

6937. Was it you also who put in the claim we found for Tierney's son?—Yes; I stated so.

6938. And it was done on the same grounds—because the man had given an honest vote?—There was a slight difference in that case, for this reason—I had been applied to in that case, stating he expected it.

6939. Therefore you did it, knowing that the man expected it?—Yes—he expected it.

[Mr. Richardson's list of claims is handed to Mr. Michael J. Laffan, and returned by him with a list prepared from it.]

6940. George Looby, Maurice Looby, John Meagher. Who is John Meagher?—He is the son of Patrick Meagher.

6941. That is not the young man—the grocer in the Main-street—that was examined?—No.

6942. Of Friar-street it is?—Yes.

6943. Who is Thomas Ryan?—He is son I think of a man named John Ryan. He is something to him. He is a son or nephew—I do not know which.

6944. And Pat. Tierney is a son of the other Tierney?—Yes.

6945. Do you forget Denis Ryan?—No, I do not. That does not come in that list.

6946. What is Denis Ryan's son's name?—John.

6947. Did you not hear him swear to-day that in your office was written a claim for his son John, and that you said it could not be paid until the Commission was over?—I heard him say so. As for the writing in my office I cannot say whether it was done or not. I would not mind if they came and sat down at a corner of the table and wrote something. I do not include him there, for he does not come within that catalogue.

6948. You told me that Mrs. Flynn's house was also one of them?—Yes.

John Looby recalled: examined by Mr. WATERS, Q.C. — John Looby

6949. Did you know that your son was engaged at the election?—I did not, sir.

6950. Was he engaged at the election?—I don't know whether he was or not.

SEVENTH DAY. *Mr. Michael J. Laffan's* examination resumed by Mr. WATERS, Q.C.

October 11.

Mr Michael J. Laffan.

6951. *Witness*—I did not say that he was engaged. I simply said that I saw him as well as other people, taking an active part—that they showed that their sympathies were on Mr. Munster's side: perhaps that would be the way to put it.

6952. Have you heard of your brother Patrick?—I had a letter this morning from Thomas, in which he says he is afraid he is gone to England, but that on Saturday he sent instructions to have an advertisement published in the London *Times*, and which, he states, he has no doubt will meet his eye; and he tells me that I may undertake to have him here by the end of the week. There is no doubt he will make him out. He will send him down here.

6953. Do you know who supplied your brother with money to go away?—I do not.

6954. Do you know anything of Patrick Cunningham?—I do.

6955. Where is he?—I cannot say, but I suppose he is in the neighbourhood of Cashel, and that he will be here.

6956. Has he been staying away with your knowledge and concurrence?—No.

6957. How long have you known where he is?—I do not say I know where he is at present. All I know about him is this, that within the past week he came in one evening to my office, and he talked about the Commission—how it was going on, or something that way. I told him to come forward and give his evidence.

6958. Do you tell me that you told him to come forward and give evidence?—I do; and he went away, leaving me under the impression that he intended to do so.

6959. Do you know if he went to his father's house?—I do not know.

6960. Did he tell you he came from his father's house?—No, but on the contrary, he told me that he had not been to his father's house.

6961. What evening was that, sir?—I should think on Thursday evening. Yes, I think it was on Thursday evening.

6962. Did he tell you he had been in communication with anyone from Mr. Munster's house, of Mr. Munster's household?—I think he told me that before he came to me he had seen Mrs. Boyton.

6963. Anybody else?—No one else that I am aware of.

6964. Are you not mistaken that this was last Thursday?—Well, I think not. It was while the Commission was going on, but whether Thursday or Friday—my impression is it was Thursday.

6965. Did he tell you he had been in communication with Mrs. Boyton or Mrs. Needham?—No; he never mentioned their names to me.

6966. Did he tell you that there was a summons left at his father's house for him?—I do not think he mentioned that fact.

6967. Mr. GRIFFIN.—Did you tell him that he was summoned to attend here?—I cannot say that I told him he was summoned, but we talked of it as a matter that he was either summoned or would be summoned.

6968. Did you tell him he would have to come forward?—I told him he would have to come forward.

6969. Did he apparently consent to do so?—But I did not read him any lecture about his conduct being improper.

6970. Was that on Thursday evening?—Yes, Thursday evening.

6971. You had heard Patrick Cunningham called every morning here?—Yes.

6972. Mr. WATERS, Q.C.—Mr. Laffan, my brother Commissioners and I have to express our very great surprise that you, a professional gentleman, hearing Cunningham called every day, and inquiries made about him, hearing Mrs. Boyton examined to-day, and hearing his father examined, sat there silently, although having this information of Cunningham's presence in Cashel at a time later than that to which we traced him in company with Mrs. Boyton and Mrs. Needham. We have to express our very strongest surprise and regret that you did not think it your duty to mention it before?—I did not think unless I was asked about it.

6973. I am very sorry that I have to say it is very nearly approaching to contempt of court.

Mr. *Munster*.—I request you will permit me to call Ferris to show how it was that Mrs. Boyton went to Clogheen that day.

Mr. WATERS, Q.C.—Mrs. Boyton has already explained that to me. I have no reason at all to disbelieve what Mrs. Boyton said to me, that she went there for the purpose of paying a visit, and that she saw the man there. She was in conversation with him, and Mrs. Needham was in conversation with him. What passed between them I have not been able to get at. Cunningham has been called every day since. He comes to Cashel; that fact is not told to the Commissioners. Mr. Laffan sees him on Thursday, and does not tell the Commissioners that he has seen him.

Matthew Murrin, of Cahir, sworn; examined by Mr. WATERS, Q.C.

Matthew Murrin.

6974. Were you here during the last election?—I was, sir.

6975. Where did you live during the last election?—In the town of Cahir.

6976. Were you staying long in Cashel during the last election?—I was, sir, during the election, except a few days before it. It was going on for a few days before I arrived here. I have no recollection of the time.

6977. How long were you here altogether?—Well, really I couldn't say, sir; I have no date of the time.

6978. Were you here two days before the election?—I was, sir; I suppose up to a month or five weeks.

6979. I believe you have been in the police force?—Yes, sir, I am an ex-constable of police.

6980. Are you enjoying a pension from the police force?—Yes, sir, £36 a year. I was thirty years and six months in the police force.

6981. What brought you to Cashel during the election?—I came myself during the time of the election for a job, when the election was going on. I came myself.

6982. Are you connected with Cashel?—Well, no, sir.

6983. And what job did you expect to get during the election?—I knew the town and suburbs, being thirty years in this station.

6984. Were you ever stationed in Cashel?—No, but within five miles of it—in Killenaule.

6985. I do not know whether you are aware of the power of the Commissioners in the conduct of this inquiry?—I will tell the truth, sir; nothing in my mind but what I will tell.

6986. I request you will save me the trouble of dragging it out of you?—I will tell the truth.

6987. Who brought you here—was it Mr. Leahy?—No, sir.

6988. Who else?—I didn't know Mr. Leahy was here at all at the time.

6989. Who brought you?—I came here on the borough election taking place, not knowing Mr. Leahy was here. I applied to Father Kennedy, the curate in town, to get a situation for me during the election, as I being quite convenient to his father's place four or five years when he was a growing-up boy; but he had no knowledge of me. I applied to him after coming, and he told me the priests would be taking no part in the election; "but," says he, "if you go

up—Mr. Leahy is doing business for Mr. Munster—and apply to Mr. Leahy, he may be able to give you a job."

6990. Did you go to Mr. Leahy?—I wasn't acquainted with Mr. Leahy, and I didn't know how I would go to him to look for the situation from him, but I met a man in town that said, "I know him." He is a man I would not like to speak of, because——

6991. Oh, you will have to tell me his name?—He is a man that has nothing to do with the election.

6992. You will have to tell his name?—I will tell his name, sir. He is a policeman. "I will take a walk up with you," says he, "and I will tell him who you are."

6993. I suppose you told him you wanted to see Mr. Leahy to get a job, and he said "I will tell him who you are?"—Yes, sir. I went up and when I was introduced to Mr. Leahy, Mr. Leahy said he would do something for me.

6994. Do you know if Mr. Leahy had heard of you from anybody except this man that brought you up and introduced you to him. I don't think he had, sir.

6995. Go on?—Mr. Leahy introduced me to Mr. Laffan.

6996. Which Mr. Laffan?—Mr. Pat. Laffan, I think; this gentleman's brother. [Points to Mr. Michael J. Laffan]. Mr. Pat. Laffan and Mr. Leahy were in Abbeyview. We had an interview there. He introduced me to Mr. Laffan, and Mr. Laffan desired me to call next day: so I did, so that I got a situation from him to canvass what I possibly could in Mr. Munster's name, but at the same time not to attempt if I did—not to attempt to offer one halfpenny on Mr. Munster's behalf—that if one halfpenny carried the election for Mr. Munster he wouldn't give it.

6997. Mr. GRIFFIN.—Was it Mr. Patrick Laffan who gave you those instructions?—It was Mr. Leahy gave me them directions.

6998. Mr. WATERS, Q.C.— Do you know number six bedroom in Corcoran's hotel?—I don't know but the large parlour.

6999. Were you ever up there in your life?—Never, in my life.

7000. I think you had better retire until morning; we will not go any further to-night. I will ask you in the morning some questions.

7001. Mr. MOLLOY.—Sift your recollection on every thing you were doing during the election, between this and morning.

[Adjourned.]

EIGHTH DAY.

TUESDAY, OCTOBER 12, 1869.

Patrick Hackett tenders himself for further evidence, and acknowledges himself under the obligation of the oath he has taken.

7002. Mr. WATERS, Q.C.—Well, what do you wish to say?—On Saturday I gave evidence before your Worships. I mentioned to you that I gave money to two voters. Immediately after, I recollected that I gave it to a third person, and I felt quite uneasy at not having told all together. I come now to say I did so.

7003. Who is the third person to whom you gave money?—The third person is James Carew.

7004. That is, of Lady's Well, is it?—No, your Worship—of the Commons, Price's lot. I felt uneasy. I feel my conscience and character quite clear now.

7005. How much did you give to James Carew?—Altogether £40.

7006. Where did you pay him?—First I lent him, by the way, £20 on his note, which note when it fell due, I marked paid.

7007. Have you got that note?—He has it. I handed it back to him. I think it was some time in February it became due. There was an account of his in the place, and I placed the balance to his credit.

7008. Have you been paid the £20 you placed to his credit?—He owed an account.

7009. I know he did; and you credited him with £20 he never paid?—Exactly.

7010. Then you wiped out of his account £20?—Yes.

7011. Has Mrs. Dolan been paid that £20?— Oh! yes. I handed it over.

7012. You say you lent him £20?—Yes, on his note.

7013. Was that money of your own?—It was Mrs. Dolan's money.

7014. Has that also been repaid?—Yes, your Worship; when it became due I marked it paid.

7015. You lent money of Mrs. Dolan's to Carey?—Yes.

7016. Has Mrs. Dolan been paid that £20?—Yes.

7017. By whom?—By me.

7018. Where did you get it?—This was a portion of the money—the amount that I got from Mr. Laffan. I paid first to two persons £70, and this £40.

7019. That is £110?—Yes.

7020. You returned some balance?—I did, your Worship.

7021. How much did you return?—I can't say; I kept no account; I made no entry of those moneys.

7022. You said you got something over £100 altogether?—Yes.

7023. You paid away £110?—Yes.

7024. Have you no recollection of the amount you returned;—Not any distinct recollection. To the best of my belief I got in or about £130 or £140 altogether. I had it in my possession to dispose of it as I thought proper.

7025. When did you pay the £20 to Carew?—I think it was in February or March. I think it was in February.

7026. I mean the £20 you gave on the note?—I think I gave him that in January.

7027. And was it at the same time that you credited him £20?—When he was taking up the note in a month after, I put £20 to his credit in account.

7028. At that time?—Yes, when he was taking up the note in February.

7029. What was the date of the bill—a month or two months?—One month.

7030. James Carew voted for Mr. Munster?—Yes.

7031. By whose directions did you make this arrangement with Carew?—I understand it was the same person that told me to hand the money that I got directions from.

7032. Mr. Patrick Laffan?—Yes, as well as I recollect. I had almost no conversation with any other person.

7033. You are quite sure you had no conversation with anyone else?—I had no conversation with anyone else relative to money matters.

7034. Did he write their names for you or only tell you their names?—I think the names were mentioned to me.

7035. Only mentioned?—Only mentioned.

7036. Did he mention to you any other names than those three?—No other names were mentioned.

7037. Am I to understand that you made no arrangement with those men as to the amount?—No, I had nothing to say to it.

7038. Were you simply told to pay Molony £35, Michael Halley £35, and this man £40?—Yes.

7039. Mr. MOLLOY.—Do you know William Ryan of Price's lot?—I do.

7040. Used he to deal at Mrs. Dolans?—Yes, sir.

7041. Did he settle any account at the time of the

EIGHTH DAY. *October* 12.

Patrick Hackett.

election?—Some of them came in at the time of the election and attempted to run up an account, but I stopped it.

7042. Did he pay any money since the election?—No, sir.

7043. Mr. WATERS, Q.C.—Are many of the Commoners dealing with Mrs. Dolan?—A considerable number of them.

7044. Did you get any money from them since the election?—I got some small sums from them. They never owed much.

7045. What do you call small sums?—Five or six pounds.

7046. Did you receive payment from many of them after the election?—I got some payments.

7047. Did you credit any other money?—No; I got some cash from some of them.

7048. Did you put no money to their credit unless on getting cash, except in the case of this James Carew?—No.

7049. Mr. MOLLOY.—Did Mrs. Dolan tell you to credit any persons with payments in settling accounts?—No, sir.

7050. Mr. WATERS, Q.C.—What do you mean by saying you had £130 or £140 in your possession to dispose of as you thought proper?—I had it in my possession.

7051. Did I not ask you if these three names were mentioned to you as those of persons to whom you were to give £35, £35, and £40?—But the money was not limited to me, your Worship.

7052. Do I understand that you were at liberty to give another £100?—Yes, if anyone called on me; or probably I would have been at liberty to call for more if I wanted it. I got this on account. The sums were not specified to me when I got it.

7053. Mr. GRIFFIN.—You had nothing to do with making the arrangement with the voters?—No, I had nothing to do with making the arrangement, simply to hold the money to hand it over.

7054. Mr. WATERS, Q.C.—Is there anything else you have to say?—Nothing more.

7055. Were you engaged in a similar way in the election of 1865?—No, not in any way. I talked about it, but I never meddled about the money part in the election of '65. I heard there was money going but never handled any of it.

7056. Did you make any arrangement in 1865 with any voter?—Not one in the world.

Patrick Cunningham was called but did not appear.

Matthew Murrin recalled and resworn; examined by Mr. WATERS, Q.C.

Matthew Murrin.

7057. Murrin, you said that you were living in Cahir during the last election?—Yes, sir.

7058. And that you came here of your own motion to look for employment during the election?—Yes, sir.

7059. When you left Cahir, did you know that Mr. Leahy was here?—No, I did not.

7060. To whom did you mean to apply for employment when you came here?—I didn't care to which of the two members. At the time I didn't know one from the other.

7061. I think you told us that when you came here you heard Mr. Leahy was here?—Yes, sir.

7062. Is it a fact that you are some relative of Mr. Leahy's wife?—No, my wife is, sir, to Mr. Leahy.

7063. To Mr. Leahy's wife?—To Mr. Leahy himself.

7064. You said that you were not acquainted with Mr. Leahy himself?—Yes, sir, but when I came in, sir, I went to Father Kennedy.

7065. You need not repeat all that; he told you to go to Mr. Leahy?—Exactly, sir.

7066. And not knowing Mr. Leahy you were introduced to him by some comrade of yours that was in the town?—Exactly, sir.

7067. When you saw Mr. Leahy did you tell him of the relationship, or did he know it himself?—He didn't, sir, until I told him, because he didn't know who my wife was.

7068. Did you tell him when you saw him?—I did, sir.

7069. What did he say to you when he gave you employment at the election?—He told me he would get a job for me, and he called Mr. Patrick Laffan, who was in an apartment in Abbeyview. He spoke to Mr. Laffan of myself.

7070. Did he speak in your presence of you to Mr. Patrick Laffan?—He did, sir.

7071. What did he say?—I don't recollect the exact words, but I will go as near as I can. He told Mr. Laffan that I was a friend, and that he would be glad I would get something to do about the election from Mr. Laffan.

7072. Did he not say anything more than that?—He may have said more, but it is something on that head, at all events.

7073. Did he say anything to the effect that you were connected with himself, and that Mr. Laffan might trust you?—Well really I don't know, sir.

7074. That interview between Mr. Leahy and Mr. Laffan, took place in Mr. Munster's house at Abbeyview?—Yes, sir.

7075. Do you recollect the day on which it occurred?—Well, I think it was early in—it was either the latter end of—something about November, I think, sir, something about three weeks before the election came on, sir, but I have no dates.

7076. After that interview where did you go to?—I was ordered to go down to Tom Cunningham's, sir.

7077. By whom were you ordered to go there?—By Mr. Pat. Laffan.

7078. You have already told us that you were never stationed in Cashel while you were in the Constabulary force?—Never.

7079. And that you did not know the town?—I didn't well know the town. I have been often on duty here, but knew no persons, only very few.

7080. What did Mr. Patrick Laffan tell you to do at Cunningham's? What did he say to you when he told you to go to Cunningham's?—He told me I might remain there to lodge, and all that—to stop with Pat. Cunningham.

7081. Was there any arrangement made as to what you were to be paid?—No, sir, I never asked a question of him as to that.

7082. What was the first job of work on which you were employed?—To canvass, sir.

7083. Did you not tell me that you knew very few in Cashel?—In order to get the situation from them I said that I knew a good many there, and that I might be able to do something for them.

7084. Mr. Patrick Laffan knew very well though, that you did not belong to Cashel?—He did, of course.

7085. How long did you lodge at Cunningham's?—Well, I think I did something about five months, because I was kept here during the Commission, after the election being over.

7086. During the Petition, do you mean?—Yes, sir, during the Petition.

7087. Four or five months, you say?—From the time, sir, of the election until the petition was over, whatever time that was.

7088. Did you make any arrangement with Cunningham as to what you were to pay for your board and lodging there?—I never did, sir.

7089. Did you ever pay anything to Cunningham?

—I gave £1 5*s.* to his wife, sir, and that was only to keep for me from time to time, to keep it for me so that I would call in from time to time when I would require it from her.

7090. Who supplied you with money while you were in Cashel?—I got that £1 5*s.* sir, from Mr. Pat. Laffan. I got from Mr. Biggin here, sir, two sovereigns.

7091. What other money did you get?—And two sovereigns were handed to me by Pat. Cunningham through Mr. Pat. Laffan.

7092. That is to say that Cunningham handed you the money coming from Mr. Patrick Laffan?—Yes.

7093. What other money did you get?—And two sovereigns more, sir, that Mr. Leahy gave me. £7 5*s.* in all, sir, I received.

7094. Is that all the money that you got from the time you came to Cashel until you went out of it?—That is all the money.

7095. During five months?—Yes, sir.

7096. You say you only got £7 5*s.*?—That is all, sir.

7097. What were you doing here all the time?—Will I speak, sir, from the first time I commenced up to the time I left?

7098. Yes?—The day I was appointed canvasser first, sir, I was taken from it by some party belonging to the Laffans I don't know, to pay the poor people here that were going about Mr. Munster, sir. I was paying that, sir, below at Corcoran's yard. I got 23*s.* for to pay those parties.

7099. From whom did you get the 23*s.*?—I got it from Pat. Cunningham, sir.

7100. Do I understand you to say that those were beggars or poor persons?—Poor persons, sir, and beggars—to poor classes of people.

7101. Go on?—Mr. Leahy, sir, saw these beggars about me when he came to the hotel. I am not sure was he in the hotel at the time; but he came in before I had them paid, and he withdrew me from that situation. He said he didn't expect that was the class of situation I would receive. I then, sir, dropped that, and was ordered to go about the town as a detective, to see if I could see any of Mr. O'Beirne's party that were bribing here and there; so I continued doing that to try if I could procure any information during the election.

7102. Were you not engaged about any other business than that?—No, sir.

7103. Did you sleep always at Cunningham's? Were you ever away from it at all?—I might go home to Cahir to see my family, but very seldom during the time.

7104. When did you see Patrick Cunningham last? Last Thursday, was it?—No, sir, I saw him two or three days before Thursday.

7105. What day did you see him?—I think it was either Monday or Tuesday. I don't recollect which of the two days; but I met him in the town of Cahir.

7106. You were driving on a car with him?—No; but I got a seat on a car for him.

7107. You were driving on a car with him, were you not?—No, sir.

7108. You got a seat on a car for him?—I did, sir, on the mail car.

7109. Where was it going to?—From the town of Cahir to Clogheen.

7110. Have you heard from him since?—I heard he was on Thursday last in Clogheen; but I have not seen him, for I was not at home myself. When I heard about the summons being sent to my place I returned home.

7111. You had a conversation with Cunningham in Cahir the day you saw him there?—I had, sir.

7112. Did he tell you that he was staying away to avoid appearing here as a witness?—I put the question to him myself. I said, "I suppose you are running away from the Commission?" He said he was, and that he didn't like to be examined.

7113. Did he tell you that he was in communication with Mr. Laffan?—Well no, sir, he did not.

7114. Have you heard from him since?—I heard on my way coming in that he came home, by a labouring man I met on the road to Cashel coming in yesterday on my way.

7115. You heard that Cunningham had come home?—I did, sir.

7116. Were you during the time that you were here in constant communication with Mr. Michael Laffan?—I was occasionally, sir, from time to time. He didn't recognise me much.

7117. But you were in communication with him?—I was, sir.

7118. During the course of your investigations and watchings you learned, I presume, what we have all learned now, that money was paid in Corcoran's hotel to voters?—I heard it rumoured about, sir.

7119. I ask you now on your solemn oath, if you were the man that paid that money?—I am not, sir, nor I wouldn't be intrusted with it.

7120. Do you know who was the man that paid it?—I don't, sir, nor I never heard of him.

Thomas Looby, of Lower Gate, recalled and confronted with the witness *Murrin*.

Thomas Looby.

7121. Mr. Waters, Q.C.—Mr. Looby, did you ever see this man before?—Yes, my lord, I saw him passing up and down the street several times.

7122. Is he the man you saw in the room in Corcoran's hotel?—No, my lord. I don't think he was as tall.

7123. You do not think he was as tall as that man?—No, my lord.

Matthew Murrin's examination resumed by Mr. Waters, Q.C.

Matthew Murrin.

7124. Did you ever sleep in Corcoran's hotel?—I never did.

7125. Were you ever in any room in Corcoran's hotel?—No, but the room the voters used.

7126. You said you used to go in and out there?—I was not allowed to go in there by the Laffans.

7127. Why were you not allowed to go in there?—Well, I couldn't tell you that, sir. I was one night there, sir; that was the night previous to the election, up with the voters in Corcoran's, and that is all I stopped at Corcoran's house, unless I went in and out there.

James Connors recalled and confronted with *Murrin*.

James Connors.

7128. Mr. Waters, Q.C.—Do you know this man?—Yes, my lord, I do.

7129. Is he the man that you saw in the room in Corcoran's hotel?—No, sir; he is not. [*Murrin.*—My lord, if I was the man I would give it straightforward.]

EIGHTH DAY. *Mathew Murrin's* examination resumed by Mr. WATERS, Q.C.

October 12.

Matthew Murrin.

7130. Did you ever hear who the man was?—I did not, my lord.

7131. Did Cunningham ever tell you who he was?—No, my lord.

7132. You were living during five months in Cunningham's house, and do you mean to say that he never told you who was the man that paid the money to the voters?—I swear, he never did.

7133. Did Cunningham ever tell you that he was giving money for votes?—He did not, my lord. Never. They were like Freemasons, sir, they wouldn't let me know anything at all. Not a ha'porth, sir, would they let me know. They kept their minds to themselves from me altogether.

7134. You say that you got altogether £7 5*s.*?—Yes, sir.

7135. Do you consider that that paid you for five months?—I do not, sir.

7136. Have you applied for more?—I applied for more since. Mr. Leahy put in a bill. I applied to Mr. Leahy and he said he wouldn't give me any more; but I suppose they paid for my support to Cunningham.

7137. Did you ever ask anybody else but Mr. Leahy for more money?—I asked Mr. Laffan here, on one occasion [points out Mr. Michael J. Laffan] that I came short of money, and he told me he had no money for me, to go about my business.

7138. Did you ever get any other money from Cunningham?—Never got a shilling in my life, sir, from Cunningham, only what I am after describing to you.

7139. Did you ever get a sum of £3 from him?—From Cunningham, sir?

7140. Yes?—I never did. Two sovereigns Cunningham handed to me, sir. I never got a halfpenny only the two sovereigns Cunningham handed me at Abbeyview house the night the election was over.

7141. When he gave you that money who did he say sent it to you?—He told me Mr. Patrick Laffan gave it to him to hand it to me.

7142. Did you ever get any money from him besides that?—Never, sir.

7143. You said you got two pounds from Mr. Leahy; did Mr. Leahy hand you that money himself?—He did, sir.

7144. Do you swear to me now on your solemn oath that your only business here was to act the detective on Mr. O'Beirne's proceedings?—Exactly, my lord.

7145. Nothing more than that?—Nothing more than that, my lord.

7146. Tell us what you discovered as a detective?—I discovered nothing is of any account.

7147. You can give me a better account than that. Were you summoned as a witness on the election petition?—I was, my lord, but I was not examined.

7148. On the petition?—Yes.

7149. By whom were you summoned?—I was, by a man of the name of Keeffe in town here.

7150. For Mr. O'Beirne's side?—At the suit of Mr. O'Beirne, I think.

7151. Were you in attendance as a witness?—I was, from day to day during the Commission. I made on one occasion a statement, and I wrote to Mr. Munster from Cahir to state that there was a bribe to a man of the name of Witheroe that was acting for Mr. O'Beirne, and to know if they required him at the petition here, that I would have him in attendance. I was directed then to send him forward here, and I came with him.

7152. Did you not tell me that you remained here at Cunningham's until the petition was over?—I went home, sir, at this time, and it was after going home I met this Witheroe.

7153. Did you not tell me that you were at Cunningham's from the election until the petition was over?—I was, sir, only occasionally when I would go home to see my family. On this occasion I met Witheroe in Cahir, and I brought him here.

7154. Did you ever write about anything else to Mr. Munster, or to any of his agents or friends?—No, sir, that I have any recollection of.

7155. Did you write about Pat. Cunningham?—No, sir, I did not.

7156. Were you in communication with Cunningham's family since you came here?—I was only in there yesterday since I came, and that was all.

7157. Only yesterday?—Yes, sir. I didn't sleep there last night.

7158. Were you there to-day?—I was not there to-day.

7159. Do you know is Cunningham in town now? Did you hear from his father?—I did not, indeed, sir.

7160. Did you ask him?—I didn't ask the question, but I heard from a man on the Commons yesterday that he came back.

7161. Who was the man that told you on the Commons yesterday, that Patrick Cunningham had returned to Cashel?—He was a labouring man, sir. I went into a house to redden the pipe; he was eating his dinner in the house, at the Cross of the Commons of Cashel. I asked him about Patsey Cunningham, and he told me Cunningham was at home. He used to work for him.

7162. Do you know does he work still for Cunningham?—I don't, sir; I didn't ask him that question; but he was digging potatoes at the Cross of the Commons.

7163. Did he tell you he had seen him?—Well, he did not, sir.

7164. Could you find out the name of the man that told you Cunningham had returned?—I could, sir; but I should go out to the house I met him in eating his dinner.

7165. How far off is it?—About two miles I think.

7166. How long was he working for Cunningham's father?—A week or a fortnight I believe during my time, off and on about the yard and garden and so on.

7167. Mr. MOLLOY.—You were one night before the election above at Corcoran's?—Yes, sir.

7168. You did not go about, that night?—No, sir.

7169. You were there the whole night of course?—I was, sir.

7170. What were you doing there?—Sitting with the voters in the room.

7171. What were the voters doing?—They were dancing, sir, and occasionally they got a drink there.

7172. How many voters were there?—I declare, sir, I have no recollection.

7173. About how many?—I think about fifty or forty, or something of that kind.

7174. How many rounds had they during the night?—I believe they got it on three or four occasions during the night as well as I can recollect.

7175. Was it punch they got?—No, sir. I think it was raw whiskey, sir.

7176. Who supplied the whiskey to them?—By gar, I forget now, sir, who gave it to them. It was a servant at the hotel that used to bring it in to them.

7177. Was there anybody else besides yourself there along with the voters? Any of the agents?—I don't recollect that there was, sir.

7178. What friends of Mr. Munster were in the house that night?—Pat. Laffan, sir, was there, and this gentleman here was there [Points to Mr. Michael J. Laffan]. No other gentleman.

7179. Was Mr. Leahy there?—He was there part of the night and went home. Whether he slept there or no I don't know.

7180. Who else was there?—An attorney of the name of Mr. Scallan, or some name like that, from Dublin.

7181. Was he up all night?—He was up all night, making a little punch occasionally from time to time.

7182. Who else was there?—By gar, I don't recollect their names.

7183. Try and recollect?—Well these were the principal parties that were there with the voters. I recol-

lect a man of the name of Sullivan there from the corner of the town here; he made a speech there too.

7184. What was Mr. Michael Laffan doing?—By gad, I couldn't tell you that for I wasn't in the apartment with him.

7185. Were you not up all night?—I was, but he came in only once or twice where the voters were. I heard that he slept there that night. I heard them say in the hotel that he was asleep—whether it was in bed or on a sofa I don't know.

7186. Tell us the names of any voters you saw there that night?—I don't recollect the names of the voters. I would give all the names to you if I could know them.

7187. What room were you in with the voters?—It was the underneath room at the left hand side, just as you go in the hall.

7188. On the ground floor?—On the ground floor.

7189. Were you in any other room in the hotel?—I was not, my lord.

7190. You could see the people going up stairs from where you were?—Well I could not, sir, because the door that was leading out to the hall was closed all night, and it is round by the hall you must go to get to this, as you would be turning down to the bar of the hotel.

7191. Were you the whole night in the room where the forty persons were?—I was, sir.

7192. And never left it?—I never left it until morning, sir, unless I came to the door to look out.

7193. What did you do in the morning?—I walked down to Cunningham's and had my breakfast there, and when I was done breakfast I came up to the Courthouse here with voters.

7194. Mr. WATERS, Q.C.—Did you never hear that there was any man upstairs in Corcoran's hotel giving money to voters?—Well, I did not, indeed.

7195. You never heard it?—I never heard it. I can answer you, my lord, that them things were kept private from me; and if I knew who it was I would give his name.

7196. Have you been in communication with Mr. Michael Laffan since you came to town?—No, sir; I never spoke to him since.

7197. Mr. Munster wishes to have you asked this question—Was Mr. Munster present at Abbeyview at the interview between you and Mr. Patrick Laffan?—No, he was not, my lord.

7198. Was Mr. Munster present at Abbeyview at the interview between you and Mr. Patrick Laffan and Mr. Leahy?—He was not, my lord.

7199. When did you get two sovereigns from Mr. Biggin?—Well, really, I couldn't recollect the time that he gave it to me.

7200. Where did he give it to you?—In John-street—no, in Abbeyview, and there was nobody below at Abbeyview the day he gave me that, except himself.

7201. When was it?—I think it was after the petition, my lord, he gave it to me.

7202. Mr. Munster wants to know what is the distance from Cahir to Clogheen?—Seven miles, my lord.

7203. You said you made a demand for more money?—I did, my lord.

7204. How much more did you ask?—I didn't make mention of how much.

7205. How much did you expect?—I expected two or three pounds more, my lord, for my services.

[*Mortimer Shea* is sent with witness to ascertain the name of the man who told witness that *Patrick Cunningham* had returned to Cashel.]

Mr. Michael J. Laffan recalled; examined by Mr. WATERS, Q.C.

7206. Mr. Laffan, I have a few questions to ask you. You heard this man swear that you were at Corcoran's hotel that night?—I did.

7207. And that you slept there?—He is incorrect in that. I did not sleep there, but I was in an upper room and we were writing out all night—writing orders for parties to get five guineas, and so on. Those parties were collected in the lower part of the house. He is also inaccurate in saying that I went into the room where he was once or twice.

7208. Who was the man that was in the front bedroom?—I don't know.

7209. Did you ever hear?—I did.

7210. Who was he?—Some man sent by Captain Byrne.

7211. Did you not hear his name?—I did not. I am quite sure at all events that it was not Murrin, because Murrin was here as he states some good while after the election.

7212. I believe Murrin has told me the truth?—I think Murrin is perfectly accurate.

7213. What is the address of Captain Byrne?—Sorrel-hill, Templemore.

7214. What is his Christian name?—Dudley Byrne.

7215. Mr. MOLLOY.—Is not Captain Byrne one of the barony cess collectors of the county Tipperary?—Yes.

7216. Mr. WATERS, Q.C.—Captain Byrne is a gentleman who was a visitor of Mr. Munster's at the last election?—Yes.

7217. I find his name in this book as having received money; is he the same person?—Yes.

7218. Do you know is he at home?—I do not.

7219. Have you heard anything of him lately?—Yes, I saw him on Thursday in Thurles at the county meeting. Oh, I should think he is at home.

7220. How far is Templemore from this?—It is about 16 or 17 miles, I think. His place, I believe, is something beyond that, two or three miles.

7221. From whom did you hear that the man who was in that room was sent by Captain Byrne?—From Cunningham.

7222. You did not hear his name?—I did not hear his name.

7223. When did you hear it from Cunningham?—I heard it a few days after the petition was over.

7224. Have you heard anything since of Patrick Cunningham?—No. I refused to have anything further to say, or give any directions, beyond sending word to his father last evening that he ought to see after him, and have him attend at once.

7225. Did Cunningham tell you where this man was from? Did you hear where he was from?—Some place about Templemore. I did not get any particulars beyond that he was from Templemore, some neighbour of Captain Byrne's, or something of that kind; but he didn't tell me his name.

7226. When did you first hear that that man was in the room?—I cannot tell you when I first heard of it, because for two or three days before the election—I mean before the day of polling—from the way people were going up and down, and going about mysteriously, I knew very well that something was going on.

7227. Then I may assume that you knew that before the election?—You may assume that I knew that something was being done; but how, or what, I did not know.

7228. You did not know the particulars?—I did not know the particulars.

7229. But you knew it was being done?—Yes.

EIGHTH DAY.

October 12.

Andrew Meara tenders himself for further evidence.

Andrew Meara.

7230. Mr. WATERS, Q.C.—State what you wish to add?—I was asked a question yesterday if there was any person or any one of Mr. Munster's immediate family got clothes.

7231. You said not; but you found since that there was?—Yes.

7232. That Mr. Close got clothes: "account for clothes £4 5*s.* 7½*d.*"?—Yes; and I understand he was employed writing in Mr. Munster's office and assisting as his secretary at that time.

7233. Mr. GRIFFIN.—Do you know John Ryan of the Racecourse?—I do, sir.

7234. Did you hear of his having a bill for £35 in the bank at the last election?—No, I didn't hear.

7235. Did anybody tell you he had a bill for £35 in the bank with Captain Graham's name on it?—I don't know; they might, sir.

7236. Did anybody speak to you about taking it up with your name instead of Captain Graham's?—No; I don't believe such a thing did occur.

7237. Are you positive it did not occur?—I do not believe it did.

7238. Recollect yourself?—I do not think it did.

7239. Are you sure that neither Mr. Michael Laffan nor Mr. Patrick Laffan, nor any of Mr. Munster's party asked you to put your name on a bill, so that this man might be under no compliment to Captain Graham?—It might occur, but I don't remember.

7240. Mr. WATERS, Q.C.—You would not forget a thing of that kind?—I had no great business with John Ryan, and therefore I would hardly sign for him.

7241. If you conceal anything of this kind from me, most unquestionably I will not give you a certificate.

7242. Mr. GRIFFIN.—You proposed to take up a bill for William Ryan?—Yes, sir.

7243. Are you sure that there was no proposition made to you of the same nature, that you should take up a bill for this man, John Ryan?—It may occur, certainly, but I forget who made the proposition.

7244. Did Mr. Pat. Laffan make the proposition?—I think not.

7245. Did Mr. Michael Laffan make it?—If any person it was he.

7246. Did not Mr. Michael Laffan ask you if you would do it?—I do not directly recollect it, but it may occur, and I am sure if he asked me I would do it.

7247. Mr. WATERS, Q.C.—That will not do; that is not an answer. Did it occur? It will not do to leave Mr. Laffan under that imputation. You do not forget, of course, whether such a proposition was made to you or not. Recollect yourself and answer?—I could not really answer that; I do not recollect it, but it may occur.

7248. Mr. GRIFFIN.—Was John Ryan any relation to William Ryan?—William Ryan is married to John Ryan's first cousin.

7249. It was to relieve William Ryan from the control of the other party that you proposed to take up the bill?—I have frequently done it for him before and since.

7250. You are positive Mr. Michael Laffan did not ask you?—I am not positive, but I could not directly swear that he did not.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled; examined by Mr. WATERS, Q.C.

7251. Mr. Michael Laffan, did that occur?—Mr. Griffin has read the brief which I sent in to him, and it is exactly stated in that brief as it happened.

7252. Mr. GRIFFIN.—State how it occurred?—It happened in this way. John Ryan of the Race-course came to me the day before the polling. He asked me first to lend him £35. I refused to do that.

7253. What did he say about £35?—He first wanted £35. He next told me about Captain Graham's bill in the bank, and to lend him the £35 for a few days to take up that bill, and that then he would repay it to me. I refused to lend him the money, for I said it would be too plain, and anybody would consider it as giving him so much for his vote, which I declined to do. He then said, "In that case I will have to vote for Mr. O'Beirne's party; for of course I must go under a compliment to Captain Graham to renew the bill." "Well," said I, "I think we might get you out of it. I will try and get somebody to put his name on the bill as security instead of Captain Graham. Mr. O'Meara," said I, "is a friend of mine, I will ask him to do it." He expressed some hesitation and doubt, and he did not approve of that course.

7254. Ryan did not approve of it?—Yes; it did not seem to meet his approval. "I will ask him, at all events," said I. I went to Mr. O'Meara and asked him, and he said he would do something of the kind. Mr. Ryan never turned up afterwards to get the bill signed.

Mr. *Andrew Meara.*—I forgot that transaction altogether. I didn't recollect a word about it.

Andrew Meara.

Andrew Meara recalled at the desire of Mr. *Munster.*

7255. Mr. *Munster.*—Might I ask if the clothes for Mr. Close were sent to Mr. Meara, the tailor, to be made up just like mine?—Yes.

John Moloney.

John Moloney sworn; examined by Mr. WATERS, Q.C.

7256. You were paid £35 by Mr. Hackett?—Yes, sir.

7257. That was for your vote?—Yes, sir.

7258. For whom did you vote?—For Mr. Munster, sir.

7259. Who arranged with you as to the amount you were to get?—Pat. Cunningham, sir.

7260. Had you any talk with anyone else about it?—I think not, sir.

7261. Had you a talk with anyone about what you were to get for it?—No, sir.

7262. Did you see either of the Messrs. Laffan about it?—No, sir.

7263. You never talked to them at all about it?—No, sir.

7264. Do you tell me you never talked with anyone about it but Patsy Cunningham?—No, sir, from the time that he settled with me.

7265. Before he settled with you had you a talk with anyone?—Mr. Pat. Laffan was at the house. That's all.

7266. Was he there by himself?—No, sir.

7267. Who was with him?—Captain Byrne.

7268. You had some talk about the vote that day with him, of course?—Yes, sir; but there was no talk about money, or anything that way.

7269. Never at all?—Never at all.

7270. Did you ever see those gentlemen again?—Never again.

7271. How soon after they were with you did Patsy Cunningham come and settle with you about the £35?—I couldn't say was it that week or about it.

7272. Did you hear anything about it until Patsy Cunningham came?—No. It was in town I met Patsy Cunningham; he met me in the street.

7273. Where did you settle the bargain?—Walking the street, I believe.

7274. Were you in Corcoran's hotel?—I was, sir.

7275. When?—I couldn't say the day I was there.

7276. How often were you there?—I was two or three times, I believe.

7277. Are you sure you were there three times?—I was, sir.

7278. Did you get drunk there?—I believe I got drunk there once.

7279. Only once?—Only once, to the best of my belief.

7280. Did you pay for the drink yourself?—No, sir.

7281. Who gave it to you?—Well, I couldn't tell that, sir.

7282. Were there other voters there at the same time?—There was.

7283. Was there drink going about among them all?—It was not, sir. I only went in there and there was drink on the table.

7284. Were you asked to take it, or was it there for anyone that would take it?—I cannot recollect that, but I knew I got it there.

7285. Were you there the night before the polling?—I was, sir.

7286. That is not the time you spoke of that you got drunk there?—No, sir.

7287. You got drunk that night?—I don't mean that night. It was before I settled that I said I got the drink.

7288. After you settled were you there again?—I was the night before the polling.

7289. Did you spend the night there?—I did. I was card-playing all night.

7290. I suppose you were not dry that night?—Begad, but I believe I used to be dry during part of night.

7291. Did you get any drink at all that night?—I got an odd sup now and again.

7292. You did not pay for it that night either?—No, sir.

7293. We are told that there were forty or fifty voters there?—I don't think that there was so many there, to the best of my belief. 'Tis the cards I was watching, nothing else.

7294. Did the others get drink?—I couldn't see but the few about the table card-playing.

7295. For whom did you vote in '65?—For Mr. O'Beirne, sir.

7296. How much did you get that year?—Nothing, sir. Oh, aye! he was promising a situation to a nephew of mine, sir, and he was writing a letter to set me all right about it.

7297. Did you take that promise instead of money?—Yes, sir.

7298. If you did not get that promise you would not vote for him unless you got something from him?—I suppose I would go with the neighbours, sir, wherever they went.

7299. Did you vote in '59?—I had ne'er a vote at that time, I believe, to the best of my belief.

7300. Did you ever vote for Mr. Lanigan?—If I had a vote in '59. I couldn't say.

7301. Mr. MOLLOY.—How many times did you vote at elections?—I believe I voted for Mr. Lanigan. I believe I did. I believe I did three times.

7302. Mr. WATERS, Q.C.—Did you get any money from him?—No, sir.

7303. Mr. MOLLOY.—Was there any understanding that you were to get money?—No, sir.

7304. Did you hear anything about £15 given or being promised at the election?—No, sir, I didn't hear it.

7305. Mr. GRIFFIN.—Do you live on the Commons?—Yes, sir.

7306. Did you hear about any other men out there getting money?—Begor I did not, sir, because I couldn't know what anyone would get.

7307. Do you know Richard Cummins?—I do, sir.

7308. Did you hear that he got money?—No.

7309. Did you hear that his son James got money?—Begor I did not, sir. I couldn't know whether he did or not.

Tom Cahill [answered as *Thomas Cahill*] sworn; examined by Mr. WATERS, Q.C.

Tom Cahill.

7310. Do you know Murrin that was in your house yesterday?—He came in, your worship, where I was eating my dinner.

7311. To redden his pipe?—Yes.

7312. You told him that Patsy Cunningham had come home?—That he had come home?

7313. Yes?—I couldn't tell him that, your worship, for I knew nothing about Patsy Cunningham. It would be hard for me to tell that.

Matthew Murrin recalled and confronted with the witness *Cahill;* examined by Mr. WATERS, Q.C.

Matthew Murrin and John Maloney.

7314. Is this the man that you saw yesterday?—*Murrin*—Yes, sir.

7315. And you saw him where you were eating your dinner?—*Cahill.*—Yes.

7316. What did he say to you about Cunningham?—*Murrin.*—He told me Cunningham was at home.

7317. Now, Mr. Cahill, what did you say?—*Cahill.*—I am on my oath, sir, and I am telling you the truth. I couldn't do that, unless I tell a lie, because I couldn't know anything about the business. I am working for my day's hire in that and every place else, and as for their business I don't understand it, nor their affair, nor it is no sort of trouble to me, thank God.

7318. Who was present when he told you that?—*Murrin.*—There were two or three people sitting about the table, sir.

7319. Do you know who the other persons were?—*Murrin.*—I don't know, sir.

Tom Cahill's examination resumed by Mr. WATERS, Q.C.

Tom Cahill.

7320. Who were the other persons there yesterday?—I don't know, sir.

7321. Were you digging potatoes with them?—I was, sir.

7322. Tell me their names?—Pat. Cahill and Tom Hunt. I couldn't tell him about Patsy Cunningham, because I couldn't say he was at home; any man I didn't see.

7323. Where are these men to-day?—I couldn't tell you.

7324. Are they digging potatoes to-day?—I don't know. [Patrick Cahill was called but did not appear.]

7325. Do you know Patrick Cunningham?—I do, your worship.

7326. When did you see him last?—About a week ago, sir. About last Monday week; and I couldn't tell any person there I see him; for Patrick Cunningham, or any of them, wouldn't tell me their business.

7327. Did you say anything to that man [*i.e.* Murrin] yesterday about Patrick Cunningham?—He asked me what way were they.

7328. Did you say anything to him about Patrick Cunningham?—No.

7329. Nothing at all?—No; but that they were in good health before him. How could I tell him?

7330. Answer my questions. I ask you again—and do you understand it—did you say anything to him about Patrick Cunningham?—I did not. How could I tell him.

7331. Mr. MOLLOY.—Whose house were you eating your dinner in?—I forget the man. He is a herdsman at the cross of the racecourse. We were all eating our dinner. He walked in to redden the pipe, and I known him since he was in Cashel.

EIGHTH DAY.
October 12.

Mr. *Munster* puts in his cheque for £50 to Mr. John Davis White.

Patrick Cahill

Patrick Cahill sworn ; examined by Mr. WATERS, Q.C.

[Patrick Cahill, Thomas (or Tom) Cahill, and Mathew Murrin on the table together.]

7332. Do you know this man Murrin that is standing beside you?—I do, sir.

7333. You saw him yesterday?—He came in as we were eating our dinner, sir.

7334. You heard some talk between him and others in the house?—I did, sir.

7335. Did you hear Thomas Cahill say anything about Patrick Cunningham?—I did, sir.

7336. Did you hear him say that Patrick Cunningham had come home?—I heard Thomas Cahill saying that he heard that he was at home on Friday night.

Tom Cahill.

Tom Cahill's examination resumed by Mr. WATERS, Q.C.

7337. Constable, see if Mr. Ffrench, the magistrate is here?—*A Constable.*—He is here in court, sir.

7338. Mr. Ffrench, I ask you to receive informations for perjury against that man Thomas Cahill. You will examine the witness that sits on the chair, and the man behind him, Murrin, and the shorthand writer also if you require him ; and if you are satisfied of the case commit him for trial.

7339. *Tom Cahill.*—As old as I am now I never was before a bench of magistrates, nor a policeman never laid a hand on me before. I am as innocent of this talk and piece of business as the child that was born last night. I can take my oath that I was never before a bench of magistrates to this day, and am as innocent of what is laid to my charge now as the child that was born last night. You may convict me if you like.

7340. Mr. WATERS, Q.C.—I gave you every opportunity of telling the truth?—*Tom Cahill.*—I told the truth to my own knowledge, sir.

Michael Hally

Michael Hally sworn ; examined by Mr. WATERS, Q.C.

7341. You are a voter of the borough of Cashel, I believe?—Yes, sir.

7342. And I believe you voted at the last election for Mr. Munster?—Yes, sir.

7343. You got £35 from Patrick Hackett?—Yes.

7344. That was for your vote—was it not?—Yes, sir.

7345. When were you paid that by Mr. Hackett?—In two or three months' time after the election, I believe.

7346. Was it in the month of April?—I could not tell you, sir.

7347. With whom did you make the arrangment as to the £35?—No arrangement, sir. John Moloney that made the arrangement. I didn't meet him at all.

7348. Did you make any arrangement with anyone?—No, sir.

7349. Did Moloney make the bargain for you as well as for himself?—Yes, sir ; I suppose so.

7350. Who told you to go to Mr. Hackett for the money?—No one, sir ; I only walked in the shop.

7351. What did he tell you when you walked in?—He told me if I would vote for Mr. Munster I would be recompensed for it.

7352. Who told you that?—Pat. Hackett.

7353. Did he tell you how much you would get?—No, sir.

7354. Who told you that Mr. Hackett had the money for you?—John Moloney, sir, told me he had it.

7355. Did you and Moloney go together to him?—We were in the shop, sir. We went together after.

7356. When you were paid the money did you both go to the shop together?—No, sir.

7357. Were you paid the same day?—I couldn't certify, sir.

7358. Who told you to go to Mr. Hackett the day you were paid?—No one, sir ; I went in myself.

7359. Why did you go that day more than any other day?—Because he said he would give it to me some few days before that. I didn't go until then, sir.

7360. Mr. MOLLOY.—When you went to Hackett, and he told you that you would get money if you voted for Mr. Munster, how did you know that he was the person to give it?—I only went to the shop, and he told me if I voted for Mr. Munster I would get it.

7361. Mr. GRIFFIN.—When did Pat. Hackett tell you that?—A few days before the election. I could not certify—two or three days I suppose.

7362. At the time he told you this did you know from John Moloney that you would get £35?—No, sir. John Moloney was in the same day, and I was there also.

7363. Which of you were in first?—The two of us.—We were in together, sir.

7364. Was this after you saw Hackett and he told you that you would get the money?—No, sir. It was before it.

7365. Mr. WATERS, Q.C.—For whom did you vote in '65?—I voted for Mr. O'Beirne.

7366. What did you get then?—Nothing, sir.

7367. Do you mean to say you got no promise of anything?—I did not.

7368. Do you know of any others who got money?—I heard rumours about it. That is all I know.

7369. Is this the first time that you ever got money?—Yes, sir.

7370. You never got it before?—No.

7371. Nor any promise of money?—No.

7372. Did you ever vote before '65?—No.

7373. Did anyone get money for you then?—No.

7374. Are you married?—Yes.

7375. Did your wife get money?—No.

7376. Did she tell you she got it?—No.

7377. Before or after the election of '65?—No.

7378. Mr. GRIFFIN.—Did you hear that anybody else got money after the last election?—No, sir. It was only rumoured about.

7379. Mr. MOLLOY.—Were you looking for money at the last election on account of your vote?—No, sir.

7380. Mr. WATERS, Q.C.—Do you know, Mr. Hally, that you are in an awkward position for taking money at the last election, and that the only way you can get out of it is by telling us the entire truth?—That is the truth, sir.

7381. We can give you a certificate if we think you are telling the truth. With regard to the election of '65 I want to know did you get money?—I got none, sir.

7382. And you say that you do not know of any other man paid in '68 except Moloney and yourself?—Yes, sir. That is all the knowledge I have.

7383. Mr. MOLLOY.—Had you any conversation with any person before the last election, in which you made known your expectation as to money?—No, sir, I had not.

7384. Had you any conversation with Andrew Meara about it?—No, sir. I was often in his shop and had no conversation about it with him.

7385. Had you any conversation with him about the election?—No, sir ; I had no conversation at all about the election ; but I was in there one day and I told him I was pledged to Mr. Munster the day before the election.

7386. And you did not lead him to suspect that you wanted money?—No, sir ; I didn't lead him nothing.

William Ryan, of Lawlor's Lot, sworn; examined by Mr. WATERS, Q.C.

7387. Have you a brother?—I have, sir.

7388. What is his name?—Michael Ryan, sir.

7389. Mr. MOLLOY.—Have you a brother Denis?—No, sir.

7390. Mr. WATERS, Q.C.—You voted for Mr. Munster at the last election?—I did, sir.

7391. What were you promised for your vote?—I got £30, sir—30 sovereigns.

7392. Thirty?—Yes, sir.

7393. Who paid you the £30?—I don't know, sir. 'Tis a man that was below at Thomas Cunningham's. I don't know the man, sir. He was a disguised man. 'Twas in Thomas Cunningham's I got it. Below in Thomas Cunningham's upstairs in a room I got it. There was a man there—a disguised man. I was directed upstairs, and I got the money.

7394. How was he disguised?—He had a large shawl like on his face, and I could not see his features, and he had a large coat on him.

7395. Did the shawl cover over his face?—It did, sir. You couldn't see scarcely his eyes.

7396. Did he cover the lower part of his face as well?—He did, sir, from his breast up to his eyes with a large shawl.

7397. Who took you there?—I had a letter from Patsy Cunningham down to his father.

7398. To whose father?—Patsy Cunningham's father.

7399. Did Patsy Cunningham give you a letter to take to his father?—Yes, sir, to take to his father.

7400. Did you read the letter?—I didn't read it. There was no superscription on the letter, whatever was inside it: I suppose 'twas a letter.

7401. What did you do with the letter?—And he asked me did I know his father. I said I didn't well know him, and he directed Din Ryan then with me. When I gave it to Thomas Cunningham he allowed me upstairs, where this man was disguised, and as soon as I handed him the letter, when he opened it he paid me the money; but then he handed a note to sign it, and then I read and signed the note.

7402. Did you get more than one letter from Patsy Cunningham?—No, sir.

7403. That letter had no superscription and you showed it to Tom Cunningham, Patsy's father?—Yes.

7404. Did Tom Cunningham read it?—No, but he allowed me up and I gave it to the man above.

7405. Are you sure he did not open it?—No.

7406. Nor ask any question?—No. He allowed me up.

7407. What did he say?—Nothing, but when I handed it to him he opened the door and directed me upstairs where the man was.

7408. What room was it?—'Twas the third room when I would go upstairs on my right hand side.

7409. Was the letter a sheet of note paper folded up, or was it only an envelope?—I couldn't well say whether it was an envelope or a sheet of note paper.

7410. And are you sure Tom Cunningham did not open it and read it?—I am, sir, quite certain.

7411. To whom did Patsy Cunningham tell you to give that letter?—To his father, sir.

7412. Did he tell you what his father would do when you went to his house?—He did not, sir.

7413. Was Denis Ryan present at all this?—He was, sir. He was down, my lord, and into the house with Thomas Cunningham with me.

7414. Denis Ryan?—Yes, sir.

7415. Was Denis Ryan present when you gave the letter to Cunningham?—He was, sir.

7416. I suppose he saw Cunningham take it?—I suppose he did.

7417. What hour of the day was it?—It was after twelve o'clock, sir.

7418. In the day time?—Yes, sir.

7419. What door did he open?—The room he was in. When he directed me to the door the man heard the steps and he opened the door.

7420. You said that after you gave the letter Cunningham opened the door and let you in?—I gave the letter to Cunningham.

7421. Where?—In his own house. In Thomas Cunningham's house.

7422. When you gave him the letter what did he say?—Nothing, but walked up before me and directed me to the room. The man when he heard the steps opened the door. I walked in and then he shut the door.

7423. What did he say to you then?—He said nothing, but opened this paper and read it and counted thirty sovereigns to me. He said nothing to me.

7424. You said you signed something?—I did, sir.

7425. What was it you signed?—A note, sir.

7426. A promissory note was it?—Yes, sir.

7427. And you recollect what it was?—I do.

7428. Tell me what it was?—"Two months after date I promise to pay Mr. Michael M'Carthy, or order, the sum of £30 sterling."

7429. Did the man keep his face covered all the time, from the time you went upstairs until you left?—He did, sir. It was from Corcoran's I went up to Tom Cunningham's.

7430. From the time you saw him until you left him did he keep his face covered all the time?—He did, sir.

7431. You left the note with him?—He kept the note.

7432. Did Denis Ryan go upstairs with you?—I couldn't well say, because I was in before him, after Cunningham. I can't well swear whether he followed me up or not.

7433. Did you tell Denis Ryan whether you got the £30?—I didn't; but he asked me, and I told him I got no money.

7434. You told him you got no money?—I told him I did not, sir.

7435. Did Thomas Cunningham ask you anything about it?—Nothing at all, sir.

7436. Are you the man that is known as "big Billy"?—Yes, sir.

7437. Who did you make the bargain with to pay you the £30?—With Patsy Cunningham, sir.

7438. Where did you make the bargain with him?—In Corcoran's hotel, sir.

7439. In what part of it?—In a private room—a back room.

7440. Are you a brother of Denis Ryan?—No, sir.

7441. What is your brother's name?—Michael Ryan.

7442. Is he a voter?—No, sir; he doesn't live in the Commons at all. He has no vote. He was in Clonmel.

7443. You say it was in a room in Corcoran's hotel that you made the bargain with Cunningham?—It was, sir.

7444. What room was it?—It was a small room when you go up stairs first.

7445. Is it on the first floor after going up stairs?—It is, sir.

7446. Was there anyone present when you made the bargain?—No, sir.

7447. Had you a talk with anyone else about getting money for your vote—had you any talk with Mr. Laffan?—No, sir.

7448. Do you know Mr. Leahy?—I did, sir; I knew him by sight.

7449. Did he call on you?—No, sir.

7450. You never spoke to him?—No, sir.

7451. Or anybody but Patsy Cunningham?—No, sir. I was speaking to Mr. Pat. Laffan, but he offered me no money.

7452. What day did you make the arrangement about the £30—how many days before you were paid it?—I think four days.

7453. On what day were you paid the money?—On Monday, sir.

7454. The Monday before the election?—Yes, sir

EIGHTH DAY. *October* 12.

William Ryan.

7455. Do you know of anyone else being paid money?—No, sir.

7456. Anyone else at all?—No, sir.

7457. For whom did you vote in '65?—I had no vote then, sir.

7458. Did you live in the Commons then?—I did, sir.

7459. Who had the vote out of your place then?—There was no vote, sir; the land was too small.

Denis Ryan.

Denis Ryan of Cooper's Lot, recalled; examined by Mr. WATERS, Q.C.

7460. Do you recollect going with this man?—I do, sir.

7461. Did you see the letter?—It was in an envelope, sir.

7462. Was it closed or open?—Closed.

7463. And is it your recollection that there was no writing on the outside?—It is, sir. My impression is that he has stated the truth.

7464. Did you see him give the letter to Thomas Cunningham?—If I don't mistake, 'tis I brought the letter over to give it to this man beyond at Cunningham's house. I went with him from Corcoran's hotel to Cunningham's along with this man.

7465. And it was you that handed the letter?—I handed it beyond, and I conveyed this man to where the other person was, and as soon as I conveyed him I pulled out the door after me and went away.

7466. Did you see the letter in Thomas Cunningham's hand?—He handed it to me, and told me to take this man over to his father.

7467. My question is—did you see that letter in Thomas Cunningham's hand?—I am after saying that I handed it to him, sir, and he went to this room with the letter and gave it to him. I sent this man into the room to where this man was, and after that I pulled out the door and left the man within.

7468. I do not quite understand you yet. You gave the letter to Thomas Cunningham?—Yes.

7469. Did Thomas Cunningham go into the room where the man was?—He did.

7470. Leaving you and this man outside?—Yes, sir. I sent this man in after.

7471. Did Thomas Cunningham go into the room where the man that had his face covered was?—He did, and I suppose had an interview with him.

7472. And then he came out?—Yes.

7473. Was that room upstairs or downstairs?—Upstairs.

7474. Where were you and big Billy at the time that Cunningham was upstairs in the room?—We were along with him.

7475. Were you outside on the lobby?—I was until this man went in, and I went down then and came away.

7476. Did Cunningham come out before big Billy went in?—He did.

7477. And then he left him inside and went away downstairs?—Yes, sir.

7478. Did you see the man that was there?—I did.

7479. Do you know him?—I do not.

7480. Did you ever see him before?—No.

7481. Nor since?—No.

William Ryan.

William Ryan recalled; examined by Mr. WATERS, Q.C.

7482. Did you ever before see the man that was in the room?—No, sir.

7483. Mr. GRIFFIN.—Do you know any man named Michael M'Carthy in this neighbourhood?—I do not sir.

Denis Ryan.

Denis Ryan recalled; examined by Mr. WATERS, Q.C.

7484. Mr. Ryan, you told us yesterday that your brother, William Ryan, was promised £30 by Cunningham for his vote?—I said he expected it.

7485. Why did you not tell us about this case yesterday?—I forgot it, sir.

7486. It will not do to have witnesses forget things like that. It makes us only suspect the witness does not tell us the whole truth?—I remarked I would always attend.

7487. I remarked to you that when other witnesses would tell me something it would not do for you to say you "forgot that." I said that yesterday?—I recollect that you did, sir.

7488. If you forget anything else it is very likely that we will withhold a certificate from you. So if you think of anything you had better say it in time. You understand me now?—I do, sir. I have no knowledge of e'er another case such as that.

7489. Mr. MOLLOY.—Seeing a man with a shawl on his head was a circumstance not likely to be forgotten very soon?—Of course I didn't forget it.

7490. Mr. WATERS, Q.C.—But you never told us a word about it. You know Pat. Connor?—I do.

7491. Did you hear anything about him?—I heard he got it. I suspected he got it. I am of opinion he got it.

7492. And from whom did you hear it? Did you hear it from himself?—No, sir, himself did not tell me.

7493. Did you hear it from any of his family?—I did not, sir.

7494. From whom did you hear it?—Hear it! Myself to suspect he got it.

Michael Carew.

Michael Carew (known as *Michael Carew, junior*) sworn; examined by Mr. WATERS, Q.C.

7495. You are a voter, I believe?—Yes, sir.

7496. And you voted at the last election for Mr. Munster?—Yes, sir.

7497. You signed a bill, I believe, in '65 [bill exhibited to witness]?—I did, sir. It wasn't to be left so long as this without having it decided, though. I signed it on terms to have it burned a few days after the election. 'Twas kept as a control over me since, and they didn't benefit by it, because I would not allow any person ——

7498. You got £30 on that note?—Yes, your worship.

7499. For voting for Mr. O'Beirne in '65?—Yes.

7500. How much did you get for voting in '68?—I don't exactly know, sir.

7501. Well, tell me now, for the last election?—Ne'er a halfpenny at all, sir.

7502. What were you promised?—As much as any man, sir.

7503. Who promised you that?—Mr. Michael Laffan.

7504. Mr. Michael Laffan?—I got that retainer, sir [hands in a document].

7505. Did you get this cheque from Mr. Michael Laffan, "Cashel, 6th November, 1868. The National Bank. Pay Mr. Michael Carew, or order, five pounds

five shillings as retainer for his services at the election. M. J. Laffan?"—I did, sir.

7506. You said you were promised as much as any other man?—Yes.

7507. And that Mr. Michael Laffan promised you that?—Yes.

7508. Where did he promise it to you?—At Mrs. Corcoran's hotel.

7509. When did he make that bargain with you?—Well, I couldn't exactly say, sir.

7510. Was it the night before the election?—It was not, sir; but a week or a fortnight before it. I couldn't exactly say.

7511. Where did you get this cheque from him?—At Mrs. Corcoran's hotel.

7512. Was it the same time that he promised you as much as any other man?—It was, indeed, the very same night.

7513. The very same time?—The very same time.

7514. Was that promise to be in addition to the amount of this cheque?—There was no mention about that.

7515. Did you understand by the promise to give you as much as any other man, that the five guineas was all you were to get?—Oh, of course I didn't. Sure, if I did it wouldn't be any great addition to me.

7516. Then you understood Mr. Laffan to mean more than this cheque for the five guineas?—Yes, your worship. I didn't care whether I got it or not. I wasn't anxious for it, and wasn't hearty when I got it. If I didn't get it at all I wouldn't vote for Mr. O'Beirne, through the means of the affairs that happened, and were held over since.

7517. I believe you went to Mr. Geary to ask him for the other cheque?—Yes, your worship.

7518. That was just before this election?—It was the second Sunday after Mr. O'Beirne coming here. Mr. Geary met me in the street on Sunday after mass and asked me did I see Mr. O'Beirne. I said I did. "Were you talking to him," says he?—"No." says I; "sure you are able to manage that affair when you have a ring over the Commons people," through the means of his having notes, "and we must go where he chooses." "Do you mean," says he, "that I would do any such thing to you," says he. "Come in," says he, "with me. Will you take £30, and I will burn the old affair?"—"No," says I; "it isn't to be burnt at all. 'Twas my terms to get it after the election and let me burn it myself if I liked;" because I was no scholar and he could burn anything he liked, and as he betrayed me at all, I didn't want to say that he should have the burning of it.

7519. How soon after that conversation was it that you went to Mr. Laffan?—Be gar I couldn't exactly say, sir.

7520. About how soon?—In or about a week or so, or a few days. I don't think I was intended to stand long alongside of him.

7521. Who took you to Corcoran's hotel?—Be gar myself went there.

7522. And you saw Mr. Laffan there?—I did, sir.

7523. And you say it was there that he wrote this cheque and gave it to you?—I do, sir.

7524. Did you make any claim on Mr. Laffan since?—I did.

7525. How much did you ask?—I didn't mention anything, but I told him money was due to me.

7526. What did he say?—He said that he had no money to give me.

7527. When did he say that to you?—I believe after the Commission or the Petition or whatever was here latterly.

7528. Did he put you off to any other time or say "I have no money at present"?—The last time I was talking to him he removed from where he was, upstairs or so. I didn't like that he didn't make some remarks to me, and I didn't trouble him since.

7529. When he gave you your answer did he say "I have no money at present"?—No.

7530. He only simply said "I have no money"?—Yes.

7531. At the time you got this cheque from him did he say anything about your vote?—He did.

7532. What did he say?—That I wouldn't be allowed to vote.

7533. For whom would you not be allowed to vote?—For any person.

7534. Did you tell him that you were going to vote for Mr. Munster?—I didn't at that time, for I didn't know which.

7535. Did you tell him afterwards?—He told me the morning of the election that he would have me vote for Mr. Munster, and so I did.

7536. Where did he tell you on the morning of the election that he would have you vote for Mr. Munster?—In Mrs. Corcoran's hotel.

7537. Did you spend the preceding night there?—I did indeed.

7538. And he saw you in the morning before going to the poll?—Yes.

7539. And he told you that he would have you vote for Mr. Munster?—He did.

7540. Did he say anything further?—Not a word.

7541. With whom did you go to the poll?—By gar, we all went together.

7542. Together, in a body?—All went together, in a body.

7543. Why did you never cash this cheque?—To produce it whatever time I would get it; when I got any more along with it; when I would see what I ought to get.

7544. Did you ask any other person besides Mr. Michael Laffan?—His brother offered me money the morning of the election.

7545. Tell me what Mr. Patrick Laffan said to you the morning of the election?—He called me into the room, and "Carey," says he, "I have more money to give you."

7546. Where did this take place?—In Corcoran's hotel.

7547. Was that up or down stairs?—Yes.

7548. Was there anyone in that room but the two of you?—No.

7549. What did he say when you went into the room?—"Carey," says he, "I am going to give you more money."

7550. Did he say how much more he would give you?—No.

7551. Did you ask him how much it would be?—No.

7552. Did anything more pass but his saying that he had more money to give you?—No. I told him I didn't require it that day.

7553. Was this conversation with Mr. Patrick Laffan before or after Mr. Michael Laffan said he would have you to go up and vote for Mr. Munster? Which spoke to you first—Pat. or Michael?—I can't exactly say, sir. I don't think there was an hour in the difference.

7554. But you are not able to say which of them spoke first?—No, I am not, indeed.

7555. Who told you to come to Corcoran's that night? What brought you there?—I came in myself.

7556. You were not asked?—It was not my wish to remain, because I wasn't too well. I gave the night asleep on the sofa there.

7557. Why did you stay against your wish?—I was loath to say I couldn't sit up. I often stopped up a night, and I wasn't so advanced in years as not to stop up.

7558. Did anyone ask you to stay?—Yes, Mr. Laffan.

7559. Which of them—Pat. or Michael?—I couldn't say. I knew it was their wish I should remain along with the men.

7560. Did anyone canvass you before that interview in Corcoran's hotel? Did Mr. Patrick Laffan, or Cunningham, or anyone canvass you?—No, sir.

7561. Did any man make you any promise of money except Geary, Mr. Michael Laffan, and Mr. Patrick Laffan?—No, sir.

7562. No man?—No man, nor woman.

7563. Do you know of any other man having been

EIGHTH DAY. *October* 12.

Michael Carew.

paid money at the election?—I do—a man of the name of James Carew.

7564. Is he your brother?—He is a second cousin, sir.

7565. Do you know of any other?—No, your worship.

7566. From whom did James Carew get the money?—I believe from Mr. Hackett.

7567. You do not know of any other case than that?—No, sir.

7568. Mr. GRIFFIN.—Denis Geary asked you would you take £30 and burn the old bill?—Yes, sir.

7569. Did you tell that offer to Mr. Laffan when he spoke to you afterwards?—No, sir.

7570. Did you tell him that you would get £30 from the opposite side?—No, sir.

7571. The morning that Mr. Patrick Laffan offered you the money, had he the money about him, or did he make any sign of paying you the additional sum?—He had, sir.

7572. Then why did you not take it?—Because I didn't want it.

7573. Were you afraid of losing it?—I didn't fancy to have it about me.

7574. On an election day?—Yes, sir.

7575. Mr. WATERS, Q.C.—Did you vote in 1859 for Mr. Lanigan?—I don't think I did, sir.

7576. At the time Mr. Lanigan was up you voted, surely?—I don't recollect, sir.

7577. Did you ever get money from Mr. Lanigan, or any persons for him?—No, I don't think I did, sir.

7578. Are you sure that you did not?—To the best of my opinion I didn't.

7579. Did you ever get money from Sir Timothy O'Brien?—I did.

7580. How much?—I can't exactly say, sir.

7581. Why can you not say?—It is too long to be in my head.

7582. What election was it—1857?—I don't know, sir.

7583. Did you get it more than once?—No, sir.

7584. You only got it at one election?—Yes.

7585. And are you not able to say which election it was?—I am not, sir.

7586. Mr. MOLLOY.—Do you recollect the election in which Carden, Hemphill, and Lanigan, were up?—I do.

7587. Did you vote at that election?—I never voted for them, sir.

7588. Did you ever vote for John Lanigan?—No, sir, never, to the best of my opinion. I don't think I did.

7589. Did you get money at any other election besides Sir Timothy O'Brien's and the one in 1865?—No, indeed.

7590. Were you promised money for your vote at other elections?—No, sir.

Thomas Cunningham was called but did not appear.

Mortimer Shea.

Mortimer Shea recalled; examined by Mr. WATERS, Q.C.

7591. Do you know Cunningham?—I do, your worship. As I was walking towards the house, a young man that is living with Cunningham for some past time—I believe he is a relative of his—the moment he saw me he ran into a small parlour like inside the counter and closed the door, and I heard persons speaking inside. He denied old Cunningham being in the house.

7592. Did you leave word for him to come here?—I did, sir. He told me he was gone to a farm of his, sir.

7593. Would you know any of the voices?—I didn't; it appeared to me that there was three or four inside.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled by Mr. WATERS, Q.C.

7594. Mr. Laffan, in your accounts you discharge yourself of £91 8*s.* 8*d.* cash to agents and retainers. Is that accurate?—Yes.

7595. Where is the account of the agents and retainers?—I have got the original.

7596. Show it to me, if you please?—[Witness hands in a document.]

7597. The retainers are not given here except one?—No, sir; here is the list of retainers. [Hands in another document.] The list amounts by that to £42.

7598. I see Carew's name is not amongst them?—His cheque was never presented at the bank, and never charged against me.

7599. Mr. GRIFFIN.—These are only the cheques that were paid?—Exactly.

7600. There were fourteen altogether?—There were fourteen given, which were either paid, came back to me either as returned cheques or through the bank. This one never came in at all. It is not one of the fourteen.

Michael Beary.

Michael Beary recalled; examined by Mr. WATERS, Q.C.

7601. You sent in a bill for £25?—I did.

7602. You said you got only £10?—£10.

7603. And you said I think that you were paid too much?—No, but I said I was satisfied. I got more money, I said, than other men.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled by Mr. WATERS, Q.C.

7604. Did you pay to Beary 45*s.*?—I did.

7605. Not for the service of subpœnas?—No.

Michael Beary.

Michael Beary's examination resumed by Mr. WATERS, Q.C.

7606. Do you hear Mr. Laffan swear that he paid you 45*s.*?—He did, from time to time.

7607. Did you forget that this instant?—I did, your worship.

7608. You seem to have a short memory?—Because they were small sums from time to time.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled by Mr. WATERS, Q.C.

7609. Are there any others of those agents whose names are not in the list, as that man Carew's?—No, I think there is no other cheque out.

James Carew sworn; examined by Mr. WATERS, Q.C.

7610. Mr. Carew, you are a voter of this borough?—Yes, sir, I am.

7611. And you voted, I believe, for Mr. Munster at the last election?—Yes, your worship.

7612. Have you the note about you that you passed to Mr. Hackett?—I have, sir. [Hands in the document.]

7613. Is this note in Mr. Hackett's handwriting?—Yes, sir.

7614. What is the denomination of your land—is it Price's lot?—Yes, sir.

7615. "Cashel, 16th January, 1869, £20. James Carew. One month after date I promise to pay Margaret Dolan, or her order, at the National Bank, Cashel, £20 sterling, for value received. James Carew." That seems to be in Mr. Hackett's handwriting; also your name. But is this your own handwriting to the note here?—It is, sir.

7616. This £20 we have here was given to you for your vote?—Yes, sir.

7617. And Mr. Hackett also told us that he put £20 to your credit in Mrs. Dolan's account. Is that so?—Yes, sir.

7618. You did not pay that £20 to him that he put to your credit?—I didn't, sir.

7619. Was that £20 also in consideration of your voting for Mr. Munster?—I suppose it was, sir.

7620. Then the two twenties, making £40, were the consideration on which you voted for Mr. Munster?—It may be so: he says it.

7621. Why, did you not get £20 in cash?—I did, from Mr. Hackett.

7622. And £20 put to the credit of your account?—Yes.

7623. That is £40?—Well, I didn't know it until after Mr. Hackett told me it was put to my credit.

7624. But now you know it was?—Yes, sir.

7625. With whom did you make any arrangement about how much you were to get for your vote?—With Patrick Cunningham.

7626. What arrangement did you make with him?—In figures.

7627. Well, how much?—I think £50, sir.

7628. Fifty?—Yes.

7629. That is, that you were to get £50?—Yes, sir.

7630. When did you make that arrangement?—In Mrs. Corcoran's hotel, before the election.

7631. What time before the election?—About a week or eight days to the best of my recollection.

7632. Was anyone present but you and Patrick Cunningham?—No, sir, there wasn't.

7633. In what room of the hotel was it?—In a bed-room upstairs; a front room.

7634. A front bed-room?—Yes, sir.

7635. And was there anyone there but yourself and Cunningham?—No, sir.

7636. Did you see anyone else about this bargain of £50 except Patrick Cunningham at any time? I do not mean then, but at any time?—No, I didn't, sir.

7637. Did you get the other £10 from anyone else?—I didn't.

7638. Did you ask for it?—No, I didn't.

7639. Do you mean to say that you never asked for the balance of £50, when you only got £40?—No, I didn't.

7640. You never asked anybody at all?—No.

7641. Where did you meet Cunningham that day? Did you go to Corcoran's hotel? How did you meet him, or did he come to you?—I was in at Corcoran's hotel.

7642. That was Mr. Munster's hotel, was it not?—It was.

7643. Did you go there for the purpose of meeting Cunningham?—I did.

7644. Who sent you there to meet him?—I think no person told me.

7645. How did you know you would find him at Cunningham's?—I wasn't sure.

7646. How did you know Cunningham was engaged for Mr. Munster?—He called me when I was there, sir, and he brought me to this room.

7647. Did you not tell me you went to Corcoran's hotel for the purpose of meeting Patrick Cunningham?—No, I didn't; I didn't know I was to meet Cunningham. I met Mr. Patrick Laffan, there; I was speaking to him before.

7648. What did he say to you?—He offered me a retainer.

7649. For how much?—£10.

7650. Where did he offer it to you?—At Mrs. Corcoran's.

7651. Was that before you saw Patrick Cunningham there?—No, after it.

7652. Do you mean to say that it was after you made the bargain for £50 with Cunningham?—I think it was.

7653. Now, recollect yourself, because you are giving quite inconsistent answers. I asked you why you went to Corcoran's hotel to meet Cunningham, and you told me you met Pat. Laffan before, there. I suppose it is a mistake, because I imagine you mean to tell me the truth. Try and recollect yourself. Did anyone tell you to go to Corcoran's to meet Mr. Patrick Laffan or Patrick Cunningham?—To the best of my belief it was with Michael Carew I went there.

7654. Did you ever see Mr. Leahy?—I did, sir.

7655. Where did you see him?—At Mrs. Corcoran's.

7656. When did you see Mr. Leahy at Mrs. Corcoran's?—Well, I can't really tell you, sir.

7657. Had he a talk with you about your vote?—No.

7658. Did he not speak a word about voting, at all?—No, sir.

7659. Is this the first election at which you voted?—It is, sir.

7660. Who had the vote out of your place in '65?—My father had, sir.

7661. Your father is dead since?—He is, sir.

7662. For whom did he vote in '65?—For Mr. O'Beirne.

7663. Did he get money from Mr. O'Beirne?—I couldn't say, sir. I saw an old note.

7664. And you are quite sure that he got £30?—I can't say, sir. I didn't see him getting it.

7665. Did your father write, do you know?—He did, sir.

7666. You saw the note in Geary's hands?—Not in Geary's hands; I saw it in my own hands.

7667. Mr. GRIFFIN.—Have you got it still?—No, sir.

7668. Mr. WATERS, Q.C.—Was your father's name Michael?—It was, sir.

7669. What did you do with the note?—I burned it, sir.

7670. When did you burn it?—Over twelve months, I think.

7671. Do you know of any other person having been paid money at the last election?—I do not, sir.

7672. You are quite sure?—No, sir. I was present when Michael Carew got the retainer from Mr. Michael Laffan. That's all I know.

7673. Did you hear Mr. Michael Laffan tell him that he would get as much as any other man?—I think he said that, sir.

7674. I wonder you had no talk with him about your balance?—I hadn't, sir.

7675. And you made the arrangement with him about this payment of £50?—No, sir.

7676. Did you say a word about yourself?—No.

7677. Did you tell him how you were going to vote?—I didn't.

7678. Had you your mind made up then?—No.

7679. And Mr. Michael Laffan never said anything to you about voting?—He didn't, sir; but he said that he wouldn't give me a retainer.

7680. Did he say why he would not give you the

EIGHTH DAY. *October* 12.

James Carew.

retainer?—Well, I think he did, but I can't remember the reason.

7681. What was the reason?—I can't think of it. I don't recollect.

7682. Are you quite sure that you heard him say to Michael Carew that he would get as much as any other man?—I'm not quite sure of it. I wouldn't exactly say.

7683. You have sworn this moment that you think Mr. Michael Laffan said that he would get as much as any other man. Did Mr. Laffan say he would get as much as any other man?—I'm not really sure.

7684. What is your recollection of what you heard?—Well, he didn't say a great deal to him; but he wrote it, and gave it to him.

7685. Mr. GRIFFIN.—Were you here when Michael Carew was examined?—I was, sir.

7686. Did you hear him swear that Mr. Michael Laffan said to him, "You will get as much as any other man?"—I don't know.

7687. Mr. MOLLOY.—What did you say to Pat. Laffan about the £10?—That I wouldn't take it.

7688. Why would you not take it?—He made no remark, but he put it in his pocket and went away.

7689. Why would you not take it? You thought it too little?—I did, sir; I thought it too little.

7690. Mr. GRIFFIN.—From whom did you get the note with your father's name to it?—I got it after my father's death.

7691. Amongst his papers was it?—Yes, sir.

7692. Do you remember the date of it?—I don't, sir.

7693. Was it the year '65?—Yes. To the best of my belief it was, sir.

7694. Do you remember to whom it was payable?—I don't remember whether it was a promissory note, or on demand.

7695. What other name was on it besides your father's?—Phelan.

Patrick Fitzgerald.

Patrick Fitzgerald sworn; examined by Mr. WATERS, Q.C.

7696. You are a voter, Mr. Fitzgerald?—Yes.

7697. I believe you voted at the last election for Mr. Munster?—Yes, sir.

7698. You were taken up stairs in Corcoran's hotel?—Yes, sir.

7699. How much money did you get?—£30, sir.

7700. Was that £30 paid to you before the election?—It was, sir.

7701. And was it paid to you for Mr. Munster?—When I went into the room the man was inside, sir. He told me to write my name on a small bit of paper on the table, sir. I didn't exactly mind what it was until after writing my name I saw it was a promissory note. I saw the stamp on it, and he counted me £30.

7702. Was that paid to you for your vote for Mr. Munster?—He made no remark.

7703. Who was the man that took you there?—The man that took me there was James Connors. He told me that I would get £30 from Patsy Cunningham. I met him. We went both to the hotel. After some time some chap called me out an instant, and told me I was wanted up stairs. I went up. Pat. Cunningham was at the door there, and he sent me in to where this man was.

7704. And you went in?—Yes.

7705. And you got the £30?—Yes.

7706. Did Cunningham say anything to you?—He said nothing.

7707. What time of the day was it?—It was night; I can't exactly say. I suppose it was about nine o'clock at night.

7708. Was there a candle in the room?—There was.

7709. Was there more than one?—There may be, but I don't remember.

7710. Where was the man in the room when you went in?—He was sitting at the table.

7711. With a candle on the table?—Yes.

7712. Did you see the man before?—No.

7713. Or since?—Not any way I remember.

7714. Would you know him again?—I may and I may not.

7715. Had you light enough to see him?—Plenty.

7716. You remained there while writing your name?—For a short time.

7717. And you counted the money?—I did, and he counted it to me.

7718. Was it in sovereigns?—Six five-pound notes, sir.

7719. I suppose although the man did not say anything, you know very well that he paid you that money for your vote for Mr. Munster?—I made that remark to him when I handed the note back.

7720. What did you say?—I said was it conditional to give my vote I passed that note.

7721. What did he say?—He muttered something, sir.

7722. But he did not say anything?—Oh, yes, he said it was only a matter of form.

7723. I suppose when you were required to pass the note you thought you ought to get the money without passing the note?—I didn't know it, sir.

7724. Is that the reason that you made the remark?—I don't know which, sir.

7725. At any rate you asked was that for giving your vote to Mr. Munster?—I did, sir.

7726. And he said it was only a matter of form?—Yes.

7727. What did you understand was a matter of form?—I don't know.

7728. Was it signing the note was only a matter of form?—Something of that kind, sir. I had the note signed then, sir.

7729. Describe this man—what age was he?—A middle-aged man, sir.

7730. Was his hair gray, or a dark colour?—I think it was gray.

7731. What size was he? Was he a low-sized man?—A stout man, sir.

7732. Did you read the note that you signed?—I didn't, sir.

7733. Do you not know what amount was put in the note?—I see it—what I got, £30, sir.

7734. Are you able to tell me to whom the note was payable?—I'm not, sir.

7735. Did he read it for you?—He didn't, sir.

7736. Did you see Patsy Cunningham when you came out again?—I can't exactly say, sir. I believe he was at some place thereabout, sir.

7737. Did you tell him it was all right?—I made no remark to him, sir.

7738. Did you never tell him afterwards that it was all right?—No, sir. I made another remark to the man that was giving the money. I said there was £40 giving, and he said not, sir.

7739. He said not?—Yes, sir. He had £40 on the table, and he put £10 back in his pocket, sir.

7740. Was this the first election at which you voted?—It is, sir.

7741. Who voted out of your place in '65?—A man of the name of John Carew, sir.

7742. Was he your father-in-law?—No, sir.

7743. Was he anything to you?—I suppose not, sir. He was married to my wife.

7744. You married his widow?—Yes, sir.

7745. Do you know did he get money in '65?—I heard he did, sir.

7746. Do you know of anybody else getting money in '68?—I don't, sir. I can't swear any man got money.

7747. Are you sure?—I am, sir. I am a stranger in the place. I had no communication with money.

7748. You never had any talk with any man about his getting money?—No, sir.

7749. Mr. GRIFFIN.—Who did you hear got the £40?—Well, it was only remarked about, sir, before that, that there was £40 given. I couldn't exactly say now who, sir.

Patrick Croagh sworn; examined by Mr. WATERS, Q.C.

7750. You are a voter?—Yes, sir.

7751. And voted at the last election for Mr. Munster?—I did, sir.

7752. How much did you get for voting for Mr. Munster?—I got £30, sir; I got £30, but it wasn't mentioned to vote for him, sir.

7753. But you knew what it was for?—I didn't, sir; it wasn't mentioned to me.

7754. Who paid you the £30?—It was Pat Cunningham, sir.

7755. Where did he pay it to you?—He paid me; he gave it to me in half notes in Mrs. Corcoran's hotel.

7756. When did he give you the half notes?—I couldn't exactly say the day of the month, sir.

7757. About what time was it?—About eight o'clock in the evening.

7758. Was it before the election?—Before the election, sir.

7759. How long before it?—Well, I believe it was a fortnight or three weeks; I couldn't exactly say, sir.

7760. What sort were the half notes for £30—were they three £10 notes, or what were they?—They were six £5 notes, half notes.

7761. Who was present when he gave you the half notes?—There was no one, sir.

7762. Did you ever get the other halves?—I did, sir.

7763. When did you get the other halves?—Before the election, sir.

7764. Who gave you the second halves?—No, 'twas after the election, sir, I got it. I forgot, sir, 'twas after the election.

7765. Who gave you the second halves?—A man of the name of Thomas Gleeson, sir.

7766. Who is Thomas Gleeson?—He's a farmer, sir. He is a brother to Jack Gleeson of Glenbane below.

7767. Where does Tom Gleeson live?—Glenbane below; about four or five miles below Cashel.

7768. Where did Tom Gleeson give you the second halves of the notes?—He gave me them in Cashel, sir, of a Sunday, in a lane that is very near the milk market, sir.

7769. Did he tell who told him to give them to you?—He didn't, sir.

7770. What did he say when he gave them to you?—He gave them to me.

7771. What did he say when he gave them to you?—He told me, "here's the half notes."

7772. What half notes?—The corresponding halves of the notes that I had.

7773. Then he knew that you had half notes?—He did, sir.

7774. It was in Corcoran's hotel you got the first halves?—Yes.

7775. From Patsy Cunningham?—Yes.

7776. That was not the first time you saw Patsy Cunningham about it?—It was, sir.

7777. What carried you in that day?—I was often in there.

7778. What carried you in that day?—There was a man told me I was wanting in.

7779. Who was the man that told you that?—Matt Dwyer, sir.

7780. What did he say you were wanting for?—He didn't say.

7781. Did he tell you you were wanted?—He told me I was wanting. To the best of my knowledge I don't recollect he said who.

7782. When you went into the hotel you did not ask for Mrs. Corcoran?—No.

7783. I will engage you asked for Patsy Cunningham?—No.

7784. You went to look for Patsy Cunninghan?—No.

7785. Where did you see him?—I saw him coming down the stairs.

7786. What did he say to you?—He said Mr. Patrick Laffan wanted me.

7787. Did he carry you to Mr. Patrick Laffan?—He didn't, sir. He said he was in a room inside, and I went to him there, and he asked me did I understand figures, and I said I didn't, that I was no scholar, and he began to make figures. I asked him to tell me, that I didn't understand figures. He didn't make any answer to me, but began to make figures.

7788. What did he make figures with?—With a pencil, sir.

7789. Was it on a piece of paper?—Yes.

7790. What figures did he make?—I don't know figures at all, sir, but I asked him.

7791. How much would he give you?—Yes.

7792. What did you say?—I asked him was it twenty-five, and he said it wasn't. He didn't make any answer to me.

7793. He didn't make any answer to you?—He didn't. Then I asked him was it thirty, and he didn't make any answer.

7794. Did he wink or nod to you?—No, sir; and he said, "Would that do?"

7795. You said it was thirty?—Yes, sir.

7796. He didn't make any answer, but asked "Will that do?"—Yes, sir.

7797. And what did you say?—I said it would.

7798. When you said that it would do, what did you do then?—He gave me a letter then, and there was an envelope. He gave me a ticket. I think 'twas a ticket he gave me, and he gave it to Cunningham.

7799. He gave this ticket to Cunningham—was Cunningham in the room?—Yes; he gave it to Cunningham, and Cunningham then gave me an envelope without any writing outside, and he told me go down to his father's, and that there was a man there in the room that would give me £30 for it; and I went down, and I saw a man there with a shawl around his neck, and his face like sores. I didn't much mind the man. I only looked when I went in, and I handed him the letter, and the envelope with no superscription. He took it from me, and he began to write on a paper that I seen a kind of a stamp on it. I couldn't see what sort of a stamp, because I couldn't read or write. He had it, I suppose, drawn. He wanted me to lay my hand on the pen. I told him I wouldn't, and snapped the envelope, and he told me to leave it after me, and I said I wouldn't. I came up then again.

7800. You came back again to Corcoran's?—Yes, sir.

7801. Well, what happened then?—I told him I wouldn't sign my name to any bill. I got then the half notes.

7802. Then you got the half notes?—Yes, sir.

7803. From whom did you get them?—From Patsy Cunningham.

7804. How long were you back at Corcoran's before you got the half notes?—I wasn't long, sir.

7805. Did he go anywhere to get the half notes?—He could go to many places before I came back. I was about a quarter of an hour, or about half an hour before I got them.

7806. Did you see anybody else about your vote but Mr. Patrick Laffan and Cunningham?—No, sir.

7807. No one else?—No, sir.

7808. Were you offered any money by Mr. O'Beirne's people?—No, sir.

7809. None at all?—No, sir.

7810. Did you vote in '65?—I didn't, sir, nor I hadn't any vote, sir. I forgot, sir, I got £10 for sand, sir. I billed them for £60 for sand, and there was sand drawn before the election from me. I billed them for £60.

EIGHTH DAY. *October* 12.

Patrick Croagh.

7811. Who got the sand from you?—Mr. Patrick Laffan sent out an order, and cars and horses. I told them that I would let those loads go with them, and if they didn't bring me an order I wouldn't let any more sand go. Well then they got an order out, from Thomas Cunningham and Pat Cunningham on the order. I got the order read then by—I forget now who read the order. When I got the order I let them draw it away. Then I came in and I wanted to know who'd pay me for the sand, and they told me they'd pay me.

7812. Who told you?—Mr. Laffan there [pointing to Mr. Michael J. Laffan.] I met Pat Cunningham and he told me to go to Mr. Laffan. I went to Mr. Laffan and asked him to be paid, and he said I would, whatever it was I'd be paid. I brought in the bill of the sand then and gave it to him, £60. He asked me did I think that too much. "I think it too much," says he. "I think," says he, "that is too much," and then I got £10.

7813. You got £10?—I got only £10.

7814. How many loads of sand did they get?—I couldn't exactly say.

7815. Did you make out £60 only as a guess?—That's all.

7816. Who got the sand do you know?—There were many cars there I didn't know. There was some of them I knew.

7817. To whom was it taken?—I couldn't exactly say, sir. They told me it was for Abbeyview-avenue, an avenue by Mr. Munster.

7818. Did they draw £10 worth of sand?—I can't exactly say. They drew a good deal of it.

7819. What do you think as an honest man?—I couldn't say, sir.

7820. Surely you know how much a load you get for your sand?—I sell as well as I can.

7821. Do you sell sand generally to the public?—I do, sir.

7822. What price do you get for it?—Different prices.

7823. But what price?—A shilling a load.

7824. And what else?—A shilling was the most I ever got.

7825. Did they draw 100 loads?—By gor, I couldn't exactly say; I don't think they did.

7826. Did they draw fifty?—I can't say.

7827. Did they draw twenty?—I don't know.

7828. You do not think they did?—I couldn't exactly say. They took a good deal of sand with them, however.

7829. But you are aware they did not draw 100 loads?—I don't think they did, nor near.

7830. Did they ask how much a load you would charge?—No.

7831. Or how many loads you sold?—No.

7832. And who paid you the £10?—Mr. Hackett.

7833. What Mr. Hackett?—Mr. Hackett at Mrs. Dolan's.

7834. Who told you to go to him?—I met him on the road and I told him I wasn't paid for the sand and that I wouldn't vote if I wasn't paid for my sand.

7835. And what did he say to you?—He said that of course I would be paid for it, and Mr. Laffan said I'd be paid for it.

7836. Is that Mr. Laffan here?—Yes, sir, [identifying Mr. M. J. Laffan.]

7837. Did you tell Mr. Laffan you would not vote unless you were paid?—I didn't, sir.

7838. What did you say to him?—I never told anything to Mr. Laffan in regard to a vote, sir.

7839. Only to be paid for the sand?—Yes, sir, to my own knowledge.

7840. Which did you speak to Mr. Laffan or Mr. Hackett first?—I spoke to Mr. Laffan before I spoke to Mr. Hackett, at all, to be paid for the sand.

7841. Did you speak to Mr. Hackett after you spoke to Mr. Laffan?—When I wasn't paying for it, sir, I met Mr. Hackett coming from the Commons and I told him I wasn't paid for it, and he told me to come in and to call to himself.

7842. How did you know that Mr. Hackett had anything to say to it?—I didn't know, sir. I was only telling him I wasn't paid.

7843. Did you tell him that it was Mr. Munster got it?—I didn't know but Patsy Cunningham sent out an order.

7844. Why did you go to Mr. Hackett about it?—I only spoke to him about it up the road.

7845. But you said you would not vote unless you were paid for the sand?—Yes.

7846. And what did he say to that?—He told me to go in and I would be paid for the sand.

7847. Did he tell you who was to pay you?—He did.

7848. Did you go to himself?—I did.

7849. And did he pay you?—He did.

7850. Did he say that anyone told him to pay you?—He didn't.

7851. Was it he that asked you if £60 was not too much?—He didn't. I had a bill of £10 5*s*. for the sand.

7852. To whom did you give the £60 bill?—Mr. Laffan here—[pointing to Mr. Michael J. Laffan.]

7853. What did he say when you gave him the £60 bill?—He said I would be paid, of course; "but I think it is a little high," he says; "but there's no fear," says he, "but you'll be paid for it."

7854. Did he say how much you would be paid?—He didn't, sir.

7855. And you were paid £10, more than you expected?—I was, sir.

7856. Mr. GRIFFIN.—Was it before or after you got the half notes at Corcoran's you went with the £60 bill to Mr. Laffan?—It was before it, sir.

7857. How long before?—I believe it was a fortnight or three weeks, sir, I think, to the best of my knowledge.

7858. Was it before you got the half notes at Corcoran's hotel that you got the £10 from Mr. Hackett?—It was after it, sir.

7859. After it?—Yes, sir.

7860. After you got the half notes you brought down your bill for £60?—Well, I did, sir.

Thomas Cunningham.

Thomas Cunningham recalled and resworn; examined by Mr. WATERS, Q.C.

7861. Where is your son Patrick?—I didn't see him from the time I told you as yet.

7862. What?—I didn't see him since the time I told you he left me up to this.

7863. Did you hear of his being in Cashel?—I heard that he went through; last night I heard he did go through, but he never called to my place.

7864. Were you at home to-day when Shea went to your house?—Me, sir?

7865. Did you hear my question?—I was at the store, and then went to the farm, and now I was told that I was to come here.

7866. Who is lodging in your house at present?—There is no one lodging there.

7867. There is some cousin of yours, I am told?—There is a nephew of my wife's.

7868. Why did he run and shut out the door against Shea to-day?—I couldn't tell you that.

7869. On your oath, is your son in your house?—No, he is not.

7870. On your solemn oath have you heard of him since I examined you before?—I give my oath that I didn't see him since the time you examined me before. That is a sure thing to say.

7871. Now I ask you again do you know where he is?—No, I do not.

7872. Have you heard where he is?—No, not at present; but I made inquiries, and forward he must come; wherever he is I will bring him forward.

7873. You said that too often to me. Did you hear that he was in your house?—No, he was not in my house since he left it.

7874. Since he left it last, you mean?—Since I sent him away on Sunday to pay for cattle. I defy any man either to say that he was.

7875. Did I ask you how long Murrin was staying in your house?—You did.

7876. Did you answer me "a few weeks?"—I believe I said nine or ten weeks, or may be more—more or less.

7877. Would it be the truth if Murrin swore that he was four or five months there?—I don't think he could say five months.

7878. Four or five months. Was he not there from the election until after the petition was over?—The petition is not over yet, of course.

7879. Is not over?—No; at the commencement of the Commission he may be there.

7880. At the Commission?—But he wasn't there since. He came there yesterday, but I didn't see him since.

7881. Did you say in answer to me, "There was a man of Mr. Leahy's stopping in my house seven or eight weeks?"—Yes, I did, sir.

7882. Is it true he was there only seven or eight weeks?—I said "more or less;" he may be ten.

7883. How much were you paid for him?—I was paid nothing as yet.

7884. Did you ask to be paid?—No.

7885. Did you ask Mr. Leahy?—I didn't present a bill, but my son may. I told him, "This is the commencement of the corn season; I have so much money out on the farm and everything, it will take time to get some money." In answer he asked me who would I get money from. I told him to get it from whoever I earned it from. That is my word. I didn't mention any man's name, because I couldn't, sir.

7886. Did I ask you if you knew of any money being given at the election to anyone whatever?—I don't think you did; but if you didn't, I don't know one.

7887. You never heard of any money being given at the election?—Not to my knowledge.

7888. Did any man ever bring you a letter or a note?—To myself, is it?

7889. Yes?—Not to my knowledge. I can't recollect or think on it either.

7890. Listen to me. Did any man ever bring you an envelope without any writing on it?—It may happen.

7891. But did he, sir?—I can't say. I wouldn't swear it.

7892. You would not swear it?—I wouldn't swear anything but what I would be positive.

7893. Did you ever carry any man into a room in your house where there was a man with a shawl about his face?—I don't recollect any man in my house with a shawl about his face.

7894. Was there any man stopping at your house a little before the election besides Murrin?—No; no one that I can say is this, with the exception of persons that would walk in and take their drink.

7895. Do you know a man named William Ryan, commonly called "Big Billy"?—No, I don't know e'er a man of the name of Big Billy; but I know little William Ryan that passed in and passed out there.

7896. Do you know Denis Ryan?—I do.

7897. Was Denis Ryan ever in your house about the time of the election?—He was; I mentioned that.

7898. You mentioned it?—Yes. I was sworn to it the other day. But that there was any man in and out, I couldn't say; but I took a remark of two or three boys that were then passing in and passing out the same as every one; that is all I said.

7899. You told us that Denis Ryan got drink in your place?—Yes.

7900. Did Denis Ryan ever go there and give you a letter?—Not to my knowledge, with the exception that he came for refreshment; more than that I can't say.

7901. Did you go up stairs and go into a room where there was a man with a shawl about him?—No, I didn't. I don't recollect any man to be in my house with a shawl about him at any time whatsoever.

Denis Ryan, of Cooper's Lot, and *William Ryan*, of Lawler's Lot, recalled and confronted with the witness.

Thomas Cunningham's examination resumed by Mr. Waters, Q.C.

Thomas Cunningham.

7902. Do you know both these men?—I know Denis Ryan, but the other only partly. I don't know the man.

7903. Do you see him now?—I do.

7904. Did you take that man up stairs into a room in your house, where there was a man inside in the room?—Not to my knowledge, as far as I can think.

7905. Swear "yes," or "no;" did you?—No, nor I wouldn't know the man.

7906. Do you swear that you never took that man up stairs?—I do.

7907. You know Denis Ryan?—I do.

7908. Did you ever go up stairs in your house with Denis Ryan, into a room where there was a man inside?—When?

7909. During the election?—I can't say I went up or down with him.

7910. Do you swear that you did or did not?—I don't think I did.

7911. Swear that you did or did not. That is a very easy thing to recollect. Did you take Denis Ryan either by himself, or with that other man, up stairs, and into a room where there was a man inside?—As for the other man, I deny him altogether. I wouldn't know him in the street this minute.

7912. Did you take Denis Ryan up stairs in your house, into a room where there was a man? Did you take a letter from Denis Ryan? Did you get a letter from Denis Ryan?—If I did I don't recollect, except a refreshment letter. Anything else I couldn't recollect.

7913. Did you take the letter into a room in your house?—No, but in the shop in the window.

7914. Listen to me. Did you take a letter from Denis Ryan and go into a room in your house where there was a man, up stairs?—Not as I can recollect.

7915. Swear "yes" or "no"?—I am sworn to it, that I can't recollect I did.

7916. Did you get any letter, by Denis Ryan, from your son Patsy about that time?—I did, for refreshment.

7917. Did you get any letter from him about any thing else?—Anyway I can recollect I can't remember.

7918. Is it likely that you would get an order for money and forget it?—No, I deny that I did get from Ryan an order for money.

Denis Ryan re-examined by Mr. Waters, Q.C.

Denis Ryan.

7919. Denis Ryan, did you get an order from Patrick Cunningham?—I did.

7920. Did you go to the house of this man, Thomas Cunningham, with it?—I did.

7921. Was the man behind you, William Ryan, with you?—He was.

7922. Did you give that letter to this man here [*i.e.* Thomas Cunningham]?—I did. It was an envelope.

7923. Was there anything written on the outside of the envelope?—I couldn't say there was.

7924. When you gave the letter to him what did he do?—He opened the door.

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Denis Ryan.

7925. Where was the door that he opened?—Convenient to the landing; on the stairs.

7926. Up stairs?—Yes.

7927. Did he go into the room?—He opened the door and made some remark to the man inside, as I stood inside.

7928. Had that man a shawl about his face?—Yes.

Thomas Cunningham.

Thomas Cunningham's examination resumed by Mr. WATERS, Q.C.

7929. Is that true, Cunningham?—I say I never saw a shawl about any man.

7930. Is it true that you went up stairs?—I disrecollect it.

7931. Did you get the letter that has been mentioned?—I don't think, to my knowledge, I ever got it from him. I can't recollect.

William Ryan

William Ryan re-examined by Mr. WATERS, Q.C.

7932. William Ryan, did you hear what Denis Ryan swore?—Yes, sir.

7933. Did you go with him to Thomas Cunningham's house?—I did.

7934. Did you go into a room in that house, where a man, with a shawl about his face was?—I can't say that positively, but he went to the door and opened it, sir. I was on the lobby.

7935. Did you see the man from the lobby?—I did; he opened the door.

Thomas Cunningham.

Thomas Cunningham's examination resumed by Mr. WATERS, Q.C.

7936. Is that true, Cunningham?—They may go up.

7937. Did you go up with them?—I can't swear that. Thirty or forty people may go up and down.

William Ryan

William Ryan's examination resumed by Mr. WATERS, Q.C.

7938. Did you get £30 from the man in the room?—I did, sir.

7939. Had you any order or token to give him, except the letter you brought?—None, sir.

Thomas Cunningham.

Thomas Cunningham's examination resumed by Mr. WATERS, Q.C.

7940. Now who was the man, Mr. Cunningham, that was there?—That was where, sir.

7941. Who was the man that was in your house?—I didn't ask who was the man in the house, nor I didn't know what it was about.

Denis Ryan.

Denis Ryan re-examined by Mr. WATERS, Q.C.

7942. What room in his house was it?—It was convenient to the right, as you go up stairs.

Patrick Croagh.

Patrick Croagh re-called and confronted with *Thomas Cunningham*; examined by Mr. WATERS, Q.C.

7943. Did you get a letter from Patrick Cunningham?—I did, sir.

7944. Did you go to this man's house with it?—I did, sir.

7945. Do you know this man Thomas Cunningham?—I do.

7946. Did you give him the letter?—I did.

7947. What did you do then?—I went up to the room he told me.

7948. Who told you to go up?—Patrick Cunningham.

7949. Had you any talk with Thomas Cunningham?—I don't think I had, only to speak to him.

7950. Do you recollect what you said to him?—No, sir.

7951. Did you go up to the room?—I did.

7952. Was there a man there?—There was.

7953. Was Thomas Cunningham in the house when you went there?—He was, sir.

7954. Did you speak to him?—I did, sir; but at the time I passed up to the room I couldn't swear whether he was within or not.

7955. When you went up to the room did you find anyone in the room?—I didn't, sir, but a man I couldn't know.

7956. Was it a front room?—I couldn't say which. I took no remark, but I suppose I would know.

7957. Had he a shawl about his face?—He had, sir.

Thomas Cunningham.

Thomas Cunningham's examination resumed by Mr. WATERS, Q.C.

7958. Mr. Cunningham, who was that man?—I swear I don't know who the man was.

7959. Do you swear he was never in your house?—I don't know.

7960. Do you think there is one person in court that believes one word you swear?—Whether they believe it or disbelieve it, I swear I don't know who the man was.

7961. Do you swear you do not know that the man was in your house?—I swear I don't know him.

7962. Do you swear you did not go into the room to him?—I may go into him, but I have no knowledge of anybody, as far as I myself knew.

7963. Do you swear you do not know that that man was in your house?—There may be a person in it, but I don't know their business.

7964. I ask you, do you know that the man was staying in your house?—I swear I didn't know him.

7965. And you never saw a man with a shawl about the lower part of his face in your house?—I never saw a shawl on him.

7966. Did you see a shawl in the room with any man?—No, in any way that I can tell you, so far as my own knowledge of it.

7967. You did not now know that that man was stopping in your house?—I swear I didn't know him, nor know anything about his business.

7968. I ask you do you swear on your solemn oath that you did not know that that man was stopping in your house?—I swear I don't know the man at all.

7969. That is not the question I put to you, sir. Policeman, take this man into custody. I commit you, sir, for contempt of court in not answering questions put to you. Take him into custody. Give him in charge to the bridewell keeper. I will make out a warrant for his committal.

[Thomas Cunningham is removed in custody, and the other witnesses retire.]

Denis Geary tenders himself; examined by Mr. WATERS, Q.C.

7970. Well, Mr. Geary, what do you wish to say?—I was informed outside the court that a fellow named Michael Carew stated I offered him £30, and to burn the document. I plumply and plainly, either directly or indirectly, never offered it.

7971. He swore you did?—I never did; and also that he swore I met him in the street on the Saturday previous; I don't know was it a week before, he required the document from me, he and me had some beer; we were talking about the election and about this document; he stated to me, "If I get £50 from Mr. O'Beirne and the old document, I will vote for him." I withdrew from him. I had no further conversation with him afterwards through myself or anyone else.

7972. Is that all you have to say?—Until such time as he came to my house and asked the document from me, and I refused to give it, I never spoke to him afterwards until he told me as I stated here. He was at the Court-house also, and a boy named Ryan was standing by, and he commenced to abuse Carew, and said, "You ate Mr. O'Beirne's bread." I said, "Let every man poll where he likes." That is my oath.

7973. You swear that this man asked you for £50, and said that if he got £50 he would vote for Mr. O'Beirne?—He said the figure would be £50 and the old document, as well as I can recollect.

7974. May I ask, Mr. Geary, why you did not tell us that on your first examination?—Well, as far as I am concerned, I just was merely asked about the town.

7975. Do you recollect that I pressed you with every form of question in which I could put words with regard to this man?—Yes, sir.

7976. And none of those questions brought this to your memory?—No, sir.

7977. You have a very bad memory?—I couldn't think of everything.

7978. Mr. MOLLOY.—Were you agent for any person in '65?—No.

7979. Did you receive any money?—No.

7980. You acted in the interest of Mr. O'Beirne?—Perfectly true, sir.

7981. And you got nothing for it?—Nothing whatever.

7982. Before or after the election?—Certainly not. I made no bargain.

Richard Cummins sworn; examined by Mr. WATERS, Q.C.

7983. You voted for Mr. Munster at the last election?—I did, sir.

7984. For whom did you vote at the election of '65?—Mr. O'Beirne.

7985. What consideration did you get from Mr. O'Beirne in '65; how much?—I got nothing, because I didn't look for it.

7986. You did not ask for anything from Mr. O'Beirne?—No, nor from Mr. Munster. I never got a shilling to bribe me this thirty-five years.

7987. Have you a son?—I have.

7988. What is his name?—James.

7989. Have you another?—No, I have no son or daughter in Ireland. They are all buried.

7990. Is James here?—He is not.

7991. Was he here at the last election?—He was; he was about his business at home.

7992. Where is he now?—He is at home, sir. He is in this country. He hasn't anything committed that he would shun his country for, nor me either.

7993. What made you leave Mr. O'Beirne at the last election? You voted for him in '65?—I did.

7994. Did you ever vote for Mr. Lanigan before?—I did, twice.

7995. You voted twice for Lanigan, and went against him at the election of '65: why did you do that?—I heard Mr. O'Beirne was a very good man in every form, and he got a great commendation the same as Mr. Munster. The reason I voted for Mr. Munster in this turn that he had the priest's approval. I voted with him and Mr. Dean Cantwell from Fethard; to a man of my age. I thought him a great man and a hospitable man every day in Cashel since he came there.

7996. Did you hear he was a very charitable man?—So I did, and see some of it, but I didn't get it myself, nor look for it.

7997. Who asked you to vote for him?—I'll tell you—what's this his name? he came to my house, himself and Mr. Laffan; I believe his name is one Byrne.

7998. Captain Byrne?—Yes, he asked me to do it.

7999. Which of the Messrs. Laffan came to you?—Mr. Laffan never asked my vote.

8000. You are just after telling us that Mr. Munster and Mr. Laffan met you at your house; which of the Laffans I ask you?—Mr. Byrne asked me to give my vote.

8001. Which Mr. Laffan was it that came to you?—Was it Michael or Pat that was along with Mr. Munster?—I don't know any one of them.

8002. Was it he (*i. e.* Mr. Michael J. Laffan)?—I don't say it is.

8003. If it was not one it is the other I suppose?—I suppose so.

8004. And did you walk out when they came to you?—I didn't; I stopped in the house.

8005. Which of them asked you to vote?—Mr. Byrne, if I wished to vote for Mr. Munster; and "you have a fortnight to do it," says he, "yet," that is the only way, sir.

8006. Is that all he said to you?—That is all he said to me.

8007. Did they not say anything about the Archbishop's brother?—They didn't, but I heard it myself; everyone in Cashel heard it; and some say they heard last week all the dread is in Cashel, and Dean Laffan I knew came from Fethard.

8008. Dean Laffan?—Dean Laffan or Dean Cantwell.

8009. Is Dean Cantwell a great friend of yours?—He is parish priest here.

8010. And you would like to do what he would tell you?—Certainly: what the priest would say I would do in the latter end of my days.

8011. Was Dean Cantwell using much exertion for Mr. Munster?—Why, then, I think he gave the largest commendation of him.

8012. Did you ever hear Dean Cantwell say anything about Mr. Munster?—I heard him say here in a speech—but I am a little hard of hearing—that he was a fit man and a good man, and a charitable man in Cashel. That is all I could say. I could say nothing else.

8013. Did your son James ever tell you that he had any talk with any of the Laffans or with anybody at all?—No; he didn't.

8014. Not a word?—On my oath I didn't hear of Laffan or any other man.

8015. Was he at home during the election with yourself?—So he was at home during the election all but one day.

8016. One day only?—One day only, because I have him, he helps to support me. I am an old man now, upwards of eighty years of age.

8017. Did your son James ever tell you that he made a claim on Mr. Laffan for any money?—No, never—he never told me of it.

8018. Did you never hear he made a claim on Mr. Munster?—No; I never heard that he did, on Mr. Munster or Mr. Laffan to my knowledge. I am on my oath; I didn't, sir.

EIGHTH DAY.
October 12.
Richard Cummins.

8019. There is a claim here for James Cummins for £20; did you know he was going to get that?—I didn't know more than I knew that he was in Botany Bay now for £20. I know nothing at all about it, but my son could do what he liked.

8020. You never heard of his getting any money, or promise of any money?—I heard that he got some money on behalf of Mr. Munster.

8021. How much did you hear he got?—I couldn't say is it £30.

8022. Sure he told you?—No, he didn't, nor I didn't ask him.

8023. Who told you?—I hear the neighbours, and some say here in Cashel now. I hear that my house got the same as others.

8024. Did you hear your son James got it?—I heard he got some money.

8025. From whom did you hear it?—I don't know.

8026. You did, now?—Me! No. Egad, no.

8027. Did he ever tell you he saw the man up in the dark room?—The dark room! No, he didn't, sir, nor I never asked it of him, for the Lord will hear of it; that is the only way I go about it. If Mr. Munster came to my house and offered me £50 I wouldn't give it to him.

8028. But if he offered it to your son you would?—My son may do what I wouldn't like to do.

8029. I would like you would tell me like an honest old man?—By gar, I am old enough.

8030. You seem to have more doubt about your honesty than your age. How much did your son get? was it £30?—It is rumoured. I heard from some people £30.

8031. Did you not hear who gave it to him?—I didn't. No, no, no, I didn't. No, I didn't. I am an old man that stops at home, from my room to the fire, and take my breakfast and dinner when I get it. I came to Cashel during the election only the one day.

8032. You heard of this £30; before the election, I suppose, it must be?—A good while before the election.

8033. That your son got it?—I didn't see him getting it, but it is reported of him that he got it. I don't know.

8034. Is the old woman living?—No, sir, nor anyone of seven children I had. They are all buried and dead, all to him.

8035. It is a wonder to me that you never asked your son James if he got this money. Why did you not ask him?—Well, sir, so I didn't.

8036. Why did you not?—I didn't, on my oath. I didn't ask him what he got, or what he did.

8037. I suppose James told you that you ought to vote for Mr. Munster?—Nor he never told me that. No. That's another thing.

8038. Mr. MOLLOY.—Who told you of the Archbishop's brother?—My own conscience.

8039. Wait, now. Who told you the Archbishop's brother and Dean Cantwell were supporting Mr. Munster?—Didn't I see them.

8040. Where did you see them?—Didn't I see them in this town, and every other clergyman in the election would recommend Mr. Munster.

8041. Did you say you were in Cashel once only during the election?—I was, and two days too.

8042. Is your son James in town to-day?—No, he is not, but about his business.

8043. Send him in here to-morrow?—Will it do the day after to-morrow, for he will be at home.

8044. It will?—Very well; after to-morrow, that is Thursday.

Martin Phelan.

Martin Phelan sworn; examined by Mr. WATERS, Q.C.

8045. You voted for Mr. Munster at the last election?—Yes, sir.

8046. Did you vote at the election before that?—Yes.

8047. For whom did you vote in 1865?—For Mr. O'Beirne.

8048. How much did you get for voting for Mr. O'Beirne in '65?—Twenty-five pounds.

8049. Who paid you that money in '65?—Mr. Johnson.

8050. How much did you get for voting for Mr. Munster in '68?—Five guineas; I got a retainer.

8051. From whom did you get it?—Mr. Patrick Laffan, sir.

8052. From Mr. Patrick Laffan?—It is, sir.

8053. Where did Mr. Patrick Laffan give it to you?—I met him at the house, sir.

8054. In your own house?—Yes, sir.

8055. Did he tell you that you would get any more?—No.

8056. What did he say when he was giving it to you?—He asked me would I become an agent to Mr. Munster. I asked him what would I be doing. "It won't be a great deal," says he. "What will I be doing," says I. "Oh, wisha, not a great deal," says he; "but you can—any of them you will meet—tell about Mr. Munster—how good a man he will be, and so and so."

8057. Did he ask you to vote for him?—No, sir.

8058. What did he say about voting?—He said nothing about voting.

8059. And you got no other promise of any other money than five guineas?—No, sir.

8060. Did you not know that some of your neighbours got money from Mr. O'Beirne?—How could I know that.

8061. You do very well. Did you not know that some of them got money from Mr. O'Beirne's people?—I forget it now, sir.

8062. And you were satisfied with five guineas?—I was, sir; I would take a pound at the time if I got it. I didn't know there was any harm in five guineas.

8063. And what harm is there that you know now?—I don't mean to say there is any harm, but I rather have anything as to have five guineas.

8064. How much did you expect for your vote?—I expected nothing for my vote, but I thought if it was going that I would get as much as any voter.

8065. Did you speak to anyone about getting money for your vote?—No.

8066. Did you speak to Mr. Patrick Laffan?—No.

8067. Did he speak about your vote when you got the five guineas?—No.

8068. Did he tell you that you could not vote for anyone if you took it?—No.

8069. Did you do any work for it at all?—Faith I did not, sir; never.

8070. You got twenty-five pounds in '65?—I did, sir.

8071. Did you not hear that Mr. Munster was richer than Mr. O'Beirne?—I did.

8072. Did you think you were to get only five guineas from Mr. Munster when you got twenty-five pounds from Mr. O'Beirne?—Sure I knew if e'er a voter got it that I expected it.

8073. Then you expected it?—I did, sir.

8074. Do you expect it now—do you expect to be paid any money?—Well, I don't, sir.

8075. Did you ever ask Mr. Laffan or anybody else for any more?—Never.

8076. Who was with Mr. Laffan when he gave you the five guineas?—It was Mick Dwyer; he is living in the town.

8077. I think you said it was Mr. Patrick Laffan that gave it to you?—It was, sir.

8078. Did he ask you how you would vote at the time that he gave it to you?—No, sir, but he asked me would I become an agent to Mr. Munster, because my mind was laid out to vote, sir, and that is the reason I took the five guineas.

Martin Phelan.

8079. Mr. GRIFFIN.—You voted for Mr. O'Beirne in '65?—Yes, sir.

8080. Why did you make up your mind to vote for Mr. Munster without being asked by anybody?—My mind was made up to vote for him, because I heard of him before he came.

8081. What did you hear about him before he came?—That he would serve both town and country, because he was a rich man.

8082. Did anybody ever say that you would get money for voting for him; anybody at all?—No, sir, never.

8083. After the election did you expect to be paid anything for your vote?—By gor, then, I'll tell you the truth, I did if I could get it; but I never asked it.

8084. What was the reason you did not ask it? Was it on account of the petition?—It was not, sir; but I didn't know to who would I look for it. When I didn't ask any money before I couldn't know who to look to for it.

8085. Did you know Patsy Cunningham at all?—No, sir; I never spoke to him, your worship, about the election, nor to any other person.

8086. Do you know Patsy Cunningham?—I do, sir.

8087. Did he ever say anything to you about the election?—No, sir.

8088. Mr. WATERS, Q.C.—I asked you did you ever ask for any money?—No, sir.

8089. Did you get any money from Mr. Munster or from anyone since the election?—I did, sir; my wife got two sovereigns from his lady.

8090. What took your wife to his lady?—When she heard that everyone was getting it, she thought she had a right to get the same. She got what she asked.

8091. Did she only ask for two sovereigns?—That is all, sir.

8092. How long ago was that?—I don't know, sir.

8093. In March, was it?—About March, I believe.

8094. Mr. Munster wishes to have you asked have you lost a cow lately?—Faith, I lost three of them, but not of late, though.

8095. When?—Wisha, faith, 'tis a good while ago.

8096. How many years ago?—About three years ago.

8097. Did your wife give any "I. O. U." or note or anything for the money?—I signed my name to it, sir.

8098. Where did you sign your name to it?—At home.

8099. In your own house?—Yes.

8100. Did she bring it back?—She did, sir.

8101. Then, was it as a loan you got the two pounds or as a gift?—Well, I don't know what way did she got it; but I signed my name.

8102. She brought back the "I. O. U." for you to sign?—She did.

8103. And what did you do with it?—She brought it back again.

8104. To Mr. Munster's?—To his lady as she told me. I don't know.

8105. Was the money that you got from Mr. Patrick Laffan by cheque or by notes?—By a cheque, sir.

8106. What did you do with the cheque?—I cashed it, sir.

8107. You cashed it in the bank?—I did, sir.

8108. Do you know did your wife get any money?—She got them two sovereigns.

8109. But did she get any money besides that?—That is all she ever got or looked for.

Mr. *Henry Munster.*—Would you be good enough to ask Mr. Keeffe two questions?

Mr. WATERS, Q.C.—What are they?—Mr. *Munster.*—First, did he serve Mrs. Boyton with a subpœna in the chapel-yard near the sacristy.

I do not see what that has to do with the inquiry. I do not see that it would help us in the discharge of our duty. What is the other question?—Mr. *Munster.*—It was dependent on that.

He may be guilty of very great impropriety; but if it does not touch the matter that we have to inquire into we cannot investigate it?—Mr. *Munster.*—You cannot see the bearing of it at present.

If you tell me that it has any bearing on our inquiry I will put it?—Mr. *Munster.*—In my judgment, sir, it will have a very great bearing.

As you say then that it has a bearing on our inquiry, and may be of service to it, I will ask it, although I do not see how it can affect it.

Michael Keeffe.

Michael Keeffe recalled; examined by Mr. WATERS, Q.C.

8110. Did you serve Mrs. Boyton with a subpœna in the chapel-yard in Cashel?—Yes, your worship, in the chapel-yard on the left, and on my oath she thought to avoid it, and ran from me.

8111. Who told you that you would find Mrs. Boyton there?—I was told by some of the ladies that were going to a meeting in the chapel-yard at the time.

8112. Was it a subpœna to attend as a witness at this commission?—As a witness. I had to cross the graveyard when she thought to run away from me.

8113. Was Mrs. Boyton to be seen passing through the town every day?—I couldn't find her, sir. I ascertained that she hid herself from me. This was a meeting of the ladies that was called in the chapel-yard, and she had to go there.

Mr. *Munster.*—Ask him, sir, if the person who told him was Miss Kate O'Dwyer.

Mr. WATERS, Q.C.—I do not see that that question will help us in the least.

Mr. Jerome J. Scully.

Mr. *Jerome J. Scully* sworn; examined by Mr. WATERS, Q.C.

8114. Mr. Scully, I believe you are not an elector of Cashel?—No, I am not.

8115. But you took an active part at the last election?—Yes, I was retained as agent for my cousin, Mr. Vincent Scully.

8116. But after that was over you supported Mr. Munster?—After the nomination I joined Mr. Munster when my cousin retired. I worked for him from that day to the day of the polling.

8117. We heard, Mr. Scully, that you were one of those who spent a pleasant night in Corcoran's hotel?—I was at Corcoran's hotel, I think, on the evening of the nomination, and the evening after until a late hour.

8118. And the night before the polling?—Yes, that was the night after the nomination. I think I was there that night.

8119. Did you not spend the entire night there?—No, indeed.

8120. You were there in the evening?—I went down there the evening of the nomination about eight o'clock, and I stopped about a quarter of an hour.

8121. Were you not there next morning about six or seven o'clock?—No, I wasn't. I was there the morning after that.

8122. But the morning of the polling were you not there?—Yes. That is the morning after that.

8123. Then we agree entirely?—The nomination, I think, was on Wednesday. Thursday intervened. I don't think I was there on Thursday morning. Friday morning I was.

8124. The morning after the night before the polling—that is the morning of the polling—you were there at an early hour?—On Friday morning I was there about seven o'clock—about an hour before the time of polling.

8125. Thomas Looby swears that he was carried to

EIGHTH DAY. *October* 12.

Mr. Jerome J. Scully.

that hotel, and that he saw you and some other gentlemen there, and that he was taken up stairs into a room where there was a man, who had just got out of bed, who gave him £30 for his vote?—I know nothing about it. I never heard a word about it until these last two or three days.

8126. Was that going on in the house without any suspicion in your mind?—Without any suspicion. I went about the town unceasingly to get votes for Mr. Munster.

8127. Did you see Mr. Leahy there?—I very often saw Mr. Leahy, but I can't recollect that that Friday morning he was there. I was in and out the whole time from Wednesday evening. I think I told Mr. Laffan that I would be down an hour before the polling—eight o'clock, the time of the polling on Friday morning. I didn't hear there was such a man there until I heard it was mentioned.

8128. Mr. MOLLOY.—How much were you to be paid for your services for Mr. Munster?—I'm not certain how much. I was to be paid by Mr. Vincent Scully.

8129. How much were you to he paid for your services for Munster?—I expected twenty or twenty-five pounds.

8130. Did you not send in a claim for £25?—No; I'm not aware that I did.

8131. You did not?—No; I'm not aware that I did.

Mr. E. H. Biggin.

Mr. *E. H. Biggin* recalled; examined by Mr. WATERS, Q.C.

8132. Mr. Biggin give me claim No. 79?—I do not think I have it, sir.

Mr. Jerome J. Scully.

Mr. *Jerome J. Scully's* examination resumed.

8133. *Witness.*—I applied to Mr. Laffan: but I have no recollection that I mentioned the amount in it.

8134. Mr. GRIFFIN.—You wrote a note to Mr. Laffan?—I think first Mr. Laffan met me in the street, and told me he included my claim in furnishing his bill. He might have told me that day what it was. I don't think in any note I ever wrote to Mr. Laffan I ever mentioned the sum.

8135. But you wrote making a claim?—I wrote to him to know when Mr. Munster's account would be settled. I think that is it. I may be wrong; I kept no copy.

8136. Mr. WATERS, Q.C.—Did you write that note before February?—I know I spoke to him about the first week in January. Before the first week in January I saw a notice posted here that there would be a gentleman in the town paying any claims on Mr. Munster. I met Mr. Laffan by chance, and I asked him did he include my claim.

8137. I understand you are a professional man?—No; I am not.

8138. I thought you were conducting agent for your cousin?—So I was, in Cork, for Mr. Scully; but I am not a professional man. I am in the habit of elections, but I am not a professional man.

8139. You did not mean that there should be anything secret about your claim, did you?—No, I did not.

8140. Mr. Munster wishes to ask you this question: Are you aware that all the voters in Cashel who voted for Mr. O'Beirne were willing to vote for Mr. Vincent Scully on certain conditions?—I canvassed the Commons with Mr. Scully. We got very few refusals, if any; but after canvassing it frequently and meeting some of the voters I came to the conclusion, that I suppose he had come to, that there was no chance of any man getting in without bribery, and Mr. Scully would not bribe or agree to pay anything.

8141. Were you distinctly asked for money on the Commons?—By the Commoners I was—not on the Commons, but in a house in town.

8142. Who asked you?—Well, voters.

8143. What are their names?—William Ryan asked me for money.

8144. Is that big Billy?—No, little Billy. He told me what the voters would expect. I went into a calculation about it, and I thought it would be ridiculous.

8145. What did they expect?—£40 a man. We were not inclined to pay anything at all.

8146. Is it your belief that all the voters in the Commons required an inducement of that kind to vote?—I won't say all; but I say the most of them. I thought there was no use in any man standing for Cashel without bribery.

8147. That applies to your cousin, Mr. Vincent Scully. Do you think it was equally forcible as regards Mr. Munster?—I think it was; I think Mr. Scully had as good a claim as Mr. Munster. When he couldn't do any good without money I don't think anyone else could.

James Dwyer.

James Dwyer sworn; examined by Mr. WATERS, Q.C.

8148. Your name is James Dwyer?—Yes.

8149. Of which lot?—Lalor's Lot.

8150. You voted at the last election for Mr. O'Beirne?—I did, sir, last and first.

8151. And I believe at the election of '65?—Yes, I did, sir.

8152. Did you get any money after the election of '65, Mr. Dwyer?—I didn't; I got it before. I got £30.

8153. From whom did you get it?—Geary.

8154. At that election you voted, I believe, for Mr. O'Beirne?—I did, sir.

8155. And the £30, I presume, was in consideration of your vote?—I would vote if I didn't get a shilling.

8156. Do you think that is either a candid or a straightforward answer? I asked you was the £30 given to you in consideration of your vote, and you answered, "I would vote if I didn't get a shilling." Answer my question "yes," or "no." Was the £30 given to you in consideration of your vote?—Well, I think it was.

8157. Had you any claim besides that £30 on Mr. O'Beirne?—No.

8158. Did you go over to London after the election?—No.

8159. Did you make any claim on Mr. O'Beirne after the election?—No, never.

8160. Were you canvassed on Mr. Munster's side for the last election, '68?—No.

8161. Did any person come to canvass you?—No.

8162. Mr. MOLLOY.—How did they escape you?—They knew I was a staunch supporter of Mr. O'Beirne, and that it was useless for them.

8163. Do you mean to swear that no person canvassed you on Mr. Munster's behalf?—Not a man, because they knew very well I would vote for Mr. O'Beirne.

8164. How do you know that?—I know it, because Mr. Hackett spoke to me one day in a shop, and he said, "there is no use in saying anything to you." "Not a use," said I.

8165. Mr. WATERS, Q.C.—Did you get any consideration for voting in '68?—Not a shilling.

8166. Did you claim anything?—Not a bit.

8167. Mr. GRIFFIN.—Did you pass a bill in '65?—I did, sir.

8168. Mr. WATERS, Q.C.—Now, Mr. Dwyer, recollect yourself. Were you not promised money, or paid money by anyone in this town?—Not a shilling.

8169. Were you offered money for your vote?—No.

8170. From either side?—Well, there was an offer made at Mr. Munster's side to me. I wasn't paid it, but I was offered it.

8171. By whom was that offer made?—Mr. Michael Sullivan, at the corner. He put it down in figures for me.

8172. What did he write in figures for you?—He put down £35 first, and I said, "That won't do." He blotted that out then; that he would give £35 to every man that I'd bring in, and £40 to myself. "That won't do." He began then until he went up to £65—£5 every bid, and I said that would do.

8173. £65 for yourself?—£65 for myself.

8174. And how much for everybody else?—£50.

8175. When did this occur with Mr. Sullivan?—I believe it was about a month or something before the election.

8176. Is that the man that keeps the grocer's shop?—It is, and he told me, on the other hand, that he had no authority in life in saying so, only taking the liberty himself.

8177. Did you ever go back to him again?—Never.

8178. When you agreed for £65 why did not you go back?—I only wanted to put him off. If he gave me £200 I wouldn't agree with him.

8179. Would you think it a wrong thing to take it?—I would think it a wrong thing to take it, and to vote for Mr. Munster in preference to Mr. O'Beirne.

8180. Did you take £30 for your vote for Mr. O'Beirne?—I was in the street one day and Geary met me. I acquainted Denis Ryan before to take it, and he acquainted me on his returning, and he told me, "Call to me at four o'clock, I want to talk to you." He called me to two men at Richard Grace's, and when we drank something there he told me, "come on," he says, when I left the house, "I can lend you £30," says he. I signed a bill for it, and that's all about it.

8181. Why did you think it wrong to take it in 1868, when you took it in 1865?—Well, we signed a requisition for Mr. O'Beirne to come here.

8182. When did you sign the requisition?—About two years before the election.

8183. Why did you take the money in 1865 if you thought it such a bad thing in 1868, when you say that £200 would not induce you?—I swear that I wouldn't vote for Mr. Munster if I got £200.

8184. Did you get any offer of money to vote for Mr, Munster?—No.

8185. Now think of yourself again?—No. John Coman met me one day in the street and called me and said, "Why wern't you canvassing to-day with Mr. O'Beirne?" "I wanted to go to the loan office," says I, "to sign some bills." "Take my advice," says he, "and shun that ruffian O'Beirne, and I'll see and serve you." Archdeacon Quirke came up and fell into conversation with John Coman and I left him there.

8186. Is that all he said?—That's all. I'm sure he would say more but that the Archdeacon came up.

8187. Mr. GRIFFIN.—Were you not offered anything at Mr. O'Beirne's side this time?—Not a shilling.

8188. You would not object to take it from Mr. O'Beirne to vote for him?—I wasn't offered it, nor I didn't ask it.

8189. If you were offered it you would not object to take it?—Well, I dare say, perhaps I wouldn't.

8190. Did Captain Graham or Captain Byrne or anybody else speak to you about it?—Not a man.

8191. Mr. WATERS, Q.C.—Do you know Richard Cummins?—I do, sir.

8192. Do you know that he got money?—I heard it.

8193. Do you know his son James?—I do, sir.

8194. From whom did you hear it? Was it from himself?—I did, sir.

8195. What did he say to you?—He said, "I'm not one of the badly offs," and he didn't tell me how much it was at all, and I didn't ask him.

8196. Mr. MOLLOY.—Did you hear that any person else got money?—Oh, sure I heard it, but I don't know who they are.

8197. Mr. WATERS, Q.C.—Did anyone tell you they got it?—Not a man.

8198. Mr. MOLLOY.—Did any of the Ryans tell you they got it?—No, sir.

Mr. *Jerome J. Scully* presents himself for further examination.

Mr. Jerome J. Scully.

8199. Mr. WATERS, Q.C.—What do you wish to say Mr. Scully?—I recollect now that when I met Mr. Laffan immediately after the nomination I had a conversation with him, and I told him that there was an arrangement I had with Mr. Scully, and that he not polling a man made a difference of £25 to me; and Mr. Laffan said, "You shan't lose that," and that must have been what fixed the amount of that claim.

Daniel Dwyer sworn; examined by Mr. WATERS, Q.C.

Daniel Dwyer

8200. Are you a voter?—Yes, sir.

8201. Did you vote at the last election?—I did, sir.

8202. For whom did you vote?—For Mr. O'Beirne.

8203. Did you get any money for your vote?—No, sir.

8204. None at all?—No, sir.

8205. Did you get any money for your vote in 1865?—I did, sir.

8206. Did you ask for any money in 1868?—No, sir.

8207. Were you offered any money from Mr. Munster's side?—I had a conversation with Mr. Hackett, sir.

8208. What was the conversation with Mr. Hackett?—He asked me would it be any use to know would I go on Mr. Munster's side. I told him it would not; that I think I would support Mr. O'Beirne.

8209. You say that you got £30 in 1865?—I did, sir.

8210. Who paid you that money?—Mr. Geary.

8211. And you passed a bill for it?—I did, sir.

8212. And you know that we have that bill in court, do you?—I do, sir.

8213. And your evidence to us now is that knowing you would get money from Mr. Hackett for voting for Mr. Munster, you voted for Mr. O'Beirne without anything: is that what you want us to believe?—I would, sir; nor all the money in the world wouldn't induce me to vote against Mr. O'Beirne.

8214. Did you ever vote for Mr. Lanigan?—I don't recollect. I believe not, sir.

8215. Did you vote in 1859 for Mr. Lanigan? I can tell whether you tell me the truth or not?—I don't want to deny.

8216. Did you vote in 1859 for Mr. Lanigan?—I only think I did, but I'm not certain, and I got no money neither.

8217. Why did you vote against Mr. Lanigan in 1865? Was it not because you got money?—No, sir.

8218. Did you not get £30 from Mr. O'Beirne?—I did, sir.

8219. And did you not vote against Mr. Lanigan?—I did, sir.

8220. Why did you vote against Mr. Lanigan in 1865?—Because the most part of the town were against each other, and we wanted to have a member of our own.

8221. Mr. MOLLOY.—Are you anything to the last witness?—I am, sir.

8222. What?—A brother.

8223. Did you get a retainer from any person at the last election?—No, sir.

8224. You did not?—No.

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Daniel Dwyer.

8225. Did you get a cheque?—No, sir.

8226. Did you get any money?—No.

8227. Had you any conversation with Mr. Patrick Laffan about the election?—I don't think I had.

8228. Had you no conversation with Mr. Patrick Laffan about the election?—I don't know was it with Mr. Patrick Laffan; but this is not the gentleman [pointing to Mr. Michael J. Laffan]. I had some words with the other gentleman.

8229. What were the words you had with him?—He told me to go over to Mr. Hackett.

8230. Mr. Waters, Q.C.—And you did go?—I did.

8231. How much did Mr. Hackett tell you you would get?—To the best of my belief thirty or forty pounds.

8232. What did you go to Mr. Hackett for?—I don't know, only he sent me over.

8233. You did not know what you went to Mr. Hackett about?—I didn't want to go, because my mind wasn't inclined to go anywhere but the one side all through.

8234. Mr. Molloy.—Were you asked to canvass any person?—No.

8235. Or to offer them money?—Faith they didn't want to make an agent of me at all.

8236. Answer the question, were you asked to offer any money?—No; I wasn't told to offer money to any person.

8237. Nor to promise money to them?—No.

8238. For voting the same way as yourself?—No.

8239. Mr. Waters, Q.C.—I will ask you one question and give you one chance more. Do you know that the man who takes money for his vote at an election is liable to two years' imprisonment and a fine of £100, and that we can give you a certificate that will free you from any consequences; and that if we do not think you answer to our satisfaction we will refuse it; and that if we find out in evidence afterwards you are not telling the entire truth we will refuse it. Now, knowing all that, tell me honestly were you promised money by Mr. O'Beirne or told by any person in his behalf that you would get money?—No.

8240. Mr. Griffin.—Did you expect money when you voted?—No; I didn't.

John Dwyer

John Dwyer sworn; examined by Mr. Waters, Q.C.

8241. For whom did you vote at the last election?—For no one, sir.

8242. You are rated as John Dwyer and Michael Ryan I believe?—Yes, sir.

8243. Why did you not vote?—I was retained, sir.

8244. By whom were you retained?—By young Mr. Laffan's brother here [pointing to Mr. Michael J. Laffan].

8245. Why did you not vote afterwards?—They told me I couldn't vote when I didn't keep it private. If I kept it private they said I could vote.

8246. Who said that to you?—This man here, sir [pointing to Mr. Michael J. Laffan].

8247. It was his brother I, believe, that gave you the retainer?—It was, sir.

8248. How much did you get from him?—I got five guineas, sir, and he gave me £5 in a few nights after.

8249. Five guineas more was it not?—No; only £5, sir.

8250. That is £10 5*s*.?—Yes, sir.

8251. Where was it that he gave you that?—Below in Mrs. Corcoran's, sir. It is there I got the two, sir.

8252. Did he say anything to you about your vote at the time?—Well, I don't recollect, sir. I was a little groggy, I believe, sir.

8253. Were you the same way when you got the second sum, the £5?—Well, I believe not, sir.

8254. Tell how you got the £5 after the five guineas?—I was called into the room and he had a bit of writing there, and he told me to sign that, that he was going to give me £5 more. He said to do what I could for him and keep my friends together. I said how could I do that, that I hadn't a way of doing it. I asked £50, and he said £25 a man they were giving, that Mr. Munster would give up the election, and that he had to confine it to that figure. I said it wouldn't do.

8255. And did you see Mr. Michael Laffan afterwards?—I used to see him partly every day, sir.

8256. Come to the day that Mr. Michael Laffan told you you could not vote because you did not keep the retainer private?—I couldn't recollect the day, sir.

8257. You said it was that gentleman sitting under you there [*i.e.*, Mr. Michael J. Laffan] that told you you could not vote because you had not kept it private?—Yes; he came out of a sitting-room, and said I was agent now; that as I didn't keep it private, I couldn't vote. I asked him how much would I get now, and he said he couldn't tell me to that effect.

8258. Were you not going to vote afterwards?—No, sir.

8259. Were you thinking of voting at all?—I wouldn't vote for Mr. Munster for any money.

8260. Had you no conversation with Mr. Laffan about voting after that?—I thought the cheque was no use, and that I'd vote for Mr. O'Beirne.

8261. Did you not ask him could you get any more money?—I did.

8262. What was it for?—For my services going about.

8263. You asked for £50?—Fifty pounds for voters.

8264. How much did you expect yourself?—Begor, I'd take as much as them.

8265. On your oath, would you have taken the £50 from Mr. Munster's side, and afterwards voted for Mr. O'Beirne?—I heard that stated, sir.

8266. Would you have done it, I ask you?—Only for being in dread of the law I would; because when they tricked me I'd trick them.

8267. Did you go there expecting to get £50?—No, I didn't, sir.

8268. You asked for it at any rate?—I did, to keep the voters together; and he told me the last night of the election he would equalize me the same as every other man.

8269. Mr. Griffin.—Who told you that?—This man here [pointing to Mr. Michael J. Laffan].

8270. Mr. Molloy.—Did you say that you were told that after the election?—No; on the night before the election, sir.

8271. Which was it the night before or the night after the election?—The night before it, sir.

8272. Mr. Griffin.—Did your wife get any money? She got money for turkeys and butter. She left Mr. Munster butter while he is in Cashel, sir.

8273. Did you get anything besides that?—No, not to my knowledge, sir.

8274. Mr. Molloy.—Who was it that had the conversation with you about the £50 for the voters?—Myself and the boy that retained me.

8275. That is, Mr. Pat. Laffan?—Yes, sir, when he retained me the second time.

8276. Who were to get the £50—what voters?—He only asked me to keep the friends together; and I asked him how was I to keep them together, when he wouldn't tell me what to give them.

8277. Do you say you were tricked?—I was

8278. How were you tricked?—When my vote was taken.

8279. Would you take money from Mr. Munster for acting for him, and vote for Mr. O'Beirne?—Sure I couldn't do that.

8280. But if you could do it would you?—Begor I don't know, sir.

8281. Do you think you were tricked by giving you five guineas to act for Mr. Munster?—I did when my vote was broken.

8282. Did you intend from the commencement to vote for Mr. O'Beirne?—Yes, sir.

8283. And to take money from Mr. Munster?—Yes, sir.

William Ryan, of Price's Lot, sworn; examined by Mr. WATERS, Q.C.

8284. Are you a brother of Denis Ryan's?—I am, sir.

8285. For whom did you vote at the last election?—For Mr. Munster, sir.

8286. How much did you get?—Nothing, sir.

8287. Oh, come, now?—That's all, sir.

8288. How much were you promised then?—Nothing.

8289. Now, mind yourself. Did you ever tell anybody that you were promised anything?—No, sir.

8290. What?—I went on my own responsibility with the man without asking any question at any side about it.

8291. Your brother, Denis Ryan, swore that you told him you were promised money?—He could have nothing to say about it. Who said it?

8292. Your brother; and that you said to let him manage it for you?—I couldn't say either.

8293. Did you not expect money?—I would if I got it; but I was in dread it would come about.

8294. On your oath did you not expect money?—I did, but I asked no questions at any side about it.

8295. Who canvassed you to vote?—No one.

8296. No one at all?—No. I met Mr. Munster and went in his carriage, and promised him my vote. No one else canvassed me. I thought him a good, charitable man for the borough.

8297. If Denis and the others were going for Mr. O'Beirne, would you go against him?—I thought he was a good man for the poor, and the only man to do good.

8298. And that he would be able to pay for the votes afterwards?—I didn't ask that.

8299. Did you not say you expected money, and would take it?—I would if I got it.

8300. And did you expect it?—I did; but no one offered me money.

8301. Did you ask any person afterwards for money?—I didn't.

8302. Did you ever ask Mr. Laffan for money?—I did; but he said he could do nothing; that he couldn't say anything about it.

8303. How much did you ask him for?—Nothing.

8304. Did you say that others were paying thirty pounds a-piece?—I couldn't say that.

8305. When did you ask Mr. Laffan for it?—I don't know. I suppose three or four months ago. I asked no questions of any man at all.

8306. And now do you swear that you voted independently?—I did; I can say that.

8307. Did you know Mr. Leahy?—I did, sir.

8308. Did you see him at all?—Often, sir, I talked to him.

8309. Did you speak to him about the election?—I did, sir.

8310. Did you see Mr. Patrick Laffan?—I did, sir.

8311. And did you see Patrick Cunningham?—I did, sir.

8312. All before the election?—Yes.

8313. I will engage, Patsy Cunningham did not leave your company without saying something?—He never had any conversation in that form.

8314. What family have you?—Six, sir.

8315. Is your wife living?—No, sir.

8316. What is your eldest girl's name?—Bridget.

8317. How much did she get?—Nothing, sir.

8318. Are you sure of that?—I am, sir.

8319. Did she never give you any money?—Never.

8320. Did she ever tell you she got any money?—She didn't. She couldn't say what she was to get.

8321. Were you buying any goods at Mrs. Dolan's?—No, sir.

8322. You did not owe any money there?—I didn't, sir. I never had any conversation in that way.

8323. Had you any conversation with Mr. Hackett?—Never.

8324. You never heard your daughter Bridget say she got any money?—Never.

8325. Or that she was promised any money by anyone?—Never. Of course I'd know something about it if she had it.

8326. Mr. GRIFFIN.—What did you mean by giving your brother to understand you would expect thirty pounds?—I would expect it if I got it.

8327. What person did you expect it from?—I couldn't say.

8328. When did you tell him that you would expect it?—I couldn't mention the day, but 'tis the way of it is this, I riz myself out of it. Then I would have nothing to say to both sides, because I was in dread of anything that would be going round. I wanted that no one could come nor talk against me if there was any action of this kind going about.

8329. Did you vote in 1865?—I did, sir.

8330. For whom?—For Mr. O Beirne.

8331. What did you get for voting for him?—Thirty pounds, sir.

8332. Did you pass a bill?—I did, sir.

8333. Why did you give up Mr. O'Beirne in 1868 if you got nothing for voting?—I considered this man a very good man for the poor.

8334. A witness said he voted for him because he was charitable and threw money about—is that your reason?—No; but I considered him charitable to the poor.

8335. Did you expect that that charity would extend to the voters after the election?—I did expect that he was a good man.

8336. Did anybody tell you that they would equalize you with the rest?—Not one.

8337. But you expected to get £30?—I left it to himself; I didn't expect anything.

8338. You cannot bring an action against him; but did you expect to get it because he was a liberal man?—I would take it if I got it.

8339. Did you not tell your brother Denis that you expected it?—I might say it to him.

8340. Then did you not expect it if you said it to him?—Well, I dare say I did.

8341. Mr. WATERS, Q.C.—Are you not called "Little Billy?"—Yes, sir.

8342. Do you see that gentleman, Mr. Scully?—I do.

8343. On your oath did you tell Mr. Scully that the Commoners would not vote unless they got £40 each?—No; 'twas myself took it on my own responsibility. I said what he said. 'Tis a fact. He said the truth.

8344. And still you voted independently?—I did.

8345. Mr. Munster wishes to have you asked this question—Did you think that you were liable for the bill you passed in 1865?—I don't say but I did at that day.

8346. Mr. GRIFFIN.—Did you ever expect to be asked to pay that bill?—I couldn't tell that; I couldn't tell what a man may do.

8347. Mr. WATERS.—Who had your bill—was it Mr. White or Mr. Geary, or which of them?—Oh, God knows.

8348. Which of them, sir?—Answer my question?—He's dead, sir.

8349. Mr. Johnson, was it?—Yes, sir.

8350. Was it in his presence you signed the bill?—It was, sir.

Adjourned.

Ninth Day
October 13.

NINTH DAY.

Wednesday, October 13, 1869.

Mr. Waters, Q.C.—The Commissioners have received a telegram from Patrick Cunningham, Limerick, to Thomas Cunningham, his father:—"Please, tell the Commissioners I will be home to-day. Show them this telegram."

Matthew Murrin.

Mathew Murrin recalled; examined by Mr. Waters, Q.C.

8351. Mr. *MacSheehy.*—You are already sworn on this inquiry?—Yes, sir.

8352. Do you consider yourself under the obligation of the same oath which you took before?—I do, sir.

8353. Mr. Waters, Q.C.—Were you in court yesterday during the evidence of two Ryans, when they deposed to having gone down to Cunningham's house?—No, my lord, I was not.

8354. They say they went down to Cunningham's, and got £30 there—and a man named Croagh said the same—from a man who was in a room up stairs in Cunningham's house. Did you see anyone in a room in Cunningham's house?—No, my lord, I did not.

8355. Did you never hear of any man being there? Did you never hear from Patrick Cunningham or anybody else of a man being in Thomas Cunningham's house in that room?—I did not, sir.

8356. You never heard of him?—No, my lord; but I saw a man there. I never heard from Cunningham or any member of his family; but I saw a man there myself, my lord.

8357. Did he wear a shawl around his face any time that you saw him there, do you recollect?—When I saw him he did not, my lord.

8358. Do you know that man now?—I do not, my lord.

8359. Did you ever hear his name?—No, my lord.

8360. Did you ever see him before or since?—I never laid my eyes on him since or before.

8361. Where did you see him?—In the house. I saw him in the parlour of an evening that I got a message from the hotel here below. He was in the parlour with this strange man that I saw there—Pat Cunningham was. Mr. Laffan was wanted at the hotel, and I was told to call for him there. I forget who told me.

8362. You were told to call where?—To Pat Cunningham's.

8363. You went for Pat Laffan?—Yes.

8364. And you saw this strange man there?—Yes, with Mr. Pat Laffan and some other person.

8365. Mr. Griffin.—Was there any other person present?—No, my lord, that I could see, there was not.

8366. Mr. Waters, Q.C.—Did Mr. Patrick Laffan ever tell you the man's name?—No, my lord, he did not.

8367. Describe the man's appearance?—He was a low-sized man, my lord, a very thin man, as thin a man as myself, my lord, but not being so tall. He wore a frieze coat, and, as well as I recollect, a knee breeches—a knee small clothes.

8368. Was he an elderly man?—An elderly man, my lord.

8369. Did you ever see any other man stopping in Cunningham's house not belonging to Cashel?—Never, my lord, unless of a fair night, when going to the fair of Thurles, or that way, lodgers might come, but no man like him, my lord.

8370. Was his hair grey or dark coloured?—Well, my lord, I have no recollection of the colour of his hair, but he was a very thin, worn-out, old man.

8371. We have heard of the man being there for several days, and it seems strange that you, stopping in the house, do not know more about him?—I do not, my lord; for I was never informed anything about him, only I recognised myself that he was doing something there.

8372. Was he engaged in conversation with Mr. Patrick Laffan?—He was, sir, when I called on Mr. Laffan—when I called on Mr. Laffan.

8373. Had he any papers or documents before him?—I couldn't say; for when I came to the parlour door I rapped at the hall of the parlour, and Mr. Laffan came to the door, and, on opening the door, 'tis then I saw this man in from me.

8374. Did Mr. Laffan prevent you from going into the room?—Well, he didn't, sir. He knew I wouldn't go into the room. He made no remark, but said "All right," or something to that effect.

8375. When you told Mr. Laffan he was wanted, did he come away at once, or did he remain with this man?—He remained a few minutes before he came.

8376. Then he went back into the room?—Yes.

8377. Did he shut the door again?—He did.

8378. And remained in the room?—He did, my lord, for a few minutes I think only.

8379. Did you see this man afterwards, on any other occasion, in Cashel?—I did, my lord, the morning after the election I took breakfast with him.

8380. Where?—At Tom Cunningham's, sir.

8381. Do you know if he slept at Cunningham's?—He did sleep at Cunningham's, sir.

8382. Do you know if he slept there more than one night?—Well, at all events, I have no recollection, but he slept one night there, at all events.

8383. Had you any conversation afterwards with Mr. Laffan about that man?—Never, sir. I never spoke to Mr. Laffan at all, because the Laffans didn't recognise me at all during the time.

8384. Mr. Molloy.—Had you any conversation with this man at breakfast, as to what part of the country he was from?—I had not, indeed. I never put a question to him.

8385. Mr. Waters, Q.C.—Did he say he was in Cashel about my business?—No, my lord, but he was shaking like an aspen leaf: you would think he'd fall every moment he'd stand up, he was in such a fright. He appeared in a terrible fright.

8386. Mr. Griffin.—What time was it you saw him in the parlour talking to Mr. Pat. Laffan? Was it in the evening?—It was in the dusk of the evening. I think the lamps were lit at the time, my lord, if I don't mistake; I'm not sure the lamps were lit, but it was twilight.

8387. How do you know that he slept one night in Cunningham's?—Because I saw him in the morning going out into the back yard at Cunningham's, after getting up.

8388. Was that the morning you met him at breakfast?—No, my lord, some morning before that.

8389. Do you remember how long before?—I think it was the morning before the election.

8390. That is the morning before the polling?—Yes, my lord.

8391. You do not know whether he slept there other nights or not?—No, but I saw him one morning before the election coming down stairs.

8392. Early in the morning?—Early in the morning, after getting up.

8393. Was he always dressed the same way?—He was, my lord.

8394. A frieze coat and knee-breeches?—Yes.

8395. Was he the only man not belonging to Cashel that you saw at Cunningham's?—He was the only man, my lord.

8396. Do you think he is the man we are inquiring about?—I have no doubt on my mind he is the very man you are making all the inquiry about.

8397. Had you any conversation with him until that morning at breakfast?—Not a word, my lord; I didn't

ask him any question at all, my lord. I got a message from Cahir, from Colonel Carew, this morning to have me go home. If your lordship will be pleased to allow me to go home, I will return.

8398. Mr. WATERS, Q.C.—If I allow you to go home, will you come when you are written for?—At the very moment, my lord.

8399. At what time do you want to go home?—I'd go home at once, my lord; I will give my address, my lord.

8400. Do you know Captain Dudley Byrne?—I do, my lord; I saw him here during the election—before the election.

8401. Did you see him at Cunningham's house?—I never did, my lord. Mathew Murrin.

8402. Where did you see him?—I saw him at Corcoran's hotel, and about Mr. Munster's; I saw him passing up and down.

8403. You say you never saw him at Cunningham's?—I never did, my lord.

Anne Kennedy, sworn; examined by Mr. WATERS, Q.C. Anne Kennedy.

8404. Anne Kennedy, were you a servant at Mr. Cunningham's house during the last election?—No, sir; I wasn't.

8405. Were you never there?—Yes.

8406. When were you there?—During the election.

8407. That is what I asked you. I asked you were you a servant at Cunningham's house?—Not a servant, sir.

8408. But you were there?—Yes.

8409. What were you doing there?—I was at business there.

8410. Were you helping Mrs. Cunningham?—Helping the girls, sir; and helping about the house.

8411. Do you recollect a man that was stopping in the house then?—I don't recollect e'er a man; but I saw a man once.

8412. Was he an elderly man?—I couldn't tell what sort. He slept there one night.

8413. One night only?—I don't recollect; only to my knowledge.

8414. Try and recollect yourself. Did you never hear who he was?—Never, never.

8415. Did you never hear him called in the house by any name?—Never.

8416. Did you never see Thomas Cunningham speaking to him?—Never.

8417. Did you ever see Mrs. Cunningham talking to him?—Never.

8418. Did you ever see him talking to anyone?—Never.

8419. Did you ever see Patrick Cunningham talking to him?—Never.

8420. Mr. MOLLOY.—Do you know whether he was a dumb man or not?—I couldn't know what sort of a man he was.

8421. Mr. WATERS, Q.C.—We know that the man was there several days, and we know what he was doing there also; so do not think you are concealing anything from us, for we know nearly everything about him during the time he was there. While you were in the house every day were you there every night also?—I was.

8422. Do you mean to say that you never saw this man speaking to anyone?—I never see the man, or minded him.

8423. Did you ever speak to him?—Never.

8424. Did you see him taking his meals in the house?—I gave one man his breakfast in the morning.

8425. Did he not take any other meal in the house but his breakfast?—Oh, he might, unknown to me.

8426. Did you see him taking any other meal in the house?—I never did.

8427. It was you that got his breakfast?—I gave him his breakfast.

8428. Was it you that prepared the room he slept in?—No, never.

8429. Who did?—I couldn't tell.

8430. Who was in the house besides you?—A servant.

8431. What is her name?—Bridget Maher.

8432. Is she there still?—She's not.

8433. Where is she now?—I don't know.

8434. Does she belong to Cashel?—Yes.

8435. Have you seen her since?—Yes.

8436. When did you see her last?—About five or six weeks ago.

8437. Where?—In the street.

8438. Do you know where does she live in Cashel?—She lives at the Rock.

8439. Do you know Mr. Patrick Laffan?—I know the two Laffans, but I couldn't tell which is Pat or Michael.

8440. Do you know the other, not this gentleman here [*i.e.*, Mr. M. J. Laffan]?—Any more than their faces is all I know.

8441. You know who he is?—I know that they are the two Mr. Laffans, but I couldn't tell you which of their names, of all the men in the town.

8442. Do you know this gentleman's brother?—No, sir; I have no acquaintance with his brother no more than to see him often in the street.

8443. Do you know him by sight?—No, except I saw him.

8444. Did you ever see him in Cunningham's house?—Never, to my knowledge.

8445. You never saw him there?—Never.

8446. When were you served this morning with the summons to come here?—About five minutes ago.

8447. Where have you been since?—Coming round the town.

8448. Were you at Mrs. Cunningham's house?—Yes.

8449. I thought so. Whom were you talking with about the summons?—To no one.

8450. Were you talking with Mrs. Cunningham?—No; I never interfere with Mrs. Cunningham.

8451. Were you talking to her about the summons?—No.

8452. Did she come up here with you?—She came along the street with me.

Catherine Cunningham sworn; examined by Mr. WATERS, Q.C. Catherine Cunningham.

8453. You know this man that was stopping at your husband's house?—Is it Mr. Murrin, sir?

8454. No, the other man?—I knew a man to be there for one day and a night, I think, to the best of my knowledge.

8455. How long before the election was he stopping in your husband's house?—Before the election, sir?

8456. Yes?—I think 'tis the time of the election.

8457. I mean before the polling?—I can't recollect, sir.

8458. Well, it was before the polling?—I can't recollect, sir.

8459. Now, Mrs. Cunningham, I want you to tell me was he not stopping there more than a day and a night?—To the best of my knowledge I think he was no more than a day or two. It might be more or less, but as far as I can think.

8460. Mathew Murrin was stopping in your house?—He was.

8461. Murrin tells us he knows he slept there one

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Catherine Cunningham.

night, and he saw him another morning at breakfast; so he must have been more than one night in the house. And we know that he was paying money there. I want you to tell me do you know that man's name?—He is a man, I think, from Thurles.

8462. What is his name?—I can't recollect his name, sir.

8463. Is it M'Carthy?—No, sir.

8464. Is it O'Donnell?—No, sir.

8465. Would you recollect his name if you heard it?—I think I would, sir.

8466. Is it Gleeson?—No, sir, 'tis not.

8467. You spoke to him in the house, I suppose?—I did, sir.

8468. What did you call him, try and think?—I think I would soon think of his name. Give me a little time; I might think of his name.

8469. I will, Mrs. Cunningham. Take your time?—I think he was a man of the name of Darmody, as well as I can think, as well as I can recollect.

8470. You saw him often, I suppose, speaking to Pat Cunningham?—I didn't mind that, sir. There was so much in and out, sir, I couldn't recollect.

8471. Did you see Mr. Patrick Laffan there with him?—I don't think I did, sir; but he used come to the door sometimes when he would want him. He might, but I don't recollect it.

8472. Do you know was his name Michael—did you hear him called Michael?—I don't know his Christian name, sir, indeed.

8473. Had he the use of a front room there, Mrs. Cunningham?—I know he sat in a front room, sir. I think he sat in a front room. One day, part of the day or so, I think I saw him there.

8474. Do you recollect if that was on the Monday before the election. The election was on Friday?—I can't recollect, sir. Oh! I might go wrong, I think it was another man now that was there that I didn't know his name at all.

8475. Was there more than one man there?—There was one man that was there; but I don't know whether this man had anything to do about the election, or not.

8476. There was a man there that had something to do about the election. I believe you are inclined to tell me the truth. I do not want to press you too hard or make your position more painful than it is, but you will tell me as well as you recollect who that man was?—I don't know the man, sir; nor I don't know what his name is.

8477. Do you say that Darmody is not the man?—No; I don't think he is, sir.

8478. But there was a man named Darmody in your house?—There was.

8479. Was he there about the election time?—About the election time, or I think a day before or after it I saw him.

8480. Do you know who brought the other man that you spoke of there?—I don't, sir.

8481. Did you ever hear who carried him there?—I think it was Mr. Leahy.

8482. Mr. Leahy?—Yes, sir.

8483. Sent this other man?—Yes, sir.

8484. It was Mr. Leahy sent Darmody?—Yes, sir, Darmody, I think, not the other man.

8485. Do you recollect was it Darmody had the use of the front room, or the other man that you spoke of?—Well, I don't think it was, sir.

8486. You do not think what?—I saw Darmody, I think, in the room.

8487. Would you describe what sort of a man Darmody was? How was he dressed?—I think it was a suit of frieze he wore, sir.

8488. Did he wear knee breeches?—I think he did, sir.

8489. Would you describe the other man to me, if you please?—I think he was a thin, spare man, sir.

8490. How did he dress? Did he dress in frieze, or how?—I couldn't tell, sir.

8491. Did you hear that girl, Anne Kennedy, examined? She said she gave breakfast to a man there. Did you see Darmody at breakfast there?—Darmody ate his breakfast there, and his dinner, I think.

8492. Did he more than once?—I can't recollect, sir.

8493. Mr. GRIFFIN.—Did the other man breakfast there?—I can't recollect that, sir.

8494. Mr. WATERS, Q.C.—Had either of these men a sore face, or anything the matter with his face?—I didn't notice, sir.

8495. You did not observe it?—No, sir.

8496. Mr. GRIFFIN.—You did not hear the other man called anything?—No, sir.

Michael Beary.

Michael Beary recalled and resworn; examined by Mr. WATERS, Q.C.

8497. Mr. Beary, you know who Darmody was?—I saw him here. That's all. I know that I saw him here sometime in the month of November.

8498. Mr. MOLLOY.—What is his Christian name?—John. As far as I recollect his name is John Darmody.

8499. Mr. WATERS, Q.C.—Do you know if he is the man we are looking for?—I don't know any more.

8500. What made you give such a jump when Mrs. Cunningham mentioned Darmody's name?—When they spoke of Gleeson. Some man made mention of Tom Gleeson here yesterday; and I knowing Gleeson, that I never saw him here during the election; I saw Darmody, and that's what made me.

8501. Who mentioned Gleeson's name in connexion with Cunningham's house?—Croagh said some half notes.

8502. Did you ever hear what a "cock-and-bull story" is?—I did.

8503. Well, I think you have told me one now?—No.

8504. What has Gleeson's name being mentioned yesterday, to do with your jumping when Darmody's name was mentioned now?—I didn't, sir.

8505. You did. Tell me what you know about Darmody?—I saw him here, which as far as I recollect to see him here with Mr. Leahy, talking to Mr. Leahy on the street, and no more.

8506. And you knew he was stopping in Cunningham's house?—No, on my oath. I never knew him to be stopping one night in Cashel, but to see him here in the street.

8507. Where does he live?—He lives near Thurles; I can't know.

8508. Did you ever see his house?—I never was at his place, but knowing he being from the neighbourhood of Thurles.

8509. And you saw him with Mr. Leahy?—I did, in the street, I think; as far as I can recollect, in the street or some place talking to Mr. Leahy. I knew him twenty years ago. This twenty years Darmody—I recollect him to be doing some business here about following a horse of Mr. Leech, of Cabra, called Sunset.

8510. What has Gleeson's name to do with Darmody?—I don't think it had. Mr. Croagh mentioned it. That made me move, or whatever move came; that Croagh must be mistaken, only Gleeson wearing knee breeches, and knowing that Gleeson and Darmody wore nearly similar clothes to that, and seeing Darmody here before the election.

8511. Is that the reason you thought of Gleeson?—'Tis.

8512. Because Darmody's name was mentioned?—Yes, your worship. Any way that I know about Darmody, I didn't know any more than you, that were at home in your own residence.

8513. Perhaps you are of opinion it was Darmody paid these half notes and not Gleeson?—No.

8514. Do you know anything about the half notes

Michael Beary.

and Gleeson?—No; I don't know anything about money affairs, good, bad, or indifferent, nor interfere with them.

8515. I wish I could get out from you why you think of Gleeson when Darmody is mentioned? They are not like one another in name: Gleeson is a big man; but when I recollected that Mr. Leahy and Darmody at the time were seen talking early before the election a long time.

8516. Mr. MOLLOY.—Where does Gleeson live?—The Gleesons lived in Glenbane. The same family had no more rubbing to any of the elections no more than the man in America.

8517. Mr. WATERS, Q.C.—Take care of your own character, and it might give you enough to do. Never mind anybody else. Did you see anything the matter with Darmody's face?—No, whilst I know him.

Captain *Dudley Byrne* was called, but did not appear.

John Uniacke sworn; examined by Mr. WATERS, Q.C.

John Uniacke

8518. Did you serve a summons on Mr. Byrne yesterday?—I did, sir.

8519. How did you serve it on him? Was it personally?—Yes, it was. I met him about five hundred yards from his own residence. His son was present—I think his son at least.

Captain *Dudley Byrne* was again called, but did not appear; Mr. *Thomas E. Close* was called, but did not appear.

Mortimer Shea recalled; examined by Mr. WATERS, Q.C.

Mortimer Shea.

8520. Did you see Mr. Close's son?—No, your worship. His mother, Mrs. Close, told me he is at a school in Dundalk.

The Reverend *John Ryan*, P.P. of New Inn, sworn; examined by Mr. WATERS, Q.C.

The Rev. John Ryan.

8521. *Witness.*—I am summoned, my Lords Commissioners, to make such statements in connexion with the borough of Cashel as I am acquainted with. I believe the best thing I could do would be to state my connexion with it, what I know about it, and then to answer such questions as you choose to put to me.

8522. Very well?—I am acquainted, gentlemen, and connected with the borough of Cashel for the last thirty-six years. I became a curate under Doctor Slattery in the parish of Knockavilla, Donaskeigh. It adjoins Cashel. The then parish priest of Cashel was a most intimate friend of mine, as well as neighbour, and I generally spent one day or part of a day or two, sometimes twice every week, part of two days every week, dining and chatting in the evening, learning all the news that was occurring from time to time. From the year '40, however, to the present time, I was connected with it in this way intimately; that I was curate here for fourteen years, and afterwards was appointed to the parish of New Inn, which is only a very short distance from the city, and many of my own parishioners are the parents, or the uncles, or fathers-in-law, related in the first degree, to several voters in Cashel; some in the city of Cashel, some on the Commons. Together with that I had a very intimate connexion and acquaintance and friendship with the people of the town; and as a proof of that when I was leaving this they were so kind as to offer me a public dinner which I declined, and then they sent me a very large present in red gold—sovereigns—over one hundred pounds. I state this simply to show my connexion with the people of the town.

8523. Well, then, come to the voting?—For the first period I knew it, it was the pocket-borough of the Pennefather family. The Pennefathers always sold the liberty, or the right of sitting in Parliament to represent Cashel, for a sum of generally £4,000.

8524. Mr. Ryan.—I do not want to stop you from saying anything, but come to some recent time that will bear more on our inquiry, and that will come within your own knowledge?—Incidentally allow me to mention that the first seat the late Sir Robert Peel occupied was for Cashel.

8525. So we have heard?—As to my own knowledge, when I came here first, Dr. Stock was the representative, and I remember his seat did not cost him six pence but the regular expenses. I should mention that after the Reform Bill passed, the first person that came here to seek for the votes of the people was the late Judge Perrin, and that Dean M'Donnell reported to him that the Commons' tenants were in arrears, and that it was more than probable the screw would be put on them to force them to vote for the unpopular candidate, if there was not some protection found suitable for them; and Mr. Perrin handed on that day a large donation, amounting to £400, not to bribe, but if they were urged beyond their means, to pay their rent. The gentleman that succeeded him was the late Mr. Roe, of Roesboro'. I believe he was elected twice, and I am quite sure he did not pay one penny in the shape of bribery, for he hadn't it.

8526. It has been stated here already by a gentleman who, I believe, knows the Borough of Cashel very well, that "there was not a single sixpence spent in corruption by the late Judge Perrin in this town"?—Not a penny.

8527. You say the same?—Yes.

8528. I believe that sum was not used for that purpose, was it?—I think there was some of it. I think there were some of them very sorely pressed at the time, and that some portion of it had to be expended in that way. In the year '52, the first time that money was talked of, was by a gentleman who was then in connexion with the college of Thurles.

8529. Who were the candidates in '52?—In '52? Sir Timothy O'Brien.

8530. Who else?—Mr. Doheny was talked of, but there was no contest.

8531. How long had Sir Timothy O'Brien been representing this place up to '52?—I think since the year '49; I don't recollect the date of the previous election; but I think it was three years before, and when he was returned, he was returned without one penny expense—without one penny being spent in bribery.

8532. Sir Timothy O'Brien?—Yes; I recollect he told me that he paid a large fee to Counsellor Doheny, a fee, I think, of £200—a farthing was not given to anybody else, and it could not be without my knowing it, I think.

8533. Are you sure there was not a contest in '52? Was it not then M'Garrell was here?—It was a sham contest. It was a contest got up by professional men.

8534. But there was polling?—There was.

8535. Was the election of '52 a pure election as far as you know?—Yes, as far as I know, and as far

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The Rev. John Ryan.

as the successful candidate was concerned; he did not expend one penny.

8536. You were then a curate in Cashel?—I was.

8537. Sir Timothy O'Brien was a candidate in 52?—In '52. Previous to that there was a letter sent to me by this clergyman that I am after speaking about.

8538. Unless it touches the affairs that we want to inquire into, I think you had better avoid it. Does it concern the election of 1852?—It was presenting to the people of Cashel through me, a candidate who was satisfied to pay £400 to the public charities. I wrote back to say it was very unsafe, and improper, to be talking of money in that way.

8539. You mean talking of giving money to the charities of the town he sought to represent?—Yes. I stated if he was successful in being returned, then it was time enough to be talking of charity. I looked upon it as a sort of indirect bribe; and it is so, in my estimation.

8540. At any rate the contest lay, as we have heard, in '52 between Sir Timothy O'Brien, Mr. M'Garrell, and Mr. Hughen?—Yes.

8541. That contest, as you tell us, so far as you know on the part of Sir Timothy O'Brien, was a pure election?—Yes.

8542. Proceed. The next was '59?—Shortly after that Sir Timothy O'Brien said to me, he was desirous to pay the people of Cashel some compliment. I said we were then making up money to pay for an organ purchased some time before, the first subscription to which was sent in from Sidney; and I believed the people would be very much obliged if he gave some assistance towards paying for this organ; and he gave £300.

8543. You say that that was after the election?—After the election.

8544. Was there any talk of it before the election?—Not a word of any sort.

8545. Go on, sir?—The reason why, I believe, the reason why he gave this large sum of £300 it appeared to me was, because this gentleman, in his letter, written to me from Thurles said, that this candidate he was putting before us, would be disposed to pay £400 towards the public charities—we had nothing of that here at the time. I suppose Sir Timothy O'Brien considered when this £400 was talked of, that he would be obliged in honour, and to sustain the character of a Liberal man, to come near that figure at any rate.

8546. Were you in Cashel during the election of 1859?—I was mixed up with it.

8547. Was there an election in 1859?— I left this in '55. There was an election in '59; and at that time the present president of Maynooth College wrote to me putting forward our most respected Lord Chancellor; and when his name was mentioned, the people of the city of Cashel said at once they would return him, and were proud, and would feel honoured to have him their representative. If you choose I will read the letter.

8548. It does not touch the inquiry; it would be entirely too collateral?—At that time one of our respected citizens was deputed to wait on the present Lord Chancellor, and to say he would be returned free of all expense save the legal expenses. In '57 ——

8549. Who was elected in 1857?—Sir Timothy O'Brien again.

8550. Was there a contest in 1857?—There was, sir.

8551. Who contested?—To the best of my knowledge, Mr. Hemphill, Mr. John Lanigan, and Sir Timothy O'Brien, who was the successful candidate.

8552. Mr. GRIFFIN.—Was not Mr. O'Beirne a candidate in 1857?—Yes, he canvassed some few.

8553. Did he go to the poll?—No, he did not make much way, and I think the persons that were pledged to vote for O'Beirne, were, as they say, "handed over to John Lanigan," on condition that Lanigan would pay O'Beirne's expenses.

8554. Then Mr. O'Beirne did not go to the poll at all?—No, as well as I recollect.

8555. Mr. WATERS, Q.C.—Do you know was there money spent in bribery in 1857?—Well, I do not think there was, as well as I recollect.

8556. You were not then in the town?—I was then parish priest of New Inn.

8557. Are you not able to say anything of your own knowledge of 1857?—No, nothing that I could state as a fact.

8558. Mr. GRIFFIN.—Did you hear that there was a petition presented in 1857 against Sir Timothy O'Brien?—Yes.

8559. Did you hear that it was compromised on payment of a thousand pounds?—I did. The gentleman that presented the petition seemed to have fixed on Cashel as a place he intended to fleece.

8560. Sir Timothy O'Brien paid that thousand pounds?—So he told me.

8561. There was no intimidation at the election?—No.

8562. Then was it not bribery that was imputed?—Treating and bribery, as I recollect.

8563. Was there much treating?—Not more than usual, I think.

8564. Mr. WATERS, Q.C.—Sir Timothy O'Brien told you he paid the thousand pounds?—Yes.

8565. Did he say anything as to his expenditure in Cashel on the election?—No; he told me in some previous conversation that he gave a hundred pounds to the parish priest at Christmas to be distributed amongst the poor, and I know that it was by the late Dean Macdonnell.

8566. Are you able to give us any further information with respect to the election of 1857?—No, nothing more.

8567. In 1859 Lanigan was returned?—Yes, successfully.

8568. And the opposing candidates on that occasion were Carden and Hemphill?—Yes.

8569. Was Mr. O'Beirne a candidate then?—In '59—I do not recollect that he was.

8570. Do you know anything in regard to the election of '59?—Nothing in the shape of bribery. I know that frequently after, during Lanigan's stay in Cashel, he was very kind and generous, and a good-hearted poor fellow. May God have mercy on him; he was my near relative and my dearest friend. He gave assistance frequently to the poor people of the Commons: some of it passed through my hands.

8571. Was that near the election, or shortly after his return?—A long time after his return—to persons that wanted charity.

8572 Were they periodic distributions after the election?—No.

8573. Mr. GRIFFIN.—Did you hear anything about a sum of £15 being promised to voters on the Commons after the election?—No, I did not.

8574. Mr. WATERS, Q.C.—Do you know anything of the election of '65?—Yes, that was the first time that I heard money talked of as a fixed thing, and there was a figure put before me as a sort of tariff.

8575. By whom was it put before you?—I do not immediately recollect. I think it was by James Cahill: there was one person here in town that drove out to my house two different evenings to tell me that his daughters—I do not know which of them—were strongly pressed by some persons canvassing in the interest of Mr. O'Beirne to take money for the house. I think he mentioned some £70 or £75. He came to me as a friend of Lanigan's.

8576. Mr. GRIFFIN—What is that gentleman's name?—Mr. Quirke.

8577. Is he alive still?—He is.

8578. Where does he live?—In the Main street.

8579. Is he a printer and stationer?—Yes.

8580. Mr. WATERS, Q.C.—That was for Mr. O'Beirne?—For Mr. O'Beirne. £70 or £75.

8581. You said something about his house?—Yes; that was what he gave me to understand. He asked me did I think it would be right for him—in fact, he made use of the word "rob"—to rob his children.

8582. That is by refusing to take the £70?—Yes, exactly, I said it was a question of morality he was very well able to decide for himself; but if he expected that I, as a friend and relative of Mr. Lanigan's, should hold himself responsible for the loss he should thus incur, he was mistaken, and I would do no such thing.

8583. Mr. GRIFFIN.—Then you think his object in coming to you was to get some promise from Mr. Lanigan's side?—Yes, I suspected so. If you wish I will give my reason for suspecting. The second evening that he drove to my place, this Mr. Cahill that I spoke of, again came out to me to tell me that he was sure that bribery would be used at Mr. O'Beirne's side.

8584. What Mr. Cahill is this?—Mr. James Cahill of Lady's Well; he is dead since; and Mr. Johnson or Mr. O'Beirne—either of them—stated to Mr. Lanigan in London that they would beat John Lanigan the next time; that he beat them before, but that if they could get any footing in the town they would try and buy off the supporters he had on the Commons.

8585. Mr. WATERS, Q.C.—You were told that?—This was reported to me, as a threat Mr. O'Beirne or Mr. Johnson made, or that it was made on his behalf to Mr. Lanigan. They asked me to state this to Mr. Lanigan.

8586. Were they supporters of Mr. Lanigan?—Oh, very sincere supporters; and to tell him so—that it would be necessary for him to meet them with their own arms. I made it known to Mr. Lanigan, not that I doubted for a moment the reply that I would get; but still from the way they spoke to me, I thought as a friend—I thought it right, to make him aware of what was going on. He told me if sixpence bought the city of Cashel, he would not expend it in bribery.

8587. I suppose you do not know as a fact how Mr. Quirke voted at that election?—For Mr. O'Beirne. He was up on the trial then in the Common Pleas.

8588. That is the occasion we have heard Mr. Coman speak of?—Yes; it ended in a non-suit; they could not get any evidence. So far for the election of '65.

8589. Do you know that money was expended in 1865?—Of my own knowledge?

8590. Yes?—I do not, sir.

8591. Did you hear from any one that they had refused bribes?—From themselves?

8592. Yes?—No, but I heard it generally rumoured amongst my parishioners that they were bribed.

8593. Is that then all you can tell us with regard to the election of 1865?—As well as I can recollect now. With regard to the election of '68, I was coming to town on my own private business, and there was a meeting of Mr. O'Beirne's supporters and others at the cross of the Race Course that I had to pass coming from New Inn to Cashel.

8594. That is on the place called the Commons?—Yes, it is just adjoining the Commons; the Race Course in point of fact, belongs to the Commons. At that meeting Mr. O'Beirne was addressing the people, and when I came up I was asked to support him, and I said I would as earnestly as I could; that on personal grounds I had great reason to be displeased with him; that he came here to Cashel to put out my own relative for whom I had great respect and affection; that he put him out by unfair means; but on principle, seeing how he conducted himself in the House of Commons, always voting at the popular side, and what is better still always present and voting on every important question—that on principle I would support him and give him all the assistance I could and canvass in his favour. At a public dinner given to Mr. Bagwell, in Clonmel, where there were fourteen or fifteen of our popular representatives, I heard them all speak so favourably of Mr. O'Beirne, that I was still more desirous to stand up for him, if I could, legitimately. I had a conversation that evening with Captain Graham, who has a large property in my parish, in which there were twenty or twenty-two, or thirty voters.

8595. Voters of Cashel?—No, but of the county. I want to state what occurred between us. At the late election he made those voters go for Mr. Waldron, and against me—against the popular side.

8596. Is that the Captain Graham whose name we have heard mentioned?—Yes. He asked me would I support Mr. O'Beirne and I told him I would, and then he stated to me that if I did so he would be most happy if there was a contest for the county to have those voters go for whatever person I would sustain. That is the only conversation public or private, save and except talking on canvassing that I had about the election; until it being publicly represented to me by my own people, that I could not with any sort of good grace ever again canvass, while bribery and promises of money were being so largely published and boasted of as a ground of preference for a Parliamentary candidate, by not only lay people but clergymen—some few—one or two bishops——

8597. What conversation is this you are now speaking of?—A conversation several of my own parishioners had with me.

8598. Those were not electors of Cashel?—Not electors of Cashel.

8599. If they are electors of Cashel I should be glad to hear you?—Some of them were, sir.

8600. Tell me the name of any elector of the borough of Cashel that had such a conversation with you, because it may be quite to the purpose of our inquiry?—If you allow me to ask permission of one elector I will mention his name.

8601. You must mention his name?—Must!

8602. Must, sir. Mr. Westropp, who was a candidate for one of the boroughs in England, where they had an inquiry of this kind, got a few hours to consider whether he would go to prison or mention names he wished to conceal. I do not say that, except to mention it to you as a precedent that no person can exercise any privilege before us?—I do not want to incur any peril at all; I simply wish to state the truth, but I do not understand how it is that I am not at liberty not to mention a name.

8603. You must, if he is an elector of Cashel that had conversation with you with reference to corruption, give his name?—To the best of my recollection Mr. John Ryan, of John-street.

8604. State what passed?—That it was very unbecoming to have promises of money for churches, and schools and things of that kind, put forward as a ground of preference; that, in fact, it was a bribe under a disguise.

8605. He was a supporter, I presume, and intended to vote for Mr. O'Beirne?—I do not think he did. I think he did not vote at all.

8606. Mr. GRIFFIN.—You are not a voter yourself?—In the borough?

8607. Yes?—No, I am not. This was simply the conversation we had; that was the substance of it. Hundreds of persons mentioned it to me outside the borough—my own parishioners——

8608. Mr. WATERS, Q.C.—Did Mr. Ryan enter into any details of bribery?—No, but simply of large sums being expended, in bringing in the Christian Brothers and other such things.

8609. And you say he expressed an opinion that ——?—That it was very unbecoming, and was, in fact, a bribe in disguise.

8610. Did he express that as his own opinion?—As his own opinion.

8611. Well, sir, what further?—To, as far as I could, remove the impression from the minds of the people, I published a letter in the *Freeman* of the 29th October.

8612. I do not think it is necessary for you to go into that, Mr. Ryan?—Very well, sir.

8613. Did Mr. Ryan mention in that conversation any other specific things about the election?—Nothing further than that.

8614. Besides the sum you have named for the Christian Brothers, did he mention any other sum?—Not any particular sum, but as well as I recollect he

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spoke of the unbecoming scattering of money among the poor people of the town. I recollect another person who spoke to me, Mr. Daniel Kyte. He said he did not think he would live to see Cashel so fearfully disgraced. He said that to me outside in the yard of this court.

8615. What was the date?—The date of this conversation?

8616. If you please?—It was some day during the trial of the election petition.

8617. What was the date of your letter that you spoke of?—The 29th, I believe, of October, in which I said——

8618. I do not think we need go into the letter?—Very well.

8619. Anything further?—No, I do not recollect anything else except a correspondence that took place afterwards between me and my ecclesiastical superior with reference to that letter.

8620. Had it anything to say to any corrupt practices in the borough of Cashel?—Perhaps it had.

8621. We are to inquire into the supposed existence of corrupt practices here, and if it has anything to say to that it will be our duty to hear it. If it has not anything to say to it, we have nothing to do with it?—The best thing for me to do then in that case would be, to place these papers in the hands of the Commissioners and they can peruse them, and if they contain anything that it would be necessary for me to appear about in open court, I shall be happy to do so; and if not, of course, I need not.

8622. Did those communications between you and your ecclesiastical superior on the subject take place by writing or were they verbal?—Verbal and in writing.

8623. Are the written ones to the same effect and purport as the verbal ones, and can we judge from the written ones?—I think so.

8624. Then I think that is the best course you can pursue. Of course we are not to enter into any other field of inquiry. God knows the one we have is wide enough, and we do not want to extend it. Will you have the goodness to select the papers?—I will select them and give them to Mr. MacSheehy.

8625. You will attend then, I suppose, if we require you to attend again?—I will be very happy to do it.

8626. You spoke of a gentleman, sir, with reference to the election of 1857, who, I think, canvassed at the election that time, of whom you made use of the expression that he came "to fleece Cashel"?—Yes.

8627. Was the gentleman whom you meant at that time proposed as a candidate?—No, sir; he was a solicitor.

8628. Was he ever a candidate?—Never.

8629. Then anything that occurred never eventuated in his coming into connexion with the electors of Cashel as a candidate?—He was not a candidate ever.

8630. Mr. GRIFFIN.—Did he put forward a candidate?—He was the law agent of Mr. MacGarrell. As well as I recollect he was the law agent of Mr. MacGarrell.

[Mr. *Munster* handed in a piece of paper which he said contained a question he wished to have put.]

Mr. WATERS, Q.C.—We will consider that question with the correspondence.

Mr. *Munster*.—That seems to be a very one-sided way of considering it.

Mr. WATERS, Q.C.—I do not understand the use of the word "one-sided." There are no sides here for us. We know of no sides. We are sent here to inquire into the existence of corruption here, and we know of no sides.

Mr. *Munster*.—As far as that transaction occurs, if this reverend gentleman says it was a bribe—a corrupt one—I say it was no such thing; and if he is at liberty to put in documents to show it was, I submit I ought to be at liberty to cross-examine him as to what he said or did on the subject, and also to put in documents on my side.

Mr. WATERS, Q.C.—We have already said that we shall afford you every facility for putting questions which we think relevant to the inquiry, through the court. I have not refused to put any question you have given in since the inquiry commenced, and we will not refuse to put any question we think a proper one. You now ask us to put a question relative to correspondence which we have prevented the Rev. Mr. Ryan from opening; and I certainly will not put questions touching that correspondence which we are going to read. I will not put a question, as we have prevented the Rev. Mr. Ryan from entering into it, until we read the correspondence, and see if it is within the subject-matter of our inquiry.

Mr. *Munster*.—I am not speaking of that correspondence; I am speaking of the correspondence published in the newspaper at that time.

Mr. WATERS, Q.C.—I have also stopped that. I would not let Mr. Ryan read what he put in the newspaper, and therefore I will not put any question with reference to it, because I do not believe it touches our inquiry. If you send in any witness you wish to have examined, we shall be most happy to have him examined. If you suggest the gentleman, whose name you have put on that paper, as a gentleman you wish to have examined, we shall examine him if he can give evidence touching the inquiry.

8631. *Witness*.—Unless the strict letter of the law, and obedience to the law of the realm, forces me to answer any questions coming from this person here, I will not hold any communication with him beyond this one sentence.

8632. Mr. WATERS, Q.C.—Mr. Ryan, I really have nothing to say to this. It would be quite as becoming if you addressed Mr. Munster, in other words, than as "this person." We must have everything conducted here in the very properest manner?—I am desirous of doing so.

8633. Mr. Munster wishes to ask you, did you ever give the advice—I presume Mr. Munster means to the electors of Cashel—at the late election, to take the money of the Saxon and to vote against him?—No, Never.

8634. You never did?—Never.

8635. To any person in Cashel, or connected with Cashel?—Never. [Mr. *Munster*.—I am very glad to hear that, sir.]—I told them to take all the money he would give them, but I did not tell them to vote against him.

8636. You told them to take all the money he would give them?—Certainly.

8637. For their votes?—No. They would be very great fools if they refused it.

8638. Did that imply or include money to be given for their votes?—Oh, no.

8639. Mr. GRIFFIN.—Did you not say you thought it very unbecoming to have this money lavished about the streets?—In the way it was lavished.

8640. What was your objection to that lavishing; did you think it corruption?—The class of people that were getting it, and the way in which it was given for charity.

8641. Corrupting them?—Corrupting their morals—not corrupting their votes.

8642. Whether it was corrupting their morals or their votes, did you, being of that opinion, advise them to take all the money he would give?—I told them to take what they got and spend it properly.

8643. Mr. WATERS, Q.C.—Is it not your conviction that the voters on the Commons are the most corrupt portion of the constituency?—They are not. I think not. I believe the poor men that are sorely tried in bad times, and that take a sum of money—that they are not near so corrupt, or their conduct so censurable, as those that are in the upper classes of society, and get, through the labour of parliamentary elections and the grossest jobbing, situations for their——

8644. We need not go into that?—I am explaining my reasons.

8645. Mr. GRIFFIN.—Do you believe the voters on the Commons to be corrupt?—I do not think the

voters on the Commons, or in the town, are corrupt. I think the people that come here with money are the corrupt parties.

8646. Mr. WATERS, Q.C.—Do you believe they would take money for their votes?—It was sworn here, in my presence, that they did. Where the corruption exists is on the part of the corruptor.

8647. Did you ever hear that Mr. Munster ever gave money to people who really wanted help?—Yes. I heard a person swear here, the other day, that he gave a sovereign to a poor woman whose child was sick, I think.

8648. Have you not heard of other instances of Mr. Munster's giving assistance to persons who were in want of it?—Yes. I heard of some poor woman whose child died at the Rock, and he either went to the wake himself, or paid some persons for going to the wake; about a guinea, I believe.

8649. And I presume many other instances?—I could not say. I do not know much of the gentleman's charitable disposition. I heard of moneys given to a bazaar, but whether they were for charities or political purposes, I have my own opinions.

Mr. GRIFFIN.—With reference to this correspondence I wish to say for myself, and I am only repeating what the Chief Commissioner has already said, the reason I thought this correspondence should be handed in was, that the reverend gentleman appeared to be going into a very wide and irrelevant discussion. We therefore allowed this correspondence to be put in, to see whether it was pertinent to our inquiry or not. If we think it is pertinent any inquiry respecting it shall be conducted in open court by the examination of witnesses.

John Flavan sworn; examined by Mr. WATERS, Q.C. John Flavan.

8650. You are not a voter I believe?—No, sir.

8651. Did you get money from anyone to give to a voter?—I got £30, sir.

8652. From whom did you get the £30?—Danny Ferris, sir.

8653. Is that Mr. Daniel Ferris, junior?—Yes, sir.

8654. When did you get it?—One or two nights, sir, after the election.

8655. After the election?—After the election. I am not sure which.

8656. Where did he give it to you?—He gave it to me in a small room inside his own shop.

8657. Did he tell you from whom he got it?—Well, he said something about Mr. Patrick Laffan, and then, I am not sure, I didn't ask him.

8658. You say he said something about Mr. Patrick Laffan?—He did, sir.

8659. Try and recollect what he did say?—He mentioned Mr. Patrick Laffan, sir, but I couldn't say any more about it.

8660. Did he mention Mr. Patrick Laffan's name to you at the time he was giving you the money?—I think he did, sir.

8661. To whom did he tell you to give the £30?—He told me it was for John Farrell, sir.

8662. Is John Farrell anything to you?—He is, sir.

8663. What is he to you?—A brother-in-law, sir.

8664. Did you go to John Farrell?—I gave it to him.

8665. When did you give it to him?—A few days after the election; I couldn't really think how many days.

8666. Now at the time he gave you this money to give to John Farrell, did he tell you what it was for?—He did not, sir.

8667. You suspected I suppose?—I suspect, sir! I couldn't say.

8668. But he did not tell you?—He did not, sir.

8669. Do you know yourself of any transaction between Farrell and him?—That is all I know about it in the wide world, sir.

8670. Do you know anything else about the election?—I don't know a single ha'p'orth else in the wide world about the election. I never interfered, sir.

Mr. *Munster*.—Might I also ask to have that letter [hands it in] considered in connexion with the others? It is the letter I wrote to the Archbishop. There is one thing I should wish to say about it.

Mr. WATERS, Q.C.—Not at present. When we have read the correspondence we can hear it.

Mr. *Munster*.—I wish to say I have not read it since I wrote it. There are two witnesses I should earnestly wish to have sent for—Mr. H. F. Cogan, M.P., and Mr. Lane Joynt.

Mr. WATERS, Q.C.—If we consider their evidence capable of giving any light on the matter in the least degree, we certainly shall summon them.

Mr. *Munster*.—With regard to that I have only to say Mr. Cogan's name appeared in the bank account as having furnished £400 to Mr. O'Beirne, and incessant attacks have been made on me.

Mr. WATERS, Q.C.—That will do now.

John Farrell of Main-street, sworn; examined by Mr. WATERS, Q.C. John Farrell.

8671. You got £30 from your brother-in-law John Flavan?—Yes, sir.

8672. Was it for your vote?—I suppose it was, sir.

8673. Could it be for anything else?—By gor, I couldn't know could it be for anything else.

8674. For whom did you vote at the last election?—For Mr. Munster, sir.

8675. Had you any conversation with anyone before the election with reference to your vote?—No, I hadn't, but Mr. Patrick Laffan called to the house to have me go down to the hotel.

8676. When was this, now?—I think this was a day or two days before the voting came on.

8677. To Corcoran's hotel, I suppose?—Yes, my lord.

8678. Did he tell you what you were wanted there for?—Well, no; he said I was wanted down, and that I was to go to the Commons to do business. The same day I went down.

8679. Did you go down to the hotel?—Yes.

8680. What took place when you went to the hotel?—I went in, and there was some man talking to him on the stairs. I don't know who the man was, but Mr. Pat Laffan told me to come up, that he wanted me. Then he asked me what I was going to do. I said I hadn't my mind made up. Then he said if he had a message he would leave it with Ferris, and I said whatever message he had to leave it with Dan Ferris. He asked me if he had a message could he leave it with Dan Ferris; and I told him to do that.

8681. Was this conversation in a room in the hotel?—Yes.

8682. Could you tell me what room it was?—Well I could not, sir.

8683. You know what is called the first floor; it is not the ground-floor, but up stairs?—It is not the ground-floor, but up stairs.

8684. Was it on the second floor?—The best of my knowledge, as far as I could say, the first floor. I didn't much delay.

8685. Was it a bedroom?—No, there was no bed in it. I see no bed. I didn't stay hardly four minutes.

8686. When you go into the house what do you call the rooms down stairs? Do you call that the first floor?—Yes.

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John Farrell.

8687. And the floor over that the second floor?—Yes, the second.

8688. And was it there the conversation was?—I couldn't exactly say.

8689. But at any rate it was not a bed-room?—No, there was no bed in it.

8690. You say you did not know the man that was with Mr. Laffan?—I didn't.

8691. Did you ever see him before?—I don't think I did.

8692. Then he was not belonging to Cashel?—I don't think he was, but I didn't much mind.

8693. Do you know Mr. Leahy?—I do.

8694. It was not Mr. Leahy?—No.

8695. Or Pat Cunningham?—I couldn't say who he was.

8696. Was he dressed as a gentleman, or how?—Like a very plain man, some way that way; I couldn't say who he was.

8697. Did Mr. Laffan tell you how much the message would be?—No.

8698. Did he write what it would be?—No, sir, no figure.

8699. The thirty pounds was the message?—Yes.

8700. And you got it all safe?—All safe.

8701. Mr. MOLLOY.—Did you vote in 1865?—No.

8702. You had no vote?—No vote.

8703. Were you living in 1865 at the place which you hold?—I was living in that place, but I had no vote in 1865.

8704. Had you a vote in 1865?—No, sir; I had not.

8705. Mr. GRIFFIN.—Was your father alive?—No, he was dead before that.

8706. It was there you were living?—It was not at that time my father died, sir.

8707. Mr. WATERS, Q.C.—Do you know of any other man having got money at the election of 1868?—I never meddled with them at all, sir, I am always about my business; nor I didn't lose twenty minutes by the last election—twenty minutes.

8708. Mr. MOLLOY.—Have you a family?—Yes.

8709. Have you sons?—I have.

8710. What are their names?—One is Patrick, another Martin, and John.

8711. What else?—And a little girl about three years of age.

8712. Were any of your sons engaged in the election?—Oh, not at all; they know nothing about any election.

[Mr. *Munster* handed in a document which he said had reference to the Christian Brothers' school, and which he wished to be considered with the correspondence already received.]

John Flavan.

John Flavan re-called by Mr. WATERS, Q.C.

8713. I forgot to ask you if you got any money yourself?—No, sir; I never got a penny.

8714. Did you ever put in a claim for any money?—I did, sir.

8715. For how much?—£15.

8716. But you did not get any money?—No, I never got a shilling.

8717. You never asked for it again?—Never.

8718. Or got any answer to your claim?—Never.

8719. Mr. MOLLOY.—What did you do at the election?—I done nothing at all, sir.

8720. Except to carry the money to Farrell?—That's all, sir.

Captain Dudly Byrne.

Captain *Dudly Byrne* sworn; examined by Mr. WATERS, Q.C.

8721. Mr. Byrne, I believe you hold some public position in the county of Tipperary?—I am constable for the barony of Ikerrin.

8722. You were in Cashel before the last election?—I was.

8723. Taking an active part, I believe, for Mr. Munster?—I was as active as I could, sir.

8724. Do you know anything of money having been given or promised to voters at the last election?—I do not, sir.

8725. You do not know anything of money having been given to voters?—I do not, sir; I am not cognizant of one sixpence being paid to any voter.

8726. You were very frequently in Corcoran's hotel?—I was, sir.

8727. Were you there the night before the election?—I am sure I was, sir.

8728. Although you tell us you do not know of "sixpence,"—I think you said—having been expended in the way I have suggested, I presume that though you do not know, that is to say, you did not see it, still you strongly suspect it was being done?—I do.

8729. Did you bring any man into Cashel during the election, a stranger to the place?—No, sir; I didn't bring him during the election.

8730. Before the election?—No, sir; I didn't bring him into Cashel at all, sir.

8731. Was there any man here, a stranger in the place, whom you knew, that you have heard was here about the election?—There was, sir.

8732. Who was he?—His name was Larkin, sir.

8733. Where was he from?—From Templetuohy, near Templemore.

8734. Was he employed about the election?—I don't know that he was employed about the election, sir; if you mean by that question was he employed in getting votes, or assisting to get votes.

8735. The meaning of my question is very plain—was he employed about the election?—He was, sir.

8736. You did not tell me his Christian name?—Luke, sir.

8737. Luke Larkin?—Yes, sir.

8738. Does he live near you?—He lives, I suppose, your worship, within about three or four miles of me.

8739. Is he at home?—He is; I presume he is. I saw him—I won't be positive I saw him on Monday—but certainly I saw him within three or four days of the present period, and I have no reason to presume he is not at home.

8740. I suppose you had some talk with him about this commission?—Not one syllable.

8741. I was mistaken then?—You were. I had not one word of conversation about it.

8742. Who employed him about the election?—I did, sir. If you will allow me I will tell you exactly the circumstance.

8743. That is exactly what I wish you to do. We not only permit you, but that is what we have the pleasure of having you before us for?—Mr. Patrick Laffan asked me could I get a person who would, I presume, give money to voters. I got this man. I met Mr. Laffan in the town of Thurles, and there Larkin came—to Thurles—to meet him.

8744. One moment now. Mr. Patrick Laffan asked you to get a man to give money to voters?—Your worship, I can't exactly bear my evidence to the exact words that Mr. Laffan might have used, but that was the substance of it, which, I suppose, means that, though it may not be exactly so in words.

8745. Was it in Thurles you say Mr. Laffan asked you that?—About what the man was to do?

8746. About getting the man?—No, it was here in Cashel.

8747. What did you say about Thurles?—Mr. Laffan went to Thurles to meet the man who was coming over here. Mr. Laffan did, sir.

8748. What is Larkin's address?—"Luke Larkin, Templetuohy." Thurles is the road to his place. He

is only about eight miles from Thurles, whereas I am twelve or fourteen. He is within eight miles of Thurles.

8749. In what direction does he live from Thurles? Directly north, sir.

8750. Is it between Thurles and Templemore?—No, your worship, it is on the high road from Thurles to the Queen's County, which runs through the village of Templetuohy.

8751. What is this man Larkin?—He has lands, sir.

8752. A farmer?—Yes, sir.

8753. Did you write for him?—No, I sent for him, and he came to me, as well as I recollect. Yes, I think I sent for him, and he came to my own house, and it was at my own house I mentioned it to him.

8754. Now, Captain Byrne, will you tell me, if you please, what you said to this man when he came to your house?—I can't exactly, your worship, tell the words.

8755. Not the words but the substance?—The substance. I told him, as well as I remember, that he was required in Cashel to give money to voters; but the exact words I cannot now bring to mind, but the substance was that which I have now repeated.

8756. Did he ever tell you afterwards how he had been employed here?—He did on one occasion.

8757. He told you that he gave money to voters?—He did. I don't think, your worship, I ever had a conversation with him a second time on the subject.

8758. Captain Byrne, do you think you gave me a candid answer when I asked you if you knew of any money being given to voters, and you said you did not, and never knew of sixpence being given to any voter?—You asked me did I know of it.

8759. I asked you did you know anything of money having been given or promised to voters, and you answered that you did not. Now it turns out that you procured the man who gave the bribes, and that that man told you he gave them; yet when I asked you if you knew of any money being given to voters, you said, "Not a single sixpence"?—I was not present at it, and I don't know the names of the men that got money, or the sum."

8760. I did not ask you that?—I wish to tell the truth and nothing else; if I am misunderstood by you it is not my intention or desire.

8761. You will understand now, Captain Byrne, that you are to answer my questions, not according to the letter in which they are put to you, but you are to answer them in the spirit in which they are put. When I asked you if you knew anything of money being given at the election, I think you might have told me that you did, because you brought a man here who gave money?—I didn't bring him here, sir; I didn't bring him beyond Thurles. I assure you I don't want to give improper answers.

8762. Mr. GRIFFIN.—I assure you you are giving such.

8763. Mr. WATERS, Q.C.—Did this man Larkin tell you that he gave money to voters?—He did.

8764. Did he tell you how much he gave?—He did not.

8765. He did not name any sum at all?—I don't think he did.

8766. Or any number of voters to whom he gave it?—He did not.

8767. And you have told me that you do not know the name of any voter to whom money was given?—On my oath I do not.

8768. Did you hear the name of any voter to whom money was given?—I don't remember.

8769. Were you in communication with this man Larkin while he was here?—I never had the slightest communication with him while he was in Cashel. I never saw him.

8770. Did he tell you where he stopped?—He told me he was stopping at the house of a person named Cunningham.

8771. Did you ever know or hear of any person giving out money from a room in Corcoran's hotel?—Never, until I read it in the newspaper—the first time I ever heard of it.

8772. Were you engaged, Captain Byrne, in purchasing a horse for Mr. Munster?—For Mr. Munster?

8773. Yes?—I never bought a horse for Mr. Munster.

8774. Did you buy any horse here in Cashel?—I did not, nor anywhere else.

8775. Mr. GRIFFIN.—Were you concerned in the purchase of a horse from Doctor Moloney?—Not in the least; I read that in the newspaper with much surprise—that I had bought a horse from Doctor Moloney for £55. I never bought anything in the world from Doctor Moloney.

8776. Were you in negociation with him?—No, I was not.

8777. Do you not know anything directly or indirectly of it?—I do. Patrick Laffan asked me to look at a horse: I went with him and did so. I told him I considered him a very worthless animal. There is the whole "head and front of my offending," about that.

8778. What was the horse worth?—About £15 or £20, perhaps.

8779. Mr. WATERS, Q.C.—Did you tell Mr. Laffan that the horse was not worth more than £15 or thereabout?—I told him, as well as I remember, that he was a very inferior animal; I wouldn't say I said £15.

8780. You conveyed to him the same opinion you give us now?—I did, and that was all I had to do with the buying of Doctor Moloney's horse.

8781. Did you hear anything about the price?—I don't know whether I heard it from Doctor Moloney; but Patrick Laffan told me he wanted £75 or £65 for him, but I can't exactly specify the sum.

8782. That was about five times the value, according to your estimate?—His value would be a matter of opinion.

8783. According to your opinion, £75 would be about five times the value?—I think the highest he was worth would be £15 to £20.

8784. Mr. GRIFFIN.—You are a good judge of a horse, doubtless?—There is no use in my singing my own praise in that matter.

8785. Mr. WATERS, Q.C.—You are aware that the horse was bought for Mr. Munster?—I was not aware for some time after the horse was bought.

8786. But after some time you were?—I was, your worship.

8787. Did you ever tell anybody but Mr. Laffan that you thought he was so worthless an animal?—I might.

8788. Did you ever tell Mr. Munster?—I don't think I did.

8789. Did you ever mention to him that you had been looking at this horse for him?—I should say I did not, to the best of my recollection, ever speak to Mr. Munster on the subject at all. I have no recollection of having done so.

8790. I suppose you knew Patrick Cunningham about the election?—I did, sir.

8791. Have you seen him lately?—I saw him during the last month.

8792. How long ago?—At Fair-day, at Holycross.

8793. Not since then?—Not since then, sir.

8794. Were you in communication with Mr. Munster, or any person from him, yesterday or to-day, with reference to coming here?—Was I in communication with Mr. Munster?

8795. Yes, or any person from him with reference to coming here?—A person from his establishment came to my house.

8796. When?—Yesterday afternoon, sir.

8797. May I ask who it was?—A woman, a Mrs. Emery.

8798. At what time did she come to your house yesterday?—I should say, your worship, as nigh as possible about five o'clock.

8799. I want to find out when she left this to go to your house?—You cannot possibly expect me to tell you that.

NINTH DAY. *October* 13. Captain Dudly Byrne.

8800. Do you know the hours at which the cars leave this to go to the train that would go about this hour, or something like that?—There is a train about ten minutes after two at Goold's-cross for Dublin.

8801. Is that the train by which a person leaving this would reach your place?—That or any other; they all stop at Templemore.

8802. Is that the train by which a person would reach your place, leaving this at that time?—Yes.

8803. How far do you live from Templemore?—Four miles, your worship.

8804. The reason I ask you is this—We sent a young man yesterday from this to find you out?—He had no great difficulty.

8805. How soon after you saw him did you see Mrs. Emery?—The field where he saw me was about a quarter of a mile from my house. I parted him after showing him up to the road; after parting him I got to my house, and a car was then driving up with Mrs. Emery.

8806. Did she bring any message to you from Mr. Munster?—She told me my name had been mentioned in the court, but I don't think she mentioned it as coming from Mr. Munster.

8807. But I suppose she told you your name was mentioned in connexion with the bringing here of the man who gave the money?—She did not.

8808. Did she not tell you your name was mentioned?—She said it was: something in connexion with "the man in the moon."

8809. Or the man in the room—which?—On my word I thought it was "moon," sir.

8810. We understand that perfectly. We know there was at one of the Election Commissions a man who performed the same functions as your man, who was called "the man in the moon"?—On my solemn oath I never heard of it until I read it in the newspaper.

8811. Of course not of "the man in the moon"; no more did I either?—Nor I never heard there was a person so employed at Corcoran's hotel.

8812. But you knew that Larkin was so employed here?—Yes.

8813. And you knew what Mrs. Emery alluded to when she spoke of "the man in the moon"?—I read it in the paper before I saw her at all.

8814. Answer my question; did you understand what Mrs. Emery meant when she spoke of "the man in the moon"?—I did.

8815. Had she no other business to you than to say your name was mentioned in connexion with "the man in the moon"?—Not that I am aware of.

8816. Did she ask you if you had been served with a summons?—I don't know that she did; she may or may not; I can't positively state.

8817. It seems rather strange that she should go to Templemore to tell you that your name was mentioned; recollect all that she said and tell me?—I have told you.

8818. Did she say no more than that?—No more than that.

8819. Did she suggest you should not be at home?—I don't think she did.

8820. You do not think she did?—I am sure she did not.

8821. Did you tell her at all that you were served with a summons?—I did; I won't say that I did or did not, but I might have told her, for it had been served fifteen minutes before that; the summons was served on me in front of my house; I walked up to my house and she was the first person I saw; in all probability I did; indeed, a more reasonable conclusion to come to is that I did tell her.

8822. Am I to come to the conclusion that you do not recollect anything more Mrs. Emery said, than that your name had been mentioned in connexion with "the man in the moon"?—I don't recollect.

8823. Do you believe that was her sole business to you?—I can't say, sir.

8824. Did you mention to her the name of the man that was here—Larkin?—I did not.

8825. Did she ask you who he was?—Not one word in the world about it.

8826. Did she come back with you?—Did she come back with me?

8827. Has she returned to Cashel?—I saw her in Cashel to-day; I didn't come back with her; I slept in my own house, and came in this morning.

8828. At what time did you come in this morning?—I came in by the first train.

8829. At what hour did you arrive?—I should say, sir, a few minutes before 12 o'clock.

8830. You say you have seen Mrs. Emery this morning?—I did, your worship.

8831. In which house of Mr. Munster's does Mrs. Emery reside?—I saw her in John-street, but I cannot tell you in which house she resided.

8832. Did Mrs. Emery return from your place last night?—She did, sir.

8933. Did you communicate in any way the name of this man Larkin to any person since you were summoned yesterday?—Not to any person, in this town or neighbourhood.

8834. Where else did you communicate it?—I don't think I communicated it to any human being.

8835. Then why did you except this town and neighbourhood?—I thought you might be alluding to parties here.

8836. Did you make any communication to anyone in any way about Larkin yesterday or to-day?—Not a single being.

8837. Mr. GRIFFIN.—Did you send any communication to Larkin?—Not a word.

8838. Mr. WATERS, Q.C.—Did you ever tell Mr. Laffan or any person during the election, or any time since, Larkin's name or address?—You must tell me which of the Laffans you mean.

8839. I will not; you will tell me if you mentioned it to either?—I never mentioned Larkin's name to Mr. Laffan that sits here, the solicitor.

8840. Did you ever communicate to any person connected with Mr. Munster, Larkin's name?—Never, and since the day—I believe since the day before the election, I have never seen Mr. Patrick Laffan, nor never had any communication, direct or indirect, with him from that up to this morning. I don't think I saw him here at the election; I am not positive that I did.

8841. Did Mrs. Emery leave your house last night?—She did, sir.

8842. What way did she go, do you know?—She came back to Templemore station, and got the train there.

8843. Thurles, I believe, is intermediate between Goold's-cross and Templemore?—It is, your worship.

8844. Mr. MOLLOY.—Did you send a letter to Mr. Pat. Laffan along with Larkin?—No, I did not; Pat. Laffan met me by arrangement in Thurles, and I brought Larkin there to meet him.

8845. Mr. WATERS, Q.C.—Mr. Byrne, did you receive any money from Mr. Munster, or any person connected with him about the time of the last election?—I did, sir.

8846. How much?—£25.

8847. From whom did you get it?—I got it from Mr. Richardson, sir.

8848. What was it for?—For travelling expenses.

8849. For yourself?—For myself.

8850. Did you keep it yourself?—By Jove, I got rid of it.

8851. I want to know did you get it for yourself?—Certainly.

8852. You did not give it to anybody else?—Certainly not.

8853. Did you see anybody else to-day at Mr. Munster's, besides Mrs. Emery?—I did, Miss Sterne.

8854. Anybody else?—No, except some person at the door.

8855. Were you in communication with either of them?—I didn't spend two minutes in the room; I didn't move my hat.

8856. Did you know of any promise of money, having been given to any voters at the last election?—No, I did not.

8857. Did you know of any voters asking for money at the last election, or before it?—I heard of voters asking for money, but I can't name to you any voter that did ask for money.

8858. Why can you not name them?—Because I didn't know these people.

8859. Did you canvass some of them?—I did, but I didn't canvass many.

8860. The fewer you canvassed the more you should be able to recollect?—I couldn't tell the name of any man that demanded money for a vote in my presence.

8861. That demanded money in your presence?—I can't name a single voter.

8862. Did you hear anything said by any voters, which obscurely meant or implied that they wanted money for their votes?—I heard men say that they should get money for their votes.

8863. You heard men say that?—Yes, I beg your pardon a moment.

8864. I am going to put that down; it is true, is it not?—Yes.

8865. Well, allow me to put it down; how many?—I couldn't say.

8866. About how many?—I couldn't tell you.

8867. I will give you a range from 1 to 200, that is the constituency of Cashel?—I can't put down any select number, I can't do it, nor name a single man that did it.

8868. I put down as I heard from you, "I heard men say that they should get money for their votes." Men is plural number and signifies more than one. Tell me how many more than two you heard say that in the course of your canvass?—I can't tell you.

8869. Did you hear a dozen?—I can't say that I did.

8870. Did you hear fifty?—I can't say that I did, if I heard fifty I would hear a dozen.

8871. Did you hear 100?—I can't say I did.

8872. Will you say you didn't hear a dozen?—Perhaps, I didn't.

8873. That is no answer to my question. I must have straightforward answers to my questions; "yes," or "no." Answer this question, sir—are you able to say that you heard more than three or four or five men say they required money for their votes?—I may or may not.

8874. Are you able to say whether three or four or five or more men, said they would require money for their votes?—I am not.

8875. Have you no recollection whatever of who those men were?—I have not, and I can't point out a single man of them.

8876. Do you know Patrick Halloran?—I don't,

8877. Did you canvass him?—I don't know.

8878. Did you canvass any men with Patrick Laffan at the Commons?—I canvassed men there with Patrick Laffan.

8879. Was it in the town or at the Commons you heard them say that?—I think it was at the hospital; there was no question put by Patrick Laffan to any voter in the Commons that I heard or was present at.

8880. It might have occurred in the conversations with yourself?—I can't say but that it did, or I can't say but it did not; I don't want to conceal the truth.

8881. Is your recollection no better than that?—My recollection is not good.

8882. Did you ever interfere in an election in Cashel before?—Never.

8883. At whose instance did you come to interfere in this?—At Mr. Leahy's.

8884. Was Mr. Leahy here during all the time these canvassings were going on about the election?—Well, he was off and on here; he was here some days, and would go away and come back again.

8885. I suppose Mr. Leahy knew this man of yours, Larkin, was here?—Not to my knowledge; he didn't to my knowledge.

8886. Did you never speak to Mr. Leahy about it?—Never opened a lip to him on the subject; clear and distinct on that; nor to any other person in Cashel; no, except Patrick Laffan, and that is the truth for you.

8887. Have you any knowledge of where Mr. Patrick Laffan obtained money to give electors?—No, sir.

8888. Had you any conversation with Mr. Patrick Laffan about how money would be procured to give to electors?—No, sir, I had not; I had no conversation with Mr. Patrick Laffan regarding election matters, except in a general way during the canvassing.

8889. Mr. GRIFFIN.—How did Mr. Patrick Laffan happen to apply to you as likely to get a man that would give money to voters?—Because I was very intimately acquainted with him. I don't know any other cause or reason.

8890. You said you have no doubt that you told Mrs. Emery instantly that you had been served?—I think I must, sir. It would be very reasonable to suppose that I did.

8891. Did she say nothing about her being too late, or anything of that kind?—To me?

8892. Yes?—Not a word.

8893. Mr. MOLLOY.—Did you tell her whether you would attend on the subpœna or not?—I don't think I did; but I think I told the summons-server that I was particularly engaged, and that I couldn't possibly be able to come over. Can I leave now, sir? I beg your pardon, Mr. Chairman, I have particular business to-morrow in Roscrea.

8894. Mr. WATERS, Q.C.—At what hour do you want to go away?—I want to go by the next train; about four o'clock I should say.

8895. I think we shall be able to dismiss you by that time, but it will be only to let you go for a day; because if Mr. Larkin comes here, or if he does not come here, we may want you again. We can discharge you for to-morrow. I suppose it will not be necessary to send over for you, but that it will be sufficient for the secretary to write you a letter?—Oh, certainly; and if you wish I will have Mr. Larkin to come here.

8896. We want Mr. Larkin?—If you put the matter in my hands I will have Mr. Larkin come here to-morrow. That will save you the trouble of sending.

8897. We have not sent him a summons yet?—There will be no necessity to send him a summons. I will write to him to come, and he will come.

8898. We cannot rest on that. We will serve him with a summons in the ordinary way; because if you wrote to him, and he was not served with a summons, he could not be punished for non-attendance, as he will be if he does not come. I shall, however, feel obliged if in addition you will write to him?—I will write to him from this town before I leave it. If you give me a sheet of paper I will do it this moment for you.

8899. You are not going away at present, until a little later.

Patrick Halloran sworn; examined by Mr. WATERS, Q.C.

Patrick Halloran.

8900. You are a voter on the Commons, I believe?—Yes, sir.

8901. Were you a voter in 1865?—Yes, your worship.

8902. For whom did you vote in 1865?—Mr. O'Beirne, sir.

8903. What did you get for that?—I was employed as an agent in '65; I was required by Mr. Johnson, and was employed as an agent on the 17th of March by Mr. Johnson.

8904. How much were you paid?—I was paid £15. He left town in March and returned again to town in April. I went to him and stated to him I met some disappointment in regard to stock and wanted money badly, so he gave me £15 for a certain use.

8905. Is that a second £15?—No, sir.

8906. Only £15 altogether?—Yes, sir.

8907. Did you get more than £15?—No; only as there was a holyday approaching I came to him for an order to get some drink to keep the men out of the

NINTH DAY. *October* 13.

Patrick Halloran.

town. I asked for an order and he said he would give me no order, but he would give me money to get it. So he did.

8908. How much money did he give you?—He gave me £2.

8909. That is £17 altogether you got from Mr. Johnson, or anyone?—That is all the money ever I received. I voted in 1857 and 1859 and that is all I ever got.

8910. Was there ever money lent to you?—No, sir.

8911. Did you ever pass a bill?—No, sir.

8912. You heard that there was money going at the election?—I did; every election since Mr. Perrin was returned I heard money talked of.

8913. Did you hear of money at Lanigan's election in 1859?—Well I did not. There was some allusion made to money. I could hear something about it, but I took no heed of it.

8914. Would you refuse money if it was offered to you?—I would if I did not wish to support the candidate.

8915. But from one of your own principles would you take money if it was offered?—Begor it is very like I would, sir.

8916. Do you know if many of the men on the Commons got money for voting at the last election?—I didn't hear that any man on the Commons got money at the last election.

8917. Oh, you did?—I might hear it from the boys and the mob of them.

8918. Did you not hear that two or three men of the Commons swore that you said they got money?—Oh, I did, and at the time of the petition, and I heard it before the election, and at the time of Perrin I heard talks of it, but no more than that I don't know.

8919. Would you take money yourself if you were offered it?—Begor I may, sir.

8920. And Mr. Munster was of the same politics as Mr. O'Beirne?—Mr. O'Beirne was a tried man, sir.

8921. But Mr. Munster was of the same politics was he not?—That he wasn't: I don't know.

8922. On the virtue of your oath was there not £30 between them?—There was, and £5,000 between them; and there was a cheque of £5,000 put into my hands by the agents of Mr. Munster it didn't entice me.

8923. A cheque for £5,000 put into your hands?—Yes, sir.

8924. By whom?—By Mr. Michael Laffan. He didn't entice me in the least, sir.

8925. Where did he show you the cheque for £5,000?—At the cross of the Commons, sir, and he went out to canvass the men.

8926. Did he show it to others there?—I cannot say.

8927. Were there others present when you saw it?—No.

8928. Only the two of you together?—Only the two together. I disapproved of people going into a carriage to him just like going to confession to a priest. I disapproved of parties wanting me to go into that "confession box" as we called it. I don't wish to apply names.

8929. You do not mean any disrespect of course?—I do not, sir.

8930. Why did you disapprove of it?—Because I said there was too much gibing and talking when any man would go in. They would say "that man is making his confession now." Some people asked me to go in and I said I would not, that I disapproved of it altogether.

Captain *Dudly Byrne* interposes.

Captain Dudly Byrne.

8931. Captain *Dudly Byrne.*—I read in this paper, the evidence of a person named [name not understood,] who says that I saw him at Cunningham's house. I wish to tell you, I was never at Cunningham's house in my life.

Mr. WATERS, Q.C.—I beg your pardon: you cannot interrupt the examination.

Patrick Halloran's examination resumed; by Mr. WATERS, Q.C.

Patrick Halloran.

8932. Go on?—I went away from the place for fear I might be persuaded to go into the carriage, but Mr. Laffan followed me on the road above the cross, and spoke something regarding he never met me on his canvass on the Commons before, and all to that, and in case that I did vote for Mr. Munster or joined him, that I would be recompensed.

8933. Mr. Michael Laffan said that if you voted for Mr. Munster you would be recompensed?—Yes, sir; but he didn't mention any sum. With that he put a cheque of £5,000 into my hand to let me see that they were plenty strong in money.

8934. Mr. GRIFFIN.—This was Mr. Michael Laffan?—Yes, sir.

8935. Mr. WATERS, Q.C.—Do you chance to recollect upon what bank it was a cheque—did you read it?—I did, sir.

8936. What bank was it on?—As far as I could see it was on the Bank of Cashel, sir; but I cannot swear to that, because I paid but very little heed to it, because I was not inclined to support him, and for that reason I paid but very little heed to it.

8937. Which was it a cheque or a receipt for £5,000?—I think it was a cheque, sir.

8938. Mr. GRIFFIN.—What was the form of it—do you remember the words?—I could not sir; but I remember it was for £5,000. I am unacquainted with such bills altogether. I am well able to read both figures and writing.

8939. Mr. WATERS, Q.C.—Tell me as an honest man, did you expect any money from Mr. O'Beirne?—In sixty-eight, sir?

8940. Yes?—No, sir.

8941. If Mr. O'Beirne was returned as a member still, would you not expect something from him?—No, sir, because I considered Mr. O'Beirne had no money, and I was inclined to support him from the first day that he came to Cashel.

8942. He was a stranger was he not?—He was not, sir; I voted for him in '65. Before ever he came I signed a requisition to bring him to Cashel in '64. I think I was bound to support him.

8943. Did you ever vote for Mr. Lanigan?—I think I did, sir, in '59.

8944. Why did you leave Mr. Lanigan who was a countryman of yours?—Mr. Lanigan stated in Templemore on a certain occasion, that he was under no compliment to any man in the Commons for returning him. He stated that in the presence of men from Templemore, and they circulated it when they returned, what he told them, that he was not under any compliment to any man on the Commons for his return, because he said if it was contested it would be as it was before.

8945. Was it that that turned you against him?—It was that, sir; for there was a party to oppose the town that wanted to return a party to represent them, and so they sent for Mr. O'Beirne and wanted to return Mr. O'Beirne to be independent to them.

8946. Did you hear of any other voters on the Commons asking or expecting money?—No, sir.

8947. Do you mean to say that none of them got money from Mr. O'Beirne at the last election?—I couldn't say but every man there was as much inclined to support Mr. O'Beirne as myself.

8948. We all know that they got money in '65 from Mr. O'Beirne?—I never heard it until the time

of the petition it was reported they got money, but I knew nothing about it.

8949. Sure the bills are here in court?—So I see that.

8950. Mr. GRIFFIN.—Did you never hear of these bills being passed in 1865?—No, sir, nor never told any person that I got any money myself, that I got £15 from Mr. Johnson, because he told me.

8951. Mr. WATERS, Q.C.—What did Mr. Johnson tell you not to tell?—Not to tell anyone that I got this money, "but," says he to me, "if others knew it they would expect to get the same.

8952. Did you see Mr. Byrne that was examined here before you?—Yes, your worship.

8953. Did you ever see him canvassing at the election?—I see him at my house.

8954. At your house?—Yes, sir, himself and Patrick Laffan came to my house.

8955. Was he canvassing you?—He wasn't, sir, rather retaining.

8956. What did he do?—Captain Byrne and Mr. Patrick Laffan came to my house, and they told me they would give me a cheque for some money. I refused to take a cheque.

8957. What did they say the cheque was for?—If I could keep my neighbours together, sir—that's all they mentioned—and that I would give them an account of it.

8958. How much did they offer you a cheque for?—Five guineas, sir.

8959. Was that the only cheque they offered you?—That's all, sir.

8960. And you say you refused it?—I did, sir, different times. Mr. Leahy then and the children were about the house at the time, and Mr. Leahy called out the children with him to show him something about the place, and left Mr. Patrick Laffan and myself together.

8961. Was Mr. Leahy along with them?—He was, sir.

8962. Then Mr. Leahy and Mr. Laffan were together?—Not Mr. Leahy, but Mr. Byrne that was here on the table.

8963. Mr. Byrne?—Yes, sir.

8964. Mr. Byrne took your children out?—Yes, sir.

8965. Why did he take them out?—I suppose he thought I had a delicacy before the family.

8966. And he wanted to have no persons there between you and Mr. Laffan?—That's what I considered, sir.

8967. Was it after he took out the children that Mr. Laffan offered you a cheque?—It was, sir.

8968. I believe you got a cheque in the end?—I did, sir, but never acted.

8969. Did you get cash for it?—No, sir; I came in one day and offered it to Mr. Michael Laffan and he refused to take it.

8970. Who told you to do that?—I was noticed that it was illegal.

8971. When?—The very same day.

8972. Who gave you the notice that it was illegal?—I was served with notice by a man I think of the name of Keeffe. He was sent out from Mr. O'Beirne, I believe not to take this.

8973. He was a friend of Mr. O'Beirne's?—Yes.

8974. And he went to apprise you not to take this?—Yes.

8975. After seeing him you came and offered the cheque to Mr. Laffan?—Yes.

8976. And he would not take it from you?—No, sir.

8977. Was Mr. Byrne there when he offered you the cheque?—He was there when he first offered it.

8978. And it was after your refusal he called the children out?—As far as I can recollect it was, sir.

8979. Mr. Laffan wishes to have these questions put to you, and I have no objection to put them. You said on the day Mr. Munster was there in his carriage that you went away and Mr. Laffan followed you?—Yes, sir.

8980. And that he said if you voted for Mr. Munster you would be recompensed?—Yes.

8981. Mr. Laffan wants to ask you, whether, what he asked you was to become an agent?—I could take it in that sense, and I would be well recompensed if I joined their body.

8982. Did he say if you voted?—I couldn't say, but if I joined their body.

8983. If you became one of his supporters?—Yes.

8984. You would not swear he said a word about your vote?—I couldn't swear, sir.

8985. Did he say a word about making you an agent?—He employed it in some sort of way: if I joined their party and done what I could in favour of them that I would be recompensed.

8986. Was it for doing that he said you would be recompensed?—I suppose it was, sir.

8987. Did he then say that he could give no money?—No, sir; I didn't ask any money.

8988. Did he say that he could not give any money?—I don't suppose he did, sir.

8989. Did this all occur when he showed you what you call the cheque for £5,000?—Yes, sir. That is all the conversation I ever had with an agent of Mr. Munster from that day to this, and didn't want it then either.

8990. Have you told me all you know?—Indeed I did, sir.

8991. Mr. GRIFFIN.—Did you go to anyone to know if the service of the summons on Sunday was of no value?—Indeed I didn't, sir. Sure I appeared on it, sir; I was in here on Monday morning, sir.

Mrs. Caroline Emery sworn; examined by Mr. MOLLOY.

8992. You went to Sorrel-hill, Mr. Dudly Byrne's place, yesterday?—I did.

8993. What time did you leave Cashel?—By the train that left sometime about two.

8994. You had a conversation with Mr. Byrne?—Yes.

8995. What took you to his place?—I took a letter.

8996. A letter?—Yes.

8997. From whom did you get that letter?—Miss Sterne.

8998. To whom was the letter directed?—I think it was directed to Mr. Munster [witness hands in a letter addressed to "Henry Munster, esq."]

8999. Was that your only business in going over to Mr. Byrne?—No; I told him that his name had been mentioned in the court.

9000. Who told you to tell Mr. Byrne that?—I don't know that I was told to tell him, but I told it because I knew it.

9001. You were not in court yesterday?—No.

9002. How did you ascertain it?—Miss Sterne told me.

9003. Had she been in court yesterday?—I don't know.

9004. Some person must have told you to tell Mr. Byrne that his name was mentioned?—I don't think Miss Sterne told me to tell it, but I know I told him in speaking; I don't think I was told to tell him—I believe not.

9005. To whom did Miss Sterne desire you to give these letters?—To Captain Byrne.

9006. Did you get any other message?—Yes; I was told that he might see Mr. Power about something; I didn't read it; I don't know what it is.

9007. Is there not a postal communication between Cashel and Mr. Byrne's residence?—I don't know; I am almost a stranger here.

9008. How long did you stop at Captain Byrne's?—I think until a few minutes past six.

NINTH DAY.
October 13.

Mrs. Caroline Emery.

9009. Had you any conversation with any person except Mr. Byrne?—With his family.

9010. Did you tell them how his name was mentioned in connexion with the Cashel election?—No; I should think not. I think it was mere general conversation.

9011. Did you tell them all about how the "man in the moon" was found out?—No; I said his name was mentioned as having sent the man in the moon.

9012. Did you ask any person who the man in the moon was?—No.

9013. To whom besides Captain Byrne did you speak of what occurred here yesterday?—I don't know that I did to anyone except the family.

9014. Did he ask you was the man's name ascertained?—No, he never asked me the question—he never said that.

9015. Did Mr. Byrne read these letters?—Yes.

9016. And gave them back to you?—Yes.

9017. Did you get a message from any person to bring to Mr. Byrne?—To Mr. Byrne?

9018. Yes, to Captain Byrne?—No.

9019. Do you know now whether there was a message sent by any person else to Mr. Byrne?—I don't think so; I don't know.

9020. Did you bring a letter or message to any person else besides Mr. Byrne?—No, that was the only letter I took.

9021. Mr. GRIFFIN.—At what o'clock did you start from this to Captain Byrne's?—I think about twenty minutes past twelve; I'm not sure, but I think that was the time.

9022. How long before that did you think of going over there?—I don't know about the time; it was not very, very long, I think.

9023. When was it arranged that you were to go?—That I don't know. Miss Sterne asked me a little time before I went.

9024. How long before you went did Miss Stearn ask you to go?—Perhaps an hour.

9025. Could you say it was so long as an hour?—I think it was an hour; but I'm not sure. I didn't know there was any importance attached to it.

9026. It was Miss Sterne told you Captain Byrne's name was mentioned in connexion with the man in the moon?—Yes.

9027. When did she mention that? Did she mention it at the moment that she told you to go to Captain Byrne?—Yes, it was I think about the same time.

9028. You think then that she told you about Captain Byrne's being mentioned, and requested you to take this letter to him about the same time?—Very nearly, I think. I can't say how many minutes between them.

9029. Did Miss Sterne tell you, or did you know it from any other source, that a summons was being sent for Captain Byrne?—No; I hadn't the least idea.

9030. You do not know whether he was summoned or not?—No.

9031. Mr. MOLLOY.—Did any person accompany you?—No.

9032. Was there anything in this envelope except the two papers that are here now?—I think not; I'm sure not, because I saw them.

9033. And you were simply to give the documents to Mr. Byrne?—Yes.

9034. Mr. GRIFFIN.—What did Miss Sterne say?—She asked me to take this over and to say that she thought Captain Byrne could do something with Mr. Power.

9035. Mr. MOLLOY.—But there must have been some other paper besides these two in the envelope?—There may have been, but I didn't see any other.

9036. You did not take them out?—No.

9037. Then for all you know there might have been some other paper inside?—I don't think there could have been, because Captain Byrne took them out and read them while I was present.

9038. And handed them back?—And handed them back.

9039. Did you return directly from Templemore station to Goold's Cross?—No, there was no train. The train only came to Thurles. I could only come by the mail train. To avoid that I came by Thurles.

9040. Did you take a car from Templemore to Thurles?—No, from Sorrell Hill to Templemore, and from Templemore to Thurles I came by train, and from Thurles I took a car to Cashel.

9041. You had some delay in Thurles?—I think not—no; I only stepped out of the train and into the car.

9042. You came by the down train from Templemore to Thurles?—Yes, from Templemore to Thurles.

9043. Does not that come to Goold's Cross?—No, not the train I came by; I couldn't come by train unless I waited for the mail, I think. That would only reach Cashel some time past eleven at night.

9044. Mr. GRIFFIN.—Did Miss Sterne speak about this document—did she merely send you as a messenger—she did not say they were important?—She didn't say anything about them.

9045. Mr. MOLLOY.—When you got out of the train at Thurles, where did you go to?—To Cashel.

9046. Did you drive straight to Cashel?—Yes.

9047. Without any stoppage on the way?—Yes.

9048. Or without any communication with any person on the way?—Yes.

9049. Do you know whether the car that brought you from Sorrel Hill to Thurles, brought a message for any person?—I don't know. It was the same car that I took from Templemore. This car waited for me.

James Burns.

James Burns sworn; examined by Mr. MOLLOY.

9050. What are you, Mr. Burns?—A saddler.

9051. You have a vote?—Yes.

9052. For whom did you vote at the last election?—For Mr. Munster.

9053. Mr. Munster dealt with you?—Yes.

9054. Did you get anything for your vote?—No.

9055. Were you promised anything for your vote?—Never.

9056. Who canvassed you?—Mr. Munster and Mr. Laffan. Mr. Laffan canvassed me first.

9057. Mr. Michael Laffan?—Yes.

9058. When was that?—At the first onset of it.

9059. Was Mr. Munster in Cashel at that time?—No.

9060. What did you tell Mr. Laffan when he called?—I told him I'd vote for him. Mr. O'Beirne came to me and I told him I promised another. No, Mr. Scully was the second that asked me. I told him I promised Mr. Munster. "Sure he's not here," said he; "Mr. Laffan," said I, "is the man I told." "Well," says he, "whoever Mr. Laffan brings, you will vote for?" "No," said I, "but the man he told me." He asked me why would I vote for a stranger? I said, "because I promised him." Mr. O'Beirne came and I told him; "all right," said he, "I'll not press you." He came several times, but didn't come to ask me the second time, but he came. "I come," says he, "for a shake of the hand with you."

9061. Did you vote in 1865?—No.

9062. Were you living in Cashel?—No.

9063. In the same house?—No.

9064. No person belonging to you voted in 1865?—No—no person belonging to me.

9065. Mr. Munster bought goods from you?—Yes.

9066. How much?—a saddle, a side-saddle, and a lot of other affairs—horse clothing and lots of things.

9067. Was it you that made the saddle for the mule?—No, but the saddle made was used on the mule though.

9068. How much did you get for what you supplied Mr. Munster?—I got £25 for a double set of harness, £4 for a saddle, and £6 10*s.* for a side-saddle, and I believe £1 5*s.* for two sheets, 7*s.* 6*d.*, rollers, and 5*s.* for head collars, and any man has to pay the same thing for them.

9069. When was the set of double harness bought?—Before the election.

9070. How long before the election?—O, I couldn't say. I know the time. I have it in my book.

9071. Who paid you for them?—Miss Stearn gave me a cheque. Miss Stearn gave me all I believe, and paid me for the other things—yes, for everything that was got.

9072. Have you told us all the dealings you had with Mr. Munster, or any person connected with him?—Yes.

9073. All?—All.

9074. Do you know of none other?—None other whatever.

9075. Is your wife alive?—I have no wife.

9076. Is your mother alive?—Yes.

9077. Had she any dealings with Mr. Munster?—Not that I know.

9078. Do you know of any furniture being sold or hired to Mr. Munster?—I lent some furniture.

9079. Now, when I asked you before why did not you tell me that?—I didn't think of it.

9080. You have a bad memory?—No; I don't say I have a bad one.

9081. Why did not you tell about the hiring of the furniture?—I didn't hire them—I lent them.

9082. What furniture did you lend?—Six chairs and a table.

9083. When did you lend them?—The day he came over himself, I think.

9084. When was that?—Just before the election.

9085. What sort of chairs were they?—Ordinary chairs, the same as this [exhibiting the witness' chair.]

9086. He has them still?—No; he had them during the election. I sent for them back again. I believe he knew nothing about it—it was Mr. Laffan, I believe.

9087. You or your mother got nothing for lending these chairs?—Never, on my word made any money about them.

9088. Did your mother get anything for them?—Not that I know.

9089. Did she receive any present from any person connected with Mr. Munster?—Not that I know. I saw no such things in the place.

Edward Walshe sworn; examined by Mr. GRIFFIN.

Edward Walshe.

9090. Your name is Edward Walshe?—Yes, sir.

9091. For whom did you vote at the last election?—For Mr. Munster, sir.

9092. You have got a house in the Main-street?—Yes.

9093. Had you any negotiation about letting it at the last election?—No; only Mr. Laffan came to me one night about nine or ten o'clock, I believe.

9094. Which Mr. Laffan's?—Mr. Michael Laffan.

9095. What did he say to you?—"Good night, Ned," says he. "Good night, sir," says I. "I think," says he, "this would be a good place for a tally-room." "I believe it would," says I. "Have you any objection?" says he. "Not the least," says I.

9096. Is that all that passed at that time?—That's all that passed at that time.

9097. Did you make any bargain with him as to what you were to get for the house?—Not a bargain at all more than that.

9098. Was your house used?—Yes, sir.

9099. When was it used?—The day of the polling.

9100. Did you get anything for the use of it?—Not a halfpenny, sir.

9101. Was there no bargain for it at all?—I made no bargain at all, but Mr. Laffan said he would see me for it.

9102. Which Mr. Laffan?—Mr. Michael Laffan.

9103. What do you expect to get?—I will get as much as I can, sir.

9104. Was there any sum mentioned to you?—No sum at all.

9105. Did you send in a claim?—I did.

9106. How much was the claim for?—Fifty pounds.

9107. Do you think that a fair price?—I think it would.

9108. Under all the circumstances?—Yes.

9109. Would you charge £50 for it if you had voted for Mr. O'Beirne?—I wouldn't vote for Mr. O'Beirne, at all, sir.

9110. As another witness said, you would not consider it an honest thing to let your house to one and to vote for another?—No, I wouldn't. I would be very sorry to do that.

9111. You expect to get £50?—They may be cutting me, sir.

9112. You would take forty-five?—I will if I get it.

9113. Mr. MOLLOY.—How was your house used the day of the polling?—Three clerks there, sir.

9114. How many voters went into it?—I couldn't tell you, for I came to the court-house and never was present. I didn't mind the day after.

9115. How long were the three clerks there?—They were there until the court was over here—four o'clock, I suppose.

9116. Had you a vote in 1865?—I had, sir.

9117. How did you vote then?—For Lanigan. I had a vote since Perrin was here. I stuck to Sir Timothy O'Brien and John Lanigan, and I never got twopence from any of them.

9118. For voting at the elections?—For all my votes.

9119. Was this the first time that your house was taken?—Yes, sir.

9120. Was it never taken before?—Never taken before.

9121. Did you not know that houses were taken, and that that was a way to pay people for voting?—They never took the house from me before, any of them.

9122. Did you not know when your house was taken that the vote would go along with it?—Some people set their houses and voted for others after. I seen them doing that.

9123. Who?—Oh the man is dead now—a man of the name of Doyle. He let his house to Sir Timothy O'Brien, and voted for Mr. Hemphill after.

9124. Did you know that it was a way of getting votes, to take a man's house, and pay him for the house, in order to get his vote?—It might be, sir.

9125. Did you know it?—I heard talk of it.

9126. Did you write out the claim yourself that you sent in?—No, sir.

9127. Who wrote it for you?—My daughter.

9128. How much did you put down in it?—£50.

9129. Did you ask for payment?—Well, I asked Mr. Laffan some time after and he said he would see me all right. That's all; I never minded.

9130. You asked him only once?—I did, and the next time he told me my claim was on the list.

9131. Did he say at what time you would be paid?—No.

9132. When did you send in the claim?—I believe it was in December.

9133. Did you go to him after that?—I never went to his house, but I met him at my own door when he would go by.

9134. How soon after sending in your claim?—Well, I couldn't really say that. I suppose it may be about a month.

9135. Did you ever speak to any person at all but Mr. Michael Laffan?—I never spoke to Mr. Munster or anyone else, but only to him.

NINTH DAY. *October* 13.

Edward Walshe.

9136. Mr. WATERS, Q.C.—It is a hard thing to keep you out of your money all this time?—I am kept out of it, sir.

9137. Did you never press to be paid?—Never, sir.

9138. Mr. GRIFFIN.—Did Mr. Laffan give you any reason why you would not be paid?—He told me he couldn't pay me until after the petition.

9139. Did you ask him since the petition? What did he say then? Did he tell you you would not be paid until after the Commission?—After the Commission, and it is in this way they humbugged me.

[Mr. *Laffan.*—I should like to have him asked whether I told him, after the Commission, or what I did say].

9140. Mr. WATERS, Q.C.—When you applied to Mr. Laffan on one of these occasions for payment, you said he told you you could not be paid until after the petition?—Yes, sir.

9141. Have you any doubt he said that?—No, sir.

9142. When did he say that?—I couldn't recollect that, sir. After the petition then I spoke to him again.

9143. Where?—In the street, at my own door.

9144. What did he say then exactly?—He said that my name was on the list. "All right," says I, that way. Then I asked him after, sir, and he said there could be nothing done until after the Commission.

9145. When did he say that to you?—Well, I couldn't say when he said it.

9146. You have no doubt whatever he said it?—O, he said it.

9147. You are quite sure of that?—I am, sir.

Captain Dudly Byrne.

Captain *Dudly Byrne* again presents himself.

9148. Captain *Byrne.*—Since I was here you received the evidence of a person named Halloran.

9149. Mr. WATERS, Q.C.—I cannot have you coming up every moment. I asked you with regard to Halloran. I asked you distinctly did you go to Halloran's house, and you said you did not. Halloran came up and swore you did go to his house, that Mr. Laffan accompanied you, that Mr. Laffan in your presence offered him money, that he refused, that then you took his children out, and that Mr. Laffan in the absence of you and the children offered him money again?—Will you allow me now to say a word?

9150. I will not?—I think that is very arbitrary. I live a long distance from here. It is very arbitrary, sir.

9151. I asked you if you ever went to Halloran's house?—I don't know that I did, sir. I beg your pardon if I am wrong. I beg distinctly and respectfully to tell you I want no favour but simple justice. He said, if I am rightly informed, that Mr. Patrick Laffan tendered to him a cheque, and that I took his children, and was outside with them when he tendered the cheque, and that I took his children out of the house while Mr. Laffan was making arrangements with him, or something to that effect. On my solemn oath I was not present when he ever offered him a cheque, or one single farthing of money, and on my solemn oath I never took his children out of the house. I want to go from this court without any imputation of what does not actually belong to me.

9152. Mr. GRIFFIN.—Were you never present when Mr. Laffan tendered a cheque to anybody?—So help me God I never was present, nor never saw it, and I defy in this open court any man to prove it.

9153. Mr. WATERS, Q.C.—If you wish to give evidence you must do it quietly. I will not allow that declamatory manner at all?—I apologize for it, sir; I don't wish to be derogatory to you or your brother Commissioners, but I must feel hurt when I hear those things asserted of me which are neither true in fact or any other way.

9154. Did I ask you if you got a letter yesterday by Mrs. Emery?—I did, sir; I got two letters.

9155. Enclosed in one envelope?—Yes, sir.

9156. Did you get anything more than the two enclosures?—Nothing in the world, sir.

Dr. Michael Phelan Cormack.

Dr. *Michael Phelan Cormack* sworn; examined br Mr. MOLLOY.

9157. How long have you been an elector of Cashel?—About twenty-seven years.

9158. For whom did you vote at the last election?—Mr. Munster.

9159. For whom did you vote in 1865?—In 1865 I did not vote at all. I had been ill at that time.

9160. How did you vote in 1859?—In 1859? I don't know whether I voted on that occasion or not.

9161. Did you ever vote for John Lanigan?—No.

9162. You did not?—No.

9163. Was the election of 1865, the only election in Cashel at which you did not vote?—I am not quite sure.

9164. Who canvassed you for Mr. Munster?—No person.

9165. No person?—No.

9166. You were not canvassed by Mr. Munster, or by any person on his behalf?—I do not recollect that I was.

9167. When did you make up your mind to vote for Mr. Munster?—Some short time after he came here.

9168. You took a warm interest in his election?—I did.

9169. What were you doing at Corcoran's hotel before the election, on the morning of the polling?—Well, I was asked to see a person who had got ill there, and I delayed there during the night, until morning.

9170. You went to attend a person on the evening before, who got ill?—I was in the hotel. I was upstairs and called down to see a man who had got a weakness or was inclined to faint.

9171. You did not go to Corcoran's hotel for the purpose of seeing this man who was ill?—No, I was upstairs at the time and came down.

9172. What time was it when you went to Corcoran's hotel?—It was nightfall, I think—rather late.

9173. And you remained until daylight next morning?—I did.

9174. What part of the house were you in?—I was upstairs, and downstairs occasionally.

9175. What were you doing downstairs?—Looking after this man on two or three occasions. I went upstairs and lay on the sofa.

9176. What was the matter with the man?—He was inclined to faint. I prescribed a little stimulant for him—some brandy.

9177. Was he a voter?—He was a voter, I think, from the Commons?—There was a number of men there, but I didn't know them.

9178. In the room upstairs, who were with you?—Mr. Leahy was there, and the two Mr. Laffans I think. I could not exactly recollect every person passing in and out. There were a number of persons passing up and downstairs.

9179. Did you see Mr. Watkins?—Yes.

9180. And Mr. Scully?—Yes, Mr. Jerome Scully.

9181. Was not Mr. Dudley Byrne there?—I am not quite distinct. He may have been there. There was such a number of persons passing up and down that I could not exactly be positive.

9182. Was Captain Dudley Byrne there that night or in the morning?—He may have been there, but I

cannot swear positively as to whether he was or was not.

9183. What was Mr. Patrick Laffan doing there?—I could not tell you, I saw him there.

9184. Did you see Patrick Cunningham come to him?—I did, two or three times.

9185. Did you see any persons passing to the upper story of the house, from the drawing-room?—No, unless the servants, I do not recollect.

9186. You have a family?—I have.

9187. Did you receive any favours or compliments from Mr. Munster?—No.

9188. Any presents?—I never received a favour since I became an elector in Cashel from any candidate.

9189. Did any of your family?—With the exception of a mere trifle. There were some presents made after a bazaar, perhaps worth a few shillings. There was a little workbox my daughter got.

9190. Was there a watch?—No; there was a box of pins and a box of needles, I think a travelling rug; some trifling things after the bazaar—the bazaar in Thurles, and I think a bazaar in Dublin.

9191. Were any of your family at the bazaar in Dublin?—No, but Mr. Munster had some small articles that were bought in for him or not sold, which he distributed about town. He made presents to several parties in Cashel, electors and non-electors. He sent a work-box to my daughter, or Mrs. Cormack, I am not sure which.

9192. He made presents to people in Cashel?—Yes, electors and non-electors.

9193. Had you any dealings with Mr. Munster?—No dealings connected with the election.

9194. Connected with the election or otherwise?—None whatever.

9195. Had you any money transactions with Mr. Munster?—Before the election?

9196. Before or after?—Oh yes, I had, a long time after.

9197. What were they?—There was a loan on property.

9198. What was the amount of the loan?—About £160 or £165, I am not quite sure which.

9199. When was the loan?—On the 31st December.

9200. A loan on mortgage?—Yes.

9201. It was you that proposed to Mr. Munster to lend it?—It was.

9202. Besides that loan on the 31st December, had you any other money transactions?—Yes, another loan on a different property.

9203. You gave him a security for it?—Yes.

9204. What was the amount of it?—The first was an insurance for £600—one of my insurances.

9205. Did he lend you £600?—No, £165.

9206. Is that in addition to the loan of £165 you spoke of?—No, that is the loan I spoke of.

9207. You told me there was a loan on the 31st December?—Yes, for £160 or £165.

9208. I asked you had you any other money transactions with him, and you said a loan on other property?—Yes.

9209. What was the amount of that transaction?—£120.

9210. What was the date of it?—I forget exactly now—some time in May or June.

9211. May or June last?—Yes, in this year.

9212. Had you any other transactions with him?—No, except an occasional fee.

9213. How much did you receive in fees from him?—I cannot be quite positive—only a few pounds.

9214. I suppose that was for professionally attending Mr. Munster?—Attending Mr. Munster and other members of his family, also one or two poor persons.

9215. Did you receive any other money from Mr. Munster, except the £165 and £120, and those fees?—I do not recollect.

9216. Did he ever lend you any other money?—No.

9217. Did any person, connected with Mr. Munster, lend you money?—No.

9218. Was the £165 paid in one sum?—This loan of 31st December? No, it was paid in different sums, I believe.

9219. Was it all paid before the 31st December?—No, subsequently; paid on the 31st; it was paid by cheques, I think, by Miss Sterne.

9220. And who paid the £120?—It was paid in different payments; there were different payments made—some to my daughter, and some to myself. I have not a correct account of the payment, but it was in several sums.

9221. Were you to pay interest on this loan?—Yes, 5 per cent.

9222. Half-yearly?—No, yearly.

9223. When does the year's interest become due?—The 31st December next.

9224. What was the amount of the fees that you received?—Well, I cannot be positive.

9225. Did they exceed £10?—No, I do not think they did.

9226. They were under £10?—They did not exceed it. No, they were about £10 I think. They were so few that I did not keep an account of them.

9227. I see here on the 2nd January, 1869, under the head of travelling, charities, and other payments at Cashel after the election, "January 2nd, Doctor Cormack, £9; ditto, ditto, £36, value received." What was the value for this £45?—The insurance.

9228. Did you not say that that transaction was completed on the 31st December?—The loan was negotiated on the 31st December, and there were different payments made after.

9229. I thought you said that the £165 transaction was completed on the 31st December?—On the 31st December.

9230. And the money paid?—Not all the money paid.

9231. How much remained unpaid then?—I could not tell you exactly; but it was all paid up subsequently in different sums. I gave him a £600 insurance.

9232. It is entered in another part as a loan?—Yes, it is as a loan on the insurance or mortgage; it is rather a mortgage I should say. I handed over my policy of insurance to Mr. Munster's solicitor.

[The short-hand writer reads question and answer No. 9219.]

9233. Mr. WATERS, Q.C.—You said the £165 was paid on the 31st December, do you wish to alter that?—I wish to alter that. The amount was negociated on the 31st December. I handed in my policy of insurance to Mr. Munster's solicitor on the 31st December.

9234. And you say the £45 paid afterwards was part of it?—I am not quite positive.

9235. Do you say that the £45 paid after the 31st December formed portion of that money?—Decidedly.

9236. In short, did you get any money from Mr. Munster except what is included in that amount?—No, but that £165.

9237. You were asked by Mr. Molloy if your daughter went to a bazaar in Dublin, and I think you said "No?"—To a Dublin bazaar?

9238. Yes. Mr. Munster wishes to have that question repeated. Did Miss Cormack go with a party to a bazaar in Dublin in December, and to Cork at Easter?—She did; she went to Dublin.

9239. And to Cork?—And to Cork.

9240. Did you forget that?—I did. I have been up two nights: My memory is defective.

9241. Mr. *Munster*.—Would you ask him, sir, did he go with my children and with Miss Cormack on the 31st December?—*Witness*.—I did.

9242. Mr. MOLLOY.—Do you know of any other persons—ladies from Cashel, going to the bazaar in Dublin?—Mrs. Boyton.

9243. Mr. WATERS, Q.C.—Did your daughter go at Mr. Munster's expense to Dublin, and to Cork afterwards?—I could not tell you whether she went at mine; I could not tell you.

9244. Mr. Munster wishes you to be asked, did not

NINTH DAY. *October* 13.

Dr. Michael Phelan Cormack.

Mr. Munster lend you money on a policy of insurance on an office of which he was a director?—Yes.

9245. Did not Mr. Munster also advance money on deposit of a lease?—Yes.

9246. With arrangement for future advances?—That is the second loan.

9247. Mr. *Munster*.—Please also ask if he did not go to Dublin to see my solicitor, Mr. O'Hagan, on the subject?—*Witness*.—Yes, certainly; that was the day it was negotiated.

9248. Mr. GRIFFIN.—When was that loan first spoken of?—I think it was on the 30th.

9249. You never said anything to Mr. Munster or any of his agents about borrowing money before that time?—I do not remember that I did; I may have done so, perhaps a day or two before, but I do not recollect.

9250. You say you did not speak to Mr. Munster or any of his friends about getting a loan at any time before the election?—I did, but not to Mr. Munster.

9251. To whom did you speak?—To Mr. Leahy.

9252. About what time?—Some short time previous to the election.

9253. Was it in October?—October or November, I am not quite sure which.

9254. What did Mr. Leahy say then?—I asked him if he would get a bill negotiated for me in London.

9255. You asked Mr. Leahy?—Yes.

9256. When you spoke to Mr. Leahy asking him about getting a bill negotiated, what did he say?—He said he thought he could get Mr. Munster to do it.

9257. I suppose when you spoke to Mr. Leahy you thought Mr. Munster would be likely to do it. You did not expect Mr. Leahy to become personal security for you?—I thought he might, as knowing me.

9258. What did Mr. Leahy say to you?—He said he thought Mr. Munster might lend me the money.

9259. Mr. MOLLOY.—How much of the loan was paid by Miss Sterne's cheques?—I cannot recollect now; I think in different small sums, as well as I can recollect.

9260. Did you receive cheques from Miss Sterne?—Cheques, and I think some money too.

9261. Where did you cash the cheques that you received from Miss Sterne?—I think the National Bank, Cashel.

9262. You are certain you cashed the cheques received from Miss Sterne in the National Bank?—Yes, I think so.

9263. Mr. GRIFFIN.—How was the £120 paid?—It was paid by cheques and different sums.

9264. It was not paid in one sum?—No; principally, I think, to my daughter.

9265. Is that advance on the policy guaranteed by your brother to Mr. Munster?—No; he has my policy of insurance.

9266. Is there any guarantee from your eldest brother for that advance?—At present?

9267. Yes?—Not that I can recollect.

9268. Mr. *Munster*.—There is a promissory note or bill I think?—*Witness*.—The bill I gave Mr. Leahy to get negotiated had my name and my brother's on it.

9269. Mr. GRIFFIN.—You gave that bill to Mr. Leahy before the election?—Before the election. I think I enclosed it to him to London, if I mistake not.

9270. What was the amount of it?—A hundred pounds.

[Mr. *Munster*.—I am wrong].

9271. Was Mr. Munster in Cashel when you sent that bill to Mr. Leahy?—He was.

9272. Had you any conversation with Mr. Munster himself about it at the time—in October or November?—Yes, subsequently to my applying to Mr. Leahy.

9273. In consequence of what Mr. Leahy told you, you had a conversation with Mr. Munster about it?—Yes.

9274. Was that before the election?—Yes.

9275. What did Mr. Munster say to you?—He offered to guarantee the amount through his banker in London.

9276. That is, in fact, to get the bill negotiated for you?—Yes.

[Mr. *Munster*.—Might I ask you to ask him if his brother is not a perfectly solvent person].

9277. Your brother is a perfectly solvent person?—Oh, yes; he has property for ever, unencumbered.

9278. Had you your mind made up to vote for Mr. Munster at that time?—Decidedly. If I had been offered £500 for supporting Mr. Munster I would not have voted for him—that is as a bribe—or £1,000. I never received anything, as I told you before, on account of my vote as long as I am an elector of Cashel. It would be the very thing that would prevent me of voting for him if I was offered it.

Mr. *John Phelan*, of Main-street, was called, but did not appear. *Thomas Rawlins* was called, but did not appear.

James Walshe

James Walshe sworn; examined by Mr. WATERS, Q.C.

9279. For whom did you vote at the last election?—Mr. Munster.

9280. Did you receive any promise or consideration for voting for him?—No, sir.

9281. None whatever?—No, sir.

9282. Who canvassed you?—Mr. Michael Laffan.

9283. Were you a voter on a former occasion?—No, sir.

9284. Were you canvassed by anybody else?—I wasn't, sir.

9285. Tell me all that took place between you and Mr. Michael Laffan when he was canvassing you?—He told me that Mr. Munster was coming to town, and that he was an excellent man of large means, that would improve and serve the town. He asked me to keep myself disengaged until I would hear from him again. He came to me a second time then, and he was led to think I would vote for him.

9286. How was he led to think you would vote for him?—I told him I would be happy to vote for him, but I didn't say candidly I would.

9287. Was that after Mr. Munster came?—I think it was.

9288. Now tell me candidly how much did you expect for voting for him?—I didn't expect anything.

9289. Nothing at all?—No.

9290. Did anybody else canvass you but Mr. Michael Laffan?—Mr. O'Beirne asked me would I vote for him, and I told him I would.

9291. Did anybody else canvass you for Mr. O'Beirne besides himself?—No.

9292. Was money offered to you by Mr. O'Beirne or any one on his behalf?—No.

9293. What family have you?—I have one sister that lives with me, sir.

9294. Have you no other family?—I have three more sisters in town, but they are married.

9295. Was there any sort of consideration promised you for your vote?—No.

9296. Did you ask any?—I didn't.

9297. When Mr. Laffan asked you the second time you said you thought you might vote for him; what induced you to vote for him?—No consideration induced me; I voted from myself.

9298. You had known that Mr. O'Beirne was the former member?—I did.

9299. And you say no inducement of any kind was offered to you?—No.

9300. Do you know did your sister get anything?—I know she didn't.

9301. Mr. MOLLOY.—Had you any talk with any of your relatives or connexions about it?—No.

9302. Did you hear that money was going?—I did.

9303. How did you hear it?—By rumour, or report.

9304. Did any person talk to you about how you were to vote, except Mr. O'Beirne and Mr. Laffan?—They didn't.

9305. No person else in the world?—No person.

9306. You had no conversation as to how you would vote except with these two?—I hadn't; I didn't interfere with anything—I had business to mind.

9307. Did any person interfere with you or ask you?—No, sir.

9308. What business are you in?—I did business at the time for Mr. Power in the commercial way.

9309. A commercial traveller?—Yes.

9310. You had relatives that took a great interest in Mr. Munster's behalf?—They may, unknown to me, I'm not aware of it.

9311. Did you know that your brother-in-law took a warm interest?—I heard he did.

9312. And did he not speak to you?—He didn't, because it was useless; I would do what I wished myself.

9313. You never had any conversation with Michael O'Sullivan about how you were to vote?—No.

9314. And he never asked you?—I'm not aware; I think he didn't ask me. I'm positive he didn't, though I think he knew I would vote for Mr. Munster, and he didn't ask me.

9315. Did your sister tell him?—She didn't.

9316. Did your sister get any promise?—No; I positively swear she didn't, nor money in any way.

Thomas Rawlins sworn; examined by Mr. WATERS, Q.C.

Thomas Rawlins.

9317. Are you a voter of the borough of Cashel?—Yes, sir.

9318. And you voted at the last election for Mr. Munster?—Yes, sir.

9319. You got some money before the election?—Yes, sir, I did.

9320. How much did you get?—Five pounds five, by my own mistake.

9321. Is that all?—I got more after, sir.

9322. How much did you get afterwards?—£5 after that again, sir.

9323. From whom?—From Mr. Laffan—not this present Mr. Laffan [identifying Mr. Michael J. Laffan], but a brother of his.

9324. When did you get the first five guineas?—Some time before the election—five guineas they called a detainer.

9325. That was from Mr. Michael Laffan—was it not?—It was, sir.

9326. Did Mr. Michael Laffan tell you to go anywhere to get that money?—He told me that I could cash it in the bank, sir.

9327. Were you ever in Mr. Meara's house about that money?—I was, sir.

9328. How did that come to happen?—I will tell you, sir, how it came. The morning of the polling, sir, he see me here, that I wasn't very much inclined to give my vote.

9329. Who saw you?—Mr. Laffan, sir, the way he tricked me in the detainer that he gave me.

9330. I want you to come to the day of the retainer?—That was the first day—the detainer. Mr. Laffan gave it to me at Corcoran's. He sent for me. He told me that Mr. Munster was a good, charitable man for the town. "Here," said he, "take that." I took it for a spree of drink. When I discovered the error of it I got uneasy, and his brother gave me £5 to keep counsel, not to mind speaking any more of it. No more I didn't either.

9331. Where did he give you the cheque?—In Corcoran's hotel.

9332. In Corcoran's hotel?—Yes, sir.

9333. Do you recollect afterwards going to Mr. Meara's house?—This was the morning of the polling.

9334. Who told you to go to Meara's house?—Mr. Laffan here, sir [identifying Mr. Michael J. Laffan].

9335. How many days was that after you got the cheque?—I couldn't tell you.

9336. About how many?—I believe 'tis about a fortnight.

9337. About a fortnight after you got the cheque?—It would be a fortnight before the election that I got the detainer.

9338. On the morning of the polling you say Mr. Laffan saw you were not inclined to vote?—It appeared to me like that. He sent me down to Meara's and I got five guineas there.

9339. What did he tell you?—To go down to Meara's, and I went down, and he reached me it in a cartridge and I went away—'twas made up in a cartridge.

9340. Then you got £5 afterwards from Mr. Patrick Laffan?—Before that, sir, I got it.

9341. Did you not tell me it was before the election you got it?—I got £5 from Mr. Patrick Laffan before I got Meara's five.

9342. That is £15 10*s.*?—£15 10*s.* I got, sir, altogether.

9343. Did you get any more after the election?—No, sir, not a penny.

9344. When did you get that £5 from Mr. Patrick Laffan?—A few days after I got the detainer.

9345. Where did you get it?—Below in Corcoran's house.

9346. Who was present when Mr. Patrick Laffan gave you that?—No one but myself and himself.

9347. Did you say it was not enough?—I told him wasn't I entitled to get as much as any other.

9348. How much did you say you heard they were getting?—£30.

9349. Did you tell him you expected £30?—He said if I kept counsel until the election was over I would get it. I said to give me the £5 he had in his hand, and to deduct it out of the £30 when he would be paying it. There's the whole truth.

9350. And then you took the £5 on account?—I did, sir. If he was to give me any more, sir, 'twould shorten the bill.

9351. On the morning of the polling Mr. Laffan told you to go to Meara's, and you say Meara gave you £5 5*s.*?—£5 5*s.*, sir.

9352. Mr. Meara does not give the same account of that transaction. You say that Mr. Laffan saw you were not inclined to vote. Tell me all that occurred between you on the morning of the poll?—He sent me down to Meara's.

9353. I want you to tell me what he said to you. What did you say to him that showed him you were not inclined to vote?—I didn't care whether I voted.

9354. What did you say to him?—I said nothing to him.

9355. How did he see that you were not inclined to vote?—Because I was scolding him all through for giving me the detainer.

9356. What did you say?—I said he had no right to do such a thing, that I would stand to my word.

9357. What did he say?—He said, "Go down to Meara's," that he wanted me, and I got five guineas there then.

9358. What did he say to go to Meara's for?—To get money there.

9359. Did he say so?—He did.

NINTH DAY.
October 13.
Thomas Rawlins.

9360. What did he say?—"Go down to Meara's," says he, "and there's five guineas there for you;" and I went down and got it, which Meara won't deny that he gave it to me.

9361. Mr. Meara says that when you went down there he put out five guineas for you, and that you would not take it?—Take it! I would, and ten if he gave it to me.

9362. Did you meet Mr. Laffan in John-street on the morning of the polling, and ask him would you vote; and did he say to you: "You cannot vote unless you pay back the five guineas"?—There was no word about it at all, sir, because he kept me all the night in the house to secure my vote next morning.

9363. In what house?—In Corcoran's. We were there all night.

9364. Who told you go to Corcoran's the night before?—Mr. Laffan here [pointing to Mr. Michael J. Laffan]. We were to meet there to be ready for seven o'clock in the morning.

9365. Did you spend the night there?—Of course, great part of the night there.

9366. Did Mr. Laffan ask you to give back the five guineas you got as a retainer?—He might as well ask me to give back the first five guineas as the second, he gave me to keep it in.

9367. Did he ask you to borrow it and pay it back?—What need he when I had it in my pocket?

9368. Did he say to you, you ought to borrow the money and pay it back to him?—There wasn't a word at all about it. What did I want to borrow it from Meara, when I had it myself?

9369. Did you tell Mr. Laffan at that time of the £5 you got from his brother Patrick?—Not a word: he knew about it; but, after the election being over, he sent for me to get back the £5 from me. Three times he sent for me to get back the £5 5*s.* that I got from Meara, to have it all right in the books. I told him when I would be paid according to every man—"when I'll be paid," says I, "you can keep the £5 as well as the other.

9370. Mr. Laffan wishes to have you asked, are you quite sure that Mr. Laffan never said anything to you about borrowing the money to pay back the five guineas?—That's all foolishness; why should he ask me to borrow the money from Meara, when I had my own money?

9371. Did you ever tell Mr. Michael Laffan that you got £5 from his brother Patrick?—Not until after the election; and the answer he made me, he didn't want to hear any more about it, but to give it back to him.

9372. I want you to listen to what Mr. Meara says occurred. He says that you went down to his place, that he offered you five guineas, that you would not take it; that Mr. Laffan came in very soon after and got five guineas from Mr. Meara and gave it to you, and you went out with it. Now, was it from Mr. Meara you took it, or was it Mr. Laffan that gave it to you?—Mr. Meara when I went in brought me inside behind the counter, and handed me it. There wasn't one word about it. He gave it to me.

9373. Do you say you took it from his hands in his shop?—Out of his hands he gave it to me in the shop.

9374. And you kept it, of course?—That's true, sir; out of his hands he gave it to me. Only for I was entitled to get it, I suppose he wouldn't give me 5*s.*

9375. You got it at all events?—I'm sure of that, sir; I did.

9376. And that is altogether £15 10*s.* you got?—£15 10*s.*, and if I got more I would take it.

9377. Mr. GRIFFIN.—Do you expect to get the balance of £30?—Well, I got no promise for it, sir, from any man.

9378. Did you ask any man?—I was in the room, and Mr. Leahy came to me, and I was complaining about that detainer to him, and he said to make my mind easy, that it was for a good purpose I got it, and that I would be well recompensed after the election.

9379. That conversation was before the election?—After the election, sir.

9380. Mr. WATERS, Q.C.—Mention it again?—A night or two before the polling I was in a room at Corcoran's Hotel. Mr. Leahy told me not to be uneasy about the detainer; it was for a good purpose I got it, and that I would be well rewarded or compensated after the election being over. That's all the promise I got about it.

9381. You say this occurred a night or two before the election?—Yes, sir.

9382. Mr. GRIFFIN.—Did you not complain to any one since the election?—Since?

9383. Yes?—No, sir; I didn't know I had any complaint to make to anyone. What complaint had I to make?

9384. Did you not ask anybody when you would get the £30?—I couldn't be talking about what I had no claim on. Sure they needn't give it to me if they hadn't a mind.

9385. Were you canvassed by Mr. O'Beirne at all?—Well, he came once to my house—three days or so, and I told him I was pledged to Mr. Munster under the detainer they had on me.

9386. Was it after you got the retainer Mr. O'Beirne came to you?—O, it was, sir. I hadn't anything to say but one word, sir.

9387. Mr. MOLLOY.—Did you get a notice from Mr. Richardson to go up to Corcoran's Hotel?—To attend the meeting?

9388. Yes?—O, we all got instructions.

9389. From Mr. Richardson?—I don't know who it came from, sir.

9390. What were you complaining of the retainer for?—That he had no right to give me a detainer. Couldn't he ask me fair for my vote, and not to trap me that way?

9391. Was it because it prevented you from getting money at the other side?—I didn't want any money from the other side, or his side. I should be left to my own liberty.

9392. For whom did you vote in 1865?—For Mr. O'Beirne.

9393. How much did you get then?—I set my house to Mr. Johnson, occasionally, if he wanted it, to give him the use of it. He never occupied it. I don't think he ever put his foot inside the door.

9394. How much did you get for the house?—£30, sir.

9395. And you say he never occupied it?—He never came near it, and if he wanted it of course he would.

9396. It was there for him?—Yes, 'twas.

9397. When was the £30 paid to you?—After the election, sir.

9398. Did you sign a bill?—No, sir. He sent me £30 in a letter.

9399. How did you vote in 1859?—I didn't vote in '59.

9400. Had you a vote?—No, I hadn't a vote in '59.

9401. You had only a vote at the two last elections?—At the two last elections.

9402. Did Mr. Johnson take many other houses in 1865?—Yes, he did, sir; he took my house.

9403. Did he take any other houses in 1865?—I don't know what he done with any other man.

Daniel Foley sworn; examined by Mr. WATERS, Q.C.

9404. You are a voter, I believe?—Yes, sir.

9405. Where do you live?—In the Commons, sir.

9406. Do you know of any money having been given at the last election for votes?—No, sir.

9407. Did you ever hear of it?—No, sir.

9408. Never heard of it at all?—Oh, I did sir; I could hear it here.

9409. But did you hear it before this time?—I heard a rumour, sir, but no proof of it.

9410. You heard it at the Petition?—Yes, I believe I did, sir.

9411. Did you live in the Commons in 1865?—I did, sir.

9412. And you knew that there was money given in it?—No, sir, nothing but rumours, as the present case, sir.

9413. Did you never hear that there were bills passed on the Commons in 1865?—I did, sir; a rumour, sir.

9414. And that those bills were passed for money that they got for their votes?—Upon interest, I heard, sir.

9415. It was not hard to pay the interest, I believe?—I couldn't tell, sir.

9416. They paid principal and interest together; did they not?—I couldn't tell, sir; I got none.

9417. You got none?—No.

9418. At any time?—No.

9419. Never at all?—"At any time"—I'm not saying that word yet, sir.

9420. What did you get at any time?—£25, sir.

9421. When did you get it?—Not for my vote, sir.

9422. For your services as an agent, was it?—I asked it, sir; but I got it as a grant.

9423. From whom did you get it?—From Mr. O'Beirne himself.

9424. When?—Something about the 20th October last, after he canvassing my house. I gave what you call a plumper. I went about—on the 16th October; I went about the 20th October—from the 16th to the 20th October.

9425. You went in to Mr. O'Beirne's, you say?—He canvassed my house first, sir. I gave him a plump vote in presence of some respectable people in the town. Four days after I came into him, and said there was £25 calling on me in the bank. He stopped, and hesitated, and I put it to his breast that I was paying rack-rent to the Corporation land. He turned over and said, "In '65 and '68, you and your mistress also treated me respectful, both—a bottle of grog and all this, and it would be very bad for me to refuse your request; when is it due?" I pulled the docket out of my pocket, showing when it was due. He took it, and put it into his desk, and kept it there, and gave me no money. In four or five days after it became due, and I learned it was paid.

9426. What was the docket that you gave him?—The docket to take up to the bank.

9427. It was a bill then?—Yes, sir, a bill. I didn't know the name of it.

9428. You raised the money in the bank?—Yes, sir, with my security, Mr. Sturdy.

9429. Whose name was on it?—Mr. Sturdy.

9430. That was on the bank here in Cashel?—Yes, sir.

9431. And you recollect when it fell due?—I think about the 28th or 29th of October, in or about that day.

9432. And you were never asked by the bank to pay?—Never, sir.

9433. Did you ever get that bill since?—No, sir.

9434. You do not know what became of it?—I went in on the following day to the bank. I went to the master of the bank and asked who paid it, and he said he didn't know. I asked about the bill, and he said whoever came with the money took up the bill.

9435. Who did you ask at the National Bank?—The present master that is there, sir.

9436. Mr. Barron, is it?—Yes, sir.

9437. Did you ever ask anyone afterwards who paid it?—No, sir.

9438. Did you ever go to Mr. Sturdy about it?—No, sir.

9439. You were satisfied when you found it was paid?—I was, sir.

9440. At the time you went to Mr. Laffan did you tell him that Mr. Munster's people were offering money to the Commoners?—No, sir; I never spoke to Mr. Munster, or went near his agents.

9441. Did you tell him that they were offering money to some people on the Commons?—No, sir, I had no recourse to the way of them at all, sir. My father was dying then, sir, and was buried in a few days.

9442. Your father was living then?—He was, sir, up to '59, and he gave a vote in '55.

9443. Mr. GRIFFIN.—Did you ever hear that there was any rent paid to Mr. Sturdy for you?—No, sir.

9444. Was that bill for rent?—No, but for cash to cut my harvest. 'Twas up about the 28th July, I believe.

9445. Did you pay the last rent yourself?—I did, sir.

9446. When did you pay it?—I paid all rents myself; never forwarded one pound cash in any way, but gave my cash to Mr. Sturdy. If I was short of a bill I only went to the bank, and Mr. Sturdy and myself would take it up.

9447. Mr. MOLLOY.—Did you look for money at the last election?—No, sir.

9448. Did you go to any person for money?—No, sir.

9449. Who is your landlord?—Mr. Sturdy; the Commissioners of Cashel for a part.

9450. Did you suggest to any person to leave money in Mr. Sturdy's hands for you?—I did, sir; I met Mr. Pat. Laffan on a Sunday at my own land. He asked me for information about the Commons people. I told him I heard Mr. Munster was a good, charitable man. "I'm paying a very rack-rent for it. If you go to Mr. Sturdy and get it free, or bring me a receipt for half-year's rent, I will look for all information." "How much is it?" says he. "Fifty pounds," says I. "Will you come in to-morrow to Cashel?" "No," says I to him, "I have too much to do." That's all that passed between me and anyone for Mr. Munster.

9451. Did you ever ask any person for money?—No, sir; I gave a plump vote in presence of two townsmen here, sir.

9452. Mr. GRIFFIN.—Was it after you promised the plumper to Mr. O'Beirne that you had the conversation with Mr. Patrick Laffan?—I couldn't say, sir. By chance I met Mr. Patrick Laffan and had a few words.

9453. Could you not tell was it before or after?—I could not, sir.

9454. Could you not tell if you had a conversation with Mr. O'Beirne before that?—Well, I couldn't remember.

William Cashen sworn; examined by Mr. MOLLOY.

William Cashen.

9455. You voted at the last election?—I did, sir.

9456. For whom did you vote?—Mr. O'Beirne.

9457. How much did you get for voting for Mr. O'Beirne?—I didn't get as much as would shave me.

9458. How much did your son get?—I can't tell about that, sir.

9459. How much did he tell you?—He told me £5 for being an agent, I believe, to him.

9460. How much did he get for you?—He got nothing for me; I didn't get anything at all.

9461. If your son told any person that there was £20 given for your vote, would it be true?—I don't know whether it would be true or not.

NINTH DAY. *October* 13.

William Cashen.

9462. How many sons have you?—I have seven or eight, if they were together.

9463. One was employed by Mr. O'Beirne?—He was, sir.

9464. Were any of the others employed?—No, sir, there wasn't.

9465. Who canvassed you?—Who canvassed me?

9466. Yes?—No one. I came in of my own accord.

9467. You voted in '65?—I did, sir.

9468. What did you get for voting in '65?—I got nothing in '65.

9469. Did you sign any bill?—I don't know whether I did or no, sir. 'Tis too long ago. If I saw the bill I would be able to judge. If it is in your power to show me the bill, sir, I would be thankful to you. Is it in your power to get the bill from him and let me see is it in my own handwriting?

9470. No. Mr. White says he witnessed a bill you signed for Mr. Johnson?—I can't remember that.

9471. Did you get any money from Mr. Johnson?—No, sir, I never spoke to Mr. Johnson.

9472. Did you get money from Mr. White?—I don't know whether I did or no. 'Tis gone out of my memory.

9473. Who canvassed you at the last election?—No man at all. I came in of my own accord, and if Mr. Scully went on I would go for Mr. Scully, for I had no friendship for any of them.

9474. If he gave you money you would go for him?—I wouldn't; my father did the same, and I'll do the same way myself.

9475. Did you get any money from Simon Tracey?—I don't know the man at all; I believe he would rather keep it himself, the beggar, whoever he is. Ha! What a cash-keeper I would have—Tracey, the ragman!

9476. Mr. GRIFFIN.—What is the name of your son who was employed for Mr. O'Beirne?—His name is William, sir.

9477. Mr. MOLLOY.—Did you get any money from Mr. Munster?—I wouldn't take his money; I got five guineas from Mr. Laffan.

9478. And you took it?—I did, sir; I cashed it below in the bank.

9479. What was the five guineas for?—He told me he had a little job for me; it was on Spy Wednesday I got it; he said he would come to the land to me, and he didn't; I came in afterwards and threw it on the table to him.

9480. Why did you throw it to him?—Because he was deceiving me.

9481. Which Mr. Laffan was it?—I don't know; to the best of my opinion it isn't this man at all [pointing to Mr. Michael J. Laffan]; it was below in Corcoran's I got it.

9482. Where did you get the five guineas?—In Corcoran's hotel.

9483. What brought you there?—I was brought down there by Mick Beary.

9484. Did he tell you what for?—No; the man didn't say anything about it.

9485. What did he say to you?—He brought me down there.

9486. Did you not know it was Mr. Munster's hotel?—I didn't care whose hotel it was; I was richer when I went out; I suppose he was the sergeant he had listing the people.

9487. When did you see Mr. Laffan since you got the money?—He gave me the money on Wednesday; I thought he'd go out to show me how to do the job; he didn't come; and on Saturday I see posted on the wall the meaning of it; I went and made a little ball of the money, and threw it to him, and he wouldn't take it; I went up and told Mr. Grace, and he told me to go down again; I made a little ball, and put the five shillings in the three notes, and left it to him.

9488. Did you cash it in the bank?—I did, sir.

9489. Did you lay some of the money out?—I didn't a penny, sir.

9490. Did you keep it rolled up?—I did, sir, all through.

9491. You knew nothing of the trick that was played on you until you came into town on Saturday?—I did when I see it posted up, sir.

9492. Did you bring the money with you?—I did, sir.

9493. Why did you bring it in?—I have money with me now.

9494. What did you bring the five guineas rolled up into Cashel for?—'Twas no load for me to bring it.

9495. What did you want of it in Cashel?—I may get a tow or a pig, because we are dealing in them.

9496. Did you expect a fair in Cashel that Saturday?—Isn't there a maket there in Cashel every Saturday?

9497. Did you get money that Saturday in Cashel?—Sure I did.

9498. From whom did you get the money that Saturday, in Cashel?—From who?

9499. That is what I want you to tell me?—I left it to Mr. Laffan in a little ball to him. What did I care about his money?

9500. After you saw these things posted up to whom did you speak about it?—When I see it posted up I gave him up altogether.

9501. Did you speak to any person?—No, sir, I didn't.

9502. No person told you to give back the money?—I went to Mr. Grace about it and he told me to give it up altogether—to keep no hoult of his money.

9503. Are you able to read and write?—I can write my name, sir.

9504. Can you read?—Wisha, badly.

9505. Who read the notice on the wall for you?—Anything going that way in print I would make it out myself without bringing any handy man to it.

Thomas Walsh.

Thomas Walsh, of the Commons, sworn; examined by Mr. WATERS, Q.C.

9506. Are you a voter and of the Commons?—Yes, sir.

9507. For whom did you vote at the last election?—Mr. O'Beirne.

9508. Did you vote for him at the election of 1865?—I did, sir.

9509. And what did you get from him for voting in 1865?—Nothing, sir.

9510. Would you not save me the trouble of going through all the questions I had to ask other witnesses, and tell it out?—I will tell you everything.

9511. Did you pass a bill in 1865?—No, sir.

9512. Did you get anything in 1865 from anyone?—No, sir.

9513. Did you get anything at the last election?—No, sir.

9514. Or pass any bill?—No, sir.

9515. Did you know there was money given for voting in 1865?—Some of my neighbours were engaged with it.

9516. And did you never ask any yourself?—No, sir.

9517. Who canvassed you at the last election?—Mr. O'Beirne himself.

9518. When?—The day he went out on the Commons. I don't recollect what day it was.

9519. Are you sure you never passed a bill?—No, sir.

9520. At any time at all?—At any time, sir.

9521. Either before or after the election of 1868?—Yes.

9522. Did any of your family get any money for your vote in 1865?—No, sir.

9523. Have you a son?—I have one young one.

9524. Do you say that none of your family got anything for your vote in 1865?—No, sir, nor I didn't, sir.

9525. Did you vote in 1859?—I believe I did, sir.

9526. For Lanigan?—Yes, sir.

9527. Why did you not vote for Lanigan in 1865 as you did in 1859?—Twelve months before the election we signed a requisition to have Mr. O'Beirne come.

9528. Why did you sign that requisition?—We considered he would be a good member of Parliament.

9529. Why did you fall out with Lanigan?—It was supposed he would never contest Cashel again.

9530. When he did contest it why did you not support him as before?—How could I when I requested Mr. O'Beirne to come, and signed my name.

9531. Who got you to sign your name?—Some of the people of Cashel, I believe, signed to it.

9532. Do you mean to say you are so conscientious that you would not vote for a man after signing a requisition to another?—I do, sir.

9533. You would not do it?—I would not, sir.

9534. I am glad to hear it. Did anyone canvass you on behalf of Mr. Munster?—No, sir.

9535. Were you ever convassed by Mr. Laffan, or anyone else, on behalf of Mr. Munster?—No, sir.

9536. Or by Patrick Cunningham, or any of them?—No, sir. I pledged to Mr. O'Beirne the day of his canvass, and I suppose they knew I was a staunch supporter of his.

9537. And that no money would buy you?—No, sir; all that he brought hither from England wouldn't change me if I liked him.

9538. Were you an agent for Mr. O Beirne?—No, sir; I had something else to do.

Jeremiah O'Connell sworn; examined by Mr. GRIFFIN

9539. You voted at the last election for Mr. O'Beirne?—Yes, sir.

9540. After the election did you hear of any money having been given to any of your family from the other side?—Yes, I did.

9541. What was the sum?—I heard £35.

9542. Who did you hear gave it?—I heard it must have come from Mr. Munster or his agents.

9543. Did you hear what particular person gave it?—No, I didn't hear.

9544. Which of your family got it?—I can't say was it my wife or daughter. I heard it was in the house. I was told before the polling that it was in the house, and advised by some to vote for Mr. Munster, yet it didn't influence me in the slightest. I voted for Mr. O'Beirne.

9545. Did any of Mr. Munster's people speak to you afterwards about having voted for Mr. O'Beirne?—No; I never heard one of them to say a word after. Mr. Laffan was the only man I met, and I found him gentlemanly on the occasion.

9546 Which Mr. Laffan?—I don't know the two asunder. I think it must be this gentleman [identifies Mr. Michael J. Laffan]. He made no promise to me, and I found him very honorable on the occasion.

9547. What occurred about that money since, Mr. O'Connell?—I heard it was taken from the house the same night, at the closing of the poll.

9548. Taken back?—Yes, it was given back, by all accounts.

9549. Do you know to whom it was given back?—I can't say: I didn't see it: I was only told about it. I really didn't put a question about it. I heard it was given back, and I would insist that it would.

9550. Did you see it, Mr. O'Connell?—I never saw it.

9551. For whom did you vote in '65?—I didn't vote at that time; I was the officer of this house at that time; I was then an officer of this house.

9552. Was any inducement offered to you, or any promise made by Mr. O'Beirne?—Not a word. He called once, and was rather inquiring about my health.

9553. Mr. WATERS, Q.C.—I suppose the members of your family that were in the house at that time are all here still?—There is one, my lord, here—my wife.

Catherine O'Connell sworn; examined by Mr. WATERS, Q.C.

9554. You heard your husband's story about the £35?—I did, sir.

9555. Was it with you it was left?—It was left in the room, sir.

9556. Who brought it to you?—Some old man I never saw before. Mr. Laffan informed me it would be left there.

9557. Which Mr. Laffan?—Mr. Patrick Laffan, sir. My husband knew nothing of it.

9558. Did you see the man leaving the money there?—I didn't see him leaving it, but I saw him go into the room.

9559. How was he dressed?—He was in a plain country farmer's dress.

9560. With frieze coat and knee breeches?—I couldn't say; but he was a very old man—an aged man.

9561. Would you know him again if you saw him?—I wouldn't, sir. I never saw him before or since.

9562. Was the money in notes, or what way?—It was in notes, sir.

9563. And £35 was the amount?—£35.

9564. When did you tell your husband of it?—The morning after.

9565. And when was it left?—The night before. He said he would have nothing to do with the money, and nothing would induce him to vote for Mr. Munster. He said he would have nothing to do with Mr. Munster or his money; that he would vote for Mr. O'Beirne.

9566. I suppose what you saw take place was, that you saw the man go into the room?—I saw him go in, sir, to the room.

9567. And the money was there after he came out?—It was.

9568. And it was not there before he went in?—No, sir.

9569. I must ask you to tell me all that occurred between you and Mr. Patrick Laffan, as well as you can recollect?—Mr. Pat. Laffan asked me would I ask my husband to vote for Mr. Munster. I told him I would, but I didn't think it was any use, as I knew his mind was made up to vote for Mr. O'Beirne; and also promised—not actually promised, but that I heard him say he would vote for no one else.

9570. How long was that before the leaving of the money?—It was the evening of leaving the money.

9571. Some short time before?—The evening of it, sir.

9572. What did Mr. Laffan tell you about the money?—Mr. Laffan asked me did I think anything would induce him to vote. I told him I thought it would not; that I knew his mind was made up to vote for Mr. O'Beirne.

9573. What else?—He said he would send a man to leave something in the room, and so he did; and when my husband was informed about it he made nothing of it. He said no money would induce him to vote against Mr. O'Beirne.

9574. You heard your husband say that he received no inducement from Mr. O'Beirne's side?—No, sir, he got not a penny, nor anyone of his family, nor asked for it, nor expected it; and I returned the money to Mr. Pat. Laffan the evening of the polling.

9575. Did you go with it yourself?—He came to my house for it.

9576. Mr. Patrick Laffan?—Mr. Patrick Laffan.

9577. What occurred when he came?—He seemed rather angry for my husband not voting. I said I had no influence over him in regard to his voting. He took away the money. I didn't think it right to keep the money as he didn't vote for Mr. Munster, so I returned it to him.

NINTH DAY.

October 13.

John Feehan sworn; examined by Mr. MOLLOY.

John Feehan.

9578. How long have you been an elector of Cashel?—I believe twenty years.

9579. For whom did you vote at the late election?—Mr. Munster, sir.

9580. For whom did you vote in 1865?—For Mr. Lanigan, sir.

9581. What did you get for voting at the last election?—Nothing, sir.

9582. Were you promised anything for your vote?—No, sir.

9583. Are you to get anything?—No, sir.

9584. What family have you?—I have three boys, sir.

9585. What are their names?—Pat., John, and Thomas.

9586. Are they to get anything?—By gor, I don't know, sir. Mr. Laffan sent directions to me to have a bill put in for the boys.

9587. What Mr. Laffan sent you those directions?—Michael, sir.

9588. When did he send you that message?—Some time after the election.

9589. Were they engaged at the election in any way?—They were at all times about him, here and there.

9590. What were they doing?—About the streets often, sir.

9591. Who canvassed you for Mr. Munster?—Mr. Michael Laffan came first.

9592. What did he say?—That Mr. Munster would be a good, kind man; a good man for the town, and so on, and I told him pull away.

9593. Did he say anything about how much money would be spent in the election?—I can't recollect it now, sir.

9594. Try and recollect?—I can't recollect it, sir.

9595. Mr. WATERS, Q.C.—Did he say anything about money?—I think he made some remark.

9596. Did he say anything about £5,000?—Some remark like that was made, sir.

9597. Mr. MOLLOY.—Were you shown any cheque?—No, sir.

9598. You voted for Mr. Munster?—I did, sir, independent; and never got a shilling in my life.

9599. How soon after the election did Mr. Michael Laffan desire you to send in a claim?—At the time there was a notice for any men that had anything due to send in their claim.

9600. Did you send in a claim?—I did, sir.

9601. Who wrote the claim that you sent in?—I did it myself.

9602. Why did you not put your own name to it?—I had nothing to do with it, sir, and didn't want it.

9603. Who desired you to put it in Pat.'s name?—As being the eldest boy I put in his name.

9604. Did you receive any money?—Not a penny, sir.

9605. Did any of your sons?—For my vote, sir?

9606. Any money?—Once Thomas received 10*s.*

9607. For what did he get it?—Drawing some sand that was used as gravel.

9608. How much did you put in the bill?—£2.

9609. How much did you put in the bill for the boys?—£50, sir.

9610. Did you not put in a bill for £55?—No, sir.

9611. Are you positive you put only £50 in the bill you put in?—I can't say; I think I did.

Mr E. H. Biggin.

Mr. *E. H. Biggin* recalled by Mr. WATERS, Q.C.

9612. Give me claim number 72, Mr. Biggin?—Here it is, sir.

John Feehan

John Feehan's examination resumed by Mr. WATERS, Q.C.

9613. Is that yours [claim is handed to witness]?—It is, sir.

9614. Is that all in your handwriting?—It is, sir.

9615. "Henry Munster, Esquire, debtor to Patrick Feehan, for his services during the election, amount £55?"—I thought it was £50, sir.

9616. Mr. MOLLOY.—It is dated 28th December; a few days after Christmas—to whom did you give it?—I gave it to Mr. Laffan, sir.

9617. What did he say?—He began to smile. I said to do as he liked with it, and he said he would do his best with it.

9618. Did you ask him since for it?—I met him one day, and he said he had nothing to do with it; that there was money due to himself that he couldn't get. Something like that he said.

Mr. Michael J Laffan.

Mr. *Michael J. Laffan* presents himself.

9619. *Witness.*—The date of the sale of O'Donnell's house to Mr. Munster was 7th November

[Adjourned.]

TENTH DAY.

October 14.

TENTH DAY.

THURSDAY, OCTOBER 14, 1869.

Mr. *Thomas E. Close* recalled by Mr. WATERS, Q.C.

Mr. Thomas E. Close.

9620. You are already sworn?—Yes, sir.

9621. I find an entry of money paid by one of your sons to Patrick Cunningham. I want to ascertain if you know anything about it, and which son paid it?—Is it in my son's handwriting, sir?

9622. No. I find an entry of money paid to him by young Mr. Close?—That is Alfred, the young boy that is in Dundalk, I expect; because there was no money paid by Harry in regard to the election, but I know that Alfred did pay money on Mr. Munster's account. He was a week, I think, employed by Mr. Munster, or Mr. Biggin, paying accounts.

9623. Your son Alfred was?—Yes, sir.

9624. And he is now, you say, at school in Dundalk?—In Dundalk. The money was given to him and he went and got the receipts from different persons. So he told me.

9625. You do not know how much he paid?—No, sir. I have not the least idea.

9626. I presume, if we require your son's attendance, it will be sufficient to intimate it to you?—Oh, certainly.

9627. You will have him brought down?—I do not wish to put any extra expense.

9628. If we bring him down we will give you the money to bring and send him back?—What I mean is I would not wish to put you to extra expense in bringing him.

9629. A letter from you will bring him?—Yes, sir.

Patrick Cunningham was called, but did not appear; *Edward Holland* was called, but did not appear.

Mortimer Shea recalled; examined by Mr. WATERS, Q.C.

Mortimer Shea.

9630. Did you serve a summons to attend here on Mr. Holland?—I did, sir, this morning.

John Sturdy was called, but did not appear.

Mr. *John Phelan* sworn; examined by Mr. WATERS, Q.C.

Mr. John Phelan.

9631. You are a voter of Cashel, Mr. Phelan?—Yes, your worship.

9632. For whom did you vote at the last election?—Mr. O'Beirne.

9633. Were you an elector in 1865?—No, your worship.

9634. Can you tell me where you lived in 1865?—In the same place I live now, your worship.

9635. That is in the Main-street?—Yes, your worship—in fact it is Friar-street, and the Main street. I think 'tis Friar-street.

9636. Do you know of any other John Phelan living in Cashel except yourself?—No, your worship.

9637. Do you know the number of your house?—I don't know the number; I think there's no number.

9638. Is it 44?—I don't think there's any number.

9639. How do you spell your name?—P-h-e-l-a-n.

9640. Are you known by the name of "Whelan?"—No. I never received a letter spelled that way. I never signed my name so.

Mr. *John Davis White* presents himself.

Mr. John Davis White.

9641. Mr. *White.*—Forty-four, Main-street, is my office.

9642. Mr. WATERS, Q.C.—Is this the gentleman whose name is mentioned in those notes?—No, sir.

Mr. *John Phelan's* examination resumed by Mr. WATERS, Q.C.

Mr. John Phelan.

9643. Were you canvassed at the last election by both the candidates, or persons on their behalf?—I was canvassed by Mr. Munster—by his agents.

9644. By whom?—By both the Mr. Laffans, and several others.

9645. Which of the Laffans canvassed you first?—Mr. Michael Laffan hoped I would vote, and Mr. Patrick Laffan made use of the same language.

9646. Were they together?—No, separate times.

9647. What answer did you give Mr. Michael Laffan?—I gave him no decisive answer.

9648. Your mind was not made up as to how you would vote, I suppose?—It was perfectly made up, your worship.

9649. But you did not give a decided answer to Mr. Michael Laffan?—No decided answer.

9650. Did you also give an ambiguous answer to Mr. Patrick Laffan?—Of course, your worship, in the same language, in the same terms.

9651. Did not other persons call on behalf of Mr. Munster on you?—Your worship, there were several persons, innumerable persons; I couldn't recollect the persons that called to me.

9652. Was there any offer of money made to you?—There was, sir, by two or three.

9653. Who were they?—Miss Cormack offered me money, the first person.

9654. Who is Miss Cormack?—The daughter of Dr. Cormack.

9655. Do you know her name?—I think Mary, your worship. Miss Mary Cormack.

9656. You say she offered you money?—Yes, your worship.

9657. For what did she offer you the money?—To vote for Mr. Munster, your worship.

9658. When did she offer that to you?—Long before the election, your worship.

9659. Detail the circumstances?—Well, your worship, I will. I had business to Dr. Cormack's, in fact I had business with him; it wasn't electioneering business. I went there for money he owed me, on several occasions. On several of these occasions she asked me was my mind made up to vote for Mr. Munster, and offered me half notes.

9660. How much?—£40. I said £40 was nothing, but wouldn't a hundred or two be more to the point.

9661. Mr. GRIFFIN.—Had she half notes in her hand?—No, I didn't see them, your worship.

9662. You say she asked you would half notes for forty pounds do?—Yes, and if I expected more she would ask, but to mention what sum I would take.

9663. Has this document that you have in your hand anything to do with it?—No, your worship. This document I had on the occasion to settle with Dr. Cormack. I happened to call there on business. 'Twasn't on electioneering [hands in the document].

9664. I understand that you called on Dr. Cormack in reference to money he owed you?—Yes, your worship.

9665. I believe you lend money sometimes?—Not often, sometimes I do.

9666. Was an offer made by Miss Cormack on more occasions than that?—Each time I called on Dr. Cormack with regard to this business, I met Miss Cormack or Mrs. Cormack, and on each occasion she introduced the subject.

9667. Only Miss Cormack?—And Mrs. Cormack, they were both there.

9668. Did Mrs. Cormack say anything about it?—She took part in the conversation. She said to make up my mind and I would be compensated by her or Mr. Munster.

9669. You said something about two hundred pounds?—I said forty was nothing, but two hundred would be something. I said forty pounds I didn't much value it.

9670. When you said that, what was said?—Wouldn't forty pounds do, or wouldn't half notes for forty pounds or for fifty pounds.

9671. When you said two hundred pounds what was said?—She said that was——

9672. Preposterous, I suppose?—Yes, your worship.

9673. How many times did this conversation take place?—I am certain, your worship, on five or six occasions.

9674. Did you call five or six times on the same business, and with reference to the same money?—Entirely. On the same business, your worship, altogether.

9675. Then I suppose your business was postponed the first time you came?—Oh, several times, your worship.

9676. Was there anything said on any of these occasions with reference to getting money from Mr. Munster?—No, your worship, no.

9677. Who else besides Miss Cormack and Mrs.

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Cormack spoke of money?—James Connors offered me fifty pounds, your worship.

9678. When was that?—It was subsequent to Miss Cormack—some few days previous to the election.

9679. By-the-bye, can you fix the date of the interview with Miss Cormack, with reference to that document in your hand?—This document, your worship, was dated—— This was a decree. I had two decrees. He paid the amount of one to myself.

9680. When?—Some time previous to this. I had two decrees. He paid one first to myself, and he promised to allow me something liberal for the accommodation I gave him. When I went to demand the second decree or the interest, he promised for the indulgence, Miss Cormack said she had a conversation with Mr. Laffan, and that he said no decree would pay interest, and she wouldn't pay it. I got annoyed—this was a decree against his body. I went into Mr. Walpole, the bailiff, the sheriff's bailiff, to get him arrested, and he went in and paid the amount of the decree.

9681. How much was the amount of the second decree against the body?—£20 5*s.* 10*d.*

9682. Do you say he was arrested on it?—He was, your worship, on the second decree. I had one against the goods.

9683. When was he arrested?—Well, your worship, I suppose some time in January. This is the sheriff's letter—Mr. Fitzgerald.

9684. I want you to fix the date of the conversation with Miss Cormack in which she offered you that forty pounds?—Some time previous to the election.

9685. But now you are speaking of January?—Yes; he was arrested, your worship, first, and then let go; the bailiff let him go; then I applied to the sheriff, and on the second application Walpole, the sheriff's man, met him, and he went to Mr. Munster's office and saw him, and paid the amount to the messenger.

9686. Can you tell what was the date of the first arrest?—I cannot.

9687. You say he was let go?—He was.

9688. By whom?—By Walpole, the sheriff's man; all those decrees go to the sheriff.

9689. You say Walpole took him to Mr. Munster's office?—He went to Mr. Munster's office.

9690. Where is that?—In John-street, your worship, near the church.

9691. Did Walpole give you any reason for letting him go the first time?—Through courtesy, your worship, and he promised to pay him in a few days; Walpole is living in town, and he gave it to him.

9692. I asked you if you knew about what time that occurred?—I couldn't.

9693. Was it before the election or after?—Before the election.

9694. Was the first arrest before the election?—I couldn't tell you; Walpole will keep the entry in his book, and he will be able to ascertain it.

9695. You say James Connors offered you money?—Yes, fifty pounds.

9696. Where did he offer it to you?—In the Main-street.

9697. Say what occurred when he offered you the money?—He said the boys were very anxious. Your worship, I'm a cattle dealer, and pay for cattle that persons buy. He said they were all very anxious for the return of Mr. Munster, and we are sure to be compensated; that I wouldn't of course sever from them, but would be one of their party.

9698. They wished you to be with them?—Yes, sir; I said of course I wouldn't vote for Mr. Munster; I didn't say it at the time; I said my mind wasn't made up sufficiently, and I gave him a dubious, or ambiguous answer.

9699. Why did you not tell him your mind was made up to vote for Mr. O'Beirne, if you say it was?—It was, your worship.

9700. Then why did you not tell him?—I had a reason of my own, your worship; there were lots of money in some of their hands belonging to me; I should remember the election; it made a most indelible impression on me; Mr. Munster gave £35 to a man that went off to America with £75 belonging to me.

Mr. *Munster.*—Ask the name of that man, if you please.

9701. *Witness.*—Michael Noonan.

9702. Mr. WATERS, Q.C.—I must get a little more closely from you your own knowledge of this?—Michael Noonan called to me; he's now in America.

9703. Was he a voter?—He was, your worship.

9704. He voted for Mr. Munster?—Yes, your worship.

9705. Well, you say that at the time he owed you money?—I gave him money to pay for cattle.

9706. How much money?—I gave him £53, your worship.

9707. Well?—And he kept the money; long before the election he had the money; he had the money since the Christmas before the election.

9708. The Christmas of 1867?—The Christmas before the election, that is 1867.

9709. You say he had the money from the Christmas before the election?—The Christmas of 1867, your worship.

9710. Well?—He asked me to vote for Mr. Munster and I was sure to get the same amount he was getting; I didn't see him for some time afterwards, and he told me he got the money, and I remarked not voting for Mr. Munster I would have got the same amount of money.

9711. How much did he tell you he had got?—£35, your worship.

9712. Did he tell you who paid it?—Well, your worship, he didn't; no he didn't.

9713. When you said a moment ago he got £35 from Mr. Munster, you did not mean from Mr. Munster's own hands?—No, but some agent or party connected with the matter.

9714. Is there anything further about Noonan?—No, your worship; but he's gone to America, and I haven't seen him since.

9715. Well now, was this Michael Noonan a buyer?—He was, your worship.

9716. We were on the subject of Connors having offered you these £50?—Yes, your worship.

9717. You gave him an evasive answer?—Yes, your worship.

9718. Did he come to you again?—He did; he said he wouldn't come at all any more, but to know would I take £50. I would lose money besides. He said the £50 will do so-and-so. I gave him the same answer, your worship.

9719. Did anybody else come to offer you money?—Several persons came to offer it.

9720. I want to know who they were?—I couldn't tell; a good many persons.

9721. You have mentioned two—Miss Cormack and James Connors. Do you recollect the names of any others?—No, your worship, I don't.

9722. Did Mr. Patrick Laffan ever say anything to you about it?—No, your worship; he said I wouldn't be forgot, that Mr. Munster was a very liberal man, and kind, and that when he was so liberal, and kind, and generous, that of course those persons that supported him should not be forgotten. In fact, your worship, I never went near Mr. Munster at all. 'Twas Mr. Dudley Byrne that first brought me to the notice of Mr. Munster, and brought me up to Corcoran's Hotel, and said Mr. Munster laid out an immensity of money for the railway to Cashel.

9723. The telegraph, you mean?—Yes, your worship, the telegraph, and that he would lay out more, and that it was the interest of every one to support him.

9724. That was Mr. Dudley Byrne?—Yes, your worship. That was the first introduction: in fact, I couldn't at all go to his room but for that.

9725. That was at Mrs. Corcoran's?—Yes, your worship, Mrs. Corcoran's. It was a fair day, your worship.

9726. Did Mr. Byrne allude to anything further than making the telegraph and things of that kind?—

He said 'twas the interest of every voter to support Mr. Munster.

9727. Did he say anything else with reference to it?—No, your worship.

9728. Who was there when Mr. Dudley Byrne took you up?—Mr Richardson was there, and Mr. Leahy, about eleven o'clock in the day.

9729. Was there any allusion there made to Mr. Munster's liberality and generosity, and likelihood of remembering those who supported him?—No, your worship.

9730. Nothing of that kind passed at all?—No, your worship.

9731. You tell me you cannot recollect the names of the others who offered you money?—No, your worship.

9732. But you were offered money by others?—I was, by several persons, your worship.

9733. Did Mr. Michael O'Sullivan offer you any?—He said if I went with him that I'd be well compensated.

9734. But he did not specify any sum?—He said £70, your worship.

9735. Seventy pounds?—Yes, your worship.

9736. Tell me the details of the conversation, when and where it took place?—I happened to be in his shop.

9737. Was that after the election?—Yes; and he said if I had gone with him I would have got £70.

9738. Did anything further take place?—No, your worship: he said I was a very good man, a liberal man, and a man of means, and doing many acts of kindness, and why didn't I vote for Mr. Munster; something of that kind, your worship.

9739. Had you more than one conversation with Mr. O'Sullivan?—I might have had several.

9740. You said that he told you you would be compensated, and then you also spoke about £70; I want to know did all that take place in one conversation, or were there several conversations?—To the best of my belief in one conversation.

9741. That was after the election?—After the election.

9742. Mr. MOLLOY.—Did he ever tell you before the election that you would be compensated?—No; but he always thought I would vote.

9743. Had you any conversation with him before the election about voting?—I had several conversations; meeting him, conversing, and going backward and forward. "You will vote for Mr. Munster, I'm sure," and so-and-so; nothing more than that.

9744. Did Mr. Meara ever speak to you?—No, your worship.

9745. Or Mr. Hackett?—No, your worship.

9746. You are not able to recollect any others?—No, your worship.

9747. Do you think it is a matter you might recollect? You recollected Mr. O'Sullivan when I mentioned his name?—I did, your worship.

9748. It is a very wide field of guess-work for me to mention names?—There were such a number of persons coming backward and forward, you couldn't recollect.

9749. It is strange: a great number of persons coming to you and offering you money. You have mentioned three. Do you say there were a great number?—There was scarcely a day, scarcely an hour, passed at the election that I didn't meet persons in the street—persons that had perhaps no authority, encouraging me what to do.

9750. And these offers of money were made publicly in the street to you?—Numerous offers in the street, they were in the street.

9751. I really wish you would try and recollect the names of some other persons that offered you money?—At present, I cannot.

9752. If you recollect any names, you will have the goodness to come to me?—I shall, your worship.

9753. I want to know was there on any occasion any positive offer of money—I do not understand you to say the money was ever produced?—No.

9754. On some occasions it was only a general talk of how you would be compensated?—No, your worship; we had a talk of certain sums, and sums proposed.

9755. You mentioned sums proposed only in two cases?—Only in two cases.

9756. Were you offered a specified sum in more instances than those you have mentioned?—No, your worship, no.

9757. I think you told me that you did not vote in 1865?—No.

9758. Had you a vote then?—No; it was the lowering of the franchise that entitled me to a vote in '68.

9759. You voted, I believe, as a lodger?—Yes, your worship.

9760. It was the creation of that franchise that gave you the right to vote?—Yes, your worship.

9761. Now, Mr. Phelan, I want to know why you were so strongly interested in Mr. O'Beirne?—No person in his behalf ever canvassed me. Mr. O'Beirne came to me about the late election. I happened to be speaking to a countryman near the bank. He caught me by the arm, and said, "My friend, let us have a little chat. I suppose I may look forward for the same support you have always shown me." I said, "Of course," and coupled with Mr. Grace, who took the greatest possible interest in my behalf, exclusive of Mr. O'Beirne, I wouldn't vote contrary to Mr. Grace.

9762. Did Mr. O'Beirne say, "My friend, I suppose I may look forward for the support I had always from you?"—Yes, your worship.

9763. Did you support him in 1865?—I took all the interest I could in Mr. O'Beirne. He always recognized my letters, and got employment for several humble people through my letters.

9764. When did you get employment for people?—I suppose seven or eight years ago. Some very humble people came to me. I had very little knowledge of Mr. O'Beirne, but I wrote to him. He knew me. I spent some evenings with him in Cashel some seven years ago. The moment these persons took my letters to him he gave them employment.

9765. Did you vote for Mr. O'Beirne in 1857?—My brother, Paul Phelan, solicitor, was his agent in '57.

9766. Do you tell me you did not receive any sort of consideration?—Not a single shilling, only what I lost.

9767. And do I understand that you mean by that to say, you received no inducement of any kind?—No inducement of any kind, nor a pound, nor a sovereign, nor a thousand pounds. I looked forward to Mr. O'Beirne's interest, his patronage and friendship, and no money could compensate for that.

9768. Mr. MOLLOY.—How did you lose money?—I gave money to parties who were buying stock.

9769. How did you lose money to Mr. O'Beirne?—A few shillings. I dined with him and subscribed towards dinners; that's all the money.

9770. I suppose you were one of those who dined at Miss O'Dwyer's?—Yes, your worship.

9771. And I understand now that you paid for your dinner?—I did, your worship, on such occasions.

9772. Mr. GRIFFIN.—You said you did not get any inducement, that you rather preferred Mr. O'Beirne's patronage?—His patronage and kind friendship and interest, your worship.

9773. Mr. WATERS, Q.C.—Did you ever lend money to Mr. O'Beirne?—I never lent him a shilling. He never asked me, or any one on his behalf.

9774. Did you pay any money to anyone for voting for Mr. O'Beirne, or offer any compensation for voting?—No; but I had decrees and I never used a threat against them.

9775. You never made use of the decrees as a means of making them vote for Mr. O'Beirne?—No, your worship. In fact there are some in court at present I could call on—I have decrees against them.

9776. You say you never made use of those decrees for election purposes?—No, your worship.

9777. That is a potent mode of influencing a man's

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vote if you wished?—Oh, putting the screw on him, your worship, if he didn't coincide with my wishes.

Mr. *Munster*.—I wish to ask him if there were several voters, butchers, of the name of Noonan?

9778. Mr. WATERS, Q.C.—Answer that question?—Only one, your worship.

9779. Was there only one Noonan a voter in Cashel.?—Yes, Michael Noonan.

9780. Mr. *Munster*.—When did he go to America? *Witness*.—About two or three months after the election—about three months.

9781. Mr. WATERS, Q.C.—Was it before or after the election?—After, he went. He hadn't the means to go then. It was your money [to Mr. Munster] that he got that did that much after the election.

9782. Address me and do not address anyone else in court?—Yes, your worship.

9783. There is a matter for you to explain in that. You said something about £75 that he took from you?—£53 your worship, £46 and £7.

9784. Do you recollect using the words seventy-five at first?—There was money besides that, that if he had remained in this country I would have got. £75 is the money he owed me altogether, but lately 'tis £53.

9785. I do not understand that?—I will explain. I used to give money to lay out for cattle. Sometimes he'd give back the money and sometimes not. He owed me £75 and latterly I gave him £53.

9786. Do you mean that before he owed you the £53 he owed you the balance of other dealings?—Yes, your worship.

9787. Why did you leave all this money in his hands from Christmas 1867 to March 1869?—There are persons in business who owe me money for the last three years.

9788. Mr. GRIFFIN.—Do they pay you interest?—No, they buy cattle, and give me half of the profit. If they get £5 profit I am to get £2 10*s*. I leave it all to their own principle.

9789. You did not get the profit from Michael Noonan?—I got a very small profit. I only gave such money on his own principle.

[Mr. *Munster*.—Would you please ask him, sir, how, if he is a friend of Mr. O'Beirne, he did not state this at the trial of the election petition?]

9790. Mr. WATERS, Q.C.—Did you hear the question? The question is, how it occurred that you, a friend of Mr. O'Beirne's, did not state this at the trial of the election petition?—I wasn't examined at all. I was summoned, but not examined.

9791. Mr. GRIFFIN.—By whom were you summoned?—I got the usual summons.

9792. Mr. WATERS, Q.C.—From whom?—Mr. Munster.

9793. Are you quite sure of that?—I am, your worship.

9794. And you were not examined?—I wasn't examined, your worship.

9795. Were you told by Michael Noonan before the election that he had got the £35?—Oh, decidedly, your worship.

9796. You knew it?—Yes, your worship, and that made me more confident and more secure, as I thought, of my money. He left two daughters and a wife here.

[Mr. *Munster*.—Please ask him why he did not communicate that fact to Mr. Grace while Noonan was here and able to contradict him.]

9797. Did you communicate that fact to Mr. Grace?—I did, your worship. The only valuable property he had was a house.

9798. Did you communicate to Mr. Grace the fact of Noonan having told you he had got £35?—No, your worship, I didn't. I thought it was what resources he had.

9799. Why did you not tell Mr. Grace that?—It didn't occur to me, your worship.

[Mr. *Munster*.—Please ask him if he discounted or cashed a cheque for £60 given by Mr. O'Beirne for Ryan and Hogan.]

9800. Did you hear of that cheque?—I did.

9801. Did you discount it?—On my solemn oath I didn't. If I saw Ryan and Hogan in difficulties; and if they presented it to me I would have discounted it never doubting that it was a solvent and good cheque.

9802. I presume you did not cash any cheque of Mr. O'Beirne's?—No. Any cheque, or bond, or bill, or any paper, any negotiable transaction whatever. I was never applied to, never asked.

[Mr. *Munster*.—Please ask him if he ever dealt for horses with a man named Pat. Ryan, as he says he did with cattle dealers.]

9803. Did you ever advance money to Patrick Ryan to purchase horses?—He left Cashel with £170 of mine in his pocket. He left Cashel to avoid the summons pending the petition here. Mr. Munster sent him money to buy a horse in the County Kilkenny. The horse was subsequently killed.

9804. Pat. Ryan. What Pat. Ryan is that?—He is a cattle dealer; he was doing business for me.

9805. Is he an elector?—He is, your worship. He voted for Mr. Munster.

9806. That is Patrick Ryan of Lady's Well?—Yes, your worship.

9807. You say Patrick Ryan owed you £170?—He was placed in the same position as Noonan.

9808. You had advanced money to him to buy cattle. Which was it cattle or horses?—Cattle, your worship.

9809. You say he left Cashel owing you money?—He did, your worship.

9810. By whom was he summoned—by Mr. Grace or Mr. Laffan?—I really don't know.

9811. And you say he went away?—Yes, to avoid the service of the summons, to the county Kilkenny.

9812. Do you state this on information?—Yes; he told me himself.

9813. Did he tell you that he went away to avoid the service of the summons?—Of course; he had no other object.

9814. Did he tell you he had done so?—He did; he said he wouldn't perjure himself for all the money in the bank.

9815. Did he tell you how much money he got from Mr. Munster?—I didn't ask him that, your worship.

9816. Did anything further occur about the horse?—The horse was killed.

9817. Have you been paid the £165?—Every shilling of it.

[Mr. *Munster*.—Please ask him if he means Pat. Ryan had actually got the money in his pocket or owed him that sum].

9818. When you say that Pat. Ryan had £165 of your money in his pocket, do you mean that it was a balance due of previous transactions, or that you had paid him £165?—That is bulk money I gave him to go to a fair on one particular occasion.

9819. On what occasion?—He was away from me about three weeks or a month.

9820. That does not tell when you gave him the money. Was it in 1868 or 1869 you gave him the £165?—It was before the election petition was to be tried.

9821. Between the election and the petition?—Yes, your worship.

9822. What fair did you give it to him to go to?—I couldn't tell; I forget now.

9823. Did you give it to him for the purpose of enabling him to go away to avoid the summons?—No; but for the purpose of buying cattle. He had the money two or three weeks before.

9824. Before he was summoned?—Yes; he couldn't be summoned, he left.

[Mr. *Munster*.—Please ask him if Pat. Ryan told me that he hadn't £16 or £20 to buy a horse at that fair would it be true.]

9825. If Pat Ryan told Mr. Munster that he wanted £16 or £20 for the purpose of buying a horse—that he was short £16 or £20—would that be true?—I really, your worship, couldn't tell.

9826. Was the £165 you gave him for the purpose of purchasing cattle?—Decidedly.

9827. Would he have been justified in applying any

of it to the purchase of horses?—He may, your worship, on any description of cattle, or goats, or donkeys, or anything he chose.

9828. It was for general investment in cattle of any kind?—Yes.

9829. Mr. *Munster.*—Will he pledge his oath that on that particular occasion Pat Ryan didn't go to Cahir?—*Witness.*—I couldn't tell, your worship. I had a man in Liverpool, another in Manchester, and people in Scotland about everywhere.

9830. Mr. WATERS, Q.C.—Did you know anything of his movements after he left Cashel?—I heard he was selling convenient in the county Kilkenny. He bought a horse; I heard that Mr. Munster actually intended to sue him for the value of the horse. Ryan had some demand against Mr. Munster as a set-off against the value of the horse. I only heard so, your worship.

Mr. *Munster.*—I should like to ask him if he knows a woman commonly known as Ansty Scully.

Mr. *Grace.*—I want to know whether Mr. Munster can command this court. We, the inhabitants of Cashel, will have to pay the expense of this Commission, and I don't see that it should be prolonged by Mr. Munster, owing to whom it is held; and if I make an observation, I don't see why I should be snapped at by Mr. Munster.

Mr. WATERS, Q.C.—The Commissioners here will exercise their discretion, and will not be influenced by anything but the sound exercise of their judgment. They will receive questions from Mr. Munster or from you, or from any person. Our object here is to sift the transactions of the past election to the very bottom, and we will accept questions that we think will aid us, from any person, and will put them. Mr. Munster has asked us to put questions, and we have put such questions as we thought pertinent to the inquiry; and we have refused to put some that we thought not pertinent. We will accept questions from you, from Mr. Munster, or from any person in the court. Our object is to gain information, and with that object we will receive a question from any person that requests it.

Mr. *Grace.*—The reason I object is that I think he put questions not pertinent, and to give annoyance.

Mr. WATERS, Q.C.—I would not allow any question to be put in any way if I did not believe it was a legitimate one, and likely to gain information for us; and when you were interfering at that time, you drowned my voice, in addressing Mr. Munster, to know if that question had anything to say to the election. If you had just remained quiet, you would have found that I was taking the very course that you think we ought to take.

Mr. *Grace.*—The longer the inquiry is prolonged the more we will suffer.

Mr. WATERS, Q.C.—You said something about your being snapped at.

Mr. *Grace.*—Not by you.

Mr. WATERS, Q.C.—I did not understand it as such. But if you or any person is interfered with in making any suggestion to the Commissioners, mention the matter to me, and we have full power to deal with any person, no matter who he is, who interferes with our duties in court.

Mr. *Grace.*—I do not mean to interfere beyond giving evidence in court.

Mr. *Munster.*—I submit that whether I asked a question pertinent or impertinent it is for you to decide. Mr. Grace has no right to give audible expression to his dissent or dissatisfaction in that way.

Mr. WATERS, Q.C.—I want to know, Mr. Munster, what your question has to do with the inquiry. Has it anything to do with our inquiry?

Mr. *Munster.*—I think it may have.

9831. Mr. WATERS, Q.C.—I must see how it has. Do you know (to witness) this person Mr. Munster has named?—I didn't catch the name.

Mr. *Munster.*—The woman that was making a disturbance in court the other day.

Mr. WATERS, Q.C.—Did you see that weak-minded woman?

Mr. *Munster.*—That is the very question I wish to ask him.

Mr. WATERS, Q.C.—Will you give me some clue as to how it will be in the least degree pertinent to the inquiry?

Mr. *Munster.*—That person, whether mad naturally, or only under the influence of stimulants, took a very prominent part against me in the election. I wish the question to be put, which I think Mr. Phelan is very likely to know, whether that woman got any money, and if so, what money to his knowledge at this election?

9832. Mr. WATERS, Q.C.—Do you know of her having got any money?—*Witness.*—I only paid £1 17*s.* to get her clothes out of pawn on Saturday last.

9833. Do you know of her having got any money? Did you give her any money, or do you know of her having got any money at the election?—I heard Mr. Vincent Scully gave her five shillings, your worship. I didn't hear Mr. Munster gave her any money; I know she applied to him.

9834. Do you know of any other person giving her money than Mr. Vincent Scully?—I heard he gave her five shillings. She is a servant and does business for me. I gave her £1 17*s.* in payment of her wages. She only comes backward and forward and does business for me. I only have her as an object in place of anything else.

9835. Do you know of her having taken any part in the election at all?—She was roaring and bawling amongst the mob, putting down Mr. Munster, and shouting for O'Beirne and Scully.

9836. Mr. GRIFFIN.—She is able to do some work for you?—Yes; she is very strong.

9837. Mr. WATERS, Q.C.—Then she was no more than a member of a mob, roaring and screeching, and very often going into violence?—Yes, your worship.

Edward Holland sworn; examined by Mr. WATERS, Q.C.

Edward Holland.

9838. Are you the clerk of the telegraph office?—Yes, your worship.

9839. By whom are you employed?—By Mr. Munster.

9840. Does the telegraph belong to him?—Yes, from this to Thurles.

9841. Does the telegraph from this to Goold's Cross belong to him?—Yes; there is no station at Goold's Cross. We work from this to Thurles.

9842. Then you have no telegraph to Goold's Cross?—No.

[Mr. *Munster.*—There is a telegraph to Goold's Cross, where the wire runs to the station, and then along the line].

9843. Is there any other person employed in the office but you?—Yes; a messenger.

9844. That boy Tierney whom we have heard of?—Yes.

9845. Do you receive the telegrams you get?—Yes.

9846. Where did this come from [witness is handed telegram from Patrick Cunningham to Thomas Cunningham]?—I received it from Thurles. It came from Limerick.

9847. When you receive telegrams from the wires do you enter them in a book?—No, your worship.

9848. You only write them on those slips that you have prepared?—Yes.

9849. Do you keep no record of them?—No; no record. I send a copy to our head office in Dublin—a copy of that telegram—a copy of all telegrams received.

9850. Are you in communication with the head office in Dublin?—No; with Thurles. I send them by post every fortnight.

9851. Do they lie in Thurles or do they go on?—I

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send them to Dublin, and they are sent from that to Liverpool.

9852. How does that come?—I do not mean that I send them back by telegraph. I send copies of the telegrams by post.

9853. I understand very well. Do you make a duplicate of each message as you get it?—Yes.

9854. And you send that duplicate to Thurles by post, and it gets to Dublin, and thence to Liverpool?—Yes.

9855. How is it that it goes to Liverpool? Are you in connexion with the branches in Ireland whence telegrams go to Liverpool?—The line from this to Thurles belongs to Mr. Munster, but the accounts go to the company.

9856. Do you not keep any record then of your messages?—I only keep a record of the messages that I send from this office. I only put down the station to, and the charge. I do not put down the names from or to, or anything else.

9857. When persons go to your office they have to write on one of those ordinary telegraph forms?—Yes.

9858. Is that preserved?—I send them to Dublin, and they are sent to Liverpool. I think they are destroyed after three months.

9859. Are you speaking of telegrams sent from your office?—Yes; I'm not quite sure, but I think I heard they are destroyed after three months.

9860. Mr. MOLLOY.—Do you keep no record of the hour you receive the telegrams?—No; I put down the hour I receive it on the duplicate.

9861. Do you send out a docket with the messenger to bring back, certifying the hour he delivered it?—Yes, that is put on the back of the message. It is gummed on the duplicate that I keep.

9862. When did you send your last fortnightly bundle of those telegrams to Thurles? You send them every fortnight; when was the last fortnightly bundle sent?—The last accounts were made up to the 30th September. That was on Thursday, I think, and I did not send them until Monday, for I had to wait to get forms to make them out.

9863. Mr. WATERS, Q.C.—Have you got the telegrams that you received since the 30th September?—Yes.

9864. Have you got the messages that were given to you for transmission since the 30th September?—Yes.

9865. Do you tell me you believe this [Patrick Cunningham's telegram] did come from Limerick?—Yes.

9866. Did you send any telegram lately, do you recollect, from anyone to Mr. Patrick Laffan?—No, I did not.

9867. Or to Dr. Laffan of Dublin?—Yes, I sent telegrams to Dr. Laffan.

9868. Have you got these telegrams?—Yes.

9869. Where are they?—In the office.

9870. Go for them if you please, and produce them; bring all the telegrams that you have sent.

9871. Mr. MOLLOY.—Go for them?—The company, I think—I should get an order from them.

9872. We will send you to gaol if you do not bring them.

9873. Mr. WATERS, Q.C.—You are directed by the Commissioners to produce all the telegrams. I am quite sure that you do not mean to disobey their order, and I suppose that any hesitation shown on your part to produce the telegrams is from uncertainty whether you are bound to obey us or not?—Yes, I only wish to show I am bound to secrecy.

9874. I know that. I may tell you that I have seen Mr. Sangier, the Secretary of the Telegraph Company, do what you are now required to do. He came up on an election petition in Sligo, and in the same way he told the court that he was bound to secrecy, but it did not avail him. He was obliged to produce all the telegrams. You must produce all the telegrams. Now, having been informed that, you are bound to obey. Look at me; do not look about the court. Having now told you that you are bound by law to obey me, if you do not produce the telegrams I shall have to send you to prison?—I will produce those that I can.

9875. That is exactly what you should do. I have explained to you the necessity that there is on your part. You understand that you are to bring up all the telegrams that you have below?—All the telegrams that I have in the office.

9876. Yes, all the telegrams that you have there or anywhere else, sent and received, both?—Since the 30th September, I have no further telegrams.

9877. Bring all that you have. You mean to obey the order of the court?—Yes.

9878. Mr. GRIFFIN.—I do not know whether you have them all in the office or not. Bring all that you have got in your possession or control.

Mr. *Michael J. Laffan.*—I was going to say I have duplicates of the telegrams sent by me, and that I can produce them. I have not the slightest objection they should produce anything I sent.

Mr. *Munster.*—I have here every telegram I sent or received, on the table, except those in my pocket-book.

Mr. *Michael J. Laffan.*—I suggested to Mr. MacSheehy that I should like to have my telegrams produced, for I thought the Commissioners regarded with some distrust my readiness to produce my brother.

Mr. WATERS, Q.C.—I must say, that as far as my brother Commissioners and myself have formed or expressed any opinion on the matter, we have said that you appear to give your evidence, and to answer every question, with the utmost candour.

Mr. *Michael J. Laffan.*—When you see the telegrams, I think you will be perfectly satisfied I am anxious to have him come here. I have a private letter from my brother—I do not wish it to appear on the short-hand writer's notes—and I offered to show it to Mr. MacSheehy.

Mr. *MacSheehy.*—And I declined.

Mr. *Michael J. Laffan.*—I am quite ready to show it to any of you to read it. There is in yesterday's *Times* an advertisement which I have here to show you. [Hands in the paper.]

Mr. GRIFFIN.—There was an advertisement in *Saunders* about it yesterday.

Mr. *Michael J. Laffan.*—I did not see that.

Mr. Henry Newport Barron.

Mr. *Henry Newport Barron* sworn; examined by Mr. WATERS, Q.C.

9879. I believe you are manager of the National Bank here?—Yes.

9880. I want to learn something about a bill that was paid in your bank, due on or about the 28th October?—The 29th October it was due.

9881. Then you know all about it?—It was due the 2nd November, and paid on the 29th October.

9882. John Sturdy and Daniel Foley were the names on the bill?—Yes.

9883. What was the date of it?—I have not the date of it.

9884. You have only the day it was due?—Yes.

9885. By whom was it drawn?—Mr. Sturdy, and a man named Foley.

9886. By whom was it accepted?—Accepted by Daniel Foley.

9887. For £25?—Yes, £25.

9888. When was it due?—It was due on the 2nd November.

9889. On what day do you say it was paid?—On the 29th October.

9890. I should say it is not a usual circumstance to pay a bill three days before it becomes due. Do you know who paid it?—Captain Graham.

9891. Are you able to tell me how he paid it—whether by notes or by a cheque?—Well, he had a cheque of Mr. O'Beirne's.

9892. For £25?—For £30.

9893. And did he apply that cheque to the payment of the bill, taking the remaining £5?—He got cash for the cheque, and paid the bill then—£25, and kept the balance.

9894. He paid the bill out of the cash?—Yes.

9895. Do you recollect any other bill belonging to

Mr. Graham in the bank about that time?—He has had a number of bills. He has a bill account there.

9896. It is hardly fair to ask you this without giving you notice of it: Had he a bill with the name of a man named Ryan on it, also a voter? Do you know a man named William Ryan of the Race-course?—Yes, I know a man of the name of William Ryan there.

Mr. *Michael J. Laffan.*—It is John Ryan, a tall man, the poor-rate collector; John Ryan of the Race-course. He is called "Long John," I believe.

9897. You know that man?—Yes.

9898. He had a bill becoming due before the election?—Just before the election he had a bill current.

9899. Who paid that bill?—I couldn't say that. [Witness identifies the man known as John Ryan of the Race-course].

9900. There is another man, William Ryan of the Race-course. Perhaps you would have the goodness to look to your books, and see if William Ryan had a bill falling due just a little before the election?—There was a man named William Ryan that used to be in the bank with Mr. Meara, if that is the man you allude to.

9901. I want to find out about that bill: its date, and the parties. It was about the election, and it arose in Mr. Meara's evidence?—Would you wish me to go down now?

9902. If you please; or any time that is convenient to you if not convenient at present?—I will go now.

9903. Have you the particulars of John Ryan's bill?—There was one bill for £15, and another for £25. Please bring me particulars of any such bills falling due about the time of the election; and also bring me particulars of all bills Mr. Graham had falling due about the time of the election?—I will bring his account if you like.

9904. That will be the shortest way?—I will do that.

Edward Holland returns, and hands in telegrams; examined by Mr. WATERS, Q.C.

Edward Holland.

9905. These are all that you have got?—That I received.

9906. And all that you have found?—Yes.

9907. These are all that you have?—Yes.

9908. Mr. Munster wishes to have you asked this question: have you any means of knowing how many telegrams Mr. Munster has received, and how many he has sent, since the opening of the telegraph?—No, your worship, unless the company wish to give the number.

Miss *Mary Teresa Cormack* sworn; examined by Mr. WATERS, Q.C.

Miss Mary Teresa Cormack.

9909. Do you know Mr. John Phelan?—Yes.

9910. Do you recollect his being in your father's house some short time before the election?—Yes.

9911. Do you recollect asking him to vote for Mr. Munster?—Asking him who would he support, I think.

9912. Do you recollect asking him if half notes for £40 would induce him to vote for Mr. Munster?—Certainly not.

9913. Did you ever say anything to him about money?—He came, and I am not in the habit of meeting him, being a person I do not wish to come in contact with, though he sometimes came to papa's house. I happened to be in the parlour, and being desirous Mr. Munster should have supporters, I asked, I think, everyone that came, what way he would vote—who would he support. He next said, "Miss Mary, I understand you are very intimate with Mr. Munster; I have some cattle to sell if he would buy them; he could put them to grass with your father," pointing to a field opposite the house, "and make you a present of them after the election." Mr. Patrick Laffan after that some time came in in the evening. I think I mentioned the fact to him just as it was, and I think he said from Phelan's character they didn't wish to have anything to say to him. He came afterwards, and spoke of people having houses to let, and that sort of thing; and I, knowing that his support was not wanted, said, in that kind of way, "I suppose you would let your room, too, and wouldn't £75 be a very nice thing for your room," at the same time very cautious not to say "they," or "I will give it," or anything of that sort, for I had not the money, nor ever offered it.

9914. He says you did not offer it at all?—No, I never did at any time.

9915. Do you recollect mentioning that to Mr. Patrick Laffan also?—Yes, and his reply again was, they did not wish to have anything to say to him.

9916. That is, that they were afraid of him and would not entrust him by making any offer?—That is the meaning of what Mr. Patrick Laffan said; I considered so.

9917. Now, Miss Cormack, when you spoke to him about houses being taken, did you understand that that was a way in which money was given to people for their votes?—I didn't know much about it, but I understood that; I suppose anyone's house that they took they expected to support them.

9918. And you understood that that was a mode of bribing a voter?—In fact he gave that to me to understand from the way he expressed himself, that they were taking houses for large sums. I never knew anything about it before.

9919. Was it he that began the conversation about taking houses?—Yes, repeatedly.

9920. Did you speak of this to anyone else but to Mr. Patrick Laffan?—I said it to mamma and papa, in a jocose way.

9921. Did you speak of it to any of Mr. Munster's agents except Mr. Patrick Laffan?—I said something about it to Mr. Richardson, and he said he had nothing to say to that part of the business.

9922. To that branch of the business?—I may make a mistake as to his words.

9923. It is not necessary for you to say the exact words, but the purport of what he said and what you said. Did you mention it to anybody else?—I think not.

9924. Did you mention it to Mr. Leahy?—No, I do not think I did to Mr. Leahy.

9925. Did Mr. Laffan tell you to say anything to Mr. Phelan about it?—He did not.

9926. Did you ever mention it to Mr. Munster himself?—Never.

9927. You were on terms of intimacy with Mr. Munster?—Yes; perhaps a long time after the election I may have amused Mr. Munster by telling him something of the sort, which he laughed at.

9928. But you do not recollect telling him at the time?—Oh, certainly not.

9929. Was your mother present at any of those conversations?—Yes, I never had a conversation with him except in presence of mamma.

9930. I mean, when Mr. Phelan was present?—Oh, yes, I was never alone with him.

9931. And do you say that the beginning of anything producing a conversation of this kind was his reference to the cattle?—Yes.

9932. Do you recollect Mr. Patrick Laffan saying anything to you but that Mr. Phelan was from his

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Miss Mary Teresa Cormack.

character or something a person they were afraid to have anything to do with?—No, I do not remember his saying anything else.

9933. Tell me if you got any hint—even a hint—towards authority to speak to Mr. Phelan?—Not the slightest, from any one.

9934. It was entirely of your own motion?—Altogether.

9935. You were very anxious Mr. Munster should be returned?—Very anxious.

9936. And gave him all the aid in your power?—Canvassed every one indiscriminately.

9937. Can you search your recollection Miss Cormack, and say whether, at any of those conversations, there was ever a sum of £40 mentioned?—Never to my recollection.

9938. Do you recollect his saying that £40 was nothing; that £100 or £200 was the sum?—I don't remember his saying £40, but I remember his saying £100. I don't know any conversation but about houses—I think it was in connexion with houses; I don't remember, it is so long ago.

9939. Mr. GRIFFIN.—Did you say anything to him about half notes?—Yes, I said, "would you take half notes for your room?"

9940. Because he was not to be trusted with whole notes?—Certainly.

9941. Mr. WATERS, Q.C.—Now, Miss Cormack, Mr. Phelan tells us that he said, "those cattle might be put on grass on your father's land, and Mr. Munster make them a present to you after the election." That leads me to ask a question—a question which we are obliged from our duty to ask you, but which we would rather not—if you have received presents from Mr. Munster?—Very trifling ones, indeed, the most important not value for more perhaps than £2, a great many small ones.

9942. You, I believe, went to Dublin?—Yes, to a bazaar.

9943. With Mr. Munster's friends?—Yes.

9944. And also I believe to Cork?—Yes.

[Mr. John Phelan hands in in writing a question which he wishes to have asked].

Mr. WATERS, Q.C.—Any way that this question would be answered would not bear in the slightest way on this inquiry, therefore I will not put it.

9945. Mr. *Phelan.*—I think it is incumbent on me to mention one circumstance—that Cunningham, who was examined before you, was looking for me the day before the election to know where my cattle were—that Dr. Cormack wanted to buy my cattle.

9946. What Cunningham?—Mr. *Phelan.*—Thomas Cunningham that was examined here before you.

9947. Mr. *Munster.*—I want to ask Miss Cormack whether she did not go to Dublin with my wife, and I did not make presents to all the ladies who went?—*Witness.*—Yes, Mr. Munster was very kind.

9948. What Mr. Munster says is the case?—Yes.

Mr. *Munster.*—I have not heard the date of this transaction, and I wish you to ask Miss Cormack, to the best of her recollection, how often I saw her before the election.

Mr. WATERS, Q.C.—She may never have seen you at all; she was very anxious to serve you about the election; you were very fortunate in having such a fair advocate.

Mr. John Phelan.

Mr. *John Phelan* recalled; examined by Mr. WATERS, Q.C.

9949. Now, Mr. Phelan, you say that Thomas Cunningham came to you?—Yes, your worship.

9950. When?—I think, to the best of my belief, the morning before the polling, to know where the cattle were that I had for sale; that Dr. Cormack came to know where the cattle were that I had for sale.

9951. That Dr. Cormack came to whom?—To him, to ask him where the cattle were that I had for sale.

9952. What did you say to that?—I gave him some ambiguous answer, your worship—that I had no cattle for sale.

John Ryan was called, but did not appear.

John Sturdy.

John Sturdy sworn; examined by Mr. WATERS, Q.C.

9953. Mr. Sturdy, you are a voter, I believe, in Cashel?—Yes, sir.

9954. And you voted, I believe, for Mr. O'Beirne?—Yes, sir.

9955. Were you a voter in 1865?—I was, sir.

9956. For whom did you vote then?—Mr. O'Beirne.

9957. Your name was on a bill, I believe, with a man named Daniel Foley, for £25?—Yes.

9958. Was that accepted for his accommodation or a matter of business?—A matter of business—'twas an accommodation.

9959. An accommodation acceptance?—Yes.

9960. It was paid in the bank; did you pay it?—No.

9961. Were you ever called upon by anyone to pay it?—No.

9962. Do you know who paid it?—No.

9963. Did you ever hear who paid it?—No.

9964. You never heard who paid it?—No, I didn't.

9965. Did you ever ask Foley if he paid it?—I heard it was paid; that is all I know about it.

9966. Did you ever ask Foley who paid it?—No, I didn't; he told me it was paid.

9967. Did you ever ask him was it he that paid it?—I did not.

9968. That is very odd, now?—I don't think it is.

9969. Are you aware that I know who paid it?—It may be so; I never made any inquiry about it.

9970. Had you ever a talk with anyone about it?—No.

9871. You never had a talk with anyone about it at all?—No.

9972. Do you know Captain Graham?—I do.

9973. Had you never any conversation with him about it?—No, I hadn't.

9974. Had you a conversation with Captain Graham with reference to the election?—Why, he generally used to come backwards and forwards to my house, and we used to have some conversations about the election.

9975. Had you ever a convesration with Captain Graham as to money going on Mr. Munster's side?—No.

9976. Did you take an interest in Mr. O'Beirne's election?—I did.

9977. Had you anything to say to the sale of a house to Mr. Munster?—No, I had not.

9978. Did you ever get a cheque for any sum of money?—I did.

9979. For £80?—I did.

9980. What was it for?—For the purchase of a house.

9981. And did I not ask you had you anything to say to the sale of a house to Mr. Munster?—Mr. Laffan. 'Twas he that came about the sale of the house.

9982. Therefore you had something to do with it?—I had certainly.

9983. Tell me what you had to say to it?—What I had to say to it is, that O'Donnell, the tenant, I wanted him to purchase the house. There was other property convenient to it which also was sold; and I wanted O'Donnell, the tenant, to see if he could purchase it. He delayed for some time, and he could not accomplish it. So I understood then that Mr. Laffan was going to make an offer for it.

9984. When you wanted O'Donnell to purchase it he delayed for some time?—He did.

9985. Do you know where he would have got the money to purchase it?—I believe from his friends.

9986. Do you know their names?—No.

9987. Do you know the name of any person from whom he sought to get money to purchase the house?—I don't know; he never told me that they were going to do it.

9988. Did you ever go to anyone to try to get him to buy the house?—No.

9989. Did you never ask anyone to buy it except O'Donnell himself?—I think there was some parties came to me.

9990. Who were they?—I believe a man of the name of Geary.

9991. Is that Denis Geary?—Denis Geary, the shoemaker.

9992. He came to you, and he was about buying it. For whom was he about buying it?—I understood for himself.

9993. Did you ever know that Captain Graham was looking after it for anyone?—No.

9994. Or that he was talking of lending money to O'Donnell to buy it?—No.

9995. You never heard anything about it?—Never.

9996. A cheque was paid to you?—Yes.

9997. That was the purchase-money of the house?—Yes.

9998. Dr. Butler, of Thurles, was the owner, I believe?—I handed it over to him.

9999. Your own house was sold also, I believe?—No, Ferris's was.

10000. How long have you been an elector of Cashel, Mr. Sturdy?—Many years.

10001. You voted, I suppose, in 1859?—Yes.

10002. For Lanigan?—No.

10003. For whom?—Well, I don't recollect now. I believe—I don't know whether O'Beirne was a candidate.

10004. Lanigan, Hemphill, and Carden were the candidates?—Hemphill I voted for.

10005. Hemphill you voted for?—I didn't vote for him afterwards. I promised him I would.

10006. Did you vote for him in 1859?—No.

10007. For whom did you vote when the three candidates were Hemphill, Lanigan, and Carden?—Hemphill.

10008. Did you vote for any of them?—I might have voted for one.

10009. Who was that?—I believe I must have made a mistake—for Hemphill.

10010. Why did you say you must have voted for one?—Because I recollect that there was some party or another that I might have voted for.

10011. Whom did you promise to vote? You said you promised somebody and did not vote for him afterwards?—I promised Counsellor Hemphill.

10012. You said you did not vote for him afterwards?—I can't recollect now, but his address at first pleased me very much, and then he changed it. Afterwards I believe I changed from him. It must be that way as far as I can recollect now.

10013. Do you know of any money having been paid to any voter on the Commons at the last election?—No, I don't.

10014. Understand me now. I do not mean to say you saw the money paid. I want to know do you know of any money having been paid to anyone?—Why, there were several rumours.

10015. Did anyone tell you he got money?—I don't recollect they did. They were very cautious about it.

10016. Do you know of anyone asking money?—No.

10017. Did anyone come to you to interfere with you, and try to get his house taken, or to get money in any way?—No, not his house.

10018. Or to get money in any way?—No.

10019. Now, Mr. Sturdy, that was a curious answer you gave me when I asked you did anyone come to get his house taken, or to get money in any way. You said: "No, not his house"?—Why, you said his house.

10020. But I made my question very general. Did you know of anyone coming to you to get money in any way?—I believe Daniel Foley came to me, as far as I can recollect now. I think he came to me to interfere with him and Mr. Johnson, who was here, to know if I could do anything for him.

10021. With Mr. Johnson?—With Mr. Johnson?

10022. That was not the last election. Mr. Johnson was dead?—That was, I believe, '65.

10023. At the last election I ask you?—No. There was no person came to me.

10024. Did anyone offer you money?—No.

10025. It is very strange. You seem to be an exception to all the rest of Cashel nearly. Are you sure Foley came to you to try and get money in 1865?—He wanted me to interfere, and to see him.

10026. With whom?—With Mr. Johnson.

10027. Did he come in 1868 when a bill was falling due—£25? And were you not at all uneasy that he might not be able to pay it?—I wasn't one bit uneasy.

10028. And he never came to you to say anything about that bill, or interfere, or do anything for him?—He told me a good while afterwards.

10029. I did not ask you about a good while afterwards. I asked you did he come about a bill to get it settled, or paid, or anything like that?—No; he didn't.

10030. And you say no other man did?—No.

10031. Do you know of any money having been given to anyone?—No.

10032. Mr. GRIFFIN.—Did anyone ever pay you rent for Daniel Foley?—No; he always paid himself.

10033. Did anyone ever offer to pay you rent for him?—No.

10034. Mr. WATERS, Q.C.—What rent do you collect in the Commons?—His holding.

10035. Any more?—No. Oh, yes; there is another man.

10036. Who is the other man?—Hickey.

10037. Mr. GRIFFIN.—Is he a voter?—He is, sir.

10038. Mr. WATERS, Q.C.—Do you know did John Hickey get any sort of inducement or promise?—No.

10039. Do you say you do not know?—No.

10040. Mr. GRIFFIN.—What is his Christian name?—John.

10041. Mr. MOLLOY.—What did you tell him when he spoke to you about interfering with Mr. Johnson to get money?—I told him I would have nothing to do with it. That was my answer to him.

Thomas Cunningham brought up by the Bridewell-keeper; examined by Mr. WATERS, Q.C.

Thomas Cunningham.

10042. Now, Mr. Cunningham, you recollect where we were the last day you were here?—I do, sir.

10043. You recollect that man that was stopping in your house?—I do, sir.

10044. And do you recollect that persons went up into the room to him there?—I do, sir.

10045. Tell me the names of the persons whom you saw going into the room to him there?—Up as far as the door, sir; Denis Ryan and William Ryan, and Michael — I forget.

10046. Hally, is it?—Hally, sir, and John Moloney went in passed me in.

10047. Did you see anybody else go to him there?—I can't recollect any person going in now, sir.

10048. Did you see anyone of the name of Cummins?—He didn't go in that day.

10049. Any other day?—He came to the shop to me one day. He told me, "If anyone else gets more than £30, haven't I a right to get it?" "Don't ask me them questions," says I; "I know nothing about it."

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Thomas Cunningham.

10050. That is the son of Richard?—Yes, sir.

10051. Did he tell you he got £30?—He didn't tell me; but he said, "If anyone got more, I would have a right to get it." "I know nothing about that," says I; "don't ask me about it."

10052. We heard that this man's name was Luke Larkin. Did you see anybody else there with him?—Larkin, sir?

10053. Yes?—At my place, sir?

10054. Yes?—No; but I brought to my mind since a man that lives down near Thurles, named Darmody. I can't bring to my mind his name, I can't recollect him.

10055. What was John Darmody doing there?—He used to be inside in the room, sir, when he was with him.

10056. He used to be there with Larkin?—I couldn't say Larkin was in my place.

10057. But he used to be there with the other man?—I know he was there at all events.

10058. With the other man in the room?—The place was locked with them inside, sir, and no one could go in there.

10059. Were there two of them there?—I suspect there were two, sir, that time; I went up with the bill.

10060. What bill?—That little docket that was in the envelope.

10061. That Ryan gave you?—Yes, sir; I gave it in to them.

10062. Are you sure you saw Darmody there in the room?—I saw him in the room.

10063. Are you sure whether Darmody's name is John?—I think his name is John.

10064. Do you know anyone in this town named Darmody?—I do, sir.

10065. What is his name?—James Darmody, I think, sir.

10066. Is he a voter?—I don't know whether he is, sir, or not; I believe not.

10067. Did you ever see a man named James Darmody there?—No, sir.

10068. Do you know Michael Darmody?—I don't know anyone of that name, sir.

10069. Did you ever supply any money to your son, or to any of these men?—No, sir, I didn't.

10070. If you tell the whole truth, no harm can come to you for having done it?—I didn't, sir; I never gave them any money.

10071. You never gave money to your son, or Mr. Patrick Laffan?—No, sir; I didn't.

10072. Now, perhaps you could recollect if your son, Patrick Cunningham, was at home since we commenced this inquiry?—I am told he was, sir, but I didn't see him.

[Patrick Cunningham here stands up, and says, "I am in court, sir, since eleven o'clock—I am his son."]

Witness.—A man that was put in twenty-four hours last night with me, told me he seen him driving down in Cahir.

10073. Mr. MOLLOY.—Did you ever see Mr. Dudley Byrne in your place?—I didn't, sir, to my knowledge.

10074. Mr. WATERS, Q.C.—Do you know Mr. John Phelan?—I do, sir.

10075. Do you recollect going to him with a message about some cattle of his that he had for sale, the morning before the election—do you recollect going with any message to him? Did you say to him that Dr. Cormack sent you on a message about cattle, or that Dr. Cormack was asking you about them?—I think Dr. Cormack was asking me about some heifers Phelan had, but I don't recollect I went to Phelan about it.

10076. Do you recollect what Dr. Cormack said?—I can't recollect. I think he said Phelan had some heifers and he wanted to buy them. He talked to me at the door about them.

10077. Are you sure that he did?—I'm sure that he did, sir, talk about the heifers.

10078. You do not recollect how many he spoke of?—I don't, sir.

10079. Mr. GRIFFIN.—Was that the day before the election?—I can't recollect what day, sir; I know Mr. Cormack told me he bought some heifers on the Saturday, I believe, previous to it.

10080. Mr. WATERS, Q.C.—Do you recollect any other persons that went up to the room?—No, sir, I can't recollect any other persons, but what I say.

10081. Mr. GRIFFIN.—Are you sure you saw Michael Hally go into that room?—I know he came into the shop at any rate. Whether he went up I can't say.

10082. Mr. WATERS, Q.C.—Did you ever see a man of the name of John O'Brien there?—No, sir. He came into my shop and went out again.

10083. Why did he come in?—He was passing the door and came in. I think I offered him a treat and he wouldn't take it.

10084. Did he ask for anyone?—No, sir, he was only speaking to myself, and turned out again.

Mr. Henry N. Barron.

Mr. *Henry N. Barron* returns; examined by Mr. WATERS, Q.C.

10085. Mr. Barron, have you those particulars?—On the 25th November, William Ryan and Tom Carew, indorsed by Andrew Meara, for £25.

10086. What about Captain Graham's bills?—His account is here. It was due on the 25th November, and paid in cash on the 21st.

10087. By whom was it paid?—Our books do not tell that you know.

10088. What other notes?—Another bill, Tom Carew and William Ryan due 30th November.

10089. What William Ryan?—William Ryan of the Racecourse.

10090. Is that the same William Ryan?—The same William Ryan.

10091. What is the amount?—£25.

10092. Due on the 13th?—Due on the 13th, and renewed on the 12th to the widow, Mrs. Carew.

10093. The other?—These are all William Ryan's.

10094. You mentioned two?—Yes, two bills of William Ryan; there is also, John Ryan, £35, dated November 19th, due 22nd February, and renewed 24th September, indorsed by Captain Graham.

10095. Was Mr. Graham's name on the original bill as well as on the renewal?—Yes, on both.

10096. Now pass up Captain Graham's account if you please?—Yes [hands in his ledger and explains the account to the Commissioners].

Mr. WATERS, Q.C.—We do not wish to expose a gentleman's private affairs. There is no evidence in the account.

Thomas Cunningham.

Thomas Cunningham comes forward.

10097. *Witness.*—When you asked me about the money for my son or Mr. Patrick Laffan, sir, was it to influence voters? I got money though.

10098. Mr. WATERS, Q.C.—What money did you get? Did you get money?—I did, sir, for myself.

10099. From whom?—From my son.

10100. You told us that before?—I thought it was to influence voters you wanted to know from me.

Patrick Cunningham sworn; examined by Mr. WATERS, Q.C. — Patrick Cunningham.

10101. You have been away from home and avoiding appearing as a witness?—No, not avoiding.

10102. Be candid, now?—I really am, sir.

10103. It is very necessary for you to tell all the truth?—I will, sir.

10104. Is it not the truth that you were keeping away to avoid a summons?—No, sir, not to avoid.

10105. Were you served?—No, I was not served; I was not.

10106. Were you from home?—I was, sir; I went on business on last Monday week.

Mortimer Shea recalled; examined by Mr. WATERS, Q.C. — Mortimer Shea.

10107. When did you serve the summons on Mr. Cunningham?—October the 6th, sir.

Patrick Cunningham's examination resumed by Mr. WATERS, Q.C. — Patrick Cunningham.

10108. Did you not know that a summons had been left at your house?—Not until, I believe, Friday or Saturday.

10109. Were you not back here in Cashel?—I was on Thursday night; about 8 or 9 o'clock I passed through Cashel.

10110. Did you know then that a summons had been served for you?—Not at that time, that I came through Cashel.

10111. Were you speaking with Mr. Laffan?—I went up to his office.

10112. Did Mr. Laffan tell you that you were wanted here?—He didn't say which, sir, I think; he really did, I believe; but not that I can think of; Mr. Laffan said to put no questions to him; that he didn't want to say anything to me, and he left the office and went out.

10113. Did Mr. Laffan advise you to come here and give evidence?—I don't know that he did; I disrecollect it.

10114. You do not recollect that he did?—I mentioned in his office that I intended to go to the races in Limerick; that I didn't see that I was so much wanted; some parties owed me money, and I thought I would be back in time.

10115. If Mr. Laffan swore on his solemn oath that he did speak to you, and advised you to come here and tell everything you knew, would he be perjuring himself?—I didn't do that.

10116. Would he be perjuring himself in swearing that?—I didn't hear him say that.

10117. You did not hear him advise you to come and give evidence?—He advised me.

Mr. *Michael J. Laffan* recalled; examined by Mr. WATERS, Q.C. — Mr. Michael J. Laffan.

10118. Did you, Mr. Laffan?—Yes; I said the first thing to him, "You have no business to come near me." After that I told him—"You are better come and attend the Court; I will have my brother there."

Patrick Cunningham's examination resumed by Mr. WATERS, Q.C. — Patrick Cunningham.

10119. You knew you were wanted, and you went away?—I did, sir.

10120. Now, Mr. Cunningham, you have not commenced well?—I really thought I would be back in time enough after the races.

10121. Now, listen to me; you have not commenced well; you have not been candid in saying you did not stay away to avoid coming here?—Well, certainly not.

10122. Did you not speak to Murrin?—I met him in Cahir.

10123. Did you not tell him in Cahir that you were staying away not to be here? Perhaps you are not aware of what has come out in evidence here. It has come out in evidence that you are deeply compromised in illegal acts with reference to the last election; numerous acts of such a character that you may be indicted for every one of them, and if found guilty you may get for each of them two years' imprisonment. You stand just now in an exceedingly unpleasant position I must say. I do not know if you have read in the papers that I have said here to several witnesses, that no matter how deeply they may be implicated, no matter how illegal their acts have been with reference to the election, if they candidly tell the Commissioners here all they know, if they avoid prevarication, if they avoid an attempt to conceal anything, by telling honestly and candidly all they know, we have power to give a certificate that will free them from all responsibility for their past actions except for perjury—and that we cannot free you of. Now listen still to me. As you have only recently come here, and as you are called up here now without, perhaps, reflection on your part, I do not purpose to pursue your examination further at present. You can retire now and go home; search all the documents and accounts that you have; put down on paper the names of all the persons with whom you had any dealings at the last election; search your memory; take plenty of time to think of all that you have done; come here to-morrow morning prepared to tell me all that you know without withholding or concealing anything; and if you do, if we find that you have told us all that you know, we shall be in a position afterwards to give you a certificate that will enable you to stay in this country without fear or apprehension for any past transactions. But it will not do when you come up to-morrow merely to give evidence and tell us of such cases as we know already. If you conceal anything which comes out on subsequent examination it will not do to tell us afterwards that you forgot it, because as I have already said you have not commenced very well. I sincerely hope that you will consider your position. You are a young man; you are I believe in a very respectable position in this town; you seem a young man of very great intelligence, and you may be likely to raise yourself to a very good position by your industry and energy, and it would be a great pity to have your prospects blighted at the commencement of your career, and to be a sorrow and trouble to your father and every one connected with you. I give you to to-morrow morning to think on all you have to say, to search all accounts and documents that will assist you, and then to come and tell me all you know and so save yourself from the consequences of the lamentable position in which you now are.

TENTH DAY.
October 14.

Luke Larkin sworn; examined by Mr. WATERS, Q.C.

Luke Larkin.

10124. Larkin, you live at the village of Templetuohy?—At Templetuohy.

10125. You were here during the last election?—Yes.

10126. Who directed you to come here?—Captain Dudley Byrne.

10127. Was it by a letter?—In person he introduced me to another young man that I came with, but he didn't come with me.

10128. Where did he introduce you to him?—In Thurles; and I came with him from Thurles in here with a man I knew afterwards to be a man of the name of Patrick Laffan, not knowing him at the time.

10129. Where in Thurles did he introduce you to Mr. Patrick Laffan?—On the street.

10130. I asked—but did not catch your answer—did Mr. Byrne write to you to come to Thurles, or did he tell you by word of mouth?—He wrote to me, but he was with me in Thurles.

10131. Have you the letter that he wrote to you?—No. I couldn't say whether he wrote to me or a messenger. 'Twas on a Sunday, and I couldn't say but 'twas a messenger that came to me.

10132. When you went to Thurles and saw this person whom you afterwards learned to be Patrick Laffan, did Captain Byrne tell you what he wanted you for? Did he only introduce you to Mr. Pat Laffan?—He only introduced me to Mr. Patrick Laffan, and told me nothing about what I was about to do. He never told me anything in the world more, nor I didn't know coming to Cashel with Mr. Patrick Laffan. He never introduced a word to me until the day afterwards. I knew nothing in the world, but I knew I was coming something about the election, but didn't know of what it was.

10133. Did you come in from Thurles with Mr. Patrick Laffan?—Yes.

10134. And you say you didn't know anything of what you were to do until the day after?—No.

10135. Before I enter into this part of your examination I wish to know if you were in court when I was speaking to Patrick Cunningham?—I was, your worship.

10136. Then you heard me tell Cunningham that no matter how deeply he was involved, if he candidly told the truth, we can give a certificate that will free him from all consequences. Did you hear that?—Yes.

10137. You understand that if you tell me the entire truth, we can give you a certificate that will free you from all consequences?—Yes, sir, I will have nothing from your worship.

10138. I believe you are a postmaster?—Yes.

10139. You have an additional reason, then, for telling the entire truth. When you came here where did you go to?—To Mr. Cunningham's.

10140. By Mr. Patrick Laffan's directions, I suppose?—Yes.

10141. Were you before that acquainted with Cashel?—I believe I wasn't in it for fifteen years except one time coming through at a fair; not acquainted with Cashel.

10142. You say you got instructions on the second day what you were to do?—Yes.

10143. From whom did you get these instructions?—From Patrick Cunningham.

10144. What were you to do? What did he tell you?—He told me—he gave me a lot of notes, bills, and he gave me money.

10145. Were they blank bills?—They were filled.

10146. Were there names in them?—There were.

10147. Just tell me what they were?—"Three months after date I promise to pay" such a man—whether it was Thomas Callaghan or Carthy I can't recollect.

10148. Michael M'Carthy, was it not?—I couldn't say; I think it was Callaghan.

10149. Well?—"The sum of £30 or £35," as the case stood.

10150. Were some of them £30, and some £35?—Yes, sir; £30, and some £35.

10151. How many of those did he give you?—I couldn't tell, but I had more than was necessary I considered.

10152. You might give me some idea as to the number—did you get 30, or 40, or 50, or 60, or how many?—I think I got about between twenty and thirty—about—I think about that. It might be more: something that way.

10153. You said you got some money from him also?—Yes, from Patrick Cunningham.

10154. How much did you get from him?—I got £120 in the first instance.

10155. Where did you get that £120?—In Pat Cunningham's house.

10156. When did you get it?—The first day that I was after coming there. When he gave me the instructions he gave me that much money, and the notes.

10157. How many days was that before the polling?—That was, I think, on Monday, whatever day the polling was.

10158. That was on Monday?—It was on Monday.

10159. And the polling was in the same week?—It was in the same week.

10160. It was on Friday?—Monday or Tuesday; I couldn't say.

10161. Did you get more money from him afterwards?—Yes.

10162. How much more money did you get?—I got some from him, and some from Mr. Laffan, and from —, from both of them.

10163. Can you say how much you got from both of them afterwards?—Entirely?

10164. Yes?—£802.

10165. Does that £802 include the £120?—All I ever got from first to last.

10166. Then £802 was all you got altogether?—Altogether.

10167. And you got some of that from Patrick Cunningham and some from Mr. Patrick Laffan?—Yes.

10168. Are you able to say how much you got from each; for instance, how much did you get from Mr. Patrick Laffan?—I couldn't say.

10169. Did you keep an account of the money you got?—I did, your worship.

10170. What did you do with that account?—I have a scrap of it here, and were it not for that scrap I could give no account. I believe it can hardly be understood except by myself to read it. I will tell you how I got the sums of money: I got £120, £100——

10171. Have you got the names of the persons from whom you got them?—No; the different persons I have not.

10172. Go on now?—£120, 100, £29, £91, £90, £50, £91, £15, £50, £11, £120.

10173. You are under a mistake. That does not make £802, it only makes £767, so that you left something out?—Well, I will read them over again, £120, £100, £29, £91, £90, £50, £91, £15, £35——

10174. You left out that £35 before, that makes it £802. Did you take that account at the time you got the money?—Yes.

10175. Just show me the book [witness hands in his little book]. You have a date to this. Is that the date that you got the money first? You say "16th November," here at the top?—November it must be, sir. [Book returned to witness.]

10176. I see that you have a list there of the persons to whom you paid away this money?—Yes, your worship.

10177. Give me that list now. Commence with the first payment you made. What is the first name?—Thomas Dwyer, £30; William Ryan, £30; Robert Cashen I think, 'tis blotted, but I'm not certain, 'tis like Cashen, £30; Pat. Griffin, £30; James Cummins, £35.

10178. What was the first name you called to me?—"Thomas Dwyer," and it looks like "Francis Dwyer," 'tis in a blotted form; 'tis either Thomas or Francis.

10179. Would it stand either for Francis or Thomas. Show it to me?—'Tis more Francis I think, when I look closer at it now.

10180. It is quite plain—Francis. Go on now. James Cummins is the last you gave me?—Michael Noonan, £30; Richard Butler, £30. The next is some Gleeson, in trust for Croagh, half notes for £30.

10181. Do you recollect a man coming to you for money there, and refusing to sign a note; bringing a note to you and refusing to sign the bill? He brought a letter to you?—Yes.

10182. Do you recollect his refusing to sign the bill?—I know there did a man refuse to sign a bill and went out.

10183. And carried away the letter with him; do you recollect that?—I don't recollect. It might occur of course; when he brought the letter in his hand, and didn't sign the note, of course he kept the letter—it was his, not mine.

10184. Have you any Christian name for Gleeson there?—No, sir; I only heard the name afterwards, in the course of time, and in order to check the case, I make the remark in it. I only entered it, half-notes for £30, to a young man I don't know. I was ordered to give it to him.

10185. Who ordered you to give it to him?—Pat. Cunningham.

10186. Was it half notes you said?—Half notes.

10187. Do you recollect the young man?—No.

10188. Do you think you would know him again?—I wouldn't.

10189. Did the young man bring a note from Pat. Cunningham, or did Pat. Cunningham tell you to give him half notes?—Verbally, I think, he told me.

10190. Verbally?—Yes.

10191. What did you do with the second half notes?—I kept them, of course, until I gave them to Cunningham in the course of time.

10192. You gave them up to Cunningham afterwards?—No; I didn't give the other halves, or Cunningham may have them; I have no recollection of it; if I only gave the half notes—whether it is one or the other I don't know.

10193. Do you know where you gave him these half notes?—It must be at Cunningham's.

10194. What is the next after the half notes to a young man by the verbal order of Pat. Cunningham?—Patrick Fitzgerald, £30.

10195. Where did you give that money?—I think at Cunningham's.

10196. What is the next?—Edward Hogan, £30.

10197. Is it "Edward," or "Edmond?"—"Edward" I put down—whether he was "Edmond," or "Edward" on the book I don't know.

10198. Do you say about Hogan you do not know whether it is "Edward," or "Edmond?"—I don't know whether it is.

10199. How did you make out his name? Did you see it in any paper?—No.

10200. How did you learn his name?—It must be that Cunningham had told me his name, and when he told me I only checked it off.

10201. Go on now?—James Darmody, £30; John Dwyer, £30; Jeremiah Connolly, £70.

10202. Are they in your own handwriting?—Yes.

10203. Mr. GRIFFIN.—Did every man sign those bills except this one man Croagh?—No.

10204. Mr. WATERS, Q.C.—Did Connolly sign a note?—Yes.

10205. What is the next after his name?—John Reilly, £30; Edmond Foley, £35.

10206. [Mr. Grace, did he poll for you?—Mr. *Pierce Grace.*—I think so.]

10207. What is the next?—A man I didn't know, £35, sir; no name; not named.

10208. Do you recollect how you paid it?—I do, by order of Pat. Cunningham.

10209. Where did you pay it?—I consider 'tis at Corcoran's hotel. I went there for the last two days.

10210. Did he pass any note?—No. If he did I would have a name, of course.

10211. What is the next?—Pat. Laffan, £7.

10212. You paid Mr. Pat. Laffan?—Yes, £7.

10213. What is the next?—To Pat. Laffan, £10.

10214. Next?—William Brennan, £35.

10215. What is the next?—To Pat. Laffan, £35.

10216. Next?—To a man unknown, £35.

10217. By whose order did you give that?—Pat. Laffan's order.

10218. What is the next?—To Patrick Croagh, £10.

10219. Patrick Croagh, is it?—Yes; it was for Pat. Croagh, I think. It was to Mr. Laffan I gave it. I wrote "sand" over it, it was to pay for sand.

10220. What is the next?—To a man Pat. Laffan ordered me to give £30; no note.

10221. You do not know who the man was?—No.

10222. Would you know any of those men if you saw them again?—I don't know that I would.

10223. Do you recollect when you gave that £30 where was it that you gave it?—Oh, yes; I gave that £30 in Corcoran's hotel. He desired me to give it to a man that came in.

10224. What is the next?—£35 to a person down street—down the street—some man told me, I don't know whether it was Pat. Laffan or Cunningham that told me, to give it to him.

10225. Where did you give it to him?—I gave it to him at the house.

10226. Where?—Down the street, some place.

10227. Whom did you give it to—was it to a man or a woman?—To a woman.

10228. Was it £35?—£35.

10229. You went into a room and laid it on a table?—I left it on a table and walked out again.

10230. And you saw the woman there?—A woman standing there.

10231. Had you any talk with her?—I had no conversation with her about this or that, nor with any other person that ever got a shilling.

10232. What is the next?—Thomas Looby, £30.

10233. Had you any more money than that?—Yes.

10234. How much?—I had £45 on hands, and I handed it over to Patrick Cunningham.

10235. That makes but £792—that left £10 in your hands, out of £802. How did you come to have £45 balance?—Well, now, we'll go over the items again, perhaps. I kept nothing on hands—I know I hadn't a shilling on hands.

10236. Did you get any money back from anyone?—No; but when I was going home I hadn't a shilling to take me home. I asked Mr. Pat. Laffan for money to take me home and waited a day for it, and he gave me £3.

10237. Did you get any money back of any that you paid?—Of any that I paid? No.

10238. You said you gave back £45?—I have it entered here; and, were it not for having the entry made, I wouldn't have it.

10239. You have given us an account of £792. That would leave only £10 in your hands out of £802. You got £802. You have given us an account of £792; that leaves a balance of only £10 out of £802. I want to know how you came to have £45, instead of only £10?—There must be a thirty-five entered here that I must have returned back to Cunningham, in one of these persons. Somehow or other it must be, for I know I hadn't a single shilling on hands, and I know I gave that much money to him in the latter end.

10240. Now, listen to me, do you understand what I say? You got £802 and you have given me a list of £792, that would leave only £10 in your hands as balance of the £802. You told me you paid back to Patrick Cunningham a balance of £45; that makes £35 in your hands more than you account for here. How do you account for that?—I must double in, that thirty-five, some way or other.

10241. Perhaps I could help you. Did you go back to the house down street where you left the money?—No.

10242. You only went there once?—I only went there once.

TENTH DAY.
October 14.
Luke Larkin.

10243. Well then you must go over the list again. Perhaps you got £35 from somebody else?—I will go over it again. There is £35 here of half notes; and I can't say that I ever paid that.

10244. Do you count the £35 half notes that you had, as money that you handed back to Mr. Patrick Laffan?—That is what I considered; that I got the half notes, and gave it back to Mr. Pat Laffan.

10245. Did you give half notes for £35 back to Mr. Patrick Laffan?—Yes.

10246. And did you count that as part of the £45?—Out of the whole payments; but the £45 in the latter end I gave him. I know I had that £45.

10247. Were the £45 all whole notes?—They were all whole notes—notes and gold.

10248. It was to Pat Cunningham you gave back the £45?—Yes.

10249. Where did you give it back to him?—I can't say whether it is at his own place, or at the hotel.

10250. As each of these men came to you did you get an order from either Cunningham or Mr. Laffan? I got an order always from Cunningham.

10251. From Cunningham?—From Cunningham.

10252. Did you pay any money on Mr. Pat. Laffan's order?—I did, of course, what he ordered me in the items that are remarked there.

10253. There are only two altogether:—"A man unknown, per Patrick Laffan, twice: one £30," and the other "£35"?—Yes; and to himself £10 and £7.

10254. Quite right. Were all the rest paid on Cunningham's order?—On Cunningham's order.

10255. Were they all written orders?—Written in an envelope; their names and amount. Whoever brought it to me I made them no answer, but "sign that," I said to them. If they made any remark about the note, "I know but very little about it," said I. "Yourself is better acquainted with it than what I am. If you sign that I will pay you. If you don't sign it I won't pay you."

10256. Was there any other writing in the envelope but the name and amount?—No other writing.

10257. Was it only written on the envelope inside without any paper in it?—No paper.

10258. Just the name and amount?—Just the name and amount.

10259. Was there anything written outside on the envelope—any superscription?—No; no superscription.

10260. We heard that there was something the matter with your face at that time?—I read that off of a paper. I never wore a shawl on my face, nor a comforter; but I wore a thick handkerchief outside, which went as far as my chin. I didn't disguise myself from any man, nor hadn't a second suit of clothes to disguise myself. I went down freely amongst the family, and down to the room down stairs, and up street, and in and out, and over the way, and didn't disguise myself; for I was really disgusted in the end how I was placed.

10261. How much were you paid for yourself for all this work?—I never got a shilling, nor asked a shilling of them, from that day to this, but the £3 expense Mr. Laffan gave me going home the night.

10262. Mr. Patrick Laffan gave you that?—Mr. Patrick Laffan gave me £3; he said I would get more money afterwards; and, of course, only expecting it I wouldn't come to Cashel; I used often earn £20 in less time.

10263. Were you in Cashel here with any person besides Mr. Pat. Laffan and Pat. Cunningham?—No; I made no acquaintance whatever.

10264. Or with any gentlemen that were acting for Mr. Munster?—No.

10265. Did you see Captain Byrne?—I never had a word with him in Cashel, nor from the first time, until I seen him afterwards when the election was over a fortnight, I believe, at his own place, nor never told me a word about anything that was that day, nor anything about it afterwards.

10266. Are the whole of these figures and writing in this book in your own handwriting?—In my own handwriting after a scribbling manner, and I only took checks from one thing or another, from time to time, what I heard.

10267. Did you make the entries when you were paying the moneys here in Cashel?—Yes, and when I got the money; each page is headed with the date.

10268. How long were you here altogether?—I came on Sunday night; I consider, and went home on Saturday night; the election was over the day after I leaving.

10269. How many of these days were you giving out the money at Corcoran's?—I should think only two.

10270. And were these the day of the polling and the day before?—I don't know whether I was there the day of the polling; I don't think I was there the day of the polling.

10271. Do you recollect where you paid Looby?—I paid him at Corcoran's.

10272. Do you recollect the old man himself—a very old man with white hair? He says you had only your shirt and breeches on when you paid him. Is that so? He says you got out of bed in the morning at Corcoran's?—I never slept a night at Corcoran's.

10273. Were you there early any morning?—I didn't go there only one morning; I breakfasted one morning at Corcoran's.

10274. He says that you paid him this money in a top room at Corcoran's hotel, and that it was a bed-room?—It was a bed-room.

10275. And that you had only your shirt and trowsers on?—I was never at Corcoran's without having my clothes in full on me, nor never wore a shawl nor comforter.

10276. Looby said that you were just getting out of bed there?—I never slept a night there, nor had my outside coat off, and the dress I wore at the same time was very remarkable.

10277. How so?—No change.

10278. Is that the dress you have on you now?—No, 'twas a dark, very short frock coat, with pockets.

10279. And knee breeches?—Knee breeches and leggings. Most of the people wears trowsers now.

10280. You say most of the people who got money from you signed notes?—Yes.

10281. What did you do with the notes?—I left all the notes at Cunningham's after me, and all the envelopes.

10282. Did you give them up in charge to anyone?—To Pat. Cunningham. I left them there after me in a drawer in his house.

10283. How did you get this money? Was it in notes or gold?—'Tis marked "G" for all the gold; I got notes and gold.

10284. You got £120 in gold, and £100 in gold, and £29 in gold, and £91 in gold. Now, I see "£15 in notes" here, and two crosses before it, what is the meaning of that?—That is £15 I got from Pat. Cunningham.

10285. Are you able to distinguish what you got from Cunningham?—Them were notes.

10286. Here is another "35," with two crosses before it; an entry, past that. What is the meaning of the two crosses?—I could not tell you. 'Tis more by chance I have a recollection of anything but only just a check; but if I thought it would come to this I would have a more regular account.

10287. I see here "E. K." I think, "not named," and "pocket, £35." What is the meaning of that?—I can't recollect. I can't recollect.

10288. Have you any mark here by which you would be able to tell me whether the money you paid was in gold or in notes?—The greater part of it was in gold; I couldn't say.

10289. Take that page and read all that is on it for me. What is the first?—"William Brennan."

10290. What is the next?—The half-notes, £35.

10291. To whom were the half-notes given?—The "L" stands for "Laffan" to these half-notes. I can't say that they were discharged by me; and that is the £35 I consider that is the surplus.

10292. Look at what is written across the page

there. There is "Note returned to C." What is that?—"Note returned to C." It must be Cunningham.

10293. You say you had no conversation with any person to whom you paid this money?—No conversation about the election, or voting, or anything like that; but when they would talk to me about passing the note, "It is no care of mine to know anything about it. Yourself is a better judge. If you sign it I will give the money; and I have nothing to do with it more than that."

10294. Did Mr. Laffan tell you what you were to give this money for?—No.

10295. Did you know that you were giving it to men for their votes?—I consider that it was given to electors.

10296. For their votes?—Yes.

10297. Did not Mr. Laffan tell you what you were to do?—Mr. Laffan didn't tell me that.

10298. Nor Cunningham?—No; but they told me to pay so much to such people would come in, nor they didn't tell me where they were from, nor anything. I made no inquiry of them whether 'twas or no.

10299. Mr. Griffin.—Open that book, the last entry before "Thomas Looby"—the last entry but one in the book—you see there "a man unknown, £30?"—Yes.

10300. On Mr. Laffan's order?—Yes.

10301. Do you remember whether Mr. Laffan came up into the room to you to give you that order?—He must have come to me.

10302. That was in Corcoran's hotel?—Yes; for 'twas the last day.

10303. The day before the election?—Yes.

10304. Mr. Molloy.—When an envelope was brought to you did you look amongst the bundle of notes or bills that you had to find out the bill with the man's name inserted in it? Were the bills given to you with the mens' names?—No, the man's name was in ne'er a bill. The man's name that was down payable was in the bill; but the man who was to get the money, his name was not in it until after he writing it.

James Connors recalled, and confronted with Larkin.

James Connors.

10305. Mr. Waters, Q.C.—Is this the old gentleman that you saw?—*Connors.*—Well, I couldn't swear, sir.

10306. Do you recollect seeing him and paying him any money?—*Larkin.*—I do not sir.

10307. Mr. Griffin.—Do you remember this man?—*Larkin.*—I don't. *Connors.*—Begor, I couldn't swear to him.

10308. Mr. Waters, Q.C.—Mr. Connors, in your evidence you told us that Mr. Patrick Laffan took you up, knocked at a door, and sent you in to this man, and that you received £35?—*Connors.*—Yes.

10309. You said you saw Patrick Fitzgerald go up also?—*Connors.*—Yes.

10310. Was that before or after you got the £30?—*Connors.*—Before, sir.

10311. Before you got the £30?—*Connors.*—Yes, it was the night before the polling I got the £30, that day at night.

10312. When did you see Fitzgerald go up?—*Connors.*—I'm not sure was it the day of the nomination or the day before it.

Luke Larkin's examination resumed by Mr. Waters, Q.C.

Luke Larkin.

10313. I want you to remain a while, Mr. Larkin. I have no reason, Mr. Larkin, to doubt that you are telling me the truth. I will pay your expenses for coming here. You can write home and say that you will be "all right here." Mr. Munster desires to ask these questions of you. Open the book. Are you able to say now how much you paid altogether on Monday, how much on Tuesday, how much on Wednesday, how much on Thursday, and so on?—No; but I am able to say what I received.

10314. Are you able to say how much you paid out on each day?—The 17th I paid this side and the 18th I paid that; but I couldn't distinctly swear what was the amount I paid on each day; but I have these headed "16th" "17th," and "18th."

10315. But you are not able positively to say that all the payments were on these particular days?—There might be a payment slipped in.

10316. Are you able to say anything except what is written here now?—No, sir.

10317. "November 16th" is the first entry in this book, and that day it appears you received in gold and notes £340?—You will see the amount carried forward then from that to the other side.

[*Mr. Munster.*—Will you be kind enough to ask him what time of the day he received it.]

10318. There must have been four items here. Are you able to say what time of the day you received it?—I could not, sir.

10319. I asked this question before Mr. Munster was in court: Are you able to say from whom you got that £120?—From Pat. Cunningham, sir.

10320. And from whom did you get the £100 in gold?—I couldn't say; I remember he gave me the first.

10321. Pat. Cunningham gave you £120 in gold, and that was the first. You do not recollect who gave you the £100, the £29, or the £91?—I couldn't positively state; no; I never received a shilling from any other man.

10322. You have here "received on the 17th, at the hotel, £90 and £50?—I consider that was received from Pat. Laffan.

10323. From Pat. Laffan?—I think so.

[Mr. *Munster.*—Can he say what time of the day that was?]

10324. Are you able to say at what time of the day you got it?—I couldn't, sir.

10325. Was it early in the day—was it in the morning?—'Twas not in the morning, sir, I suppose.

10326. You have here the "18th, £91, £15, £35 and £50." Do you believe from this entry that you received that on the 18th. It is all under the date of the 18th, and you have the tot carried forward?—Yes.

10327. The next is dated "19th." It appears to have been £11 and £120. Look at that £120. What is in front of it—is not that Pat. Laffan?"—Yes, Mr. Laffan.

10328. That £120, then, you identify as being received from him?—Yes.

10329. And you received no more after the 19th it appears?—No.

10330. There is another question Mr. Munster wants to have asked, but I do not see how it arises. How would you earn more than £20 in a week? What is your occupation?—I hold one hundred acres of land, and I hold a post-office and other matters besides. I am connected with contracts, and it is a very serious disadvantage to me to be from my place to-day.

10331. We really cannot help that?—I got such a short notice to come such a distance.

TENTH DAY. *October* 14.

Edmond Hogan sworn; examined by Mr. WATERS, Q.C.

Edmond Hogan.

10332. Mr. Hogan, are you a voter?—No, sir.

10333. I believe you are the son of a voter?—Yes, sir.

10334. Is your father's name Edmond?—Yes, sir.

10335. I believe your father is an old man, and nearly blind?—He is.

10336. For whom did your father vote at the election?—For Mr. Munster, sir.

10337. Did you see the witness that was on the table last?—I did.

10338. You got £30 from him?—Well, I couldn't say it is from him.

10339. But you got £30 from some man—Yes, sir.

10340. Where did you get it?—In Mrs. Corcoran's hotel.

10341. Did you know the man who paid it to you?—No, sir.

10342. Was it a man like the man that was here just now?—I couldn't say. His face was covered. I couldn't say.

10343. You say his face was covered?—Yes. He wore a handkerchief around his chin, and I think he wore it on his forehead.

10344. A handkerchief around his chin?—Yes, something white, and I think he wore it on his forehead.

10345. Who told you to go to him to get that money?—Patrick Cunningham.

10346. That was for your father's vote?—Yes, sir.

10347. Did you tell your father you had got it?—I told him in a day or two after. I gave it to him in a day or two after I got it.

10348. Did you tell him before he voted?—No.

10349. Did you tell him you were promised it?—No; I was never promised it until I got it.

10350. At what time did you get it?—I believe it was a day or two before the election. It was at night I got it; I believe eleven o'clock.

10351. A day or two before the election?—Yes.

10352. Would you say that you got it on Tuesday, 17th?—I couldn't tell the day of the month.

10353. You say it was in Corcoran's hotel you got it?—Yes.

10354. Were you at home after you got that money? Yes; I went home after getting the money.

10355. Do you mean to say that you did not tell your father then?—I didn't tell my father.

10356. Did you tell anyone in the house?—I don't suppose I did until after the election.

10357. Why did you not tell anyone about it?—I considered 'twas better not to speak of it; I considered my father might hear of it, and might be sworn at the election.

10358. Did you tell your father to vote for Mr. Munster?—No; he made up his mind to vote for Mr. Munster.

10359. Did you ask him would he vote for Mr. Munster?—No.

10360. How did you signify to him that you had got it?—Not a word he ever spoke to me, nor I to him.

10361. What family is there besides yourself?—My wife.

10362. You surely did not keep that secret from her?—That I had the money?

10363. Yes?—No; I don't suppose I ever spoke a word to her about it.

10364. You never spoke to her about it?—Not until after the election.

10365. What did you do with it?—Put it in my trunk and locked it.

10366. Does not your wife keep your money?—That wasn't my money.

10367. Does she keeep your money?—Sometimes she does and sometimes myself.

10368. Had she recourse to the trunk in which you put it?—No.

10369. Why did you say it was not your money?—I considered it was my father's money.

10370. Had you any conversation with your father as to how he would vote, or ought to vote?—No.

10371. Had you any conversation with him at all as to money going for the election or anything of that kind?—No.

10372. Do you think your father understood that you were going to see about it?—I don't believe he did, nor I hadn't the least notion of it myself at the same time.

10373. And who was it that came to you then?—To tell me to get the money?

10374. Yes?—Patrick Cunningham.

10375. You say that you came without any notion of getting that money?—Yes; I came in different nights.

10376. Did you meet Patrick Cunningham?—Yes; I went in there different nights before the election.

10377. Tell me how you came about getting the money?—Mr. Patrick Laffan called me and asked me who would my father vote for. I said I believed he would vote for Mr. Munster. After that he sent me to Pat. Cunningham and he asked me some questions. I told him the same. He asked me how much would my father expect for his vote, and I said I didn't know.

10378. Who asked you that?—Patrick Cunningham.

10379. You say that Patrick Cunningham sent for you?—He called me.

10380. In Corcoran's hotel?—Yes.

10381. Did Mr. Patrick Laffan ask you how much your father would expect?—No.

10382. Only Cunningham?—Only Cunningham.

10383. Did you say he expected £30?—No; I said I didn't know.

10384. What was said then?—Patrick Cunningham said that £30 was all that was given. I said that I wasn't going to make a bargain for myself; but of course my father would expect as much as anyone.

10385. You said that your father would expect as much as anyone?—Yes.

10386. Do you know how your father voted in 1865?—Yes, I do: he voted, I believe, for Mr. O'Beirne at that time.

10387. How much did he get at that election?—I couldn't tell you. He never told me whether he got anything or not.

10388. He never told you?—No, nor I never asked him.

10389. Did you ever see a note of his for £30?—Never.

10390. Mr. MOLLOY.—Did he ever vote for Lanigan?—No.

10391. Never?—Never.

10392. For whom did he vote in 1859?—I believe for Hemphill.

10393. Mr. WATERS, Q.C.—Did you get any money in 1865?—No, nor a halfpenny before.

10394. Never before?—No.

John Ryan.

John Ryan, of the Racecourse, sworn; examined by Mr. WATERS, Q.C.

10395. Mr. Ryan, you are a voter, I believe?—Yes, sir.

10396. I believe you voted for Mr. O'Beirne?—Yes, sir.

10397. How much did you get, Mr. Ryan, for voting?—I never got a penny for voting, sir.

10398. Are you aware that we have heard a great deal of you?—Yes, sir.

10399. And that I know the whole story from beginning to end? You will attend in the morning, Mr. Ryan. We adjourn the Court now.

Adjourned.

ELEVENTH DAY.

FRIDAY, OCTOBER 15, 1869.

Mr. *Michael J. Laffan* hands in a telegram, informing him that his brother Patrick will be in attendance to-morrow, and states, "I have since received a further communication."

' *John Ryan*, of the Racecourse, recalled; examined by Mr. WATERS, Q.C. John Ryan

10400. Mr. Ryan, you told us that you voted for Mr. O'Beirne at the last election?—Yes, sir.

10401. Do you recollect before the last election having a bill becoming due at the bank?—Before the last election?

10402. Yes?—There was, sir; there was a bill of mine always almost in the Cashel Bank, sir.

10403. There was a bill of yours becoming due with Captain Graham's name upon it?—There was a bill of Captain ——[name not heard]. It was in the bank at the time of the election, sir, before the election, and after the election too, and in it still, sir.

10404. What was the amount of it?—£35, sir.

10405. What was that bill for?—To convenience me, sir. That was what it was for.

10406. Do you recollect going to Mr. Meara?—I recollect going to him on yesterday, sir.

10407. Yesterday?—Yes, sir.

10408. About what?—About why he mentioned my name in Court here on the day before, and he said it was Mr. Laffan that suggested the question to him, didn't I go to him for money or something of that kind. There were eight or ten in his house at the time I went, sir; I asked him publicly; he said he didn't know at the time Mr. Laffan asked him the question. I said, "You will have to come up again, because I never spoke to you about election purposes, or any person, to that effect."

10409. Do you recollect going to Mr. Laffan and telling him that you had this bill with Captain Graham's name on it in the bank?—Going to Mr. Laffan?

10410. Do you recollect going to Mr. Laffan and telling him you had this bill in the bank?—I never went to Mr. Laffan unless he sent for me.

10411. Do you recollect going to him and telling him that you had this bill in the bank, with Captain Graham's name on it?—Mr. Laffan and Mr. Leahy were present one day, and Mr. Leahy said to me—this was the last day that I had any dealing with him about the horse—Mr. Leahy said if I wanted money, as I said before about the horse, he would relieve me in any form, and if I went to Mr. O'Meara and gave him a promissory note for money I would get what I wanted there; Mr. Laffan was present and he said that could be done. "Is that the way you are going to treat me," said I, "after coming in here the last fortnight about my horse," that is the way it was, sir.

10412. You say that Mr. Leahy said to you, that if you wanted money for your horse he would get it from Mr. O'Meara; to do what?—He would get Andrew Meara in the Main-street, says he; "see him," says he, "and give him a promissory note and you will get what you want." Mr. Laffan had his hand on the railing; he turned in and said himself would go to Meara and see it all right. "Is that the way Leahy," says I, "you are going to treat me after coming here the last fortnight; good bye," says I, walking away from him. I never had any communication since with Mr. Leahy or Mr. Laffan.

10413. Had you been with Mr. Leahy and Mr. Laffan before that about this horse?—Yes, sir.

10414. Tell me the first time you went to them, or to either of them?—What brought me to Mr. Munster's party at all was this, Mr. Patrick Cunningham was out at the Racecourse, himself and a man named Mat Dwyer, I think—he is a weaver in town here, I took out the horse to give him a canter in the field. Pat Cunningham called me on the side of the road. Mat Dwyer was with him. "John," says he, "we are buying horses for Mr. Munster." "As you are a friend," says I, "you ought to get him to buy this horse." "Bring him in," says he. I called and brought him to his father's into the yard, and I asked Patrick who was to buy him, and he said then that he would get a person to buy him. "If you do," says I, "Pat, you will lose nothing by it yourself." He went up the street then, and I stopped at his father's, and I gave a little dusting down to the horse, and Captain Dudley Byrne came down with Patrick Cunningham, and went into the yard where the horse was. He went into the yard, and then Captain Dudley Byrne came with him, and when he came in I thought he was the bishop's brother, and I asked him, "How do you do Mr. Leahy?" "Oh, you do not know me at all," says he. I said no more then. He looked at the horse and handled his joints down. I told him the price, and he shook his head and said nothing. He inspected him again at another time.

10415. On another day?—No, but on that day, sir; at the very same time, sir; the whole occurred after he asking the price.

10416. What occurred then?—They didn't buy the horse from me that day then, sir. They said it was Mr. Edmund Leahy that had the buying of the horse, and if I came in another day with the horse that I would be all right. I came in another day with the horse and Mr. Leahy wasn't at home here in Cashel at all at this time. They said he would be in in a few days, and I met Mr. Patrick Laffan and he asked me the price of the horse. "I suppose you know that," said I, "£70, because you were with Captain Dudley Byrne before that," says I. "That is too much money," says he. I would want Mr. Dolan the veterinary to inspect him." "So you can," says I; and so he got Mr. Dolan to inspect him on that day, and he looked at the horse for a while, and we didn't make the deal then on that day, and I went home, and as I was coming in the next day Mr. Dolan was riding out against me. "Are you going in with the horse," says he. "I am," says I. "I am going out," says he, "to inspect him." At the workhouse I met him. I brought in the horse and he inspected him, and went out to the Commons and said he would be back in an hour or two. He was not back at the time he said, and Mr. Laffan said the horse was a nice, gay looking little horse, and if he tried him at the carriage he would give me the money, £70, on account.

10417. Who said that?—Patrick Laffan, your worship.

10418. That he would give you £70, on account?—He would give me £70, on account.

10419. On account of what?—He tried the horse then to Mr. Munster's carriage.

10420. What do you mean by "on account"?—I didn't know, sir, the meaning of it.

10421. Did you ultimately sell the horse?—I didn't, sir.

10422. Did you come to Mr. Leahy about it?—To Mr. Leahy.

10423. Yes?—No, sir, but I was at Corcoran's, and he came in there to me.

10424. What occurred between you?—That was what happened this day, as I told you. He told me it was not horses he wanted, but votes.

10425. Mr. Leahy?—Yes, Mr. Edmund Leahy.

10426. He told you that?—Yes; that they could easy get horses, he said.

10427. In any of these conversations did you leave Mr. Laffan to understand, or was it the arrangement or understanding, that if you got £70 for the horse you would vote for Mr. Munster?—It was not, sir.

ELEVENTH DAY.
October 15.

John Ryan.

10428. Was it your intention to have done so?—No, sir, if I got a £1,000 for it at that time I wouldn't vote for Mr. Munster.

10429. Now, be careful?—I promised Mr. O'Beirne. I was going out to the workhouse. There was eighteen or twenty on a car. I wasn't at home. They were coming in after canvassing the Commons. I took off my hat and I said, "Three cheers for Mr. O'Beirne: you may be sure of me," said I, on the public road.

10430. Mr. GRIFFIN.—Is there more than one Mr. Leahy that you met?—No, sir, I met but one man.

10431. The time that Captain Dudley Byrne came to look at the horse you thought he was Mr. Leahy?—I did, sir.

10432. Then you did not know Mr. Leahy up to that day?—I didn't, sir.

10433. How did you come to know him so well in so short a time that you called him "Leahy" afterwards?—I called him Mr., sir.

10434. You swore you said, "Leahy, is that the way you are going to treat me"?—Mr. Leahy often met me in Corcoran's hotel, and we had a drink there.

10435. Did you become so intimate with him in a fortnight?—I never called him "Leahy" but the evening I was getting out of Mr. Munster's party. I wouldn't wish to disrespect any man, sir.

10436. Mr. WATERS, Q.C.—Did you say anything to Mr. Laffan about a bill of yours in the bank with Captain Graham's name on it?—I might have mentioned it to Mr. Laffan, sir.

10437. Tell me how you mentioned it?—Mentioned it, sir!

10438. Yes; tell me what you said to Mr. Laffan about that bill of yours, with Captain Graham's name on it?—I didn't speak of Captain Graham's name on it.

10439. Tell me what you said?—What I said to Mr. Laffan was, if I sold the horse it would fit me; that there were bills due of me in the town I would like to pay them.

10440. Do you swear you never said to Mr. Laffan that you had a bill in the bank due with Captain Graham's name on it?—I won't swear that sir, because Captain Graham was always—

Mr. Michael J. Laffan.

Mr. Michael J. Laffan recalled; examined by Mr. WATERS, Q.C.

10441. Mr. Laffan, do you recollect the occasion of this man's coming to you?—I recollect that occasion, for I have seen him there a dozen times.

10442. What occurred when he came to you on that occasion with reference to the bill?—I think it was the day before the polling he came in and told me me this bill of £35 was due or would be due, and he said before that Captain Graham's name was on it. He asked me for £35 then to take up the bill, and that he would return it in two or three days; and he said he could not ask Captain Graham to renew the bill because he would have to go under a compliment and vote for Mr. O'Beirne. I then told him I would not lend the money: it would look too like a case of bribery. I said, "to relieve you, so that you might be free to vote for us, I will get Mr. O'Meara to put his name on a bill in place of Captain Graham." Mr. Ryan showed by his manner that that did not meet his approval. I went to Mr. O'Meara and asked him would he do it, and he said, to be sure he would. I do not think I saw Ryan afterwards.

10443. Was there anything said on that occasion about the horse?—I cannot tell you was there on that occasion.

10444. Was there any one present besides you and Ryan?—To the best of my recollection there was no one then present.

10445. Where did it happen?—In our room in Corcoran's hotel.

10446. Did Ryan plainly lead you to believe that if you gave him that £35 he would vote for Mr. Munster?—He did.

10447. Unquestionably?—Unquestionably: plainly.

John Ryan.

John Ryan's examination resumed by Mr. WATERS, Q.C.

10448. Now, Mr. Ryan, what do you say to that?—I never spoke a word of the election to him, sir; and as to mentioning Captain Graham's name, that the bill would be due and he wouldn't renew it again, it was only a day or two before the poll this bill was taken out of the bank. I got it a day or two before the polling—I got it out of the bank then.

10449. What do you mean by taking it out?—I got a bill for £35 a day or two before the polling, and Captain Graham's name was not on the bill half a year before that, sir.

10450. Do you say that is the truth?—That is the very truth, sir; and I couldn't say that to Mr. Laffan, sir.

10451. Had you a bill due in the bank on or about the polling day?—I couldn't say, sir, but I have the docket I am sure.

10452. Had you a bill for £35 falling due about that time?—I had not, sir.

10453. You had not?—I couldn't swear whether I had or not. I think it was due for a month before the polling.

10454. Did you tell Mr. Laffan that there was a bill of yours in the bank at that time?—I might have told him there was a bill in the bank, but I didn't mention Captain Graham's name.

10455. Did you tell me that you had no bill falling due at that time?—I didn't say that, sir. There was a bill of mine in the bank, sir. I have the docket at home.

10456. Had you a bill due about the 18th or 19th November?—No sir, I had not.

10457. Mr. GRIFFIN.—Had you two bills in the bank?—I had, sir. I hadn't two bills in the bank. I had only one bill in the bank. Only a day or two before the polling Captain Graham put his name on a bill in the bank for me.

10458. For what purpose was that bill?—I wouldn't like to answer that; but if you wish I will tell you.

10459. You must answer?—There was a bill coming due in the Provincial Bank in Clonmel, £30 or £35. I wished to get it paid and to renew it again.

10460. And you went to Captain Graham to give you this bill for £35?—Yes. I went to Clonmel and paid the bill and took it out again.

10461. Was that the bill you spoke to Mr. Laffan about?—I dare say that must be the bill I spoke to Mr. Laffan about, sir.

10462. Was it after the conversation with Mr. Laffan that you went to Captain Graham and got him to put his name on the bill?—Well, I couldn't say that, sir.

10463. It must have been, according to your own statement, because you say that this bill was falling due. You mentioned the matter of the bill to Mr. Laffan and wanted £70 for the horse, and said you would take up the bill out of the £70?—Yes, sir.

10464. Therefore you had not released the bill at the time you were speaking to Mr. Laffan?—Well, I dare say not, sir.

10465. And therefore it was after you had been speaking to Mr. Laffan and failed to get money from him by the sale of your horse or otherwise, that you went to Captain Graham?—It was, sir.

10466. Where did you see Captain Graham?—I went to Brown's, the watchmakers, in town.

10467. Was it there you saw him?—It was; I had a long wait for him.

10468. Did you tell Captain Graham that you had been with Mr. Laffan?—On my oath I never spoke a word to him about Mr. Laffan.

10469. Did you tell him that you were about selling a horse to Mr. Munster?—I did, a good while before that. This was after Mr. Munster coming to town in the beginning. I met Captain Graham going out to his own party.

10470. Did you then tell him that you were selling the horse?—I did, sir.

10471. Did you tell him the price you expected for the horse?—I did, sir. I told him to keep it private, until I would have the horse off of my hands.

10472. Did you afterwards ask him for his name on a bill?—I did, sir. I asked him for his name on a bill for £35.

10473. For what purpose?—I didn't say for any purpose.

10474. Tell me what you said to him?—"Captain, I am coming to trouble you now, as I often troubled you before, to take a bill in the bank for me." "Will the manager give it," says he; "I didn't ask him yet," says I. "Go down to the manager and ask him," says he. "I have no objection." I went to the manager and asked him would he give a bill for £35. He said who would be on it with me, and I said a neighbour. He said wasn't there a bill of mine in the bank before; I told him there was. He refused. "Well," says I, "if I get Captain Graham's name to it, will you give it to me. He paused awhile, and I couldn't say what was the answer he gave me. When I came to Captain Graham, "by gor," says I to the Captain, "he won't much mind whether he will give it or not." "Give me the bill John," says he, "and I'll go down;" so he went down and brought the bill with him, sir.

10475. Captain Graham then agreed to give you his name on the bill?—He did, sir.

10476. Did you get it from him then and there?—The bill, sir.

10477. Yes?—The amount of the bill you mean; is it, sir.

10478. Did you get a bill signed by him then?—I put my name on it.

10479. And you got Captain Graham then to sign the bill?—Yes, sir.

10480. Had Captain Graham before that spoken to you about how you would vote?—Never, sir, at that time.

10481. Never?—Before that, sir; but he knew right well how I would vote.

10482. How did he know it?—I can't say was he at the Commons the day they canvassed or not. I was driving a donkey home from town, and when I saw them on the road I shouted, "Three cheers for Mr. O'Beirne," and they all shouted; I was on a car.

10483. Had you a vote in 1865?—I had, sir.

10484. For whom did you vote then?—Mr. O'Beirne, sir.

10485. Did you receive any consideration for voting for Mr. O'Beirne in 1865?—No, sir.

10486. None whatever?—None whatever while I am concerned in the borough, but I got a £5 cheque from Mr. O'Beirne.

10487. What was that for?—For car-hire, sir.

10488. Is that all the money you received under any circumstances from Mr. O'Beirne or anyone else?—Yes, or anyone else, sir.

10489. Had you no more than one conversation with Patrick Cunningham?—I dare say not, sir; anyway about the sale of the horse, but we often met.

10490. Did you ever speak with Cunningham, or he to you, about your vote?—Never, sir.

10491. Did Patrick Cunningham ever ask you how you would vote?—Well, I dare say he didn't, sir.

10492. Are you sure of that now?—I don't think he ever asked me.

10493. Be certain. Say "yes" or "no," or that you do not know?—I couldn't say whether he asked me or not. To the best of my opinion he did not.

10494. Is that the most you will say about it?—I can't say whether he did or not; but to the best of my recollection he did not.

10495. Had you many conversations with him?—No, indeed, I had not.

10496. Were your conversations confined to the sale of the horse?—It was about the sale of the horse, for I was in and out that time every day for a fortnight about him.

10497. Mr. MOLLOY.—Have you the horse still?—I have, sir.

10498. Mr. WATERS, Q.C.—Will you tell me what was your impression and belief with regard to what they were doing as to the buying of the horse. Do you think it was your vote they wanted to secure by buying the horse?—I'm sure it was.

10499. And that was what you thought at the time?—Well, I did, sir. I did think it.

10500. That is, that they were about buying your horse for the purpose of inducing you to vote for Mr. Munster?—Yes, sir.

10501. You believed that?—I believed it; but if they bought him itself I wouldn't vote for him, sir.

10502. And that in point of fact the dealing about the horse was only a cover for dealing for your vote; you understand what a cover means; that it was only a cloak for dealing for your vote?—Yes, sir; and they gave me that to understand when we fell out.

10503. Mr. MOLLOY.—Then the horse was not worth £70?—I sold him for something less than half of it to a clergyman at some time before the election.

10504. How did you get him back again?—He was inspected by a "vet."

10505. And he was rejected?—I don't know, but Mr. Richardson got him back, and there was snow at the time.

10506. Mr. WATERS, Q.C.—The bargain was off?—Yes the bargain was off, but I sold him for something less than half.

10507. What did you sell him for?—I don't know was it £22 10*s.* or £27 10*s.* I couldn't say with certainty.

10508. When was the sale of the horse to the clergyman?—I couldn't exactly say, sir.

10509. How long before the election? About a month or two months?—It was up to twelve months before the election.

10510. What age was he?—Well, he wasn't bred for myself; I couldn't exactly say, but I think he is rising seven or eight now. He is riz seven or eight. I couldn't say which.

10511. And he was worth as much when you were selling him to the clergyman as he was twelve months afterwards?—He was not, sir.

10512. Why not?—Because he was working on the farm at that time, and common tackling was on him when I sold him to the clergyman, and at this time he was in nice order, and I had four or five horses and would be glad to get shut of some of them.

10513. Your evidence is, that you would have taken £70 for the horse. You admitted that that was about double his value?—I wouldn't sell him for the half of it to any man.

10514. You sold him for £27 10*s.*?—I did for £22 10*s.*

10515. You would have sold him for £40?—I believe I would, if I got forty.

10516. Your evidence is that you asked seventy?—Yes.

10517. And that you believe Mr. Laffan and Mr. Leahy were about buying the horse for £70 for the purpose of getting your vote: and is your evidence now, that you would have taken the £70 and voted for Mr. O'Beirne?—I would, sir.

10518. Did you pay the bill in the bank since?—I did not, sir, but I renewed it two or three times. It is in the bank still, sir.

10519. And Captain Graham's name is still on it?—It is, sir.

10520. You do not expect that Captain Graham will ever ask you to pay it?—I never asked him to pay it.

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10521. Do you expect him to pay it?—I don't expect he will ever pay it.

10522. At the time that you got the bill, did you expect to be ever called upon to pay it?—I was quite sure of that, sir.

10523. You were sure you would be called upon to pay it, at the time you got it?—Yes, sir, by the manager of the bank.

10524. Do you think if Mr. O'Beirne was still the member for Cashel, if there was no petition, and if he was now sitting for Cashel, that you would be called upon to pay that bill?—I would, sir. I would be called upon to pay the bill.

10525. You believe that?—Yes.

10526. And you believed it at the time you took it?—Yes, sir, I did.

10527. Now, when you were examined on the petition before the judge, you told the judge that the names of Captain Graham, and of a granduncle of yours, were on the bill together?—Yes.

10528. And when your granduncle died Captain Graham renewed the bill by himself?—Yes; I dare say I have the bill too.

10529. Is that the bill we are speaking of?—It is, sir; but he left Cashel; at the time he was in Cashel I used only rap at the door, and he would come out and sign it there.

10530. Did you tell me a little while ago that you had a bill due in the Provincial Bank in Clonmel, and that you had no bill with Captain Graham's name on it at that time, and that you got Captain Graham's name on the bill to take up the bill in the Provincial Bank?—I did, sir.

10531. I ask you with reference to this bill of your granduncle and Captain Graham's, that Captain Graham renewed by himself, if that is the bill we are talking of here?—£25 was that bill, sir.

10532. Did you tell me that that bill, renewed after your granduncle's death by Captain Graham, was the bill we were speaking of all through?—I didn't take it for three months before the election. Yes; it was at the bank in Cashel for nine months before the election.

10533. Mr. MOLLOY.—Whose name was on the bill in the bank of Cashel?—John Anglyin, of Rose Green, two miles distance from this.

10534. Mr. GRIFFIN.—That was the only name on the bill?—John Anglyin; that was all, sir.

10535. Mr. WATERS, Q.C.—Listen again, and try to reconcile to me those answers of yours. You were asked before the judge respecting a bill of yours in the bank with Captain Graham's name on it, and you said, "I told you that Captain Graham's name was on a bill in the bank with me for the last three years, and I won't tell you any more about it?"—Yes, I said that, sir.

10536. You were asked, "A week before the election was Captain Graham's name on a bill in the bank for you," and you answered, "It was?"—I made the remark to the judge that I hadn't the date of it.

10537. You answered "It was," before the judge?—I couldn't say exactly.

10538. You were asked, "A week before the election was Captain Graham's name on a bill in the bank for you," and you answered, "It was." I will read the whole thing for you:—

"Was there a bill of yours in the National Bank at the time of the election or about it. I am not asking you what it is?—I had.

"Was Captain Graham's name on it?—He was not before this election; he was some years ago.

"But not at this election?—Not at the time of this election.

"Did you ever say to any person that there was a bill of yours in the National Bank with Captain Graham's name on it?—There was a bill in the bank of Captain Graham's for many years with me, and I renewed it often too.

"Did you say to any person that there was a bill in the bank with Captain Graham's name on it?—I never said it to any person except when I would go to the manager of the bank, I would ask him for a renewal of the bill. I had a bill for £23 for three years in the bank with Captain Graham's name on it.

"When did Captain Graham's name get off your bill in the bank?—Well, I have not the date of it.

"Was it long before the election?—Before the election?

"Yes?—Oh, I could not say that.

"Was it a month?—I could not say.

"Was it a week?—I could not say.

"Do you mean to say that you cannot tell me?—I told you that Captain Graham's name was on a bill in the bank with me for the last three years, and I won't tell you any more about him.

"You must. A week before the election was Captain Graham's name on a bill in the bank for you?—A week before the election?

"Yes?—It was.

"And after the election?—Yes.

"How much was that bill?—Well, I have not the docket of it here.

"Do you know how much it was?—I could give a guess about it.

"How much?—Either £30 or £35.

"Is it in the bank now?—Yes.

"With Captain Graham's name on it?—Yes.

"What was the consideration for that bill?—The consideration for that bill was, that he was a friend to me always.

"And lent you his name?—Yes; he and a granduncle of mine were on the bill together, and when the granduncle died, he did it by himself.

"Did he ever ask you to pay it?—I never asked anybody to pay that bill."

I ask you to try and reconcile that with your evidence to day that you had no bill in the bank with Captain Graham's name on it, and only got his name on the 19th November?—I couldn't say that to Baron Fitzgerald at the time he asked me the question, because this was the time of the petition, and it was a longer time. I had the docket of it here if he would give me permission to bring that evidence.

10539. Was your evidence then or now correct?—My evidence now is correct. I recollect it was a day or two before the election that I took the bill out of the bank, sir. I never looked after it since. I didn't think that bill would be brought at all here.

10540. Did you tell me you went to Mr. Meara yesterday, to speak of your name having been mentioned about a bill by him?—Yes, sir.

10541. What do you mean by saying you thought nothing would have been said about the bill?—Is it about Mr. O'Meara's bill?

10542. Yes?—I didn't speak to Mr. O'Meara about the bill until yesterday.

10543. Your evidence I must say is very unsatisfactory. Do you know Mrs. Boyton?—I do, sir.

10544. Do you recollect going to her place—where she was stopping rather?—I met her on the street, and she invited me in to tea.

10545. She invited you in to tea?—Yes.

10546. Mr. MOLLOY—Are you any friend or relation of hers?—Well no, sir, but there was a friendship in the family.

10547. What friendship?—There was an aunt of mine married to either a first or second cousin of hers—I don't know which.

10548. Mr. WATERS, Q.C.—Where was she stopping at the time?—At Miss O'Dwyer's hotel.

10549. Did you go in with her from where you met her, to the hotel?—No, sir, I did not.

10550. Where did you go when she asked you to go in to tea with her?—I dare say it was to the workhouse. This was early in the day.

10551. And she asked you to go in that evening?—She did, sir; she asked me to go in that evening.

10552. Did you go there then in the evening?—I did, sir.

10553. At what time did you go into the hotel?—I couldn't say, your worship; but the tea was over at all events when I went in.

10554. Whom did you find in the room when you went in?—Mr. Boyton, and I think 'twas a Miss Ryan, near Thurles, she introduced to me.

10555. Who else?—Mrs. Boyton. I think that was all that was there at the time I reached it.

10556. Do you know Mr. Raftery?—Yes.

10557. Was he there?—He wasn't there at the time I think that I went in. He was there after that.

10558. He came in after you did?—Yes, I think it was after me he came in.

10559. Were you long there before Mr. Raftery came in?—Well I'm not sure, your worship.

10560. Well now state what occurred when you went into the hotel to Mrs. Boyton?—We had some drink. Mr. Boyton asked me to sit down, and take some drink with him, and we had some drink, sir. I think Mr. Raftery came in afterwards, and they told him of the old acquaintance we were.

10561. Just state all that occurred in the hotel that evening?—We had some drink, sir. When I was going away, Mrs. Boyton said to me that she wanted to speak to me, and she asked me into a room there. Accordingly I did. I went in with her. Mr. Boyton, he stopped below at the time.

10562. He stopped below?—He stopped below where he was.

10563. Where was the room that you went into with Mrs. Boyton?—When you go upstairs, and turn in that way.

10564. Did you go upstairs from the room in which you took the drink?—I couldn't say, sir; for when I came out of the public sitting-room there it was very dark.

10565. Did you go up stairs?—I think I did.

10566. Are you sure?—I'm not sure, for 'twas very dark at the time.

10567. Would you not know whether you were going upstairs or down stairs in the dark?—I would; but we had a little drink taken.

10568. Were you not sober?—I was steady, sir.

10569. Were you sober enough to know whether you were going up stairs or down stairs?—I was, sir.

10570. Did you go up or down stairs?—I couldn't exactly say.

10571. At any rate you went into some room?—We went into some room when we came out of that room; I couldn't exactly say, for the place was dark.

10572. Was there a light in the room?—There wasn't a light when we went into it.

10573. Was there a light brought by anyone?—I couldn't say was it Mrs. Boyton herself that put up a light there; but there was a light there before we went away, sir.

10574. Was it a bed-room, or a sitting-room?—I dare say; I think I was in the room before, that it was a bed-room.

10575. And you say you only think it was a bed-room?—It was a bed-room, sir.

10576. Are you quite sure that it was?—Well, I'm not quite sure of that, sir.

10577. Then you are not quite sure whether it was up stairs or down stairs, and you are not quite sure whether it was a bed-room; but you were taken into some room?—I was taken into a room.

10578. Who went in with you?—Mrs. Boyton, sir; she asked me how was the Commons' people going to go; that herself was taking an active part in the election; that Mr. Boyton wasn't to interfere at all in it.

10579. Was there anyone with you but Mrs. Boyton?—No, sir, there was no person.

10580. Was the door open or shut?—The door was open when we went in, and she closed it out.

10581. You say that she said to you that she was taking an active part in the election, and that Mr. Boyton was not?—Yes.

10582. Were you in court the other day when Mrs. Boyton was examined?—No, sir.

10583. Did you read her evidence anywhere?—I did, sir.

10584. Was it that that reminded you about her taking an active part, and Mr. Boyton not doing so, because I observe you did not tell that before the Judge?—I wasn't asked the question before the Judge.

10585. I am not going to ask you any question at all, except this. I ask you to tell me all that occurred. Do not leave out anything under the pretence that I did not ask you. Tell me all that happened?—When we went into the bed-room she said to me how was the Commons' people going to go, and I said I didn't know; that of course that whoever would give them the most money that that was the way they would go.

10586. You said whoever gave most money they would vote for?—"Well," says she, coming over very close to me, "I have £1,225," says she, "to give to any person, and you are the most respectable man in the Commons, and I will give it to you, John," says she.

10587. She said she had £1,225 and she would give it to you as being the most respectable man amongst them?—Yes.

10588. What were you to do with it?—To distribute it amongst the Commons' voters, she said, honestly, and that I could deduct my own share out of it, too, if I wished.

10589. What did you say to that?—I told her I wouldn't have anything at all; that I wouldn't take an agency from anyone.

10590. Did you decline it absolutely?—No, sir; I told her I would call again about it. She said, "Well, John, you won't go until you take the money." I told her I wouldn't take it that night on any account.

10591. What did you mean by saying you would come to her again?—Because if I distributed that money, and the Commons' people deny it afterwards, the money might be recovered from me, and I wished to take advice on it.

10592. Then you had some notion of taking it?—I had, sir.

10593. And of taking your own share of it?—I didn't say that.

10594. But you had some notion of taking the money, and taking your own share of it?—Yes, your worship; 'twas a large sum and I didn't like to ——.

10595. You didn't like to throw away such a chance, I suppose?—Begor, that was it, your worship.

10596. Of course you would then have voted for Mr. Munster?—I would not, sir.

10597. Do you mean to say that you would have taken £1,225 and distributed it amongst the Commoners, keeping, of course, the lion's share for yourself, and then have voted for Mr. O'Beirne?—If I got the £1,225 I would, sir. I would vote for Mr. Munster on that account.

10598. You told us a while ago you would not take a thousand pounds and vote for Mr. Munster, and you now say you would take £1,200; is it because it is more than £1,000 that you would take it?—[Witness smiles.]

10599. Is that a thing to laugh at?—No, I didn't mean to do anything of the kind.

10600. You are not in a very laughable position at all?—I would be very sorry to——.

10601. Do you hold any public position in consequence of which you attend Mr. Rollestone?—Poor-rate collector, sir.

10602. To whom did you go to take advice as to whether you would take the money or not?—I went to Clonmel to Mr. Guiry's son, an uncle's son of mine.

10603. Is he a solicitor or attorney?—He is a magistrate, sir.

10604. Mr. GRIFFIN.—Where does Mr. Guiry live?—In the town of Clonmel, sir.

10605. Mr. WATERS, Q.C.—Did you take his advice on the matter?—I told him I came to him to get advice on a certain thing, to know would he go to Counsellor Hackett about it, and what Mr. Hackett would charge I would give to him. "You are a fool," says he, "to interfere in such a thing. Here's a letter from the Commissioners to the Youghal Union to the clerk. He was called on to resign if he interfered with any voter in the election." So I refused to go any further, and didn't tell him at all about it.

10606. That was about Mr. Kennedy, I think?—I don't know, sir. He read it out of the paper, at all events, for me.

10607. You said something about your having got

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a letter from Mr. Boyton to somebody. Who was that?—To Mr. Leahy he gave me the letter.

10608. What Mr. Leahy was that?—The man that was buying the horse.

10609. Is it Mr. Edmond Leahy?—Yes, sir.

10610. What was the letter about?—I couldn't say what it contained, sir; but I asked Mr. Boyton to have him interfere with Mr. Leahy to buy the horse. I didn't wish to have anything at all to say myself to the sale of the horse in the commencement of it.

10611. Was it before you saw Mrs. Boyton that you had this conversation with Mr. Boyton about the sale of the horse, and got the letter from him?—It was in the bank I got the letter from him.

10612. When did you get the letter from him?—Well, I couldn't say the time.

10613. Was it before or after the conversation with Mrs. Boyton?—It was before, sir.

10614. Was it on the same day do you know?—I dare say not, sir.

10615. Had you any conversation with Mrs. Boyton about the sale of the horse?—Mr. Boyton, the evening that she asked me to tea, asked me, "What about the horse, John? Is he bought yet?" or something to that effect about the horse.

10616. Did anything further occur about this £1,225?—Well, I was in town a few days after and I went to Mrs. Boyton. She was living at Abbeyview at this time.

10617. Was this after you were at Clonmel?—It was, sir.

10618. Do I understand you to say that you went to Clonmel the day after you saw Mrs. Boyton?—I didn't go the day after; I went to Fethard.

10619. How many days after you saw Mrs. Boyton did you go to Clonmel to Mr. Guiry?—About two days or three. I think 'twas the 2nd or 3rd of November, and the 5th of November was the old fair day that I went there.

10620. You say you went to Mrs. Boyton some days afterwards. When was that?—I couldn't say the time afterwards, but 'twas only a few days' difference.

10621. And she was stopping at Abbeyview?—At Abbeyview I met her.

10622. Did you go in for the money?—It was with that intention I went. She said she had nothing to do with it, and that Mr. Boyton wouldn't let her have anything to do with the matter.

10623. Then, what you told about Guiry's advice was not the reason you did not take it earlier?—It was.

10624. You told me this instant that you went after Guiry's advice to Mrs. Boyton to Abbeyview, to get the money?—I did, sir.

10625. Therefore Guiry's advice to you had nothing to say to your not taking it?—Well, it seems I didn't take his advice.

10626. What happened between you and Mrs. Boyton at the time that you were at Abbeyview?—We had only a few words of conversation; after that she brought me a glass of wine, and I took it and went away.

10627. Did you mean to keep the entire £1,225 for yourself?—I wouldn't, sir; I would distribute it if I got it, if I took it.

10628. To whom would you have given it?—Of course, to the Commons' people, sir.

10629. How did you know they would take it?—Gar, it was rumoured always they were in the habit of getting it.

10630. Did you know them to get it?—I never did, but what I hear by hearsay.

10631. And it was altogether voluntary on your own part, when you said to Mrs. Boyton that whoever gave the most money, it was for them they would vote?—Yes.

10632. Was that true?—It was.

10633. Did you know it?—That was my opinion, your worship.

10634. You live on the Commons, and know the place and the people there?—Well, I don't know many of the Commons' people, although living in it until lately. There were people on the Commons'-road that I didn't know until this election petition took place any way, but to hear their names.

10635. In the interval, between the time you saw Mrs. Boyton first and came to her again, had you any talk with any of the people of the Commons about money?—Never.

10636. After you were offered the £1,225, and believed you would have got it, do you mean to say that you did not speak to any of them?—Not to any one man.

10637. Did you swear you would distribute it?—I would, if I got it.

10638. And did you never speak to any man about it?—Never; only to Father John Ryan, of New Inn, the day we were going to Clonmel. He had a spring car and I had one of my own, and I walked two or three miles of the road, and I told him I could be the richest man of my name in the Commons that ever came, if I took the offer that was made a few nights ago.

10639. That you would be the richest man that ever came of your name, if you took the offer you got the other night?—Yes.

10640. How much did you intend to keep of the £1,225?—I hadn't my mind made up to that.

10641. Was it to that you were alluding when you spoke to Father Ryan?—It was.

10642. What were you alluding to when you said you would be the richest man of your name in the Commons?—What I alluded to was to know would he advise me to take it.

[Mr. *Munster*.—I should like to ask Father John Ryan to be ordered out, as I should like to examine him.]

10643. Mr. WATERS, Q.C.—If you please, Mr. Munster, do not disturb the Court. I ask you again—[to witness]—and let me have a distinct answer to the question—was it to that offer of Mrs. Boyton you alluded when you spoke to Father John Ryan?—Yes, indeed, your worship.

10644. Did you tell him what the offer was?—I told him £1,225.

10645. And you say you told that to Father John Ryan for the purpose of getting his advice?—Yes; that is the reason I told him of it.

10646. What advice did he give you?—Well, he didn't say much on the matter. He didn't tell me to take it or not to take it.

10647. What did he say to you?—He only drew down about Mr. O'Beirne, and didn't say what I would do about the money at all. He only drew down about Mr. O'Beirne what a nice man he was, a gentlemanly man, and from his career in Parliament no person ought to go against him.

10648. Did he give you any advice about the offer?—On my oath I couldn't say what he said to me. He only shook his head and he walking away, this way, when I told him of it.

10649. Did he give you any advice as to whether you ought to take it or not?—I think by what he said that his advice would be to take it, your worship.

10650. Do you say that you understood that?—Well, he spoke very low, your worship, and I spoke very easy. I used to speak to him very high, and he would hear every word I was saying, and he would speak very low to me.

10651. Did you hear what he said to you?—I think what he said was: "Take it, John." That was the way he spoke to me, your worship.

10652. Unless you intended to keep the entire money what did you mean by saying you could be the richest man of your name on the Commons?—How, unless I kept all the money myself?

10653. Yes?—You know it was at my own election whether I would or not.

10654. Did you mean to keep it?—I didn't. If I took it I would distribute it.

10655. What was the meaning of your saying to

Father Ryan you might be the richest man of your name?—Getting such a lot of money.

10656. But if you were only to get it to distribute it. How much did you intend at the time to distribute?—I hadn't my mind made up as to what I would do at the time; but if I took it I would distribute it.

10657. Mr. GRIFFIN.—Would you distribute the whole?—I would not.

10658. Would you distribute half?—I would, your worship.

10659. Would you distribute more than half?—I would, your worship.

10660. Mr. WATERS, Q.C.—Did Mrs. Boyton show you the £1,225?—No, your worship, she did not.

10661. She did not show it to you?—She did not, but she said she had it for me though.

10662. Mr. GRIFFIN.—Did anybody ever tell you that if money was given to you for bribery or any illegal purpose, it could not be recovered back from you?—I dare say there was many spoke of it to know if it was given for your vote it could not be recovered.

10663. Did you know whether it could or not?—I don't know at present.

10664. Had you a suspicion that it could not?—I had a suspicion that it could not.

10665. Mr. MOLLOY.—Do you recollect being asked by Mr. Butt, at the petition, "Did you at the time of the election in 1865 get money from anyone?" and did you answer "O, it is not necessary that I should answer that. It has nothing to do with this. Shall I answer it, my lord?" And when Mr. Baron Fitzgerald said, "You must answer it," did you reply, "I never got a penny from e'er member." Is that true?—I never got a penny by e'er a member.

10666. Listen to the question. Mr. Butt asked you, "Tell me, did you get any money from anybody in 1865?" And you answered, "I never got a penny from e'er a member." Is that true?—'Tis, sir.

10667. Did you not get a £5 cheque?—That was for car hire.

10668. But did you not get it?—But it was for bribery I understood from Mr. Butt.

10669. He asked you this, "Did you get any money from anybody in connexion with the election of 1865, or connected with it?" You answered, "I did not get any money connected with an agent from the election. Nor was I concerned in that election." Now were all these answers true?—I never got any money from anybody in the election of '65.

10670. Did you not get £5?—Twasn't that time I got it.

10671. When did you get it?—Many days after Mr. O'Beirne came here this time.

10672. Why did you not tell that to Mr. Waters?—Sure I told him I got a £5 cheque.

10673. Mr. WATERS, Q.C.—I asked you if you got money for the election of 1865, and you said you did not except a £5 cheque. You never told me it was at the election of 1868 you got it?—Just after he coming at the election of 1868 I demanded this £5 from him.

10674. Mr. MOLLOY.—Where did you get the cheque cashed?—In the National Bank.

10675. How soon after you got it did you get it cashed?—I dare say a day after I got it or two.

10676. Who gave you cash for it?—Mr. Boyton.

10677. Are you sure that the cheque was only for £5?—I am quite sure.

10678. Was it in October or November that you got that amount?—It was in either one or the other of the months.

10679. Did you get any more in the election of 1865?—On my oath I never got a penny in any other form.

10680. Nor a cheque?—Nor a cheque.

10681. Nor a bill to raise any money?—Nor a bill to raise any money.

10682. Did you apply to Mr. O'Beirne for this £5?—I did, your worship.

10683. How long before the election of 1868 did you apply?—The one day.

10684. Did you apply to him shortly after the election of 1865?—No.

10685. Had you any conversation at all about it in 1865?—I hadn't, your worship.

10686. You had no conversation about it?—No conversation.

10687. What took place the day you went for the £5 cheque?—I went to William Corcoran's that lived here in town. I told him some Commons' people were not able to come to the election of 1865, to Miss O'Dwyer's hotel, and to send out cars for them, and accordingly he did so, and billed me afterwards for £5 car hire; and Mr. Johnson, he was in Dublin, and I went to him, and they said he was sick at Miss O'Dwyer's hotel, and I heard afterwards that it was a scheme; that he wasn't sick, but didn't want to see any person.

10688. Then you were acting in the election of 1865?—That was all I done, your worship.

10689. Was not that acting in the election of 1865?—That was only to oblige.

10690. And you swore to Mr. Butt that you were not acting in the election of 1865?—Sure I wasn't concerned only to oblige him to do that much.

10691. Who were you obliging?—Mr. Johnson, sir.

10692. Did you pay Corcoran the bill?—Yes, I paid Corcoran the bill.

10693. When?—I believe four or five weeks or three weeks after the election.

10694. After the election of 1865?—Yes.

10695. How much did you pay him?—£5.

10696. And you never applied to Mr. O'Beirne for it?—I didn't until he came here, because he promised a situation to my brother-in-law.

10697. When did he promise the situation?—In the election of '65.

10698. Who is your brother-in-law?—Patrick Moloney.

10699. When was the situation promised?—Previous to the election.

10700. Of 1865?—Yes, and at the last election of '68 as well he promised it to him again. He made applications several times to him, but the situations Mr. O'Beirne would get for him I dare say he wasn't able to fulfil them. They wouldn't suit him and he wasn't able; he wouldn't take them then.

10701. Did you ask Father John Ryan that day at the racecourse whether you would take the £1,225?—I did; I asked him.

10702. Did you ask him would you take the £1,225?—I did, I asked him would I take the £1,225, and he said this way——we were walking very fast after the horses.

10703. Did you ask him whether you would take it and keep it for yourself?—No, I never asked him a word of the kind.

10704. Mr. GRIFFIN.—Did he say anything to you to the effect that you could vote for Mr. O'Beirne, whether you took it or not?—I havn't any doubt but he said it another day he was coming to town.

10705. Was this afterwards?—I couldn't say was it after or before it. He was speaking that day Mr. O'Beirne was at the Commons, and to the best of my belief, he said to take money from anybody, and to vote for Mr. O'Beirne.

10706. That was not addressed to you in particular?—Oh no, your worship. All the Commons' people were expected there at the Cross.

10707. Mr. WATERS, Q.C.—Mr. Munster wishes to ask you how long before this negotiation did you buy the horse? How long had you him before the election of 1868?—I had him, I think, two years.

10708. How much did you give for him?—'Twas money I got with him for a horse; 'twas a swap.

10709. How often did you go to Abbeyview to sell the horse?—I went there many times. There used to be a message to me to bring the horse.

10710. How often did you go?—I went there five or six times, your worship.

10711. You said Mr. Leahy in his conversation with

ELEVENTH DAY.
October 15.
John Ryan.

you, said it was not horses they wanted, but votes? Did he say anything as to any number of horses Mr. Munster had?—He did; he said he got two horses from some gentleman, I think Mr. Stuart. He made mention of some horses they bought.

10712. Did he say Mr. Munster did not want the horse?—He said they did not want horses at this time.

10713. Do you know how many horses he had at the time?—No, I do not.

10714. Did you ever tell any person that if Mr. Munster gave you £100 for your horse, you would get the Commoners to go with him?—Not to my knowledge.

10715. You never told anybody that?—I never told anybody that to my knowledge.

10716. Did you say to Dr. Cormack on his way to Rockwell, that if Mr. Munster gave you £100 for the horse, you would get the Commons' voters to go with him?—I couldn't say, your worship; but to the best of my opinion, your worship, I never spoke to that effect.

10717. Is it your evidence that you never said that to Doctor Cormack?—I couldn't say it, because we had some conversation about Mr. Munster, and Doctor Cormack was continually praising him.

10718. Did you ever tell anyone that you would take £40 for the horse?—Mr. Dolan, he was the vet. that inspected him, your worship, and he said that £40 would be about the value of the horse, and I said I dare say it would be about the value of him; there was a great many saying a good many things about the horse.

10719. You said that Mrs. Boyton did not show you the money at all?—She didn't show me the money.

10720. Did she tell you she had it?—O, yes; she said she had it in a box, or something of that kind.

10721. Mr. Munster wishes to have you asked did you see the box that she said the £1,225 was in?—To my knowledge I don't think I saw the box; it could be there unknown to me.

10722. Had you ever any conversation with Miss Kate O'Dwyer or with Anastatia Bishop about the box?—On my oath I never had.

10723. Who is Anastatia Bishop?—I don't know who she is; I know her by eyesight.

10724. Did Mr. Guiry tell you that money received as a bribe, or for distribution in bribery, was not recoverable?—I don't think Mr. Guiry had any conversation as to that, your worship.

10725. Is your former evidence correct, that you did not enter into the matter with Mr. Guiry?—Any further, your worship, than what I stated.

10726. Mrs. Boyton says that the interview at the Rock hotel was on the 3rd of November, is that correct?—I can't say, your worship; it was either the 2nd or 3rd of November.

10727. You fix it by the date of the old fair?—Yes, your worship; I went to Fethard the day after; that's the way I recollect it, and but for that I wouldn't recollect it at all; Monday was the day this occurred; Monday was the day of the week, because I was taking off my account to the workhouse.

10728. Do you know what the date of the fair at Clonmel on Monday was?—The 5th November; it was an old fair day, I recollect.

10729. Mr. GRIFFIN.—Was that the day you met Father John Ryan?—That was the day the two of us were going in to the fair together, your worship.

10730. Monday was the day of the conversation with Mrs. Boyton?—Yes, I think Monday was the day.

10731. You are sure of that?—I'm sure that was the day, for I was taking my account to the workhouse.

10732. Mr. WATERS, Q.C.—Did you ever get any money for distribution in bribery?—Never.

10733. And keep it?—Never.

10734. Do you know of anybody that did so?—Never; I don't know of anybody that did so, your worship.

10735. Did you ever hear that anyone had done so?—I never heard of anybody doing so, your worship; I am not very long dealing with elections at all, and I'd sooner have nothing at all to do with them.

10736. Did you sign a requisition to Mr. Scully?—No, your worship, I didn't.

10737. You did not?—No.

10738. Did you hear of its being signed in the Commons?—Yes; I heard my name was forged to it.

10739. You never authorized anyone to sign it?—No.

10740. Do you know how many signed it?—No; but I met Mr. Vincent Scully a Saturday, and he handed me a circular and said wasn't I one of the parties that supported him, and I said I was; I didn't know what he meant at the time; he handed me a paper in the street—himself and Mr. Jerome of Silverfort—and I took it and put it in my pocket.

10741. Did you ever say to anybody that you could use your influence as a poor-rate collector in inducing persons to give votes?—No, for I collected no poor-rates in the borough.

10742. Did you ever say you could use your influence as poor-rate collector in inducing persons to vote?—Not to my knowledge; but I might have said it in the election of 1865, because I went to Tipperary and stated to Mr. Waldron that there were cousins of his and they came to me.

10743. Do you know how many voters there are on the Commons?—I often had the barony-sheet, and to the best of my opinion, I think, 'tis 200.

10744. In the Commons?—No, but for the whole borough.

10745. How many on the Commons?—I couldn't say, your worship, how many.

10746. Did Father Ryan tell the Commons' people to take the money of the Saxon and to vote against him?—I didn't understand that he spoke of Saxons on that day, your worship. I was riding my horse, coming to town, and I met him walking the horse; I didn't hear him say that. He didn't say that while I was there; but I heard him say to take the money and vote for O'Beirne.

10747. Was it to take money from everybody?—Yes, but to vote for Mr. O'Beirne, your worship. Do I require a certificate, your worship, as being a poor-rate collector?

10748. Mr. WATERS, Q.C.—As soon as the evidence is completed we shall name a day when we shall consider applications as to certificates. You will have notice of the day we shall name. Let any person who thinks he wants one come up, and we will consider whether we shall give it.

The Rev. John Ryan.

The Reverend *John Ryan* recalled; examined by Mr. WATERS, Q.C.

10749. Did you hear what that man said; that he overtook you on the road, and said to you that he might be the richest man of his name on the Commons if he had accepted an offer made to him. Tell us what you recollect of the conversation?—He overtook me on the road going into Clonmel, and he said to me that he might have been the richest man of his name on the Commons of Cashel if he took a sum of money offered to him a day or two ago—£1,250 as I recollect, but he makes it now £1,225—to be distributed by him amongst the Commons' voters to get them to vote for Mr. Munster. I asked him, "Did you take the money?" "No," said he. "Why?" said I. "Because," said he, "I was afraid that the Commons' people if we took Mr. Munster's money should vote for him, and we are all anxious to support Mr. O'Beirne. Could I take it," said he, "and still vote for Mr. O'Beirne?" "As you have not taken the money," said I, "it is not necessary for me to decide such a question of morality for you." With regard to the other observations he made as to what I said at the Commons of Cashel——

10750. Is that all that occurred on the road?—That is all that occurred on the road going into Clonmel. With regard to that particular transaction that he spoke of, I do not recollect whether he mentioned the name of the person who offered the £1,200; but I recollect distinctly he named that sum and the purpose for which it was offered.

10751. And your recollection is it was £1,250?—As well as I recollect, but I am quite sure that he mentioned the sum of £1,200 to me. With regard to the meeting that had been held on the Commons of Cashel which I alighted on on my way from the town, I said, amongst other things, that I stated in favour of Mr. O'Beirne, that I heard there was a very wealthy Englishman come amongst them to purchase, if possible, their "sweet voices;" and I said that he and every other Englishman owed to us Irish people——

10752. Without repeating the entire, give us the substance very shortly?—That I would be very glad wealthy people came to canvass them and to scatter money amongst them; but that at the same time they should not allow their votes to be influenced by any person that came to purchase them.

10753. I am afraid you gave them bad advice?—Did I?

10754. They had no right to take money in any way?—Not for their votes; but if a man chose to scatter money amongst the poor people.

10755. Did you mean for their votes?—No, not at all. I said distinctly "take whatever you get, but take care and vote according to your conscience." I think they would be very great fools if they refused it.

10756. Father Ryan, did you recollect this occurrence with Ryan when you were giving your evidence the other day?—With Ryan?

10757. Yes?—It did not come before my memory. If I thought of it I would have told you that as well as everything else; but I recollected it this morning, and I went to Mr. M'Sheehy and told him about it before the court sat.

10758. I am aware you did, and Mr. M'Sheehy communicated to me almost verbatim, the very words you have now said to me?—I made a mistake, I think, as to the date that Mr. Doheny was a candidate; it was in '47, not '52. Another correction I wish to make is, that Mr. Roe was a candidate before the late Judge Perrin. I asked the shorthand writer to make these alterations in my evidence, and he told me to mention them to the Court.

Thomas Looby, of Lower Gate, and *Luke Larkin* recalled; examined by Mr. WATERS, Q.C.

Thomas Looby and Luke Larkin.

10759. You recollect the account you gave of the man you saw in the room at Corcoran's?—*Looby.*—Yes, my lord.

10760. Look at this man?—*Looby* (looking at Larkin).—My lord, he is very much about the same man's size, but still I can't prove he's the man. He was in his shirt-sleeves, and it was pantaloons he had on in place of that knee-breeches.

10761. He is not dressed now as he was then?—*Looby.*—No, my lord; a pantaloons and shirt-sleeves.

10762. Do you think you would recognise him if dressed in the same way again?—*Looby.*—He is about the same size, my lord.

10763. Do you think you would know him if he was in his shirt and pantaloons again, as you saw him at Corcoran's?—*Looby.*—I couldn't rightly ascertain, for I hadn't my specs on, my lord, in the candle-light, and one small candle lighting in the room.

10764. Do you [to Larkin] recollect this old gentleman?—*Larkin.*—No, your worship; but I can positively state I didn't wear trousers for the last forty years, nor hadn't my coat off in the hotel, nor didn't sleep in the hotel.

10765. Mr. MOLLOY.—Had you ever your coat and waistcoat off in Corcoran's hotel?—*Larkin.*—Never.

10766. Mr. WATERS, Q.C.—You are quite sure that the man you saw had his coat and trousers off?—*Looby.*—Yes, my lord.

10767. Are you sure of it?—*Looby.*—I am, my lord; he had nothing but a shirt-sleeves and pantaloons on.

10768. You are quite sure of that?—*Looby.*—Quite sure, my lord, to the real best of my belief.

10769. Mr. MOLLOY.—You have no doubt that the man had his coat and waistcoat off?—*Looby.*—No doubt.

10770. Mr. WATERS, Q.C.—Did you speak to the man in the room?—*Looby.*—I went into the room. "Sit down," says he. The bed was there; he got out of the bed. "I have commands here for you," says he, so he throws me a bundle of notes. "Count that," says he. "I can't," says I; "I havn't my specs." "Put your name to this." I took it, and wrote "Thomas Looby."

10771. Do you recollect anything of that, Mr. Larkin?—*Larkin.*—No.

10772. It appeared to you that the man was shortly after getting out of bed?—*Looby.*—Yes, out of bed he riz.

10773. Do you swear you never slept in that house?—*Larkin.*—I do; that I never slept or took off any part of my clothes there.

10774. My impression is that you are both telling the truth, and that you are both accurate?—*Looby.*—I hope, with the help of God, I am at all events.

10775. Do you not think [to Larkin] if you saw this old gentleman once that you would know him again? You do not see a great many like him?—*Larkin.*—No.

10776. Do you not think you would know him again?—*Larkin.*—I don't think I would.

10777. Do you know another Thomas Looby?—*Looby.*—I do, my lord.

10778. He lives in Hughes' Lot, east?—*Looby.*—Yes, my lord.

10779. Mr. WATERS, Q.C.—I am afraid we have not got the right Thomas Looby for this man, and not the right man for you. Do you not know this man Looby?—*Larkin.*—I don't, my lord.

Looby.—Don't you live in Templemore?—*Larkin.*—I do.

Looby.—And you don't know me?—*Larkin.*—No.

Looby.—Well, I'm going there for these last seventeen years to fairs, so you must be a queer man not to know me.

10780. *Patrick Cunningham.*—It was I conveyed Mr. Looby up, and there was no other gentleman there than this man [pointing to Larkin], so I don't know how the mistake is between them.

Luke Larkin's examination resumed by Mr. MOLLOY.

Luke Larkin

10781. Larkin, where did you eat your breakfast on the morning of the polling?—On the morning of the polling I think 'twas at—I know the day of the polling I was at Mr. Cunningham's.

10782. At Cunningham's?—The day of the poll.

10783. Did you breakfast there that morning?—I couldn't say that.

10784. Were you at Corcoran's hotel on the day of the polling?—I couldn't say that, but I was the day at breakfast—I took two breakfasts, I think, at Corcoran's hotel.

10785. Mr. WATERS, Q.C.—You ate two breakfasts, you say?—I think I did.

10786. Mr. MOLLOY.—Are you able to say whether you went to Corcoran's hotel on the day of the polling before daylight?—I couldn't say that; I don't recollect.

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Patrick Cunningham.

Patrick Cunningham recalled; examined by Mr. WATERS, Q.C.

Witness acknowledged himself under the obligation of the oath he had previously taken.

10787. What was done with the notes all these persons signed?—I have them.

10788. Where are they?—They are just as I got them the day Larkin was leaving town, and I didn't open them nor touch them since, sir. I was told by Mr. Laffan to keep them safely. [*Witness hands them in.*]

10789. Mr. GRIFFIN.—By which Mr. Laffan?—Mr. Patrick Laffan.

10790. Mr. WATERS Q.C.—You were concerned in the last election for Mr. Munster?—I was.

10791. Have you the envelopes that were left?—No; there were no envelopes there, sir. Yes, the names of the parties the notes were from. They were torn up to pieces. There was nothing on the envelope but the name of the party that passed the note, and the money he was to get—the man's name.

10792. When did you begin to be concerned in the election?—I think only in October, as well as I can recollect.

10793. Who employed you?—Mr. Michael Laffan, sir.

10794. Were you engaged in the election of 1865—I was.

10795. For whom?—For Mr. O'Beirne, sir.

10796. Did you distribute any money for Mr. O'Beirne in 1865?—No, sir.

10797. None at all?—Oh, I did; something over, I think, £120; I think something over £100 as well as I recollect.

10798. Was it to voters?—No, sir, to car-drivers and people of the street.

10799. Have you made out, as I directed you yesterday, the sums of money you know to have been distributed in 1868?—To drivers, car-drivers, sir?

10800. Certainly not?—To voters?

10801. Have you made out a list of the persons to whom you distributed money in '68?—Yes, I have, sir.

10802. Where is it?—There is only one party I gave money to, only these that passed bills.

10803. Who is the one party to whom you gave money except those that passed bills?—A man of the name of John Bowes, and Phelan. I gave Mrs. Phelan half-notes for £30.

James Phelan.

James Phelan recalled; examined by Mr. WATERS, Q.C.

10804. You have sent me a note?—Yes, sir.

10805. You complain that you got those half notes from Cunningham, and were promised the remainder in a couple of days; and that since you have applied to Cunningham and Mr. Laffan for the corresponding halves. You ask me to order Cunningham to pay you those halves. I cannot do anything of the kind, because the conclusion that my brother Commissioners and myself have so far come to—of course it is not final—is that it was given as a bribe, and we cannot assist any man in getting money that was intended as a bribe?—Cunningham took my house for £30, sir.

10805A. I have given you an answer now that, so far as we are able to form an opinion, we think that that money was given as a bribe, and we cannot assist you in getting the other half-notes.

Patrick Cunningham.

Patrick Cunningham's examination resumed by Mr. WATERS, Q.C.

10806. You said you gave money to a man named Bowes?—Yes; not to Edmond Bowes, but to his son—to John Bowes.

10807. How much?—£20.

10808. To John Bowes?—Yes.

10809. Was it for his father?—Well, we made no remark about the father, but he asked how things were going on about the town, and that he expected to be treated the same as others.

10810. Is the father a very old man unable to manage matters?—Yes.

10811. And that money was given for the father's vote?—I expected the father would support us. I asked no vote connected with the late election.

10812. I know how those things are done, Mr. Cunningham. That was meant for his vote, was it not?—I expected he would support Mr. Munster.

10813. It was meant for his father's vote?—Yes, he gave no value to me.

10814. That was the intention with which you gave it?—Yes, he gave no value for it.

10815. I find his father did vote for Mr. Munster?—Yes.

10816. You mentioned another name?—The only money that I gave out of my hands was the £50 I had connected with Ryan and Murnane.

10817. Did you not give the £20 for Edmond Bowes out of your hands?—Yes, I am after saying that.

10818. And the only other money you say that you gave out of your own hands was the money connected with Ryan?—Yes, to Ryan and Murnane, and Carroll's.

10819. You got back £50 from Ryan?—Yes.

10820. And you paid Carroll's money out of Ryan's?—Yes. I gave two letters for Looby—a man of the name of Duggan.

10821. What did you do with the balance, £15?—£15: I gave £8 of it, I think, to Mr. Patrick Laffan, £7 or £8 I cannot say as to the exact amount; and I paid balances on small bills through the town, which I believe Mr. Michael Laffan paid again back to Mr. Patrick Laffan again, sir. He charged him, I think, in his account with that £7 or £8 paid by me.

10822. From whom did you receive the £50 that you gave to Ryan and Murnane?—Mr. Patrick Laffan, sir.

10823. From whom did you receive the £20 that you gave to Bowes?—I got £90 on that occasion; I didn't get it exactly on that occasion. There was £30 given to me, together with £60 that was enclosed in the two letters, one for Duggan and one for Heffernan.

10824. I am afraid you are going to a different day?—It was on the same day that I gave Bowes the £20, the £60 was enclosed in the two letters, one for Duggan and one for Heffernan, which I was to hand to Looby to give to those parties on that day that I gave £20 to Bowes.

10825. What did you do with the balance?—It went for sundry small things connected with the election; and there it is, charged in this account, as I returned it.

10826. Do you recollect what you did with it?—No, not with the balance of the £10.

10827. Do you recollect the day you got the £90; where was this £90 paid to you?—£60 in Mr. Laffan's office. The £90.

10828. Was it all paid to you in Mr. Michael Laffan's office?—This was some time after the election. Heffernan, as well as I recollect, went to Mr. Patrick Laffan and said he wanted to go to some fair, and if he had any money on hands to give it to him. Heffernan followed Mr. Patrick Laffan to the office, and he said he would see him in the course of the day; so immediately after Heffernan leaving him and Duggan, the £60 was put, £30 in each envelope, with the name on the back, and no more. I think there were sovereigns in one envelope.

10829. You say that you got that money in Mr. Michael Laffan's office?—Yes.

10830. From whose hands?—From Mr. Patrick Laffan.

10831. Was Mr. Michael Laffan there?—No; no one but both of us.

10832. Do you know where Mr. Patrick Laffan got the money?—I don't. I think on one occasion he said he got money from Mr. Leahy.

10833. Was it you that put the money into the two envelopes?—I couldn't say that—whether it was Mr. Patrick Laffan or I.

10834. But it was put in in your presence?—Yes.

10835. And you handed the two envelopes to the man called Looby?—"Looby or Duggan;" Duggan is his name. He followed me to my father's house, and I handed him the two envelopes.

10836. Where did you receive the money you gave Ryan?—In Corcoran's Hotel.

10837. From whom did you receive it?—From Mr. Patrick Laffan.

10838. Who was present when you got the money?—No one, sir.

10839. Larkin, who was on the table here, was, you are aware, engaged in distributing money to voters and taking those bills from them?—Yes, sir.

10840. Do you know the evidence he gave yesterday?—No, sir; I read some of it this morning.

10841. Where did you read it by the way?—I read it out of one of the notes that was taken on yesterday.

10842. By whom were the notes taken?—I went up to Mr. Biggin last night, to know would he give me the notes of the day's proceedings, and he said he would send them down to me; so he sent them down by a girl to me. I went to look for him to Mr. Munster's yard.

Mr. *E. H. Biggin* recalled; examined by Mr. WATERS, Q.C.

10843. I doubt, Mr. Biggin, that Cunningham can tell the reason that lay in your mind for lending those notes. I should say it is you who know the reason. On consultation with my brother Commissioners here, I may say to you that we are of opinion that we ought not to attribute it to more than indiscretion on your part, but that it was exceedingly indiscreet of you to take notes here, and send them to any person who was to be examined the next day as a witness?—Because I thought it was for a good reason. I did it to help him.

10844. You might help him another way. We say no more than that it was a very great indiscretion?—I am very sorry, sir.

10845. If we thought it was from a different reason we would deal very severely with you. You must not make use of any notes taken. If you do we must certainly prevent you from taking any?—I will not, sir, again. I did not wish to do anything wrong at all.

10846. We tell you now that it is certainly wrong. I wished this witness to come up here to tell his own story entirely unassisted and undirected. If he forgot anything, one could very easily see whether it was withheld designedly or not. But we did not want to have him assisted by being told what another man had said.

Patrick Cunningham's examination resumed by Mr. WATERS, Q.C.

10847. I will read over rapidly the names until I come to such as I wish to ask you about [the Chief Commissioner reads the list given by Larkin]. "Half notes to a young man by Cunningham's order, £30;" a verbal order that you gave to him for some young man. Who was that?—It must be a friend of Croagh's, I think.

10848. "Half notes to a young man by the verbal order of Pat. Cunningham?"—I don't recollect any man getting half notes for £30 but Croagh.

10849. Croagh is down before that. Gleeson got half notes for Croagh?—He is a young man; quite a young man; there must be a mistake in that; Gleeson is the only man that got them.

10850. Larkin seems to have kept his account with marvellous accurracy, considering that he did not expect to be examined here, and I am inclined to think that Larkin is not mistaken. "To Gleeson, in trust for Croagh, half-notes for £30"?—It must be half-notes for £40.

10851. No, "half-notes for £30 to a young man"; he says it was on your order; have you any recollection of it?—I have not not, sir.

10852. You must search your recollection?—If he did, I would have the remaining halves.

The Chief Commissioner reads the remainder of the list.

10853. Who is Connolly?—A son of John Connolly.

10854. For whom was the £70—thirty-five of it for John Connolly?—I couldn't say, sir; he made the arrangements with Mr. Patrick Laffan.

10855. Do you know Peter Connolly?—I do.

10856. What is he to Jeremiah Connolly?—An uncle to Jeremiah Connolly, an uncle to John Connolly.

10857. Peter and John Connolly are brothers?—Yes.

10858. Was £70 paid to anyone?—To Jeremiah Connolly.

10859. Not for his own vote, surely?—I don't know, I couldn't say.

10860. You do not know?—I don't.

10861. Did you ever hear Peter Connolly got a portion of it?—I couldn't say.

10862. I suppose you suspected?—The son of John Connolly is doing business constantly for Peter Connolly.

10863. "A man unknown, by Patrick Cunningham's order at Corcoran's, £35"; who was that?—That is a man of the name of Edmund Stapleton.

10864. Had you previously given that money to anybody else to give to Stapleton?—I had, to a man of the name of Denis Ryan.

10865. Did Denis Ryan return the money to you?—The following day he left it in town, in some place. He said Stapleton was under the influence of liquor, and he wouldn't give him the money. The following day he brought this to Corcoran's hotel and gave the money, so accordingly I returned the money to Patrick Laffan. He turned round and put his hand to his pocket, and I put the money down into it. I took a note of it after he coming out, because he asked me "who was that man, he wouldn't sign a bill." I said, I knew him. He said he wouldn't take the money in his hands, so he turned round to me and I put the money into his pocket.

10866. Did you make the arrangement with any of those voters, as to the sums they were to be paid?—I did; with a few, sir.

10867. Did you make an arrangement with Francis Dwyer?—Yes.

10868. Is that Francis Dwyer of Lady's Well-street?—Lady's Well; yes.

10869. Did Francis Dwyer ever tell you he got the money?—No, indeed.

10870. Did you see him get it?—I didn't see him get it.

10871. Do you know Dwyer's writing?—No, sir; I don't.

10872. Who wrote all those notes?—I think they were written by Mr. Patrick Laffan.

10873. Do you know his handwriting?—Some of them were, I think.

10874. Look to them and see are there any of them written by you?—[Witness inspects them]—No.

10875. Mark P. L., in pencil, on those that are in

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Patrick Cunningham.

Mr. Patrick Laffan's writing?—I think they are all written by him, sir. They are in one hand—I think they are all in the same hand, sir.

10876. Are they all in Mr. Patrick Laffan's writing?—Yes. You asked me about Dwyer. Dwyer never told me he was paid. I told him to go up to the room, to this gentleman that was here, but he never told me he was paid.

10877. You made an arrangement with Francis Dwyer?—Yes.

10878. And you told him to go up there?—Yes.

10879. And you saw him go up?—Yes, I see him going up.

10880. Up to the room?—Yes.

10881. That was Francis Dwyer of Lady's Well a voter?—Yes.

10882. He voted for Mr. Munster?—He did.

10883. Did you make an arrangement with William Ryan?—Yes, I did.

10884. That was £30?—£30, sir.

10885. For his vote? Was it for his vote?—It was never spoken of, sir.

10886. But it was for nothing else but his vote?—I couldn't say; I got directions for to send them down to sign bills; I told them there was a gentleman at the house: he was there inside, and I objected the second day in leaving him in my house, and he was—I got directions to send him up to Corcoran's.

10887. From whom did you get directions?—From Mr. Patrick Laffan.

10888. Did you make an arrangement with Denis Dwyer?—Yes, sir, I sent him up to this man.

10889. Is that Denis Dwyer of Friar-street, Cashel?—Yes, sir.

10890. And he got £30?—Yes.

10891. Did you see him go up to the room?—I did, sir.

10892. And the arrangement you made with him was for £30?—£30, sir. Francis Dwyer's house was taken, and he signed a note for the money.

10893. Who made the arrangement with Robert Cashen?—I think it was I did, sir.

10894. For his vote? He voted for Mr. Munster?—He did, sir.

10895. Did you see him go up to the place where that man was?—I think it was in my father's house he got the money. I think I accompanied him down myself. I gave him one of those envelopes with his name in it.

10896. You say it was in your father's house Robert Cashen got the money?—Yes, to the best of my recollection, the evening after Mr. Larkin came, on Monday evening.

10897. Who made the arrangement with Patrick Griffin?—I did, sir.

10898. Is that Patrick Griffin of Friar-street?—Yes.

10899. That was £30 also for his vote?—Yes.

10900. Do you know where Patrick Griffin was paid the £30?—At my father's house.

10901. Did you see him paid it?—No, I didn't.

10902. Did you take him up to the room where that man was?—Yes, I showed him the room.

10903. James Cummins is, I believe, son of Richard Cummins?—Yes.

10904. Is Richard Cummins a very old man?—A very old man.

10905. The arrangement you made was with the son?—With the son.

10906. And it was for his father's vote?—I suppose so.

10907. Just answer me. I know very well you may not have used the very words, but was it for anything else than his father's vote that you made this arrangement for £30?—It was not.

10908. Where was he paid the £30?—In Corcoran's.

10909. Did you see him go into the room where Larkin was?—I sent him up to the room.

10910. I asked you already about Francis Dwyer, and you told me that he was paid the £30 at Corcoran's?—At Corcoran's.

10911. And that you saw him go up to the room where this man that was called "the man in the moon" was?—Yes.

10912. Is that the man whose house was taken?—Yes.

10913. Was he to get £30 for the house besides?—£30! no, he was not, sir; he was only to get the one £30.

10914. And this sum of £30 that he was paid there was the payment?—Yes, by signing the note.

10915. Did you make the arrangement with Michael Noonan?—No, I didn't.

10916. Who made the arrangement with Michael Noonan?—I think it was some of the boys as well as I can recollect.

10917. Did you give an order to him for the payment of the money?—Not to my recollection. I might have given an envelope.

10918. Do you recollect his getting the money?—I do.

10919. Did you see him get it?—No, I did not.

10920. Where did he get it?—At Corcoran's, I think. I can't say whether it was I showed Noonan the room, or some of the boys.

10921. Did you see him going where the man was?—He went into the room.

10922. He was a voter and voted for Mr. Munster?—He did.

10923. You have no doubt he is the man whose name is down here as having been paid by Larkin £30?—Not the least doubt of it.

10924. I believe he is since gone to America?—He is.

10925. And the £30 was given to him for his vote?—Yes.

10926. Who made the arrangement with Richard Butler?—I think it was I did.

10927. Thirty pounds for his vote?—Yes.

10928. He voted for Mr. Munster?—He did.

10929. Where was he to get the money?—I can't exactly say whether it was at Corcoran's or my father's; there was about five altogether paid at my father's.

10930. Do you recollect the fact of his being taken to Larkin?—I recollect I took him myself.

10931. And he is the man to whom Larkin paid the £30?—Yes.

10932. You have already proved that Patrick Croagh got £30?—Yes.

10933. Do you know who gave the £10 paid to Croagh for sand used at Mr. Munster's residence?—It was Mr. Patrick Laffan gave him the order.

10934. Larkin has an entry for £10 paid to this man for sand supplied for Mr. Munster's place at Abbeyview. Who got the money from Larkin, do you know?—I saw him when he was going about it.

10935. Croagh himself says he got the money from Mr. Hackett?—Yes, I recollect being in Mrs. Dolan's shop and I see Croagh there, and Mr. Patrick Laffan came in, and was telling Hackett about this large bill Croagh put in about the sand. I believe an arrangement was made and Hackett did pay him.

10936. You say the half notes for Croagh were given to Gleeson?—Yes, the £30. You have half notes there charged for £35. I am charged with half notes for £35 by Larkin. It ought to have been £40.

10937. How is that?—It was for a man of the name of Kennedy in Friar-street—Patrick Kennedy.

10938. He voted for Mr. Munster?—Yes.

10939. Did you pay the £40 to Patrick Kennedy?—No, they were sent by this man to him.

10940. What man?—Mr. Larkin. A man of the name of Dwyer carried the money to him, to the best of my recollection.

10941. What Dwyer?—Matthew Dwyer of Friar-street. He was doing business during the election.

10942. For whom was he doing business?—For Mr. Munster. Half notes were paid to Dwyer. I have the remaining half notes since Larkin gave them up to me.

10943. Did Kennedy ever tell you he got the half notes?—About a fortnight or a month ago he was speaking to me, and he said what about the balance of what he got in the letter.

10944. The second half notes?—Yes. He met me

the evening I returned to town from Limerick, and I told him that of course everything now connected with the election, that I should tell it.

10945. What do you know about James Darmody; he got £30; was it you who made the arrangement with him?—No, I didn't.

10946. Who made the arrangement with him?—I can't say.

10947. Do you know that he got the money?—No.

10948. Do you know anything of the circumstances under which he was paid?—No.

10949. Or where he was paid?—No; he was frequently in at Corcoran's hotel. I can't say whether I sent him up to the room, there was so much confusion there; I might have done so.

10950. Who was Matthew Dwyer?—A messenger that was there.

10951. Whose son is he?—He is the father, sir. The father was doing business there, a messenger during the election. Matthew Dwyer may not know what was in the letter at the time.

10952. Do you know anything of the arrangement made with John Dwyer of Main-street?—I sent him up to this man and told him to sign a bill.

10953. You saw him going up to the room?—Yes.

10954. What do you know about John Reilly?—I think it was the son that went up to the room.

10955. Was it you that made the arrangement with the son?—No; it wasn't I made the arrangement with him.

10956. With whom else was it made do you know?—I think with Patrick Laffan.

10957. What is the son's name?—Patrick Reilly. The father and son were both together, and I couldn't say who went in. I showed them both up, and both were on the landing together. I couldn't say which went in; 'tis very likely that 'tis the father that did go in.

10958. Do you know anything about Edmund Foley?—Yes.

10959. Edmund Foley voted for Mr. O'Beirne?—Yes.

10960. Tell me about his case. Was it you that made the arrangement with him?—It was.

10961. Did he promise to vote for Mr. Munster?—He did.

10962. That is, if you gave him £35?—Yes.

10963. He got the £35?—He got the £35.

10964. And he afterwards voted for Mr. O'Beirne?—He voted for Mr. O'Beirne.

10965. Where did he promise you to vote for Mr. Munster?—In Corcoran's hotel, five minutes previous to getting the money.

10966. What day was that transaction?—I think the day between the nomination and the polling.

10967. Were you present when Foley voted for Mr. O'Beirne?—I was in court.

10968. Did anything occur about his vote?—There was a little excitement I believe. I sent to the house in the morning for Foley to know what was keeping him. It seems there were some other parties in town here—I disrecollect who I sent—and they told him to be off. I believe he was dragged out by the O'Beirne party.

10969. Did you ever hear of his having got any money from Mr. O'Beirne's party?—I did not.

10970. Do you know who made arrangement with William Brennan of Friar-street?—I can't say whether it was Patrick Laffan or I made the final arrangement with him because he was speaking to both of us; but I directed him up to the room.

10971. Do you know he was paid £35 there?—Yes.

10972. Did you see him going into the room?—Yes.

10973. And he voted afterwards for Mr. Munster?—Yes.

10974. Do you know anything about James Bowes, of Canopy-street?—No; I believe he didn't get a shilling.

10975. Do you know anything about John Arthur of the Main-street?—No, nothing more than his house being taken.

10976. By whom?—For the telegraph office for Mr. Munster's use.

10977. His house was taken by Mr. Munster for the telegraph?—He gave it to him at the former rent.

10978. Did he get any money?—No, I believe not; to the best of my belief he didn't get a shilling except some small orders for whiskey, to the poor of the town at Christmas, I think.

10979. Do you know anything about Michael Carew, junior, of Lawlor's-lot?—I do.

10980. What about him?—I think he got £40.

10981. From whom?—I think from Mr. Patrick Hackett.

10982. Do you know anything of James Carew of Price's-lot?—I made a mistake, it was James I meant, and not Michael Carew.

10983. Do you know anything of Michael Carew, junior?—No, I don't. I hear he was retained, and I see him doing business for Mr. Munster, in and out about the hotel, that is all I know.

10984. Do you know anything of Denis Considine of Main-street?—No; I believe his son done some business there during the election. He was. His son was employed, I think, during the election.

10985. By Mr. Munster?—Mr. Laffan, I believe, had him engaged for some short time; I don't know how long.

10986. Is the son's name Michael, do you know?—Well, I really couldn't say.

Mr. *Michael J. Laffan* recalled; examined by Mr. WATERS, Q.C.

10987. Mr. Laffan, is this the Michael Considine who has the claim in for £40 for acting as agent?—It is, sir.

10988. Would you give me the claim if you please?—There it is [hands in a document].

10989. Is this a claim put in by himself, or one that you directed to be put in?—It came from himself. Whether I had any conversation with himself before I do not recollect. It is very likely I had a conversation with him before he put in the claim.

Patrick Cunningham's examination resumed by Mr. WATERS, Q.C.

10990. Do you know anything of Thomas Connors, of Canopy-street?—No, I do not.

10991. Thomas Cunningham of Main-street is your father?—Yes.

10992. The very last answer that he gave us yesterday was that you gave him £30 for himself?—For who, sir?

10993. For his own use?—Yes, that was the £30 I got.

10994. Are you sure of that?—I am.

10995. On a previous day your father said he got £20 out of the £30 you got?—£19 12*s.* was for car-hire.

10996. He told about the £19 12*s.* also. Now, did you get more than one £30?—Not that I recollect.

10997. Do you recollect how you got that money? Was not the money you got a cheque?—It was.

10998. Did you give that cheque to your father or did you cash it?—I cashed it.

10999. Your father said you gave him at least £20 out of it, and afterwards he came back and said he got £30 from his son, for his own use?—Not that I recollect. There was only one £30.

11000. Try and recollect, and let me know about it?—I will see and let you know about it.

11001. Your father told us that he got from you

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£20 at least out of the £30 [the Chief Commissioner reads Thomas Cunningham's evidence on the matter]?—I gave the £30. It wasn't to my father I gave it at the time, but to my mother. I think I gave all the money together.

11002. Do you know anything of John Hanley, of Hughes's-lot?—No; I do not.

11003. Or of Edward Hanley?—No.

11004. Did you hear of their having got any consideration for their votes?—I heard they didn't.

11005. Do you know was Hanley promised it, or that he expected it?—No; I don't.

11006. Do you know anything of Patrick Kennedy, of Friar-street?—No.

11007. Do you know Edmund Long, of Lady's-well?—I heard he was not paid.

11008. Was he promised anything?—I didn't promise it to him.

11009. Did you hear Mr. Laffan say he was promised?—I think Mr. Patrick Laffan said it once, to the best of my recollection.

11010. Did you hear what he was promised?—No, I did not.

11011. Do you know anything of Patrick Maher, of Friar-street?—No.

11012. Do you know anything of Thomas Maher, of Canopy-street?—His son was employed during the election in Mr. Laffan's office.

11013. Do you know anything of James Mulcahy?—His son was employed during the election—previous to it.

11014. Do you know was he paid anything?—I think not.

11015. Do you know any men named George Looby, Maurice Looby, James Looby, and Edward Looby?—No. Thomas Looby, Maurice Looby, and John Looby, they are the only three voters I know. They are voters.

11016. Do you know Maurice Looby who is not a voter?—I believe I do; a son of John Looby.

11017. I am speaking of John Looby, of the Green?—Yes.

11018. Do you know whether Thomas Looby, of Hughes's-lot has sons?—One son, I think.

11019. Do you know his name? Is it George?—I think it is George.

11020. Was he employed at the election?—I didn't see him.

11021. Was Maurice Looby employed?—I didn't see him employed.

11022. Did you see either Maurice or George employed at the election?—I didn't.

11023. Do you say they could not be employed without your knowing it?—There were several persons connected with the election; they might be, too, without my knowledge.

11024. Do you know anything of James Looby?—I don't know him.

11025. Do you know anything of John Murphy, of Friar-street?—No. He was in Mr. Munster's employment sometime after the election, and previous to it I believe. That is all I know of him; working about the roads and walks the same as anyone.

11026. What is he?—A working man. He was up about Mr. Munster's yard and place.

11027. Do you know John O'Brien, of Main-street?—I do.

11028. Do you know of any arrangement having been made with him?—No, I do not.

11029. Do you know Matthew O'Dwyer?—Yes; he is dead.

11030. He voted for Mr. Munster at the last election?—He did.

11031. Do you know of any arrangement having taken place about that?—I think not.

11032. Do you know Patrick Phelan?—Yes.

11033. What do you know of his vote?—There was no arrangement made with him.

11034. Or with Martin Phelan, junior?—I heard Martin Phelan was retained; that is all I know about it.

11035. Do you know anything of James Phelan, of Main-street?—Yes, I took his house from his wife.

11036. Is that the man that was here, and applied to us to get him the second halves of the notes he received?—Yes. I never had anything to say to himself.

11037. When did you take the house from Mrs. Phelan?—I think about two or three days previous to the election: three or four days.

11038. That house was not made any use of at all afterwards?—It was not.

11039. And the half-notes you gave the woman were meant for her husband's vote?—Yes, it was; the house was not large enough.

11040. Do you know anything of William Quinlan?—No, I do not.

11041. Or of John Quirke?—No, sir.

11042. Did you make any arrangement with Thomas Rawlins?—No, sir. I heard some rumour of he getting a retainer; that is all I know.

11043. Do you know anything of William Ryan, of Main-street?—No, sir.

11044. Do you know anything of John Ryan, of Friar-street?—I think he didn't get a shilling either; not a farthing; nor, I believe, a promise of it. I don't know he got a promise of it either.

11045. Do you know was he ever engaged with Mr. Patrick Laffan about his vote?—Well, I couldn't say, sir.

11046. Do you know any man named Thomas Ryan; is he a son of this John Ryan?—I think he is a nephew of his; I know he came to me once or twice since the election and asked me would he ever get anything for his support of Mr. Munster.

11047. Who is John Ryan?—John Ryan is a voter.

11048. Mr. GRIFFIN.—Did he believe he would get something?—Well, he believed he would get something; but to the best of my belief he was not promised it by anyone; I don't think he was ever promised it.

11049. Mr. WATERS, Q.C.—Do you know anything of William Ryan. Which of those William Ryans is called "Big Billy"?—I believe William Ryan of the Commons: I believe he didn't get a farthing.

11050. Who is William John Ryan?—I think he is on the Commons.

11051. Is that the man called "Little Bill"?—I think he is "Little Bill."

11052. Who is "Little Billy"?—I think he is a brother of Denis Ryan.

11053. Do you know Michael Sullivan of Main-street?—No; but I heard he got very near a £100 for refreshments; that is all I know.

11054. What do you know of Edward Walsh?—His house, I heard, was taken by Mr. Laffan for a tally-room.

11055. Who is James Walsh of Main-street?—I believe he didn't get a shilling, nor a promise of it either.

11056. Do you know Gabriel Watkins?—I do.

11057. Do you know anything of an arrangement made with him?—I don't know, sir.

11058. Or with John White?—No, sir.

11059. You say that all those bills were drawn by Mr. Patrick Laffan?—Well, I think so, sir.

11060. They have been signed by the persons to whom Larkin paid the money?—Yes.

Luke Larkin recalled, confronted with *Patrick Cunningham*, and examined by Mr. WATERS, Q.C.

ELEVENTH DAY. *October* 15. Luke Larkin.

11061. Take those bills, and look at the amount of money that is written on each of them in the body of the bill; the first there is "£30"; is that written by you?—*Larkin.*—I don't think I wrote anything in the bill at all.

11062. In every one of those bills the amount of money that is written is in a different handwriting from the rest of the bill. I want to know was it you that wrote those amounts. Are you able to say, Cunningham?—*Cunningham.*—I think 'tis Larkin's, sir. *Larkin.*—I think the first, second, third, fourth; as the amount was in the docket that I got I put down in them.

11063. You put down in these the amount of money you paid to each man?—*Larkin.*—Yes.

Patrick Cunningham's examination resumed by Mr. WATERS, Q.C.

Patrick Cunningham.

11064. Those bills were given to Larkin with blanks for the amount to be given?—Yes.

11065. All those bills, fifteen in number, were given to Larkin with blanks in them which he has filled in, in some instances £30, in some £35, and in one £70. Look at this bill, which has £30 written on the face of it. Do you know if it was for any particular man?—No, sir.

11066. Do you know if anybody was paid money except those you have named to me?—No, sir.

11067. Not one at all?—Not one at all; there are two of those filled up, and one left blank.

11068. Do you know another man named Thomas Looby, a voter, besides the old man who has been up here to-day?—I do, Thomas Looby of [name not understood], I think.

11069. Do you know of that man having got money?—Well, I couldn't exactly say; I think he did; I don't know; I can't say he did; if he did I think he would sign a bill.

11070. Did you ever make any arrangement with the second Thomas Looby as to the amount he was to be paid for his vote, or as to his getting anything for his vote?—Not that I can recollect.

11071. How much money did you get altogether from all persons who gave you money in connexion with the election of 1868?—The money I got from Pat. Laffan for Larkin I only used to convey it to him from time to time; when he would be out Larkin would say to me, I am out of money, and I would get it from Mr. Laffan and would give it to Larkin.

11072. Was yours the hand that gave all the money to Larkin?—Not all; I kept a check on the money.

11073. Larkin acknowledges to have received £802; do you know how much you gave him?—I cannot exactly say.

11074. Did you ever keep any account of the money you got from Mr. Pat. Laffan?—No, indeed.

11075. Did you ever get any from any other person;—I did.

11076. From whom?—I got £177 from Mr. Michael Laffan.

11077. From Mr. Michael Laffan?—Yes.

11078. What did you do with that £177?—I paid car-drivers and the ring-leader of the mob; I gave money from time to time; here is my account for it; I applied to Mr. Michael Laffan for it this morning; I furnished him with the account of it.

11079. How were you paid it?—There is the way I was paid it, sir. [Hands in a document.]

11080. Was any of this money applied in payment of any men by Larkin?—Not a shilling.

11081. Was any of this money applied in payment of the other man, Bowes?—Not a shilling, sir.

11082. Do you say that the entire of this sum of £177 was expended simply in paying mobsmen about the town?—Mobsmen and car-drivers. I have receipts in full at present, I think; in fact the car-drivers' amounts exceed £60.

11083. Where were these cars used?—Driving through the town and to the Commons, Mr. Munster having a great many visits during the election.

11084. What was Richard Donnell paid £4 16*s.* for?—For some refreshment that was given on an order. He is a voter.

11085. Is that the man whose house was purchased?—Yes. They are some small orders; I think it was I gave them to him.

11086. Then that £4 16*s.* is exclusive of £11 which he says is still due to him?—Yes.

11087. Did you give orders to Mr. Sullivan for drink?—Yes, I sent some orders there.

11088. Do you know that voters got refreshments in his house?—Well, I think they did.

11089. Do you know if voters got refreshments in Mrs. Corcoran's hotel?—Yes, they did.

11090. We have heard that £228 was paid for refreshments in Mrs. Corcoran's hotel during the election. Were there voters in Mrs. Corcoran's hotel almost daily during the election?—Generally every day.

11091. And were there refreshments supplied to them freely as they came?—I don't say freely.

11092. But that any voter that came there got drink on having asked for it?—No, Mrs. Corcoran was very cautious unless there was some one there to give her an order.

11093. Who do you say gave orders?—Any elector that went in there might order a bottle of sherry and it would come up.

11094. Were you frequently in communication with Mr. Edmond Leahy about the election?—I was with him several times.

11095. Had you any conversation with him about votes to be procured by money?—No; he always kept away from that, but I firmly believe that he must have been under the impression that such a thing was going on.

11096. Do you know where Mr. Laffan got the money?—I could not say. On one or two occasions he told me he got money from Mr. Leahy.

11097. I find that he spent eleven hundred pounds. Do you know from whom he got it?—On one or two occasions he told me it was generally from Mr. Leahy.

11098. You yourself did not get any money that was applied in paying for votes except from Mr. Patrick Laffan?—No, not that I can think of.

11099. Now, you must be very careful?—But I think on one of the days previous to the nomination, there was a son of Mr. Richardson, I think; I can't exactly say whether he gave me some money, or gave it to Mr. Patrick Laffan.

11100. How much would that be?—I cannot say, sir. He was a young son of Mr. Richardson.

11101. Would you not be able to say about how much it was—£100 or £50?—I don't know it was so large. I think it must be about £50 or so. I kept no check on the money getting from Pat Laffan for to give to Larkin, and it was Larkin kept the check on the amount that he was getting from time to time.

11102. You got money from a son of Mr. Close?—Yes.

11103. How much was that?—£19, £12, and £2 or £3.

11104. What was that for?—For car-hire.

11105. Was it money or a cheque?—A cheque, I think.

11106. Are you sure you got no other money than that from him?—No, no other money.

11107. Were you present in court, and did you hear the evidence given this morning by Ryan?—Yes.

11108. Did you speak to him about his vote?—Well, I cannot say that I did; I might have spoken to him but not that I can recollect. There was such a thoroughfare at Mrs. Corcoran's, and I had so much to do connected with the election, that I think things might have escaped my memory. I was going to the Commons, and Mr. Munster was about buying a horse, I think, from Dr. Moloney. I was going to the Commons; Ryan was coming up and said, "I heard Mr. Munster is buying a horse," he says. Says I, "He

ELEVENTH DAY.
October 15.
Patrick Cunningham

wants another, a match for the carriage." "I have a nice horse," says he. "Bring him in," says I, "and I will give notice that you brought him in, and if he suits he might buy him from you." That was all the conversation between us.

11109. Had you no conversation with him about his vote?—Not the least, but I am quite certain his coming to Corcoran's about a bill to be taken up for him in the bank.

11110. Where was this?—It was at Corcoran's. It was after Ryan leaving. I heard Mr. Laffan say so.

11111. But you were not present yourself?—No.

11112. Do you know Patrick Maher of the Main-street?—I do.

11113. Do you recollect a conversation with him?—Yes, I was just looking in the paper this morning, at the evidence that he gave here.

11114. Tell me what occurred between you and Patrick Maher?—I will, sir. [Produces a newspaper.] He says here, in his evidence, that I sent for him to go to Corcoran's hotel, which is an untruth. There isn't a word, I say without fear of contradiction, in the statement he has made here of truth.

11115. It would be better for you now, Mr. Cunningham, to tell me from your recollection what occurred between yourself and Maher as well as you can recollect?—On this night, sir—I will—on this night he came to me. He and Carroll went down to my father's, twice looking for me. My father said I was not in for the last three or four hours. They came once or twice to Corcoran's. I was making up some small bills connected with the election. I told them at Corcoran's if anyone came, to say I was not there. The third time I heard they were told I was up stairs in Corcoran's. Carroll came up and knocked at the door. I asked who was there. He said "Carroll." I opened the door and let him in. "Maher," says he, "is outside, and wants to see you." "I don't want to see Maher," says I to Carroll. "Let him come in," says he; and he pressed so much, I let him come in. Both of them wanted to stay inside; I told Carroll to go out while I was speaking to Maher. I had a glass of sherry about eight or nine o'clock at night; he would take nothing. He said, "Will you take my house from me." "No," said I, "I am after getting instructions"—and I think it was from Patrick Laffan—"that we have sufficient houses taken." "Well," says he, "I'll vote for no man that will not take my house," says Maher. The moment he talked of voting and taking houses, I objected, and said, "I can do nothing for you." He then said, "Why not take it as well as Carroll's?" After that, I see there was no chance to get him away, and I said, "I will borrow £20 for you from my father in the morning, if you pass him a bill for it. Look up on Monday, and come in the morning." The moment he heard that he walked away. I heard Maher saying, if there were six candidates at one time come to Cashel, that he would take money from them all. I cautioned Mr. Michael Laffan and his brother after, not to go to Maher's house. It does not then look likely that I would send for that man to offer him money.

11116. Were you not at this time buying as many votes as you could?—I was not.

11117. Have we not the bills, and do we not know that over £1,200 was spent in purchasing votes at this time?—Yes.

11118. Then why did you not enter into a treaty for the purchase of Maher's vote?—He came with that object.

11119. Why did you not enter into a treaty with him?—I did not want to have anything to do with him.

11120. Why?—I heard him on one occasion say that if six candidates came to Cashel he would take money from each of them.

11121. Is it because you were afraid of him?—I was afraid of him in one sense.

11122. It appears a singular thing and requires explanation. You came to contradict Maher, and it requires some explanation why you did not enter into any arrangement with him?—I misdoubted the man altogether. I cautioned Mr. Laffan not to speak to Maher, or his brother, in ever offering Maher a farthing. The only way I had of getting rid of him was saying, "I will give you £20 on an I O U, from my father, as you are so badly off as you say."

11123. Mr. GRIFFIN.—If he had taken that money from your father, was it understood that he was to vote for Mr. Munster?—No, it was not. I was well aware what he wanted.

11124. Mr. WATERS, Q.C.—Why did you require Carroll to leave the room while speaking to Maher, if you did not intend to enter into an arrangement with Maher?—I didn't want to have anything to do with him.

11125. Why did you ask Carroll to leave the room if you did not intend to enter into any arrangement with Maher?—It is customary with me the few arrangements I made during the election, that there was no one there besides.

11126. Did you not tell me that you were not going to make an arrangement?—I was not.

11127. If you made up your mind to have no arrangement, why did you tell Carroll to leave the room?—I could not say; but I didn't want to have both present at the time.

11128. Mr. GRIFFIN.—You did not "misdoubt" Carroll?—I did not misdoubt Carroll, still we wanted Carroll's house at the time it was taken.

11129. Mr. WATERS, Q.C.—Did Maher appear to you to be quite serious?—Not he; I wouldn't trust him for four pence.

11130. I mean did he appear to you to be desirous of getting money?—He did, and said he would vote for no man that wouldn't give money.

11131. Mr. MOLLOY.—If you would not trust him why would you believe him by borrowing money from your father?—That was the only way I had of getting rid of him, and I was well aware that he would not accept it.

11132. Mr. GRIEFIN.—How did you expect to get rid of him by that?—Even if he accepted of it I could sue him for it back again. I didn't go to give it to him although making the offer.

11133. You knew that he would not accept it?—I did.

11134. Then how would making the offer get rid of him?—I knew he would leave then at once, sir, as he had no chance of getting it the other way.

11135. What do you mean by his "getting it the other way"?—To take his house on behalf of Mr. Munster.

11136. Mr. WATERS, Q.C.—Do you know James Cullen?—Yes.

11137. Did you ever send for him, or meet him?—I went to his father's house, William Cullen. I wanted to employ the son for Mr. Munster.

11138. That was with the object of getting the father's vote?—Well, yes.

11139. What occurred?—Well, he didn't give me a decided answer at the time. The following morning I heard the son was employed by Mr. O'Beirne.

11140. Had you any conversation with the father?—No more than that, to employ the son.

11141. Did you think the father understood what you meant?—I can't say. I think this was the first time he had a vote—the father. I cannot say whether he understood it or not.

11142. Tell me exactly what you said to the father?—He is a cooper. I asked him could he spare the son for a week or a fortnight; we might want him about the election. He said, "I will consider it, and let you know."

11143. Did you say what he was to get?—No; I didn't mention any sum.

11144. Did you give him any idea whether it would be a considerable sum or otherwise?—No, I did not; I didn't say what sum he was to be paid.

11145. Do you know if the son was engaged in the election for Mr. O'Beirne?—Yes.

11146. Did Mr. Patrick Laffan ever tell you how much money he got from Mr. Edmond Leahy?—He did not.

Patrick Cunningham.

11147. You say you believe that Mr. Edmond Leahy knew what you and Mr. Patrick Laffan were about? I do believe he must have some knowledge of it.

11148. He knew there was something underhand?—That is my belief. He should know it.

11149. Do you know at what time he got the money from Mr. Leahy?—There was no money, I think, advanced until Mr. Leahy came to town, unless some small things. All I see was the £50 for Ryan and Murnane. That is all I could say.

Edmond Stapleton sworn; examined by Mr. WATERS, Q.C.

Edmond Stapleton.

11150. Are you a voter?—Yes, sir.

11151. For whom did you vote at the last election?—Mr. O'Beirne, sir.

11152. Were you an elector in 1865?—Yes, sir.

11153. For whom did you vote then?—Mr. O'Beirne, sir.

11154. Were you an elector before that—in 1859?—No, sir.

11155. Did you ever vote for Mr. Lanigan?—No, sir, I never was an elector before that.

11156. Did you ever receive any money in 1865 for your vote?—No, sir.

11157. Did you get any money on a bill?—No, sir. The time Din Ryan and my brother was in London he sent a cheque for £30 to me, which my brother gave me.

11158. Who sent the cheque to you?—I suppose Mr. O'Beirne.

11159. What was it for?—I don't know, sir.

11160. Did you answer me that you never received any money for your vote?—That is in '67, sir.

11161. On your oath was that for your vote in 1865?—I suppose it was, sir.

11162. Why did you tell me that you never received any money for your vote?—Because I didn't get it in '65; because I didn't get it, sir, that time; and that was the reason, sir, then that I told you.

11163. At what time in 1867 did you get it?—I believe it was about Christmas, sir, some time about Christmas they were there, sir.

11164. Was your brother Richard in London also?—Yes, sir, and Denis Ryan.

11165. He got £40, I believe?—I didn't hear, sir.

11166. Did he never tell you?—I heard afterwards; but he never told me.

11167. What did you hear afterwards that he got?—I heard that he got £40, sir.

11168. Were you canvassed to vote for Mr. Munster at the last election?—I was, sir, by Denis Ryan. He came to me on a Saturday, and he met me down at Mrs. Corcoran's hotel, sir.

11169. Denis Ryan did?—Yes, sir.

11170. That is this man here?—Yes, sir.

11171. What did he take you there for?—The night of the nomination—he didn't mean anything to me that night. He took me down. He met me then above in the street and brought me down to Mr. Coman's, and we took some drink there. He brought me down then, and we were listening on to speeches; that's all. Then he came next day to me above in the street and brought me down to the hotel, and he showed me the room up there; and Pat Cunningham came out. He was at a front room on the stairs, and they both went back into the room, sir.

11172. Well?—That was all then, sir. He gave me a cheque of £35, and I put it into my pocket.

11173. Who gave you the cheque?—I couldn't know; a man, sir. He wore a shawl and blue coat. It was dark, and I couldn't exactly see.

11174. Is that the man [pointing to Larkin]?—I couldn't exactly say. He is different a little now.

11175. Did you know what it was given to you for?—For my vote, I suppose.

11176. For Mr. Munster?—Yes, sir, of course.

11177. Did you keep the money?—Yes, sir.

11178. And you voted afterwards for Mr. O'Beirne?—Yes, sir.

11179. How much did you get from Mr. O'Beirne, or any of his friends?—I never got a penny, sir, only that cheque that he sent me in '67, I believe.

11180. Were you promised anything?—No, sir.

11181. Why did you not vote for Mr. Munster when you took the money?—I wasn't intended to vote for Mr. Munster; but when they gave me the money I said it was too unlucky without taking it. I never had the least intention of voting for him.

11182. You knew that that money was given to you for your vote?—Yes, sir.

11183. I ask you did you expect anything from Mr. O'Beirne?—Of course, sir, if it was going about I would expect it, but I saw no one to get it.

11184. And, I suppose, if he was the member now, and that there was no petition, you would have asked for something?—I wouldn't, sir, nor didn't before.

11185. Did you not take it in '67?—I did, sir, when he sent it to me; but I never asked it.

11186. But you tell me that you would take it?—Well, of course, if it was going, sir, I did.

11187. Mr. GRIFFIN.—You knew that Denis Ryan and your brother Richard were going to London?—I didn't know, sir, until after they were gone; nor for five or six days after. I couldn't exactly say, sir.

11188. Had you any idea that they would mention your name to Mr. O'Beirne?—No, indeed, sir; I had no idea in the world of it.

11189. Mr. MOLLOY.—Did you ever intend to vote for Mr. Munster?—No, sir, I did not.

11190. And you went and took refreshment at his hotel?—I didn't, sir.

11191. You did not?—No, sir; it is at Mr. Coman's he met me, and I do not think I took any drink there.

11192. And you were not drunk at Corcoran's hotel?—I was, sir; but 'tis from the drink I took outside, and I was smoking, and that raised in my head I don't think I took any drink there to the best of my belief, nor I saw no drink there either.

11193. Mr. WATERS, Q.C.—It was from some man that you do not know that you got that thirty-five pounds?—Yes, sir.

11194. And not from Cunningham?—No, sir, nor from Denis Ryan.

Patrick Cunningham recalled; examined by Mr. WATERS, Q.C.

Patrick Cunningham

11195. You told us one of these payments to Larkin, which was described by Larkin as "for a man, name not known, at Corcoran's, by Cunningham's order, £35," was to this man?—That is the man, sir.

11196. And is this the man into whose pocket the money was put?—It is, sir.

Edmond Stapleton's examination resumed by Mr. WATERS, Q.C.

Edmond Stapleton.

11197. Was the money put into your pocket?—It was, sir. Will I get a certificate now, sir?

Mr. WATERS, Q.C.—We will appoint a day for giving certificates; we will advertise it in the *Cashel Gazette*.

ELEVENTH DAY.

October 15.

Alice Stapleton.

Alice Stapleton sworn; examined by Mr. MOLLOY.

11198. You are Dan Stapleton's daughter?—I am, sir.

11199. He voted at the last election?—He did, sir.

11200. How much money did you get for him?—Ne'er a shilling in the world, sir, nor one didn't come to trouble me either.

11201. Did you get any money?—Never, sir.

11202. Did you say your father ever got money for any election?—Never, sir.

11203. Or any inducement from any person?—Never.

11204. Do you know Margaret Moloney?—I do, sir.

11205. Were you ever talking to her about the election?—Never, sir, in any form that money was concerned. I never went to her house that she wasn't praying for Mr. O'Beirne to get him returned. Anything further than that to my recollection I couldn't say.

11206. Your father had a vote before the last election?—Not to my recollection.

11207. Do you recollect the election of 1865?—I do, sir.

11208. Was he living in Cashel before then?—He was, sir; but had no vote.

11209. Are you sure he had no vote in 1865?—No, sir, he hadn't.

11210. Had he a vote in the election before that?—No, sir, to my recollection he hadn't; for the last twenty years I do not think he had e'er a vote.

11211. Did you ever get a cheque?—Begar, 'twas commonly reported, and that I went to neighbours with it. I never received it into my hands, nor never received the sight of anything, nor anyone come to trouble me, sir.

11212. Did your father?—Never, sir. I could hear it of the beggars of Cashel, I myself and four more went, I think, with a note, but I never see a sight of it, nor wasn't troubled with it either.

11213. Mr. WATERS, Q.C.—Did you ever get value of any kind?—No, I never took a glass of spirits.

11214. Did you ever get value of any kind?—No, sir; but 'twas drawn through me here on the petition that I got clothes on the morning of the election, and I didn't, sir.

11215. Now, do you understand what we ask you?—I do, sir.

Daniel Stapleton.

Daniel Stapleton sworn; examined by Mr. GRIFFIN.

11216. For whom did you vote at the last election?—I voted for Mr. O'Beirne.

11217. What inducement did you get for voting for him?—I got no money from him, nor no promise neither.

11218. Did you expect to get anything from him?—No, indeed, I didn't.

11219. Was that the first time you had a vote?—It was, sir.

11220. Did you get any cheque or any value of any kind for your vote?—I did not, indeed; on my oath I never did.

11221. Who asked you to vote for him?—Himself in person that came in in the yard on the day he was canvassing. I happened to be in the yard before him. He came in to me and he asked me did I know him, and I told him I did. He asked for my vote, and I told him I would give him my vote, and I was glad to have it to give to him. That's it now.

11222. Did anybody come to you on Mr. Munster's side for your vote?—Well, there did.

11223. Who came?—I was sent down for by a messenger from Mr. Pat. Laffan.

11224. Who was the messenger that came for you?—I can't tell. I wasn't within at the time the message came.

11225. In consequence of the message did you go anywhere?—I came in to him.

11226. Where did you go?—To the hotel to Mr. Pat. Laffan.

11227. What happened then?—We were talking for some time, and he asked me what would I take for my vote.

11228. What did you answer to that?—I told him I wouldn't answer him in that question. "What are you giving," says I. "Well," says he, "we are giving but £25." My hat was laid this way. I got a fright. I laid hold of it, for it was near me here, and I jumped up and went out the door.

11229. What frightened you?—I thought twas something he had before me for to break my vote.

11230. You had heard of these retainers?—Oh, yes, sir. While I was going out the door he asked me then what would I vote for, and I told him I wouldn't vote for him no less than £60. That's all the information I have to give.

11231. Did he offer more than £25 to you?—No; nor no one came next nor nigh me from that day until Mr. O'Beirne came into the yard to me. I pledged myself to him; and there was no more about it.

11232. Did you tell Mr. O'Beirne that you had been offered £25?—I never spoke a word of it to the gentleman.

11233. Or to Captain Graham?—Nor to Captain Graham.

11234. Or to Mick Keeffe?—Nor to Mick Keeffe.

11235. Or Simon Tracey?—Nor to any other man.

11236. If he gave the £60 you would have voted for Mr. Munster?—On my oath, I wouldn't. That now is the whole truth.

11237. And why did you mention £60?—Because I wasn't intended to vote for him, and to put him off o' me. That's now the truth.

11238. If you did not intend to vote for Mr. Munster whatever you were offered, why did you go to Corcoran's hotel?—Why, I'll tell you. I went in there to know if a message come for me, and I was never before there nor since.

11239. Did you not suspect what he wanted you for?—I didn't, indeed—I didn't, indeed.

11240. Did you not know that Mr. Patrick Laffan was very active for Mr. Munster?—I didn't know that at the time, nor anything about it.

11241. If Mr. O'Beirne had sent you £30, would you take it?—Why then, I would—why then, I would take it.

11242. You would probably think it a natural thing for him to do?—Well, I don't; but if he sent it, I would take it.

11243. It is what you expected from him?—I didn't expect it from him, nor from any other candidate.

11244. Had you a vote before;—I had a vote every day from the first that came to Cashel in my time—that is Judge Perrin. I had it for him; and I never gained a glass of beer by all the elections that ever came to Cashel.

11245. If you would take £30 from Mr. O'Beirne, why would you not take £60 from Mr. Munster?—I would take no such thing; nor I wasn't offered a penny from Mr. O'Beirne; but I had a respect for to give him my vote, and no more.

11246. Mr. MOLLOY.—You say no person canvassed you but Mr. O'Beirne himself?—Mr. O'Beirne himself.

11247. No person else?—No person else.

11248. What was Tom Connors doing at your house one night before the election?—He was taking down my name to placard it on the walls of Cashel.

11249. Did he ask you to vote for Mr. O'Beirne?—He didn't.

11250. What was he placarding your name for?—The twenty-nine that voted for Mr. O'Beirne was placarded; I couldn't tell you the reason.

11251. Had you a vote in 1857?—No.

11252. What is your stepson's name?—Thomas Flood.

Daniel Stapleton.

11253. He lives in the house with you?—He isn't this while back in the house with me.

11254. But he was there with you at the time of the election?—He was.

11255. Who else was there?—My daughter.

11256. Had you not some other relative in the house?—Yes, there is another little boy, Neddy Flaherty.

Francis Dwyer sworn; examined by Mr. MOLLOY.

Francis Dwyer.

11257. You voted at the last election?—Yes, sir.

11258. For Mr. Munster?—Yes, sir.

11259. For whom did you vote in 1865?—I had no vote in '65.

11260. Was the last election the first at which you had a vote?—Yes, sir.

11261. You got £30 for your vote?—He took my house for £30.

11262. Who took your house?—Pat. Cunningham, sir.

11263. Where do you live?—In Lady's Well-street, sir.

11264. When did he take your house?—Either two or three days before the election.

11265. Before the polling?—Yes, sir.

11266. What did he say when he took your house?—He asked me had I a room to set; that they expected a good deal of visitors and strangers, and that he would want a sleeping place for some of his servants. I told him that I had. He told me to go down to the hotel and he would meet me there, and that he would agree with me.

11267. Did you go down to the hotel?—I did, sir.

11268. How soon after he had spoken to you did you go down to the hotel?—There wasn't an hour between the time, sir; about an hour.

11269. When you went down to the hotel what did you do?—I met him going up stairs. Mr. Patrick Laffan was there; he asked me what I would take for it. I told him £30; I would take no less.

11270. What was the £30 for?—For the use of the house, sir.

11271. For the use of a room?—Yes, sir.

11272. How many beds were you to have in it?—Only one.

11273. Only one bed?—Yes, sir. He didn't mention only a sleeping place.

11274. Was it not your vote you were selling?—That was the agreement, sir.

11275. What did you believe you were selling? Did you not know it was your vote?—That was the agreement, sir. He never spoke of a vote.

11276. Did you not know that the £30 was for your vote?—I suppose it was, sir.

11277. Was there any use made of your room?—No, sir, he never occupied it. I suppose——

11278. You suppose what?—I suppose that was his motive.

11279. Was Mr. Patrick Laffan by at this?—He was, sir. When I went down he spoke to Mr. Patrick Laffan then.

11280. At Corcoran's?—Yes, sir.

11281. When you said you would not give it less than £30, what was said?—He said I would get it.

11282. Did he tell you where you would get it?—He did, sir.

11283. Where?—At Thomas Cunningham's, his father's.

11284. Did you go down there?—I did, sir.

11285. Did he give you any token when you were going down?—He didn't, sir. He said he would meet me there.

11286. Did he meet you there?—I went down, and he wasn't there. I went out in the back yard in search of him. I asked his father was he inside, and he said he wasn't; that he would shortly be in, and to stop a while. I stopped a little while and met him coming in.

11287. What did he do?—He told me to go upstairs.

11288. Did you go upstairs?—I did.

11289. Did you go into the room?—I did, sir.

11290. Did you get any money?—I did. There was a man sitting at the table, and he asked me my name. I told him. He asked me how much money. I told him £30. He asked me to sign a note. I did, and he paid me.

11291. Why did you sign the note if the money was for your room?—I made that remark, and he said it was only a form.

11292. Did you read the promissory note?—I didn't, sir.

11293. Would you know that man again?—I would not, sir, know him. He was shaded, and I didn't take any notice of him; I didn't see him.

11294. Is that your handwriting [is handed the bill]?—'Tis, sir. I can't see well without spectacles, but I'm nearly sure.

11295. You signed that note there?—I did, sir.

Mr. *Henry Munster* recalled; examined by Mr. WATERS, Q.C.

Mr. Henry Munster.

11296. Mr. Munster, have you had any communication from Mr. Leahy? At your suggestion the secretary wrote to Mr. Leahy, saying that you undertook here that on writing to him he would come. When I say that I mean that you believed it?—I expressed an opinion that Mr. Leahy would come here.

11297. Just so. And you told me that it was unnecessary to serve a summons on him; that he would come without it?—My recollection is not that, sir.

11298. Mr. GRIFFIN.—It was your opinion?—My opinion was that he will be here, and my opinion is so still.

11299. Mr. WATERS, Q.C.—Have you heard from him since?—I have not heard from him since.

11300. He has not acknowledged the receipt of the letter?—If you desire I will give you the two last communications I have had from Mr. Leahy.

11301. I do not want them?—I wrote to him the same day; no, not the same day.

11302. Mr. GRIFFIN.—Was it after the conversation in Court that you wrote to him?—After that conversation.

11303. Was it that day or the next day?—I think it was the next day. I missed that post. I have got a copy of the letter.

11304. Mr. WATERS, Q.C.—Give me his address again, I may not have taken it down correctly?—I have no doubt that you did take it down correctly, because I got two letters from him; and I received first that one which I believe to have been written last, which was to the effect that he was going to Brussels about tramways which are there, he being engaged in a scheme in which, to a certain extent, I agree to co-operate—laying down tramways in Dublin. The address is 21, Cardington-street, Hampstead-road, London, N.W., within a stone's-throw of Euston-street station. I have reason to believe that of the two last letters I received from him the one that I received first was written last, because it was posted at Euston station with three stamps, and I know very well what that means.

ELEVENTH DAY.

October 15.

Patrick Cunningham.

Patrick Cunningham recalled at the desire of Mr. Munster; examined by Mr. WATERS, Q.C.

11305. Were you not engaged before Mr. Munster's arrival in Cashel?—Yes.

11306. Did you ever tell Mr. Munster that you were connected with, heard of, or that there were any corrupt practices at his side?—No, I never heard it; I don't understand the question.

11307. Did you ever tell Mr. Munster that you were connected with any corrupt practices on his side, or that you had heard of them?—Never.

11308. Did you ever give him any information of what you were engaged in?—Not the least.

11309. Did you tell Mr. Munster that you had to go to London to get payment from Mr. O'Beirne, and that he still owed you a considerable sum?—Yes.

11310. What was that due for?—A balance for my expenses going two or three times to Dublin, and different bills due here in '65. There is about £12 or £13 due to me.

11311. Did Mr. Munster ask you why you did not try to recover this money from Mr. O'Beirne?—I believe he did; I think so. Yes, he did.

11312. Did you come in and out at Abbeyview as well as both the Messrs. Laffan and Mr. Scallan?—Yes.

11313. Do you know of money having been paid in 1865? You have answered that already?—Yes.

11314. Were you not subpœnaed by Mr. Munster in his action against Carroll?—I was.

11315. And you gave evidence?—I did, sir.

James Cummins.

James Cummins sworn; examined by Mr. GRIFFIN.

11316. You are the son of Richard Cummins?—Yes, sir.

11317. How did he vote at the last election?—For Mr. Munster.

11318. How much did you get at the last election?—£35.

11319. From whom did you get it?—I don't know, sir.

11320. Was it in a room you got it?—It was, sir.

11321. From a strange man?—Yes, sir.

11322. That was for your father's vote?—The vote wasn't spoken of, sir, nor neither I didn't speak of my father's vote.

11323. Who spoke of your father's vote?—No one, sir.

11324. Did Patrick Cunningham?—He never opened his lips to my knowledge about it.

11325. Who told you to go into that room?—Pat. Cunningham, sir.

11326. Had you spoken to Mr. Patrick Laffan about the election?—No, sir.

11327. Had you told anybody that you were acting for Mr. Munster?—I had no recourse to anyone but Cunningham.

11328. Did Cunningham meet you and tell you to go there?—He met me in the street, and I believe I asked him if he could get me anything.

11329. You knew that Cunningham was engaged for Mr. Munster?—I heard it, sir.

11330. And then Cunningham told you to go to this place?—Yes, sir.

11331. And you got £35?—Yes.

11332. I believe your father is a very old man?—He is, sir; any of us is old enough.

11333. Do you live with your father?—I do, your worship.

11334. Did you give him the £35?—I never gave him a shilling of it.

11335. I suppose it was you that brought him up on the day of the poll?—I never spoke to him; I wasn't at home.

11336. Answer the question?—I told him to vote.

11337. Did you bring him up to the poll?—I don't know, sir; I wasn't at home when he left the house and I didn't see him till after the election.

11338. Did you suspect how he was going to vote?—I partly guessed that he would vote for Mr. Munster, sir.

11339. What made you suspect that? What reason had you?—And I didn't do anything about it; no idea I had of it, nor I never asked him who he would vote for.

11340. One would suppose you would be likely to hear from your father for whom he would vote than anybody else?—He was gone before I went to the house; I didn't see him at all, sir.

11341. Mr. WATERS, Q.C.—Do you think you are giving your evidence as a truthful man?—I have no doubt I am, your worship.

11342. I do not think so. What did you get the £30 for, on your oath?—I partly guessed.

11343. What did you get it for?—For my influence, I suspect.

11344. Influence on whom?—About the town and the neighbourhood.

11345. On your oath for what did you get the £30 from the man in the room at Corcoran's hotel?—It wasn't mentioned to me.

11346. What did you get it for?—I suppose it was for my father's vote; but it wasn't spoken of, sir.

11347. Did you get any money in 1865 for your influence?—No, sir; nor I didn't look for it.

11348. Mr. MOLLOY.—How did your father vote in 1859?—I don't know, sir.

11349. Did he vote for Mr. Lanigan?—I believe he did, once or twice.

11350. Mr. GRIFFIN.—How did your father vote in 1865?—For Mr. O'Beirne, sir.

11351. Did he get anything for his vote?—I never heard of anything he got.

11352. Did you ever hear he got a cheque?—I have no knowledge of it.

11353. Did you suspect he got a cheque?—No suspicion that he did. Of course he wouldn't have it unknown.

William Ryan.

William Ryan, of the Racecourse, sworn; examined by Mr. WATERS, Q.C.

11354. You are a voter on the Commons?—Yes, sir.

11355. For whom did you vote at the last election?—For Mr. O'Beirne, sir.

11356. Do you know Andrew Meara, Main-street?—I do, sir.

11357. You were with him before the election?—I was, sir.

11358. And you talked with him about a bill?—Yes, sir.

11359. I believe you intimated that if he got Mr. Munster's people to take up the bill you would vote for him?—No, sir.

11360. Something like that?—No, sir.

11361. What else?—I told him it was due in a day or two after, and that I was paid for seven or eight bags of seed in town, and if I hadn't the rest of the money I would have to renew it.

11362. Why did you make this communication to him?—I always went to him when the bill was due.

11363. What did he say?—He said that he would renew it if I wanted it again.

11364. And there was no talk about the election?—He was most anxious I would go for Mr. Munster.

11365. Are you aware that Mr. Meara was examined here and told us the whole story?—By gor, I am, sir

11366. Then why do you not tell us the whole story candidly and honestly?—I can't think of anything, sir.

11367. You had a talk about the election?—We had, sir.

11368. Did he not ask you to vote for Mr. Munster?—He told me to leave the bill with him.

11369. Did he not say that he would make it all right if you voted for Mr. Munster?—Yes, sir.

11370. You came back in an hour and said that you were made all right at the other side?—No, sir, but the parties about the wheat.

11371. Did you not say that it was at the other side?—No, sir.

11372. What arrangement did you make with Mr. O'Beirne's people?—No arrangement, sir.

11373. Who took up the bill?—Myself, sir.

11374. Who gave you the money to take it up?—I made it myself, sir.

11375. Were you not short on that day when you were talking to Mr. Meara?—I made it that evening; I had seven bags of wheat and they paid me for it in town.

11376. Do you mean to say that you did not get any money from anybody else?—I did, sir, for corn, sir.

11377. Did you get any money from anyone?—No, sir.

11378. On what bank was the bill?—The bank here, sir.

11379. What names were on the bill for you?—I don't know was it the Widow Ryan or Pat Ryan, sir; I couldn't tell you which—and Andy Meara and mine.

11380. Did you pay it before it was due?—I didn't, sir.

11381. On your oath did you pay it before it was due?—Yes, sir; I didn't; I didn't know whether it was a gone day itself; I couldn't tell you which.

11382. Was Tom Carew's name on it?—If it was the Widow Ryan's name wasn't on it.

11383. Have you got the bill?—I don't think I have, sir.

11384. What did you do with it?—I only keep them when I want them.

11385. Did you burn it?—I often burned one of them.

11386. What did you do with this bill?—I threw it at home.

11387. Do you mean to say you do not keep the bill when you pay it?—I don't, sir, of that kind.

11388. And you have no account of this bill?—I haven't, sir.

11389. Mr. MOLLOY.—Had you Mrs. Ryan's name on the bill?—Yes, sir. That must be the bill.

11390. What is her Christian name?—Kate.

11391. What is the amount?—It was the same bill—twenty-five pounds. If Tom Carew wasn't on it she wasn't.

11392. Are you quite certain?—I am, sir.

11393. Are you certain that you had the Widow Ryan's name on the bill?—I had, sir.

11394. What was the amount of the bill?—Twenty or twenty-five pounds, sir.

11395. Upon what bank, sir?—On the bank below, sir.

11396. Mr. WATERS, Q.C.—Was it you that paid the bill?—Yes, sir.

11397. And do you swear that you had the money all of your own?—Yes, sir.

11398. And that you did not pay it until it was due?—I did, sir.

11399. You are quite sure of that?—I am, sir, the day it was due, or the day after.

11400. I will resume your examination to-morrow morning. Go home. Search for the bill. I recommend you to be very accurate in what you tell me?—So I am, my lord, quite positive.

Patrick P. Fogarty sworn; examined by Mr. MOLLOY.

Patrick P. Fogarty.

11401. What is your father's name?—Rody Fogarty.

11402. Of Lady's Well?—Yes, sir.

11403. He voted at the last election?—He did, sir.

11404. For Mr. Munster?—Yes, sir.

11405. What inducement did he get for voting for Mr. Munster?—I don't know, sir.

11406. Come, tell us now, what inducement did he get?—He was talking to Mr. Laffan about it.

11407. Which Mr. Laffan?—Mr. Michael Laffan, sir.

11408. What was he talking to Mr. Michael Laffan about?—About the election, sir, I suppose.

11409. What was he saying to Mr. Michael Laffan?—I don't know, sir; I wasn't near them anytime they were in conversation.

11410. What inducement did your father get for voting for Mr. Munster?—He got no inducement, sir, but I believe Mr. Laffan said he would make him all right.

11411. You heard him say that?—I think he did, sir.

11412. Where was this? Was it in your father's house?—I don't think it was in my father's house himself and Mr. Laffan were speaking; but it was in my father's house I heard my father say it.

11413. Where did this conversation take place when Mr. Michael Laffan said he would make your father all right?—I think one time in Lady's-well, near Carroll's.

11414. Do you attend in your father's shop?—Not much.

11415. What were you to get for the election?—My father told me he put in a bill for me for £30.

11416. What did you do at the election?—Very little; I came the morning of the polling to take down the names of voters.

11417. And your father told you he put in a bill for £30 for that?—He said they had my assistance in the election.

11418. But you were only at the election on the day of the polling?—That's all, sir.

11419. How soon after the election did your father say he had put in the bill?—I couldn't say, sir, but although I came here that day I didn't take down the names of any voters, although I came up.

11420. Then, in point of fact, you did nothing. Is that it?—It is, sir.

11421. Is that your father's handwriting to that paper—[is handed claim]?—I think it is, sir.

11422. Read it?—"Cashel, December 7th, '68. Henry Munster, esq., debtor to Patrick P. Fogarty, for services at past election, £30."

11423. Did you render any services?—If it was wanting that day, I would, sir.

11424. How much was your father paid for the drink he supplied?—He wasn't paid all his bills yet, sir.

11425. How much is due to him?—I don't know that, sir. He wasn't paid more than £9 or £11, or something that way.

11426. Is that your father's handwriting [is handed another document]?—'Tis, sir.

11427. Read out that bill?—"Cashel, December 7th, '68. Henry Munster, esquire, debtor to Rody Fogarty to amount of drink supplied to mob, friends of the cause, and soforth, £35 12*s.* 6*d.*"

11428. Has your father the account in which that is entered?—I don't know, sir. I see a very long bill with him, sir.

11429. With your father?—Yes, sir.

11430. Who got this drink?—I didn't see many people get it, sir; but there's drink that I brought up to Abbeyview, I think he was paid that.

ELEVENTH DAY.

October 15.

Patrick P. Fogarty.

11431. £9?—Yes, sir.

11432. Who got some of this drink?—I used not to be within always.

11433. Did you ever see any person taking any of the drink that this bill is for?—I couldn't say that. I'm not sure of it.

11434. Who attends to the giving out of the drink in your father's shop?—My father, sir.

11435. And anybody else?—My aunt do be there.

11436. And you saw a long bill with your father?—I did, sir.

John Gleeson.

John Gleeson sworn; examined by Mr. GRIFFIN.

11437. Where do you live?—Glenbane, sir.

11438. Did you get any half-notes at the last election from anybody?—I did, your worship.

11439. What was the amount of these half-notes?—£30.

11440. From whom did you get them?—From a man in Mr. Cunningham's house.

11441. Did he tell you what these half-notes were for?—He didn't.

11442. Did he tell you what you were to do with them?—No.

11443. What did you do with them?—I returned them to Patrick Croagh, that lives in the Commons.

11444. Who told you to give them to him?—Patrick Croagh told me to go to that man and I would get them. I kept them at first until the election was over.

11445. Who told you to do that?—Patrick Croagh.

11446. He told you to keep them until after the election?—Oh, no; but I was aware that I wasn't to give them.

11447. Who made you aware of that?—Mr. Munster's agents.

11448. How many told you?—Mr. Laffan and Mr. Cunningham.

11449. That is Pat. Cunningham?—I suppose so.

11450. They told you to keep them until after the election, and then give them to Croagh?—I told them I would. They said if I came forward, and to be in care of the notes until the election would be over, that they would be given; so I promised.

11451. What day did you get them?—I couldn't well account.

11452. You could not tell what day of the week it was?—No; but it was before the election. I was to hold the money in trust until the election was over, and I did, and then I gave the money to Pat. Croagh. I had no more to do with it than that.

11453. Which Mr. Laffan was it that told you? Was it this gentleman here [*i.e.* Mr. M. J. Laffan]?—No, Mr. Patrick Laffan. He didn't tell me what the money was for, but to go and I would get the money.

11454. I thought you said that Mr. Patrick Laffan told you that the money was for Croagh, and that you were to keep it until the election was over?—I believe it was that was the case; it was to be for Croagh. The money was to be given to any person Mr. Pat. Laffan would select to give the money to, and he wouldn't depend on Croagh getting the money.

11455. That was lest Croagh might vote the wrong way?—That is what I understood it. I kept the money in my possession until all was over, and I gave it to Pat. Croagh after.

Patrick Cunningham.

Patrick Cunningham recalled and confronted with *Gleeson;* examined by Mr. WATERS, Q.C.

11456. I thought you told me that Gleeson was quite a young man?—I thought it was a younger man than this.

11457. Mr. GRIFFIN.—Who was the young man that got the "half notes by order of Cunningham?"—That is the man; I thought it was a friend of Croagh's; he is Gleeson.

11458. Here is the entry—"Half notes to a young man by the verbal order of Cunningham." You said Gleeson was the young man?—There is a young man, a friend of Gleeson's; I thought 'twas he got it.

Luke Larkin.

Luke Larkin recalled and confronted with *Gleeson* and *Cunningham;* examined by Mr. GRIFFIN.

11459. Can you tell—would you call that man a young man—would you enter in your book, if you paid him money, that you paid it to a young man?—No, I wouldn't say "to a young man" for that man [*i.e.* Gleeson.]

Patrick Cunningham.

Patrick Cunningham's examination resumed by Mr. GRIFFIN.

11460. Did you not give the other half notes to Croagh at Corcoran's hotel?—Yes.

11461. They cannot be the half notes the young man got?—No.

11462. Try and recollect who got them, because it is plainly not Gleeson?—It must be a mistake of this man Larkin.

[Adjourned.]

TWELFTH DAY.

October 16.

TWELFTH DAY.

SATURDAY, OCTOBER 16, 1869.

Jeremiah Connolly.

Jeremiah Connolly sworn; examined by Mr. WATERS, Q.C.

11463. Where do you live?—In the Main-street.

11464. What is your father's name?—John Connolly, your worship.

11465. Is Peter Connolly your uncle?—He is, your worship.

11466. They are both voters, I believe, in Cashel?—They are, your worship.

11467. And they voted for Mr. Munster at the last election?—Yes, your worship.

11468. You got a sum of seventy pounds from a man named Larkin before the last election?—I got it from some man; I can't say who it is from, sir.

11469. We now know his name to be Larkin. To whom did you give that money?—I gave some of it to my uncle and some of it to my father, and kept more of it myself.

11470. Where was it that you got that money?—In a room at Corcoran's hotel.

11471. Did you sign a promissory note at the time you got the seventy pounds?—I did, sir. [Identifies the document.]

11472. To whom did you give that seventy pounds—you say some to your uncle and some to your father?—Yes.

11473. And some to yourself?—Yes.

11474. How much did you give to your uncle, Peter Connolly?—Twenty pounds.

11475. How much to your father?—Ten pounds.

11476. And did you keep the balance yourself?—Yes, sir.

11477. Did your uncle know what you gave him that money for?—Well, I suppose he did. He couldn't think I could give it to him myself, because I hadn't it.

11478. Did you tell him where you had got it?—I didn't.

11479. Tell me what you said, as well as you recollect?—"Take this money," said I to him; that was all I said. I was giving him some money to keep for myself. "This is mine," said I, "and take that and keep it for yourself."

11480. How much were you giving him for himself?—£10, sir.

11481. You got this money for the votes of your father and uncle?—I got it for my services. I suppose I wouldn't get it if they had no votes.

11482. What services did you render—what were you doing?—I was writing, sir.

11483. Where were you writing?—In Corcoran's hotel.

11484. At what time did you give the £20 to your uncle?—I can't exactly say whether it was a fortnight, or three weeks, or a month after the election.

11485. After the election?—Yes, it wasn't less than a fortnight. I don't know was it a fortnight or a month; something, I suppose, between both.

11486. Had you any conversation with your uncle before that?—I had, sometime previous to the election.

11487. About his vote?—He told me whoever I would be employed by, he would vote for them.

11488. Did he say anything more than that about it?—He didn't, sir.

11489. But you say he understood what the £20 meant when you gave it to him, and how it was obtained?—I swear he did.

11490. Did he ever say anything to you that made you know it?—I'm not sure whether he said it or not; I can't recollect now, it is such a long time ago. He might have said "I suppose this is my share," or something, but I don't recollect whether he did or not.

11491. He did not ask you where you got the money—but took it and kept it?—He didn't, your worship.

11492. And you understood from his manner that he knew what it was for?—Yes.

11493. When you gave the £10 to your father, what did you say?—I can't say what I said to him.

11494. Your father knew also what it was for?—I suppose he did, your worship.

11495. Did your father say anything to you about his vote before the election?—He said if I was employed by any person, he would vote for him.

11496. Did you tell Mr. Laffan that your father and uncle would vote for any person that employed you?—Mr. Patrick Laffan came to our shop and he took me into the parlour, and he asked me how much would I take for my services. I told him. We agreed that I should take £70 for my services.

11497. Mr. GRIFFIN.—What do you mean by "we agreed?" Who are "we?"—I and Patrick Laffan.

11498. Mr. WATERS, Q.C.—You said Mr. Patrick Laffan when he asked what you would take for your service, you said, "We agreed I should get £70." Who are "we?" Is it your father and uncle?—No, sir.

11499. Who else?—I told you that we agreed to take £70, I and Patrick Laffan.

11500. Was your first answer incorrect? You said, "He asked me what I would take for my services," and you said, "I told him?"—I was going to say when I said I told him; I was going to say I told him I would take more; I cut it short.

11501. "I told him" was only a portion of an unfinished sentence?—Yes, sir; that it was unnecessary to tell you.

11502. Had you any conversation with your father and uncle as to how much you ought to be paid?—I had several conversations with them.

11503. With your father and uncle?—Yes.

11504. And did you in any of those conversations fix how much your father and uncle ought to get?—When I had conversation with them they told me at all times to get as much as I could for myself. They wanted to have nothing to do with it.

11505. When you say they wanted to have nothing to do with it, do you mean to say they wanted to have nothing to do with the arrangement that was to be made?—I mean to say that they wanted to have nothing to do whether they were to be paid for their votes or not, but to let me manage in the best way I could

11506. They left the thing in your hands to manage?—Yes, your worship.

11507. Mr. MOLLOY.—How long were you writing at the election?—I was writing all night one night nearly. I was up all night, at all events. I am not sure whether I was writing; but I was in and out of the room the day after. I am not sure that I was writing more than one, but I was that.

11508. Mr. GRIFFIN.—That was the night before the polling?—It was the night before the polling I was writing.

11509. How much did you ask from Mr. Pat Laffan first?—£100.

11510. Did he tell you £35 was what they were giving for votes?—He told me that £60 ought to be sufficient for me.

11511. Did he say anything about what they were paying people for votes?—Well, I'm not sure whether he mentioned about votes or not.

11512. Did he say anything about £35 being the figure?—He didn't, your worship.

11513. Mr. WATERS, Q.C.—He knew that two votes depended on your services, did he not?—I suppose he thought they did.

11514. Did any person speak to you on Mr. O'Beirne's side, or did you speak to any person on Mr. O'Beirne's side?—I did, your worship.

11515. To whom did you speak on Mr. O'Beirne's side?—I went to Mr. Grace. I asked him to employ me during the election. This, I suppose, was a month before the election; perhaps it was more.

11516. What did Mr. Grace say?—He asked me how much did I require. I told him something—I can't recollect now what it was; but he told me he would give me £20 for my services. That was more than a month before the election.

11517. Mr. GRIFFIN.—About what sum did you ask from him?—I asked over £100.

11518. Mr. WATERS, Q.C.—And Mr. Grace said he would give you £20?—Yes, sir.

11519. Did anything further occur between you?—Nothing further. He asked me, I think, how many persons did I think I could influence for to vote for them?—I told him four.

11520. Who are the four that you told him you could influence?—There is another uncle of mine in town who has a vote.

11521. What is his name?—John Cassidy.

11522. Your father, your uncle Peter, John Cassidy, and who else?—Thomas Tierney.

11523. Mr. GRIFFIN.—Is he anything to you?—He is nothing to me.

11524. Mr. WATERS, Q.C.—Did you give any of this money to John Cassidy?—No, your worship.

11525. Had you any talk with John Cassidy about it?—No. After that he got a retainer, I think, from Mr. Munster.

11526. Who did?—John Cassidy.

11527. For whom did he vote at the election?—For Mr. O'Beirne.

11528. Did you try to influence John Cassidy?—Not after that; I had no conversation with him.

11529. After what?—After getting the retainer.

11530. But before it had you any conversation with him?—No, your worship.

11531. Did you never try to influence him?—I had asked him but once who would he vote for. He said he didn't know; that he was engaged.

11532. Did he say more than that?—No more than

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Jeremiah Connolly.

that. He told me one time that Mr. Laffan required his services up at the hotel, I think, in the evening. He asked me then would he go or not. I told him to go. That was the night he said he got the retainer.

11533. Did you tell him how much you were to get?—No, I didn't.

11534. Did you tell him that you were employed?—I had no conversation with him after that; it might be a month after; I don't recollect the dates.

11535. Did he tell you that he got a retainer?—He made it public after he got it. Mr. O'Beirne's party got up some printed document to the effect how he got a retainer and returned it, exposing the whole thing.

11536. Did you ever tell Mr. Laffan that you could not influence your uncle John Cassidy?—He knew at the time that he was decided on going for Mr. O'Beirne, when he exposed the retainer.

11537. I want to know if you can tell me why it was that Mr. Laffan gave him this retainer?—Well, I can't say; I wasn't ever speaking to Mr. Laffan at that time.

11538. And do you know when your uncle John Cassidy made up his mind to vote for Mr. O'Beirne?—I think he made it up when he got the retainer.

11539. And not before?—Not before; I'm not sure.

11540. Do you know if he got any inducement from Mr. O'Beirne's side?—I couldn't say; I heard him saying he didn't.

11541. Mr. GRIFFIN.—Did you influence Thomas Tierney at all?—No, your worship.

11542. Did you ever tell your father about how much you got?—Tell my father?

11543. Yes, that you got £70?—Yes.

11544. Mr. MOLLOY.—Had you any conversation with any person else besides Mr. Grace on Mr. O'Beirne's side?—I was talking to Mr. O'Beirne himself, but it was in a shop, and there was parties there present. I was introduced to him, no more than that.

11545. Was there no person else besides Mr. Grace talking to you on Mr. O'Beirne's side?—No person else.

Thomas Rawlins and Andrew Meara.

Thomas Rawlins and *Andrew Meara* recalled; examined by Mr. WATERS, Q.C.

11546. There is some trifling discrepancy between the two of you. Do you recollect, Mr. Meara, that you said that Mr. Rawlins came into your house; that by directions of Mr. Laffan you offered him five guineas; that he refused to take it; that in a few minutes Mr. Laffan came into your shop, and you gave the five guineas to Mr. Laffan himself?—Mr. *Meara.*—I think that's what occurred.

11547. You say that you were handed that money by Mr. Meara, and that you took it from him?—Mr. *Rawlins.*—Made up in a cartridge.

11548. Did you take it out of his hands in his shop?—Mr. *Rawlins.*—Out of his hands in his shop. He didn't give me time to speak one word when he gave it to me.

11549. It is not very material. I only want to clear it up. Is your recollection, Mr. Meara, so vivid and clear?—Mr. *Meara.*—I am almost sure it is; but I am not very sure.

11550. Then what Mr. Rawlins says may be correct?—Mr. *Meara.*—I won't alter it, sir.

11551. I dare say Mr. Rawlins has a very accurate recollection of how he got it. Mr. Rawlins looks upon it as a matter of absurdity that he could refuse the five guineas for a moment, or that he would have the slightest hesitation in taking it?—Mr. *Meara.*—One thing I forgot the day I was examined. I brought a bill one night down to Corcoran's hotel, and Mr. Pat Laffan gave me £8 or £10, and said it was, I think, for gravel or sand. I was sent by Pat Hackett with the bill. I took down the bill, and got either £8 or £10; I forget which—I heard since it was £10—and I brought it back to Pat Hackett, and gave it to him.

11552. Mr. GRIFFIN.—That was for Croagh?—Mr. *Meara.*—For Croagh; exactly, sir.

William Ryan of the Racecourse, recalled, and confronted with *Andrew Meara.*

Andrew Meara.

Andrew Meara examined by Mr. WATERS, Q.C.

11553. Now, Mr. Meara, repeat what you told us here the other day, that this man said to you. Do you recollect is this the man?—It is, sir.

11554. Do you recollect his coming to you and telling you he had a bill falling due?—Yes, the day after. It was the polling day, I think, it was due.

11555. Repeat now what he told you?—He told me on the same evening it would be due to-morrow. I went to Mr. Michael Laffan, and asked him.

11556. Did you say anything more than that?—I think all he said to me is, it would be due to-morrow.

11557. What did you say then?—"Very well," says I; "I will see about it." I saw Mr. Laffan, and told him the circumstance. "Couldn't you settle it," says he, "for him to-morrow?" "Very well," says I. After nightfall the same evening I saw him, and told him I would settle the bill for him. He came shortly after, and said "he was pleased," I think, "at the other side."

11558. Did he say he had sold his wheat, or got paid for his property in the meantime?—I forget that.

11559. Could you have mistaken his saying "he was pleased at the other side?"—He certainly said that.

11560. Have you a positive recollection of that?—I think I have; "that he was pleased at the other side." Perhaps it isn't the very direct answer, but it was tantamount to that. He said he would stop at the other side, or stay, as he was, or something that way.

11561. Mr. GRIFFIN.—Are you sure he said something about voting?—I think he meant it, sir, at all events, no mistake about it. He may not have given expression to it direct, but I think his meaning was that he would.

William Ryan

William Ryan of the Racecourse, examined by Mr. WATERS, Q.C.

11562. Now, Mr. Ryan, did you hear Mr. Meara swear that you said to him you were pleased at the other side, and would sooner vote, or something like that, with them?—I said I would sooner vote with them; "but being pleased at the other side," I didn't say that. I didn't say "pleased at the other side."

11563. What did you say?—I went in; I was weighing wheat, and there was a row at the shambles the same evening, and I and one of the parties with me, Pat. Ryan, went up to see what it was about. We were standing near Mr. Meara's door, and I saluted him. "We're weighing some wheat near here," said I, "and if I am not paid I must renew the bill." "Come to me to-morrow," says he, "and I will renew it."

Andrew Meara's examination resumed by Mr. WATERS, Q.C.

11564. Did he say that, Mr. Meara?—He said something about wheat, and I said I would renew it for him the day after.

11565. Mr. GRIFFIN.—Was your name on the bill?—It was, sir.

11566. Mr. WATERS, Q.C.—Are you quite positive there was talk of voting at the time?—I understood from him he was going to vote at the other side.

11567. Did you mean this conversation with Ryan to be an inducement to Ryan to vote at Mr. Munster's side?—I did, decidedly.

11568. Did he understand it so?—Well, I think he did.

11569. Did you believe that he understood it in that light from you?—I think he did.

11570. Had he any doubt?—I don't think he ought He perfectly well knew it was under that circumstance I offered it.

11571. Have you any doubt on your mind he understood your object?—I think he did understand it.

William Ryan's examination resumed by Mr. WATERS, Q.C.

11572. Now, Mr. Ryan, tell me honestly did you understand that conversation as an inducement to you to vote for Mr. Munster?—I did, sir.

11573. You did?—I did, sir.

11574. And if you had not got the money to take up that bill, would you have accepted Mr. Meara's offer and voted for Mr. Munster?—I wouldn't, sir.

11575. Would you have allowed Mr. Meara to take up the bill?—No, sir.

11576. You would not?—No, sir; I would renew it myself.

11577. Supposing he refused to renew it unless you voted for Mr. Munster, what would you do?—I could get another to do it.

11578. Did you bring the bill with you?—No, sir; I haven't it. Thomas Carew, I think, was on it, sir; he is dead now.

11579. I have all the names that were on it, the date, the amount, and everything about it?—Oh, I suppose you have, sir. The bill was raised after that again, sir, by Mr. Meara.

11580. The bill was due on the 25th, and you paid it on the 21st, four days before it was due? You told me yesterday you did not?—That is the date of the bill, and the day after that it was due I paid it.

11581. You paid it on the 21st, four days before it was due. Tell me honestly where you got the money with which you paid it before it was due?—I considered it was due, sir, and told him it was due, Andy Meara. My docket, I think, showed it was due on that day. He might make a mistake in the bill after, sir.

11582. Do you tell me positively still you received no money from anyone to assist you to take up that bill?—I do, sir.

11583. Did you get a bill from anyone to enable you to take it up?—No, sir.

11584. Did you get any assistance of any kind from anyone?—Not a shilling, sir.

11585. Did you get a promise from anyone that you would be paid the amount of the bill?—No, sir. Only Andy Meara said to leave it to himself. That is all.

11586. You would take the money from Mr. O'Beirne if he offered it to you after you had given your vote?—I would, sir.

11587. When you knew that you could get £25 from your conversation with Mr. Meara, and when you admit that you would take money for your vote, I want to know why you did not take that £25?—I didn't admit to take the money for my vote from him.

11588. You admit you would have taken £25 from Mr. O'Beirne if he offered it to you for your vote?—Yes, sir.

11589. Before the day of the election you would have taken it?—I would, sir.

11590. You say you got nothing?—Nothing, sir.

11591. You would have taken £25 from Mr. O'Beirne before or after voting, and when you were offered £25 from Mr. Meara I want to know why you did not take it?—I would, sir, go with Mr. O'Beirne for nothing, rather than take £25 from Mr. Munster.

11592. What sum would you have taken to vote for Mr. Munster?—About £50 or £60, sir.

11593. You would have taken that?—I would, sir.

11594. And you thought £25 too little?—Yes, sir.

11595. Did you vote in 1865?—Yes, sir.

11596. For Mr. O'Beirne?—Yes, sir.

11597. I forget if I asked you whether you got anything from anyone as an inducement?—I didn't, sir.

11598. Nothing at all?—No, sir.

11599. You are quite sure you have not the bill?—No, sir.

11600. You made search for it and could not find it?—I haven't it, sir, nor the bills after it again.

11601. Mr. GRIFFIN.—Did you sign any bill in 1865?—No, sir.

11602. Did you get any promise or inducement of any kind for voting in 1865?—I didn't, sir.

11603. Were you or any of your relations promised situations?—There was a brother-in-law of mine promised it.

11604. What is his name?—Michael Ryan.

11605. He has not got a vote?—No, sir.

11606. Who promised him the situation?—It was after the election he was promised it, sir.

11607. Was there anything about it before the election?—No, sir, there wasn't.

11608. What situation was he promised?—I couldn't say, sir. He didn't mention any situation.

11609. Mr. MOLLOY.—You had another bill that was due the 13th November and that you renewed on the 12th, for £25?—I had no bill of my own but the one.

11610. How many bills had you in the bank in November last?—I had one bill on my own account.

11611. Was your name on two bills?—It was on three or four, I believe, besides my own; it was security on them.

11612. You were on a bill with Tom Carew?—Yes, sir.

11613. That is not the bill Mr. Waters has been asking about?—He was security on me, and I was on another.

11614. For him?—Yes.

11615. What became of the bill that you were security on for him?—His wife paid it after.

11616. Where did she get the money to pay it?—She had it.

11617. Where did she get the money?—I couldn't say.

11618. What is her name?—Margaret Carew, widow now.

11619. Is that the bill that the Widow Ryan's name was on?—No.

11620. That is another bill?—Yes.

11621. Was it another bill?—I suppose it was, sir; I couldn't tell you how many was in at the same time.

11622. Mr. WATERS, Q.C.—Was Tom Carew a voter?—He was, sir.

11623. Where did he live?—Friar-street, Cashel.

11624. Mr. GRIFFIN.—You say he died?—He died before the last election, last August twelve months, or sometime; I believe July or August.

TWELFTH DAY.

October 16.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled; examined by Mr. WATERS, Q.C.

11625. Does your brother attend?—He came this morning, sir. He is in town. He wasn't up when I left the house, but if you wish for his attendance today, I have no doubt he will come up. He stated this morning he would like to look over the list of voters and see the different dealings he had.

11626. There is no use in his coming up unprepared. I will give him this day to prepare?—I told him if he had the whole thing looked over he would save an immensity of time—he could come up and tell it like Cunningham, who gave his evidence very properly.

11627. Mr. GRIFFIN.—You told him what was said by Cunningham?—Yes, I told him generally what happened about the Commission.

Patrick Ryan was called, but did not appear.

Mortimer Shea.

Mortimer Shea recalled; examined by Mr. WATERS, Q.C.

11628. Have you seen Ryan?—He hasn't returned since, your worship.

11629. Did you serve him with a subpœna?—I left it with his wife.

11630. When did you leave it?—On Thursday last. He was gone on Wednesday. They say he took the line from Limerick to Ballinakill in the Queen's County.

Roger Fogarty.

Roger Fogarty sworn; examined by Mr. WATERS, Q.C.

11631. You are an elector of Cashel?—Yes, sir.

11632. And voted, I believe, at the last election for Mr. Munster?—I did.

11633. Did you receive any consideration for your vote?—No, indeed, not a penny.

11634. Were you canvassed on behalf of both the candidates?—I was.

11635. Who canvassed you on behalf of Mr. O'Beirne?—Well, I think Mr. O'Beirne called to my place. I was absent in the country that day; I was absent when he called. So he didn't come anymore then. Shea came to me and spoke about Mr. O'Beirne and I told him that I would not vote for him. I said that I could do nothing of the kind that way; that I had promised Mr. Laffan I would vote for Mr. Munster.

11636. When did you promise Mr. Laffan?—I met him one time in the town, and he stated to me about Mr. Munster coming here; but the next time again I met him he still asked me to support Mr. Munster, and represented him as a good man, having means, and apt to take property in the country. "Well, very well," says I, "I have no objection."

11637. Which Mr. Laffan was that?—Mr. Michael Laffan, sir.

11638. Now, Mr. Fogarty, you had a conversation with Mr. Patrick Laffan also?—I had.

11639. And he said something to the effect that he would make it all right, or something like that?—No, Mr. Laffan never told me he would make anything right more than a treating bill I had.

11640. What was the treating bill you had for?—The treating bill I had there was, I think, £35 something.

11641. £35 12*s.* 6*d.*?—Yes.

11642. Have you been paid it?—No.

11643. Was that amount of drink given by you?—It was.

11644. To whom was it given?—To the mob, on orders from Mr. Laffan and Cunningham.

11645. Was it given to any others but the mob?—I think there was one or two voters came.

11646. One or two only?—That's all, indeed.

11647. Was it on several orders you gave this £35 12*s.* 6*d.* worth, or was it given in one day?—Oh, not at all; for five or six weeks.

11648. Are you able to charge your recollection so closely as to say that there were only two voters in those who came to you?—That's all I noticed; there may be some others. I didn't give any other party that took any drink.

11649. How much of the £35 12*s.* 6*d.* worth did the two voters consume?—No more than a couple of half glasses of grog or brandy, I think.

11650. Did they bring orders to you?—No, they did not.

11651. Did you not tell me that you gave these drinks on orders of Pat. Laffan and Cunningham?—I did.

11652. Do you recollect so very clearly what occurred twelve months ago as to except these two particular men and say they did not bring orders?—I say they didn't; I swear it.

11653. You say that from your recollection?—I know the two men, and they brought me no orders.

11654. But you included their drink in this?—I did; I made it all up.

11655. Why, you have a wonderful memory?—I included it all in the bills according as it went in. Whatever things would be given I put it down on a slip of paper and put it aside.

11656. Perhaps you recollect what they drank?—A couple of half glasses of grog or brandy.

11657. Was it in hot or cold water they took it?—If it was any they took it in cold. I believe that to be the case.

11658. What are their names?—Delahunty and Ryan, from the Commons.

11659. Which Ryan, because they are "as numerous as blackberries"?—Billy Ryan.

11660. Is it big Bill or little Bill?—I don't say, sir. I couldn't tell you which, indeed.

11661. Mr. MOLLOY.—Did you ever furnish a bill but that one to Mr. Munster?—I did. I sent in a bill for my son.

11662. For the drinks I mean?—I did, for drink that went to Abbeyview.

11663. But for the £35 12*s.* 6*d.*?—Never.

11664. Did you ever send any bill with the dates on which the drink was supplied?—No; I don't recollect I did. No. I made out a bill with dates to it for Mr. Johnson.

11665. Who is Mr. Johnson?—I think the expense-agent of Mr. Munster—Mr. Richardson; but whether I left him that bill or not I can't say.

11666. From what did you make it up?—From small bits of paper that I took it down on.

11667. Did you get the orders in writing or verbally?—I got some of them in writing, and more verbally.

11668. And all the orders were from Mr. Pat. Laffan and Cunningham?—They were.

11669. Mr. WATERS, Q.C.—You put in a claim for your son's services?—I did.

11670. And you thought £30 was what he was entitled to be paid?—I didn't put in a shilling for him, nor think of it until after the election. I spoke to Mr. Michael Laffan on the matter.

11671. What did he say to you?—And he told me to put in a bill.

11672. You were aware that your son did not do anything?—I was aware that he was employed.

Roger Fogarty.

11673. Are you aware that your son did nothing?—Well, I'm not.

11674. If he swore on his oath here yesterday that he did nothing at all, would you believe it?—I would. Whatever he'd say I'd believe.

11675. He did nothing at the election?—Anything he'd say I believe.

11676. He says it now, and still you put in a claim for £30 for him?—I did.

11677. Mr. GRIFFIN.—You spoke to Mr. Laffan about it?—I did.

11678. Mr. WATERS, Q.C.—Mr. Laffan told you to put in a claim?—He did.

11679. When did you speak to Mr. Laffan?—After the election was over some time.

11680. Where did you see him?—Mr. Laffan.

11681. Yes?—I think in his office.

11682. I suppose Mr. Laffan did not send for you, but that you went to him?—I'm sure I did.

11683. You seem inclined to tell me candidly everything you know. I ask you to give me a straightforward answer to this question. You knew that there was money going at the election, and was not this £30 a way to get your share of it?—I had no notion of putting in that bill, nor I never got a penny for my vote, nor never asked it.

11684. I believe that; but I want a candid answer. Did you not know that there was money going at Mr. Munster's side for the election, and did you not put in this bill claiming £30 for your son, as a way to get that £30?—No.

11685. For what other reason?—The reason I put in that bill was this, that I considered if anyone was getting money, that I should be entitled to something for my services. There's people in the street with me I heard were getting money; I don't know but they got it.

11686. Do you not know that your son was only one day there?—He was only the day of the poll.

11687. You knew nothing of the employment he was at?—No.

11688. How did you fix on £30? Would not £30 be a fair salary for him for a whole year?—It would, but I considered he would give him what he liked.

11689. Would not it be honester for you to admit that that was a way you took to get your share of what was going?—No.

11690. If this £30 was got who would get it?—I'm sure I would.

11691. Mr. GRIFFIN.—When as you say, you went to Mr. Laffan after the election, what did you say to him?—I said, "'tis right I should send in a bill for the services of my son," or something that way. "Why not," says he.

11692. Did you say anything to him about the amount then?—No.

11693. Mr. Laffan did not tell you that your son did nothing for him?—No.

11694. You knew he had been only one day up at the polling?—I knew he was here on that day.

11695. You never knew that he was here on any other day?—No.

11696. With reference to that bill for treating, why did you not ask for the amount of that bill all this time past, it being now due more than a year?—I did, often.

11697. What reasons were given to you for not being paid?—I was told that there would be no bill paid until after the Commission.

11698. After this Commission?—After the Petition.

11699. After the Petition did you ask for it?—I did.

11700. What were you told then?—I was told it wouldn't be paid until after the Commission was over.

11701. Mr. MOLLOY.—When you made out the bill for Mr. Richardson to whom did you give it?—I think it was to either Mr. Richardson or Mr. Biggin.

Mr. *Michael J. Laffan* recalled; examined by Mr. WATERS, Q.C.

Mr. Michael J. Laffan.

11702. I presume, Mr. Laffan, that this is one of the instances you mentioned before?—Not exactly; in some of those cases I put down the amount myself.

11703. But you knew this man's son did nothing?—I knew substantially he didn't do very much.

11704. Of course, this £30 was charged in the same light as the others?—Yes.

Roger Fogarty's examination resumed by Mr. WATERS, Q.C.

Roger Fogarty.

11705. Mr. Munster wishes to have you asked who told you that the bill would not be paid until after the Commission?—Mr. Laffan.

11706. Which Mr. Laffan?—Mr. Michael Laffan and Pat Cunningham, and I wrote to Mr. Munster for the amount, but——

11707. Did you get an answer?—No.

11708. When did you write?—I wrote to him on two occasions.

11709. What were the occasions that you wrote to Mr. Munster?—I wrote to him, and stated to him that I wanted money, hoping he would pay me the amount of my treating bill.

11710. What were the dates, as well as you recollect?—I couldn't tell you.

11711. Were they twelve months ago?—Three or four months ago, or five, or six.

11712. Did you write since the petition was over in February?—I did.

11713. Were the two letters since then, or one before?—The two letters were since, one after another. I wrote to Mr. Munster, and got no answer. Then I spoke to Mr. Biggin. He said he saw no reason against it. "I would like to see Mr. Munster on it," said I. "Well," said he, "write to him, reminding him."

11714. And you did write?—I did write.

11715. And, as far as you think, these letters were both since the Petition?—Yes.

11716. Did you get any answer to either?—No.

11717. Did you call on Mr. Munster at Abbeyview ever to try to induce him to drop the petition, saying you would be with him the next time?—I called up at Abbeyview after the election. Mr. Leahy, Mr. Laffan, and Mr. Scallan were there, and I said to Mr. Munster, when he was talking of carrying on a petition, "Sir, it is my opinion it would be better to have no petition."

11718. Mr. GRIFFIN.—Did you know Michael Sullivan was writing to Mr. Munster?—I didn't know that Sullivan wrote to Mr. Munster, for Sullivan said to me to write to Mr. Munster about the bill.

11719. You and O'Sullivan were both in the same position about treating bills, and used to talk about them together?—Yes.

11720. Did O'Sullivan tell you he was writing to Mr. Munster?—He didn't.

11721. When did you hear first that O'Sullivan was paid?—Sullivan, I think, told me himself.

11722. Immediately after he was paid, was it?—Yes.

11723. Did he ever tell you what he had written?—He didn't.

11724. Did you say anything in your letter to Mr. Munster about being "one of his most warm advocates?"—No; I stated I wanted the amount of my treating bill.

11725. Mr. MOLLOY.—For whom did you vote in 1865?—I didn't vote in '65.

TWELFTH DAY. *October* 16.

Roger Fogarty.

11726. Had you a vote?—No, sir.

11727. Mr. WATERS, Q.C.—What was the amount of the value you supplied the two voters?—Nothing more than about eight pence or ten pence.

John Connolly.

John Connolly sworn; examined by Mr. WATERS, Q.C.

11728. You are the father of Jeremiah Connolly?—Jeremiah, sir.

11729. You are a voter?—Yes.

11730. And voted for Mr. Munster?—Yes.

11731. Were you canvassed by Mr. O'Beirne's party?—I was.

11732. By whom were you canvassed for Mr. O'Beirne?—By Mr. O'Beirne himself.

11733. And anybody else?—And a man named Pat Connors.

11734. Anybody else?—And a man of the name of Shea.

11735. Anybody else?—Not that I can recollect.

11736. Was there any sort of inducement held out to you by any of those persons on Mr. O'Beirne's side? No, but I was asked by them would I allow my son to do business for Mr. O'Beirne.

11737. Who asked you that?—Shea, sir.

11738. Is that Tim. Shea, the tailor?—Yes, sir; he said Mr. O'Beirne would feel very anxious for my doing so.

11739. Did you understand that as a means to be used to influence you to vote for Mr. O'Beirne?—Well, I couldn't exactly say.

11740. What did you understand by it?—There might be something of that nature.

11741. Have you any doubt?—I have not indeed. At least I should think there was something.

11742. Was your son at that time employed by Mr. Munster?—He wasn't, sir.

11743. He was at that time unemployed by either side?—Yes, sir.

11744. What did you say when he asked you would you allow your son to be employed by Mr. O'Beirne?—I told him my mind wasn't made up to know which of them I would go for at the present time.

11745. Did he say what you would get for your son being employed?—He didn't.

11746. Did you know at the time of your son having gone to Mr. Grace?—Yes.

11747. And that he asked over £100?—Yes, he told me that.

11748. Did he say if he got £100 from Mr. Grace you would have voted for Mr. O'Beirne?—It is most natural to think I would. Of course I would, sir.

11749. Did none of the other persons who came to you on behalf of Mr. O'Beirne say anything like that to you?—Well, Connors told me; he called me once in off the shop.

11750. What Connors?—Pat Connors.

11751. What did he say to you there?—He asked me would I have any objection to have a dealing with Mr. O'Beirne. I got rather angry with him to introduce any such matter. I gave him to understand I didn't want to take any part in public politics; that my mind wasn't made up to do anything, because it was some days before the election.

11752. He asked you would you have a dealing with Mr. O'Beirne?—Yes, he asked me would I have any objection.

11753. I suppose the commodity was your vote?—That's the way he spoke.

11754. Had you any other sort of merchandise that would have suited Mr. O'Beirne at the time?—No.

11755. And you were very angry with him about it?—I was a little displeased; I told him if Mr. O'Beirne wanted my interest or influence for himself to come.

11756. He did not approach the matter as delicately as Shea did, about the employment of your son?—Well, he didn't; Shea came two or three times.

11757. Did Pat. Connor offer anything to you on that occasion?—No, he didn't.

11758. Only asked you would you have a dealing with him?—No, I got out as quick as I could.

11759. Your son told us, and he appeared to tell the truth very candidly?—First I commissioned my son to do the best he could himself, and of course I would give him my interest.

11760. You would vote for whatever side dealt liberally with him?—I would.

11761. Do you know what time your son was first engaged?—Well, I declare I couldn't say, sir. I never inquired anything about it.

11762. After the election you got £70?—It appeared £70.

11763. And he gave he says £20 to his uncle, your brother Peter, and £10 to you?—Yes.

11764. You knew where he got that £10 of course?—Yes; I thought he got it from ——

11765. Do you know what your son did with the rest of the money?—I couldn't exactly say; he paid a little bill that was due in Dublin of me.

11766. What was the amount of the bill he paid?—£30.

11767. Did he go to Dublin to pay that bill?—No.

11768. Were you to repay him for the payment of that bill?—No; it was a small bill that was due to a merchant in Dublin by me.

11769. And he paid that bill for you?—Yes.

11770. That made it £40 altogether that you got?—Yes.

11771. Had you a vote in 1865?—No, sir.

11772. Is this the first time that you had a vote?—O no, sir; I had a vote different times, twelve or fourteen years ago, in Mr. Perrin's time and Sir Timothy O'Brien.

11773. What is the first time you heard of money going among the electors of Cashel, either in the way of paying for houses, or paying voters' sons for their services, because they all amount to the same thing as paying money directly. What was the first time you heard of money given in Cashel?—Well, I heard there was money giving in Cashel before now.

11774. I want to know at what election you first heard of it. I do not mean only direct payment of money, but also payment for houses and sons of voters?—The first time I ever came to hear talk of it was when Mr. O'Beirne was going against Sir Timothy O'Brien.

11775. Did Sir Timothy O'Brien pay money then? I couldn't say, sir; I had no vote; I didn't interfere with politics at all, but I could hear it.

11776. Was the Pat Connors who canvassed you Mr. O'Beirne's expense agent?—Yes; I heard so. He called me in off the shop.

Peter Connolly.

Peter Connolly sworn; examined by Mr. WATERS, Q.C.

11777. You are the brother of the last witness?—Yes, sir.

11778. You are a voter?—I am, sir.

11779. And you voted at the last election for Mr. Munster?—Yes, sir.

11780. Your nephew Jeremiah got £70 you heard?—Yes; I heard it yesterday, sir.

11781. Never before?—Never before.

11782. Now think of yourself?—On my oath I never heard it before. I understood he got it; but I never heard the amount.

11783. If you heard it was £70 would you have been satisfied with the £20 you got? Would you not have expected more?—I wouldn't; for I intended to do more than that for him myself.

11784. Your nephew, Jeremiah, said that you told

him that whoever would employ him or pay him best you would vote for at the election?—That's the very word, sir, I told him.

11785. And did you then tell him to make the best bargain he could?—That's the very word.

11786. When was it that he paid you the twenty pounds?—After the election, sir.

11787. How soon after the election?—Well, I suppose—I couldn't exactly say; but to the best of my opinion it was in or about two months—two or one, I couldn't exactly say; I kept no account.

11788. I suppose you were canvassed, Mr. Connolly, by some persons on behalf of Mr. O'Beirne?—I was, sir.

11789. By whom were you canvassed on behalf of Mr. O'Beirne?—The first time himself in person, and a few others, Dr. Coyle, Mr. Foley, and a few others—I didn't mind.

11790. Was there any inducement by employment of your nephew or otherwise offered through your nephew?—No; but I heard that Mr. Grace offered him something.

11791. Again I ask you was there anything offered you on behalf of Mr. O'Beirne?—Only what Mr. Grace offered my nephew.

11792. Did you ask anyone to employ your nephew?—Yes, I asked Mr. Munster to employ my nephew.

11793. Mr. Munster?—Yes, on the day he canvassed me.

11794. What did Mr. Munster say to that?—He said he didn't know what to say about it.

11795. Is that all that passed between you?—That is all, sir, that passed between us on that day.

11796. Did anything further pass between you with reference to the employment of your nephew?—Never, sir, to my knowledge.

11797. And all that passed between you was you asked him to employ your nephew, and he said he didn't know what to say about that?—Yes.

11798. Did he refer you to anyone?—No.

11799. Who was there at the time?—Mr. Michael Laffan.

11800. Did Mr. Michael Laffan say anything then about employing him?—No, he didn't say a word about employing him that time.

11801. Did you ever speak to Mr. Patrick Laffan about it?—I didn't, sir, never.

11802. Did you ever ask anyone on Mr. O'Beirne's side to employ him?—No; but the Monday before the election took place, Mr. O'Beirne, it appears sent down for me; two persons came to the house and told me Mr. O'Beirne wanted me. I said I would immediately. "Come on, come on," said they. "Oh, I won't," said I, "I'm not in a proper state to go up at all to any man or gentleman." So I cleaned myself and went up, and went into the room. Mr. Grace was there and treated me very kindly; but nothing at all about the election as I could understand.

11803. Mr. Grace was there?—Yes, by himself, when I went in. I was there a few moments when Mr. O'Beirne came in with a cigar in his mouth, and a pair of spatterdashes. I smelt something by that, sir; because why, I was canvassed twice by my landlord.

11804. You mean Mr. Bianconi?—Mr. Morgan O'Connell and my landlord came in, and they told me the old gentleman would be very thankful to me if I would vote for Mr. O'Beirne, and I told him plainly and distinctly I would vote for the best man.

11805. You meant, I suppose by that, the man that paid your nephew best?—Yes, sir; that was it. The Saturday before the polling, his agent's clerk came to me with a large sheet of paper in his hand, and he pointed to me as something threatening. He asked me wouldn't I vote for Mr. O'Beirne? "I don't know," says I to him; I smelled something by that. When Mr. O'Beirne came into the room, "good morning, Mr. Connolly," says he, "good-morrow, sir," says I. "I suppose," says he, "you are coming to vote for me"? "Well, Mr. O'Beirne," says I, "I gave my vote to my nephew." I was canvassed twice through my landlord, I didn't like that; I would have my head severed from my body before I would be forced by anyone. I am under no compliment to my landlord, when I'm paying £4 for my land value £1 6*s*. I didn't like any coercion, consequently I gave away the vote for Mr. Munster.

11806. Did you state any sum you would vote for?—No, I never mentioned any sum.

11807. You gave Mr. O'Beirne plainly to understand that you gave your vote to your nephew, and would vote where your nephew was best treated?—Yes, sir.

11808. Mr. MOLLOY.—Did you say anything about £50?—No, sir; I didn't say anything about any money.

11809. Mr. WATERS, Q.C.—Did you vote before?—I did, sir.

11810. For whom?—For Mr. Lanigan.

11811. In 1865?—Yes sir.

11812. Before that did you vote?—I had no vote before that.

11813. Did you get any consideration from Mr. Lanigan?—Not as much as a farthing.

11814. Did your nephew or anyone for you?—Not to my knowledge; I never knew anything about it.

John Kingsbury recalled; examined by Mr. WATERS, Q.C.

John Kingsbury.

11815. I understand that you have something to tell us—I wish you to say it now?—Yes; when you spoke to me before I didn't recollect, my mind was in an agitated state, it was immediately at the time my wife died. But I have to state, sir, I received £10, as a retainer, from Mr. Laffan.

11816. From which Mr. Laffan—is it this gentleman here [*i.e.* Mr. Michael J. Laffan]?—No, sir; his brother.

11817. Go on?—And when I had it two or three days the farthest, I was looking for Mr. Laffan, and I found him at last in John-street, and I accosted him, and told him I felt very uneasy about this money that he gave me, and I put my hand in my pocket and pulled out £10, and he wouldn't take it, sir. I requested him to take it. He said, "no." I asked the reason. From this time forward I never saw him, but I offered it to him and he wouldn't take it, and if there's any —; if you wish, sir, I'll return the £10. I have it in my pocket.

11818. I would rather not have it at all, thank you?—I want him to get it, sir; I don't want it; I took it, sir, and I'm very sorry for it.

11819. Mr. GRIFFIN.—Did you sign a document of any kind?—I did, sir.

11820. What was the document you signed?—I don't know the nature of it; but I put my name to it; I suppose it was a receipt.

11821. Was it on the occasion of your getting the £10 that you signed the document?—It was, sir.

11822. What did Mr. Laffan say to you when he gave you the £10—did he call it a retainer?—He did, sir.

11823. Mr. WATERS, Q.C.—Was it after you got the £10 from Mr. Laffan that you had the conversation you told us with Captain Graham?—No, sir; it was before that.

11824. Mr. GRIFFIN.—The conversation with Captain Graham was before that?—Yes, sir.

11825. Mr. WATERS, Q.C.—Are you quite sure about that?—I think so, sir; I am almost certain; it was before I got the retainer that I had the conversation with Mr. Graham.

11826. Do you recollect that conversation now? Have you thought over it since?—Yes, sir. It has been sworn that he put some mark on a piece of paper; he never did such a thing to me.

11827. How could you have said it immediately afterwards? Do you recollect saying it very soon

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John Kingsbury.

after the interview with Mr. Graham?—I never saw Mr. Graham; the interview didn't last ten minutes, nor I suppose the half of ten minutes; I never received a farthing from Mr. Graham—never, nor from anybody else, only the £10 I told you of that I received from Mr. Munster; that was the extent of my affair.

11828. Have you anything else to say?—No, indeed, sir, I have not; I am exceedingly sorry, sir, I took it, or had anything to do with it.

11829. I could not take it back from you at all. I would be just as much troubled with it as you are. The only thing I can suggest to you—as your conscience will not allow you to keep it—is that you should give it in charity?—Very well, sir.

11830. Mr. Munster wishes to have you asked did you ever see Mr. Munster in your house after the sale in it?—I did, sir, once; I think it was after the sale. After my sale, sir—the auction is it?

11831. Yes?—I think it was after the sale.

11832. When did that take place?—The auction, sir?

11833. Yes?—I declare I couldn't tell you; I think it took place in February; Mr. Watkins could tell.

11834. What occurred then between you and Mr. Munster?—I don't think there was anything occurred between Mr. Munster and I at that time; let Mr. Munster speak out if he has anything to say.

11835. Did you solicit anything at all?—Not a ha'p'orth, sir; he was condoling with me on the loss of my wife.

Captain John Graham.

Captain *John Graham* sworn; examined by Mr. WATERS, Q.C.

11836. Captain Graham, you were a friend, I believe, and supporter of Mr. O'Beirne's at the last election?—I was.

11837. I believe you have no vote yourself in Cashel?—I had at that time.

11838. Did you vote for Mr. O'Beirne?—I did.

11839. You were strongly interested in behalf of Mr. O'Beirne?—I was.

11840. And, I suppose, assisted him as much as you could?—I did.

11841. Were you long here, Captain Graham, before Mr. O'Beirne came to town himself?—I was.

11842. About how long?—Probably three weeks, or so; about that I'm not quite certain; sometime in September, I think.

11843. Are you able to fix for us, if you please, the date of Mr. O'Beirne's arrival?—I don't know; I think some day in October; I couldn't really tell.

11844. Do you know was it early in October?—Yes, about the middle of October I think, the 10th, or 15th.

11845. Mr. GRIFFIN.—Did he arrive before or after Mr. Munster?—Oh, before Mr. Munster.

11846. Mr. WATERS, Q.C.—I suppose you were endeavouring to assist Mr. O'Beirne before his arrival?—I was.

11847. Mr. Graham, do you know a man named Daniel Foley?—Yes, I do.

11848. Daniel Foley was examined here about a bill that fell due on the 2nd November, and we have his evidence with reference to it. He said he went to Mr. O'Beirne and showed him the little docket that bankers send out apprizing persons of bills falling due; that he spoke to him about his land being at a rack-rent, and that he left the docket with Mr. O'Beirne. And then Mr. Barron, the manager of the bank, deposed that you paid that bill on the 29th October. Do you recollect the circumstance?—I know nothing at all about Daniel Foley, or about the conversation; but I have a perfect recollection of Mr. O'Beirne giving me his draft, and asking me would I hand that in at the bank. I think it was for more than the bill. I got up Foley's bill. He wrote it on paper; I handed in the bill at the bank. I got the money; I think £30. The bill was taken up with part of it, and I handed the balance to Mr. O'Beirne.

11849. That is exactly what Mr. Barron said. When you called it a "draft" you mean a cheque, I suppose?—His draft, cheque or draft—yes.

11850. Do you recollect, Captain Graham, what you did with Foley's bill?—I handed it back to Mr. O'Beirne, and whatever money the balance was.

11851. The balance was £5?—I could not say; but whatever it was, I handed it back with the bill. My impression is, that Mr. Barron put the bill in an envelope, and I handed it back to Mr. O'Beirne—merely as a message.

11852. You were not present at the conversation between Foley and Mr. O'Beirne?—I was not; I knew nothing about it up to the time he handed me this draft-cheque. What he said was—"Graham, as you are passing the bank, would you take this."

11853. You know that Foley is a voter?—Oh, yes; I do.

11854. And, I suppose, you knew then it was he?—At the time it didn't strike me.

11855. But you knew it?—I might have known it, if I thought about it.

11856. Do you know the man himself?—I do.

11857. Did you ever accommodate Foley at the bank?—Never.

11858. I suppose Mr. O'Beirne made no observation to you when you handed back the bill to him?—None whatever.

11859. I presume—because your answers already imply it—that Foley never spoke to you about this bill before that?—Never.

11860. Now, Captain Graham, you know a man of the name of Michael Ryan?—Yes; I do.

11861. His house was taken by Mr. O'Beirne for the election?—It was.

11862. You had some conversation with Ryan with reference to his house before it was taken for Mr. O'Beirne?—Yes, long previously.

11863. We have learned that Ryan's house was taken in the interval by Mr. Munster's party?—So I have heard.

11864. You know all about that story?—Yes.

11865. Mr. Ryan says you were looking at his house, and that you gave him forty pounds?—I lent him and Murnane forty pounds.

11866. And he passed a bill to you for the amount?—He did.

11867. Have you that bill?—No, Ryan paid the bill and got it.

11868. Do you know the date of the bill?—I do not.

11869. You say it was a long time before the house was taken by Mr. O'Beirne?—Yes.

11870. It occurred, you say, after, and not before, the time Mr. O'Beirne came to Cashel?—It was.

11871. It was a three months' bill?—It was.

11872. And he paid it back some considerable time before it was due?—He paid it back, I believe, about a fortnight before the election.

11873. And that was a considerable time before it was due?—Oh, yes, it was.

11874. Ryan is under the impression that that was payment on account of rent?—Of rent?

11875. Oh, yes, he swore it that you had taken his house?—Ryan was under a mistake entirely about the house. If you allow me to tell exactly what occurred about the house I will.

11876. He says also that you were talking to him and Murnane about their votes for Mr. O'Beirne?—I might; I couldn't say I did on that occasion or not. Murnane promised me his vote.

11877. And Ryan did not?—I don't think he did; he may have done so, but Murnane was the man that I knew most about.

11878. You had no sort of transaction with Ryan about the house previously?—No, I had not.

11879. Did you ever lend him money before?—I did not.

11880. Now, Captain Graham, I expect you will—I have no doubt of it—answer in the spirit in which the questions are put, and not according to the very letter and words. We all know that money was

given for houses, when it was meant to influence votes, and we know that money was given for the employment of voters' sons, when it was meant as a means to influence votes, and that these were little contrivances used on such occasions. I ask you now to tell us frankly and candidly if you had not some intention of influencing Ryan's vote?—Not exactly what you call to influence his vote; I had not.

11881. To obtain influence over him that would induce him to do what you wanted?—I should have liked to have made him a friend at the time.

11882. Just so. And that was what introduced the conversation about the house?—Oh, no, not at all. At that time I was determined to take a house for myself for two months or some time. I went to look at Ryan's house, and he asked forty pounds; I didn't at all like it. I mentioned the matter afterwards to Mr. Grace when I met him. I went subsequently to Mackay and looked at his, and subsequently I went to Browne's and took it.

11883. You are a native of Cashel, and resided here some time?—I did.

11884. And you come back here frequently in connexion with the management of your property here?—Yes.

11885. Do you take a house when you come back here? Do you not stop with friends?—I generally stop at Miss Ryan's; sometimes I stop with friends.

11886. You generally stop at Miss Ryan's?—Yes.

11887. Although you wanted, as you say, Ryan's house, you had not the idea at the time of taking that house so as to influence the man? You would not have thought of taking a house from a person who had no vote? That will be a fair way to put it?—Perhaps so; but my object in taking the house was taking it from a man who was friendly, or perhaps would be.

11888. You would not have been inclined to take a house from a man whom you knew had no vote, or who was unfriendly to Mr. O'Beirne?—Perhaps not.

11889. When you say perhaps not, I may take it that you certainly would not. I think that is what you mean. The thing is all over now, and we ask you to tell us all you know?—So I do.

11890. I should say that going back very deeply into your recollection you would say you certainly would not have taken the house from one who was not in favour of Mr. O'Beirne?—Well, perhaps not.

11891. Mr. GRIFFIN.—Do you not know it was considered "robbery" to let a house to a person at one side and vote for the other?—I have heard that sworn.

11892. Do you not believe it?—I wouldn't believe it if it wasn't sworn. Ryan has sworn it.

11893. Mr. WATERS, Q.C.—It was some such notion as that you had when you went to look at Ryan's house. The whole thing is past, and we want the truth?—The truth is, that I was talking to Murnane merely with a view of taking it for myself to reside in. I had no other object than that at the time. I went to Mackay's house with the same object—that was if I took it to live there.

11894. I am only asking you had you a latent intention of influencing the vote by the taking of the house?—Not what you call influencing. I did not do it with a view to influence the vote. In fact I wanted a house at the time and was determined to have it. I asked Mr. Grace before I looked at this if he knew of any, as he knew them better than I did. Mr. Grace is a man that always lives in Cashel.

11895. Was there no desire to support Mr. O'Beirne's cause influencing you in lending the £40 to Ryan?—Nothing further than making friends of them, and not wishing to disoblige.

11896. And making friends of them so as to try to get them to vote for Mr. O'Beirne afterwards. Is not that so?—[No answer].

11897. After looking at Ryan's you looked at Mackay's house?—I did.

11898. Ryan asked £40?—Yes.

11899. Forty pounds was also the price asked by Mackay?—Yes.

11900. Had you any conversation with Mackay about his vote?—I had not that I remember.

11901. You subsequently took Browne's house?—I did.

11902. Did you ask Browne to vote for Mr. O'Beirne?—He says I did not; but I would rather say I did subsequently.

11903. You know, Captain Graham, that the taking of houses was used in Cashel as a cloak for inducing persons to vote?—So I could find.

11904. Do you not believe it now yourself?—I do not discredit his judgment. The taking of the house was subsequent altogether to that.

11905. You know that the people of Cashel understand the thing in that way?—I have always heard so.

11906. Did anything take place between you and Browne that would lead him to believe that the taking of his house by you was meant to influence his vote? I do not say you said it, but did anything occur that would lead Browne to believe that the taking of his house by you was meant to be one of those transactions I have spoken of?—I never gave him to understand so, nor did anything occur to my knowledge to lead him to believe it.

11907. You would have been very much surprised, though, if Browne voted for Mr. Munster?—I would.

11908. And the ground of your surprise would be mainly that you thought you had made a friend of him by taking his house?—Yes, perhaps so.

11909. Now, although nothing occurred between you and him, although you say you said nothing, do you think that he looked upon it in that light?—I really could not say.

11910. You could not say that?—I could not.

11911. At what time did Brown say to you that he would vote for Mr. O'Beirne?—I have no recollection of his ever saying it.

11912. Was he at any time in doubt of how he would vote?—I do not know, nor do I ever remember having any conversation with Browne about his vote, only that it struck me that I might have asked him, and I dare say I did, but I have no recollection of it.

11913. I interrupted you a short time ago when you were going to give me an account of the transaction that occurred between you and Ryan and Murnane, and the talk about the house and the vote and the lending of the £40. Now if you please I would like you to tell me what happened between you?—I went to look at Murnane's house, and I saw it would not suit me, and I think the best of my recollection is, that I then did ask Murnane if he would not vote for Mr. O'Beirne. Then I asked him subsequently—I think one or two occasions afterwards—and it was on one of these occasions I lent him the money—the £40.

11914. Would you enter a little more into detail with reference to the loan of the money. Ryan has such a very different recollection of the nature of the transaction that I would wish to get your account of it a little more in detail. You swore first that it was lent to him, and then he said he got it as payment of rent in advance?—That is not so at all. It was purely a loan.

11915. Is he entirely incorrect in saying that you took the house for £40?—He is incorrect.

11916. Incorrect?—Incorrect. I did not take it.

11917. You see there is a rather strange coincidence in the amount that he asked for his house, and the amount that you lent him?—It may have been in his own mind, but certainly nothing happened between us at all, as I recollect, to lead him to believe it. It may be in his mind that the house and the loan and all were jumbled up together. That may be.

11918. Would you enter into the circumstances of the loan of the £40? How did it come about, for you say it was not at the first interview?—No.

11919. Was it in the second or third?—It might have been in the second.

11920. Are you able to say?—I am not positive.

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11921. Have the goodness to tell me all that occurred with reference to that loan?—It was more with Murnane than with Ryan that the loan occurred. I knew more about Murnane; I know Murnane much longer.

11922. How came it to pass that the transaction was more with Murnane than with Ryan, and that you took Ryan's bill?—I took both their bill.

11923. They both put their names on the bill?—Both put their names on the bill; it was lent to Murnane and Ryan on their bill.

11924. Who asked you for it?—Murnane.

11925. Are you sure that Murnane asked you for it?—I am positive.

11926. Did he give any reason, or state any pressing emergency as a reason why he asked for it?—No; I don't think he stated any cause.

11927. Because Ryan stated he kept it all along from the time you gave it to him?—Perhaps so.

11928. And still they asked you to lend the money?—They did. They may have had it in their minds with reference to the rent of the house.

11929. Or with reference to voting?—They might, certainly.

11930. But you had no more in your mind with reference to giving the money than that you wished to make a friend of him?—Yes; and to oblige Murnane with the money.

11931. And hoping by making a friend of him that he would at your request vote for Mr. O'Beirne?—There is a great deal in that.

11932. Do not say that it may, but is it what passed through your mind?—That is not exactly the way to put it, but I was certainly desirous to make friends of them.

11933. Is it too far to put it that you would not have lent the money if the election was not pending?—I do not think it would have ever occurred; I don't think they would ask me.

11934. And surely—excuse me for the word—you were not so dull as not to see that that was influencing them?—One should see that.

11935. You know old Mr. Kingsbury?—Yes.

11936. You had some conversation with him about voting?—I had, twice or three times. Will you allow me to tell the conversation?

11937. Certainly, sir, in your own way?—In '65 when first Mr. O'Beirne was returned here, having called on Mr. Kingsbury to ask him to vote, he said he had promised Lanigan, and if he knew I had taken an interest in Mr. O'Beirne he would have voted for him. That was in '65. In '68 he was almost the first man I asked to vote. I told him what occurred in '65 and he seemed inclined not to mind that conversation, but to be rather anxious that he should get some remuneration for his vote.

11938. Did you gather that from his language?—He said it plainly—plainly.

11939. Tell me what he said?—He said he had voted a good many years and was a very old man, or something of that kind; and that he never got a penny for his vote, and that he would expect it.

11940. What next occurred?—I told him it was impossible that any inducement could be held out for him in the nature of money, or anything; that it was illegal, and I impressed on him not to think of it. I had a second interview with him, I think, some short time after his wife's death, and he was exactly of the same mind and talked at once of being remunerated.

11941. What occurred then?—I told him again that holding out any inducement in the nature of money would be illegal, and that I could not do so.

11942. Is that the entire of what passed?—That was the substance of it. He said a good deal about his own affairs, and talked a good deal. He is a man I had known a great number of years, and I was rather surprised at his meeting me in the way he did.

11943. Did you say anything to him, or do anything, or in any way lead him to believe that if he voted for Mr. O'Beirne he would get remuneration?—I did not—quite the contrary.

11944. At any time?—No; quite the contrary. I heard it was sworn here—indeed I saw it on the paper that I did write on a piece of paper for him. I never did. Mr. Kingsbury was quite plain in his talk about money.

11945. The way it occurred was, that Mr. Kingsbury very shortly after one of his interviews with you said to a gentleman, that you had intimated to him, £20 or £25, he was not sure which?—That is not the fact.

11946. You say there is no truth in it?—There is no truth whatever in it.

11947. Did that fixing of £20 or £25, in relation to anything, occur between you?—Not in the slightest way.

11948. Do you say that anything passed between you that could possibly have a colour of anything of the kind?—Nothing, except what Mr. Kingsbury may have said himself.

11949. Did he mention any sum?—He did not, to my recollection.

11950. Because that might possibly account for it?—He did not.

11951. I think I asked you did you say anything that would lead him to believe that he would get something after the election?—I did not. In conversation I told him that no inducement could possibly be held out.

11952. You were a friend of Mr. O'Beirne in 1865 also?—I was. He was living here then. He was living at my house. It was more in that way than in the election that I was his friend.

11953. I suppose you know that since a good deal of money has been given with regard to the election of 1865?—I have seen it on the paper, and heard it rumoured.

11954. I suppose you do not doubt it?—I have no reason to believe it is untrue.

11955. Did you hear Mr. O'Beirne swear that he spent £2,500?—I didn't hear him swear it, but he told me himself that his election in '65 cost him about £2,500—between £2000 and £3,000.

11956. Then a good deal of that must have gone in taking houses and paying voters' sons, and so on?—No doubt.

11957. With the knowledge that money had been paid on behalf of Mr. O'Beirne, after the election of 1865, do you still say that nothing at all passed between you and Mr. Kingsbury in reference to it?—No.

11958. I mean in reference to subsequent remuneration?—No, Mr. Kingsbury talked of being remunerated.

11959. Could you have said to him, "I cannot say anything to you about remuneration now?"—No; I told him that I could not even hold out an inducement, that he would get it.

11960. You had an interview with Mr. Close?—Yes.

11961. And you know Mr. Close's version of the transaction?—Yes, I do.

11962. Now, I would ask you in the same spirit that I asked you before, to tell me frankly, did you not mean the employment of Mr. Close's son as a means of inducing the father to vote for O'Beirne?—Certainly not, and I will tell you why. Mr. Close at that time apparently was as friendly to Mr. O'Beirne as I was. I looked upon him as Mr. O'Beirne's supporter. He and his son were in his rooms at the time, and it was in leaving his room the conversation about his son occurred with me.

11963. Were you authorized by Mr. O'Beirne to offer his son employment?—Not at all.

11964. Had you consulted with Mr. Grace about it?—No, merely seeing him there at the time suggested it.

11965. It did not occur to you to make the observation in Mr. O'Beirne's presence?—No, it did not, it was on the lobby of the hotel.

11966. You went out with him?—I did, with Mr. Close.

11967. Then I suppose you thought of it while you were in the room?—I may have done so.

11968. I wish you to tell me if you did?—I could not tell you.

11969. Did you immediately on coming out say this to him?—I did, certainly.

11970. Then is it not most likely that you thought of it inside the room?—Yes.

11971. And you followed him and said it?—I did.

11972. Do you still say that it had nothing at all to say to being either remuneration, inducement, or—I do not know exactly the word to use—for Mr. Close?—What I meant was that he being a supporter of Mr. O'Beirne, he would be glad to get employment.

11973. Then why did you not mention that in Mr. O'Beirne's presence inside?—I had no authority from Mr. O'Beirne to do it.

11974. As you were doing it unauthorized, would that not be an additional reason to mention it in the presence of Mr. O'Beirne, who might ratify or refuse the proposition?—I do not know. I did exactly as I tell you.

11975. Did you mean it then, or think of it then, as an innocent mode of rewarding Mr. Close for his support of Mr. O'Beirne?—Well, I should think that would be it. I was anxious to serve him.

11976. You mentioned a sum of £20?—Fifteen or twenty, I said.

11977. Your recollection varies from that of Mr. Close, as to the way it was done. He thinks you wrote it in figures, and you say you spoke it with your mouth?—Yes, I am certain of that.

11978. May I ask you to say now to me, if Mr. Close was not a voter at all would you have suggested this?—I do not think I would.

11979. Well then in that way that I have put it to you, you meant it to be so far in connexion with his vote for Mr. O'Beirne?—With his being a friend of Mr. O'Beirne and voting for him.

11980. And I may say I suppose also if you knew he was going to vote for Mr. Munster, you would not have proposed it?—Oh, I would not.

11981. Therefore, the friendly feeling you had for Mr. Close in this matter was not merely personal, but was connected with him as a voter?—In both ways. I knew Mr. Close for a number of years in Cashel.

11982. But your personal friendship for Mr. Close was not so strong as to induce you to do that, if you knew he was going to vote for Mr. Munster?—Not unasked.

11983. And, therefore, it was your belief he was going to vote for Mr. O'Beirne and that that would confirm his allegiance to Mr. O'Beirne?—I did not think it would alter it.

11984. Was it—to use a phrase I have seen used elsewhere—to "strengthen" him? Have you seen that phrase used?—I don't remember whether it was in Sligo or in Cashel.

11985. Would you be glad to "strengthen" him for Mr. O'Beirne?—I would.

11986. Yes, in Sligo, that is the phrase. Did you mean to strengthen his allegiance?—Beyond what I have said as to the meaning, I can't say.

11987. Did you think Mr. Close would expect any compliment when you spoke of that sort of friendship?—I thought he ought to be very glad; he is not a very rich man.

11988. I say did you think that Mr. Close would expect some such electioneering compliment as that?—I had no reason to expect it.

11989. You had no reason to expect it?—No; none whatever.

11990. No reason to expect that, further than that he was not in affluent circumstances and £20 would be an object to him?—Yes, that's all.

11991. Do you know Thomas Williams?—I do.

11992. Had you conversations with him with reference to the election?—I had.

11993. You canvassed him for Mr. O'Beirne?—I did.

11994. When did you first canvass him?—Early, almost one of the first.

11995. Did he at once promise you?—He did.

11996. Did you canvass him more than once?—Not asking him to vote?

11997. Did you call on him with reference to his vote more than once?—I have been in his shop several times; I may have spoken to him each time.

11998. But did you go in there with that object?—Not, specially as I recollect.

11999. Did you ever hear that he was likely to go against you?—No, I never did.

12000. You never did?—I never did.

12001. Had you no conversation with him with reference to remuneration? Did he say anything about remuneration?—He did not.

12002. He never said anything at all about it?—He did not, nor never asked for it.

12003. In anyway whatsoever?—In anyway whatsoever.

12004. I suppose I need not ask you if you ever offered him any?—I did not.

12005. Of any kind whatever?—Of any kind whatever? No, sir.

12006. Did you ever hear he had promised Mr. Munster his vote?—I never did; I might have heard it casually. You heard every day during the election something or other; but I never heard that Mr. Williams had promised Mr. Munster.

12007. You have no recollection of ever having heard anything about it?—No, I have not.

12008. Do you know a man named William Ryan of the Racecourse?—Not, by name; I know two Ryan's—John Ryan and another young man, but whether his name is William I cannot tell you—fair-haired—sandy.

12009. Do you know him well?—Yes, I know his appearance very well.

12010. Do you know him more than by appearance?—I do not. If I saw him I would tell you the man I mean.

12011. Do you know a man named John Ryan?—Yes, I do. That is the man of the £35 bill.

12012. Your name is on that bill?—It is, for £35.

12013. For his accommodation?—For his accommodation.

12014. You had no transactions with him?—None, whatever.

12015. It appears he received the money on that bill just before the election?—He did; I believe it was a day or two before.

12016. I believe the very day?—It was quite close.

12017. Did you know him well before?—I did.

12018. How came he to ask you for this accommodation at the time?—He came to my rooms, having done so previously for him a year or two, or three before. He came to my rooms where I was lodging, and asked me to back a bill for him at the bank. I told him that I thought he had better get some of his own friends.

12019. Why did you tell him that?—I did not want to do it. I told him also that Mr. Barron, I thought, would not do it, as my name was heavily in the bank, I did not wish to do it. I then told him to ask Mr. Barron would he do it if I put my name on the bill. He came back and said he would. I then told him to leave me the bill, and my object was to ask Mr. Barron if he had other bills in the bank at the time. I took the bill to Mr. Barron and asked him, and whatever answer he gave me I put my name on the bill, folded it up, and handed it to Ryan sometime after.

12020. You had accommodated him before?—Yes, once, I believe.

12021. Is he a tenant of yours?—No, he is not; he is a poor-rate collector. I have asked Mr. Barron to produce my bill-book in the bank, or give me a copy of it. He said he produced his book.

12022. He produced his book. There was nothing read from it. He showed us the book, and we have only looked at it so far as was necessary?—Oh, I am quite sure of that—personally, I have no objection.

12023. Was there any other name to the bill but

TWELFTH DAY. *October 16.* Captain John Graham.

yours and John Ryan's?—There were two Ryans on the bill. My impression was, there were two John Ryans. I think the drawer was John Ryan also.

12024. That was this £35 bill?—Yes.

12025. Was that name on it at that time, I am speaking of the bill of the 19th November. There were two John Ryans on it when presented to you; one indorsed it?—Yes, when first he called he had no bill with him—he only asked me would I.

12026. You had spoken to him, I suppose, about his vote?—No, I had not.

12027. Never?—No.

12028. Never up to that time?—Never.

12029. Did you know he was going to vote?—I always looked upon him as a friend of Mr. O'Beirne's; he voted for him, I believe, in '65.

12030. And you believed he would vote for him?—I did.

12031. Was any arrangement made between you and him, that he was not to be responsible for that bill?—None at all.

12032. Did you ever mention to Mr. O'Beirne this transaction with John Ryan?—I do not believe I did; I had no conversation after it—certainly not at that time.

12033. Do you tell me now that that was entirely a transaction for the accommodation of Ryan?—It was.

12034. And had no connexion with the election?—None whatever.

12035. Do you know a man named Michael Dwyer?—Yes, Dwyer and Mackay. He is a tenant of mine, if that is the man. I think there are two Michael Dwyers.

12036. Michael Dwyer of Canopy-street?—Yes, I think he is a tenant of my own, the publican. Yes, that is he.

12037. Did you canvass him for Mr. O'Beirne?—I did.

12038. Do you recollect when you canvassed him?—Early. He is a tenant of mine.

12039. Did he ever tell you, or did you hear that his house was about being taken for Mr. Munster?—No.

12040. Did you never hear anything about it; until I mentioned it to you?—I never did.

12041. Not even a rumour?—I never did.

12042. Therefore I need not ask you if you had any conversation with him about it?—I never had to my knowledge. Oh! I am quite sure I had not.

12043. Did any conversation take place between you and him, in which he suggested his being recompensed in any way?—He never did.

12044. Do you know Cornelius Carroll?—Con Carroll? Yes.

12045. Is he a sergeant in the Tipperary Light Infantry?—That is another—James Carroll. He is a sergeant in the Tipperary Light Infantry.

12046. You are an officer in that regiment?—Yes; I asked him to vote, and he promised me.

12047. You say that nothing whatever occurred between you and Carroll?—Nothing whatever. The moment I asked him to vote for Mr. O'Beirne he said he would.

12048. You say also you asked Cornelius Carroll?—Yes, and he said he would.

12049. Did anything take place between you?—Nothing at all in the way of money.

12050. You told us that Mr. O'Beirne told you his election in 1865 cost him £2,500?—He did.

12051. Did he tell you how much his election in 1868 cost?—He never did; I believe myself it cost him very little.

12052. Now, Captain Graham, as you are a resident in Cashel, and as our duty is to inquire into corrupt practices generally with reference to the Borough, you must have a considerable knowledge of it. I ask you if you can assist us with any further evidence?—Not, except from hearsay. I believe every person that voted for Mr. O'Beirne voted for him neither getting it, nor expecting it; that is my belief.

12053. I presume you know that this transaction of Foley's was a corrupt transaction?—I had no knowledge of it whatever, nor at the time did I even think who Foley was.

12054. So you told me. You know now that it was?—I know now that he was a voter.

12055. And that Mr. O'Beirne was paying this bill for him immediately before the election?—Yes, I know that; but whether Mr. O'Beirne gave the money, or where he got it, I don't know.

12056. Except that Foley swore that Mr. O'Beirne paid it for him?—I did not see Foley afterwards.

12057. Do you know anything of any other payment made by Mr. O'Beirne during the election?—The only payment I saw made or knew of his making was Mrs. Bourke's; I was in the room with him at the time. She is a widow, living in the Main-street. He handed her a cheque for, I think, £52, or £50.

12058. In your presence?—In my presence. I was sitting at the table with him; he said, "Here Graham, look at that," and it was handed to Mrs. Bourke.

12059. What was that for?—She made some claim for clothes Mr. Johnson bought from her in '65, and some losses she was put to by her husband having left the town on a trial. In fact she often spoke to me about it.

12060. I understand she was a widow then?—She was.

12061. Has she friends or relatives here?—I do not believe she has; I think she is a stranger in this town.

12062. Has she no connexion of herelf or of her husband a voter?—I do not think she has; I think she is a stranger.

12063. You do not know of her having any relatives or connexion of hers, or her husband, here?—I do not.

12064. You say this £52 was for a former transaction?—So she claimed it.

12065. We have ascertained here that some man named Mologhney was paid £25?—So I heard.

12066. Do you know anything of that?—I do not, beyond what he swore.

12067. Do you say Mrs. Bourke's payment is the only payment you know of?—Mrs. Bourke's and taking up Foley's bill.

12068. Are they the only payments you know?—The only payments I knew Mr. O'Beirne to make.

12069. Do not confine yourself to anything you know to have been at all questionable, because we are obliged to seek by devious ways for our information here, and if you tell us anything we may be able to trace it further?—I want now to tell you of moneys I knew of beyond those, none of which you asked me about. Previous to Mr. O'Beirne's coming to Cashel Mr. Grace told me he had written to him that it was necessary to take a hotel. I said, "you ought." He said, "I should not like to take it without having money." I said, "pay it yourself," and he said he would not. I said, "I will give it to you," and I did in a day or two after hand him £50 to take a hotel.

12070. Was that for the purpose of taking Dunne's hotel?—Yes, it was. Then in a day or two after, he may have met me at the time, but I did not then go to him; but in two or three days after I gave him two or three other sums. He said he was anxious to pay £25 to Dr. Moloney, £19 to Mrs. Hanley, mother of Michael Hanley, who is dead; £15 to Keeffe. These were sums he said he had written to Mr. O'Beirne for and did not get. He returned me the £15 for Keeffe shortly after, inasmuch as Mr. O'Beirne himself had sent it to Keeffe.

12071. Keeffe is not a voter?—He is a man that manages mobs—the mob's man.

12072. When was the twenty-five to Dr. Moloney paid?—I don't know when Mr. Grace paid it; but I handed it to Mr. Grace long before Mr. O'Beirne came.

12073. When you say "long before," was it many weeks?—Weeks, or a month, perhaps.

12074. Was it after you came to Cashel?—It was when I was living at Maryville.

12075. Was it in the month of September?—I think it was; I think that was the month.

12076. At any rate it was either August or September?—September, I think.

12077. Did Mr. Grace tell you what the £25 was paid to Doctor Moloney for?—Yes, as a doctor.

12078. Was it arrears of salary?—Arrears of salary Mr. O'Beirne promised to pay him.

12079. Did Mr. Grace tell you that Dr. Moloney had applied to him for it?—You said something about its being in arrear?—He gave me to understand it was talked about.

12080. By whom did you understand it was talked about?—I could not say it was Dr. Moloney.

12081. Did he give you to understand it was a necessary payment to be made for Mr. O'Beirne?—He did. In fact he told me that he had written to Mr. O'Beirne to say the thing ought to be paid.

12082. And you understood the danger was that Dr. Moloney's vote would be lost unless that was paid?—It would not. You will learn that of Dr. Moloney.

12083. Is not that the natural inference you would understand from Mr. Grace's manner and language?—That he would be annoyed with Mr. O'Beirne if he did not get the money.

12084. And annoyances at election times are far more numerous than at other times. You thought his annoyance might possibly take that direction?—It might, sir.

12085. Did Mr. Grace talk to you as to the selection of a hotel?—He did; he talked about hotels, and advised Dunne's; and I advised Dunne's also.

12086. Mr. Dunne had been an opponent of Mr. O'Beirne on former occasions?—He had, in Lanigan's time.

12087. And he was, I understand, the only one of the three hotel-keepers in Cashel who had a vote?—Oh, yes. At that time Corcoran was dead, I believe.

12088. Were any of these reasons mentioned?—I couldn't tell; I don't recollect. I believe Mr. Dunne was a man very much respected here in town.

12089. Do you recollect any other payments?—The only payment, I think, was the £83 cheque between Mr. O'Beirne and me.

12090. That was subsequent to the election?—It was.

12091. And it was only settling up a balance?—Yes.

12092. Of course in those questions I asked you about payments, you would have included, if you knew of them, any cheques of Mr. O'Beirne that you had seen?—Oh, yes.

12093. And you never saw any except this cheque for £30 that you got yourself and applied in the way you have told us?—Just so.

12094. Mr. GRIFFIN.—You never lent any money to Ryan and Murnane before?—Never.

12095. The bill was a three-months' bill and passed in September?—It was, to the best of my recollection; it was a three-months' bill.

12096. It was paid some time before the election?—It was.

12097. Were you surprised at being paid before the bill was due?—I was not; I was very glad to get it.

12098. Did you know at the time, or did you hear that they had let their house to Mr. Munster's party?—No, I did not.

12099. How did the payment of the money occur?—Ryan handed me the amount of it.

12100. Did he say why he did so?—No; he asked me for his bill and I gave it to him.

12101. Where did that occur?—To the best of my recollection it was in my lodgings.

12102. Has it ever occurred to you in your experience that persons to whom you had lent money paid it before it was due?—It is not always so; it is not generally so.

12103. Have you known an instance before of persons anxious for money paying six weeks before the bill became due?—I must have met an instance; I have a good deal of experience in bills.

12104. You were his friend?—I was not.

12105. You were under the impression that they wanted the money when you gave it?—Yes.

12106. Did it excite no surprise that they should have suddenly acquired funds?—No, not at all; it is not at all surprising here where people are dealing in cattle, and one thing or another.

12107. Mr. Ryan did not deal in cattle?—He is a farmer, I believe, as well as a publican.

12108. Ryan asked his bill and said nothing more?—He asked his bill, and I gave it to him.

12109. You had not heard at the time anything about his house being taken?—No, I had not.

12110. Mr. MOLLOY.—When Mr. Close and his son were at Dunne's that evening, did you say you would get him anything for voting for Mr. O'Beirne?—Not the slightest; I looked upon him as Mr. O'Beirne's supporter.

Patrick Cunningham, Michael Cahill, John Quirke, Patrick Griffin, Mrs. Mary Anne Watkins, and *Patrick Kennedy,* were called but did not appear.

Luke Larkin recalled; examined by Mr. WATERS, Q.C.

Luke Larkin.

12111. Look at that entry which you gave me on your direct examination, respecting the name of a man not known, to whom you gave £35 at Corcoran's hotel by Patrick Cunningham's order?—Not named.

12112. Not named; very well. Now do you see that you have there the observation "pocket?"—Yes.

12113. I asked you at the time if you knew what that meant, and you said you did not?—I don't recollect.

12114. Do you recollect that Edmond Stapleton was examined since?—Yes.

12115. Did you hear him say that you put the money into his pocket?—I put the money into his pocket!

12116. Does your recollection now enable you to say if you did put the money into a man's pocket?—There must be something or I wouldn't have remarked it.

12117. Do you see on the same entry that you have the letters E. S. T., it looks like E. K., but looking at it closely you will see it is E. St.?—Yes.

12118. Does that stand for Edmond Stapleton?—I consider it does now.

12119. You heard Stapleton swear you put the money into his pocket?—I did.

12120. You have an entry there "E. St.," and you have the word "pocket" written down?—I must have inquired about the name afterwards.

12121. Does that enable you to say that Edmond Stapleton was the man that received it? Do you think he is the man?—I think he is the man. I didn't know any man, but if a man told me ——

12122. I am afraid you have not been very accurate in this rather rude book?—Sure I told your worship in the first instance that it wasn't accurate; that I only sketched it from remarks from time to time.

12123. Mr. MOLLOY.—Could you have given any moneyto any one but to those people?—I hadn't it your worship.

12124. Could you have got money that you did not enter here?—No; I got no money but what was entered; but there was an error in the account afterwards, which there may be a correcter account than that appeared.

12125. What do you mean by that?—I mean Patrick Laffan when he comes forward perhaps will have a more

TWELFTH DAY. *October* 16. Luke Larkin.

correct account?—I said in the first instance I didn't consider it a correct account; that I only sketched it from hearsay. I didn't swear to it being a correct account.

12126. Mr. WATERS, Q.C.—Looking at that page headed 17th November, do you see that in the disbursements you have brought up at the top £215?—Yes.

12127. And the tot £465?—Yes.

12128. Tot that up again?—The tot is correct leaving out that £30 to Patrick Croagh.

12129. Your tot is £30 short there?—I didn't take that into account I suppose, until the whole would be paid.

12130. What did you do with the second half notes?—I think I gave them to Cunningham.

12131. Did you count the second half notes as part of the £45 that you gave back? Do you not recollect telling me that you gave back to Cunningham £45?—I did your worship.

12132. Was any portion of that £45 made up of the half notes of the £30?—In order to make a calculation of it in one word, any error that was in this was settled by me and Cunningham and Patrick Laffan, and they have a correct account of all the money between them, which I returned to them.

12133. Did they take it down in writing?—Yes; I handed to them.

12134. Who took it down in writing?—I wrote it out for them, and all that was settled after.

12135. Where?—At Templemore after the election. I gave only a sketch. I didn't think it a correct sketch in the first instance, so my affairs are all correct.

12136. You seem to give your evidence very correctly, but what did you give back to Patrick Cunningham?—I gave back—I know the balance to Pat. Cunningham was between whatever he had on hands and whatever I gave him, was £45.

12137. What do you mean by between whatever he had on hands?—He must have some money on hands that I returned, and that he got that money to give to others. That account closes up the whole of it.

12138. Are you able to tell me now, when you were settling your accounts finally, how much actual cash, in notes and gold, you handed back—that remained in your possession the day you were settling?—I can't say that.

12139. According to that book, can you say?—This book is not correct your worship, and I said that the first day, it was not correct.

12140. Do you think it is correct to this extent, that there is nothing entered down in it which you did not pay? You understand me now fully?—I do.

12141. Looking at the right-hand side of that book do you not think you paid every one of those moneys?—I paid every one of these moneys, and I paid moneys; this appears to have £35 more than I received; and that must be £35 that I have handed to either Pat. Laffan or Pat. Cunningham, and they must have returned that back to me, and I held them accountable for it; I held the men accountable who got it, and it must be that way the £35 occurred.

12142. That is an intelligible explanation?—But the correct account they hold it—one or the other of them.

12143. Was Mr. Byrne present at the settlement at Templemore?—No, your worship, nor he knows nothing about the book or settlement, nor any money I paid, nor any transaction, nor I never talked to him about it, nor he never talked to me about it.

12144. Except that you told him what you were doing here?—I never told him what I was doing here.

12145. He says you did; that you paid at least one man here?—Of course, but I never told him the whole transaction about notes or gold, or anything about it.

12146. But you told him the work you were at here. Did you ever know or hear that there was any other man paying money in this way except yourself?—Never.

12147. There are two Tom Loobys. I think you said yourself that you would be likely to recollect the old gentleman that was here alongside you?—Really I couldn't know one of them. Even that young man that came on the table, and that got the £70 from me as he stated; I couldn't know him.

12148. Tom Looby is a more remarkable looking character than the young man is. I want to know now did you ever hear that there was anyone else paying money but yourself?—I think not, your worship.

12149. You never heard anything at all about it?—No, I had no conversation with any person.

12150. You heard old Luby say how the man was dressed that paid him the money?—It might occur.

12151. Are you quite sure that you never were dressed in that way?—I positively swear that; that coat of mine was never off at Corcoran's Hotel; I never wore trousers, but breeches and leggings. I am quite sure I never slept one night in it; nor changed my dress, nor didn't disguise myself after the manner the people have represented. I wore a small pocket-handkerchief on my neck.

12152. Up to your mouth?—Yes.

12153. You wore it higher than you do now?—Oh, yes, I did.

12154. And why did you do that? Was it in order that the people should not know you?—I rather they wouldn't. I rather I shouldn't know them.

12155. Did you not tell me you began to get ashamed of your position?—I did, and I am ashamed of it now. I wouldn't wish it for £50, nor I didn't know where I was coming.

12156. So far as you could, I think, you have made amends, by telling all that you know. You seem inclined to tell me the truth, and so far as your after conduct could make amends, you are doing it. You did then put this handkerchief about your face for the purpose of persons not being able to recognise you?—I didn't put it above my nose.

12157. But you put it over your chin?—About my chin, that way; it wouldn't disguise me anyway from them.

12158. Do you know who Michael Callaghan is at all?—I know nothing of him—nothing.

12159. That is the name in all these notes?—Michael M'Carthy.

12160. Mr. GRIFFIN.—I suppose that book of yours is correct to this extent, that when you gave the "half notes to Thomas Gleeson in trust for Croagh," you gave the half notes to Gleeson before you gave them to the "young man?"—Which young man?

12161. Look at your book now; it is on the 17th; there is some writing in pale ink at the top of the page; you got another ink bottle for the second half of it; do you see that?—I do.

12162. Do you see that there is first the entry, "Tom Gleeson in trust for Croagh," in pale ink at the top?—I do.

12163. Do you see next to that, "half-notes for £30 to a young man;" do you see it?—Yes, I do, sir.

12164. What I want to know is this: seeing those written in the order they are in that book, can you tell me was the money to that young man paid after the money to Gleeson?—I consider it is; but these half-notes were given to Gleeson, and the other half-notes, I may have given them to Cunningham afterwards, and called him the young man, and it then would not be placed to my account, for I see 'tis reserved on the top.

12165. Mr. WATERS, Q.C.—It is not included in the tot?—No.

12166. You did not bring that £30 into the tot?—I didn't, your worship.

12167. Mr. MOLLOY.—Do you recollect from memory how much money you paid on the polling day? Could you without referring to the book tell from memory?—I couldn't, for I don't recollect.

12168. Did you pay more than one?—I couldn't say.

12169. Mr. WATERS, Q.C.—Tell me, did you wear your spectacles when you were making those entries in writing?—Yes, your worship, I did; I can see very little without them.

12170. I will leave you go home to-night. You are

bound to attend under a severe penalty. If I want you the secretary will write to you. You must be here if required, no matter what your business is; but I will not require you unless there is a necessity for your attendance. You will have to ask me for a certificate also; therefore I must have the pleasure of seeing you again. If I hear nothing to alter my present opinion I will give you a certificate. I do not expect anything will arise to alter my opinion?—There will not, your worship.

12171. If I give it, the secretary can send it to you. I am very sorry you were engaged in such work?—I am very sorry myself, sir. I was taken unaware; and were it not for that I would not be here, to be here working for a man for nothing such a time. I was only a week working for a gentleman at an election, and I got £25.

Patrick Griffin sworn; examined by Mr. GRIFFIN.

Patrick Griffin.

12172. For whom did you vote at the last election?—For Mr. Munster, sir.

12173. You got £30?—Yes, sir.

12174. Where did you get it?—At Mr. Cunningham's, sir.

12175. Who told you to go there?—I believe it was Pat. Cunningham, sir.

12176. Was it with Pat. Cunningham you made the arrangement that it was £30 you were to get?—He brought me down there, and sent me up, and I got it.

12177. With whom did you make the arrangement that you were to get £30?—By gor, I am not sure was it Cunningham or Pat. Laffan, sir.

13178. But it was either one or the other?—It was, sir.

12179. That was for your vote?—There was ne'er a word about votes.

12180. What did you think it was for?—By gor, I don't know.

12181. Did you ever give any value for it?—Never, sir.

12182. Did you think it was for your vote?—There was ne'er a question of a vote asked of me.

12183. Mr. WATERS, Q.C.—What did you take the money for?—By gor, I took it, sir.

12184. For what?—By gor, I can't say, sir.

12185. Answer me?—By gor, that was the object of it, sir, I suppose, but there was ne'er a word about a vote.

12186. Mr. MOLLOY.—Did you get it without asking what it was for?—I don't know that, by gor.

12187. Mr. GRIFFIN.—When Pat. Laffan or Pat. Cunningham came to you, and you made the arrangement, what did they say to you?—They asked me would £30 do.

12188. What did you answer to that?—By gor, I don't know, sir; I took it at any rate.

12189. Had you a vote in 1865?—No, sir.

12190. Mr. MOLLOY.—Do you recollect what day you got it at Cunningham's?—No, sir.

12191. Was it the day of the polling?—It was not, sir; I couldn't say, sir, but I don't think it was; it was not.

12192. Were you canvassed by Mr. O'Beirne's side?—I was, sir; by Mr. O'Beirne in person; he came to my house, but I wasn't there.

12193. What answer did he get?—By gor, I'm not sure, sir; I wasn't there; I wasn't at home; I'm very seldom there to be at home.

Mrs. *Mary Anne Watkins* sworn; examined by Mr. MOLLOY.

Mrs. Mary Anne Watkins.

12194. You are a daughter of Mr. Quirke?—Yes.

12195. He had a vote in 1865?—He had.

12196. He was canvassed in 1865?—He was.

12197. For whom did he vote?—I think Mr. O'Beirne.

12198. Do you know how he voted in 1859? Did he vote for Lanigan?—I was not here back in '59.

12199. You had some conversation in 1865 with your father about how he would vote?—No, not about how he would vote.

12200. Did any person propose to take your father's house in 1865?—I was never present at any arrangement between Mr. Quirke and anybody else.

12201. But did you hear of the arrangement that was proposed to be made with your father?—I did, sir.

12202. What did you hear?—I heard that Mr. Johnson offered—wanted to take hotel accommodation from Mr. Quirke. He wanted to take two sitting-rooms and a bed-room during the entire time the election would be pending.

12203. What was he to pay for that?—I think he offered fifty pounds. I think it was fifty pounds he offered Mr. Quirke, and Mr. Quirke, I think, wanted more.

12204. How much did he get?—I don't know that he got anything.

12205. Do you not know that he must have got something for deserting Mr. Lanigan?—I don't know that he deserted Mr. Lanigan.

12206. Did he not vote against him?—Mr. Lanigan didn't deserve better from him.

12207. Do you not know that your father went out to Father John Ryan, and told him that he was wanted by his daughters to take seventy or seventy-five pounds for his house?—I heard Father John Ryan swore it, but I don't know anything more than that about it.

12208. Was your father's house taken by Mr. Johnson in 1865?—It was ultimately taken by Mr. Johnson.

12209. It was taken?—It was.

12210. Was it used?—I don't think it was used afterwards, because I think it was Father John Ryan interrupted the negotiation that Mr. Quirke was making with Mr. Johnson, for the purpose of taking the place for Mr. Lanigan's use; that prevented Mr. O'Beirne from using the place until one or two Sundays, I think, intervened. I think it was very early at the time of the election that Mr. Johnson came to negotiate with Mr. Quirke to take the place for hotel accommodation; that then he didn't agree with him. I think that either Mr. Quirke didn't like what Mr. Johnson offered and he would not finally agree with him. It was pending then for some time; then Father Ryan and Mr. Lanigan both came to Mr. Quirke. I don't know what interview they had; I wasn't present, but Mr. Lanigan and Mr. Johnson, I think, had agreed with Mr. Quirke to take the house for a certain sum—how much it was I don't know—and Father John Ryan and Mr. Lanigan induced him, I think, to reset it for a higher figure.

12211. Do you know the sum?—I do not.

12212. Did you ever hear it?—I couldn't say I ever heard what it was.

12213. But you say the house was taken in 1865?—It was.

12214. By Mr. O'Beirne?—By Mr. O'Beirne.

12215. How much did he pay?—I don't know.

12216. It was never used?—I can't recollect it was used.

12217. You do not know what your father got for his vote in 1865?—I don't know; he got—he got nothing for his vote in '65.

12218. But for the house?—I don't know; he can tell you; he is in court, I believe.

12219. For whom did he vote at the last election?—I believe for Mr. Munster.

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October 16.

Mrs. Mary Anne Watkins.

12220. He did a considerable amount of printing for Mr. O'Beirne?—He did.

12221. How much did he get for the printing?—It was previous to the last election that Mr. O'Beirne paid him his printing bill.

12222. Do you know how much he paid him?—I think I heard something over thirty pounds; I can't really tell you.

12223. Do you know how soon it was before the election?—It was some time in October; I wasn't in Cashel at the time. I was in Dublin.

12224. Some time in October?—I think so, for I was in Dublin in October, and while I was there Mr. O'Beirne came to Cashel, and then paid the bill he had been applied to for a great many times.

12225. Was he paid for the printing at the last election?—I think he was not.

12226. Was his house taken for the last election?—No, sir, it was not.

12227. Mr. WATERS, Q.C.—Did I not understand you to say, Mrs. Watkins, that the arrangement to take your father's house at the election of 1865 was ultimately broken off, and that your father got nothing for it—do you say that, or do you say that it was ultimately kept and taken by Mr. O'Beirne?—It was taken by Mr. O'Beirne.

12228. Ultimately?—Ultimately it was taken by Mr. O'Beirne.

12229. And paid for by him?—I expect it was. I don't know about the payment.

12230. Did you never hear what he paid?—I did.

12231. How much?—I heard Mr. Johnson, not Mr. O'Beirne, agreed to give Mr. Quirke £60. I know nothing of what the amount is but to hear it.

12232. Did you hear it was £75 not £60?—I did not.

Mathew Dwyer.

Mathew Dwyer of Friar-street sworn; examined by Mr. GRIFFIN.

12233. You are not a voter, I believe?—No.

12234. You were canvassing at the last election, I believe?—No.

12235. Along with Patrick Cunningham?—No.

12236. Were you going about with Pat. Cunningham?—No; I was a messenger, sir.

12237. Where did you take the money?—Through the Commons of Cashel, sir, to all voters.

12238. Do you know Pat. Kennedy?—I do.

12239. Did you ever take a message to him?—Yes.

12240. Do you know what was in it?—No.

12241. What was it like?—I was told what was in it, but I didn't know.

12242. You did not open it I suppose?—No.

12243. What were you told was in it?—I was told forty pounds, half notes.

12244. Did you take any other messages like that?—Not to my knowledge.

12245. Did you get any letters to take to anybody else?—No.

12246. Do you know of any other message sent to anybody?—No.

12247. You say you used to be going out to the Commons with messages?—Yes, sir, all letters.

12248. Who gave you the letter that you gave to Kennedy?—A man at Mrs. Corcoran's.

12249. What room in the house was the man in?—Second landing, in the room on the left hand side.

12250. Would you know the man if you saw him again?—No.

12251. Who took you up to him?—I went myself. I was told by Pat. Cunningham to go up, sir.

12252. Did you sign a bill?—No.

12253. Do you remember what day it was, or how long before the election?—About a week or a few days before the election, sir.

12254. Do you remember what day of the week it was?—No, I do not, sir.

12255. How did he give you the notes?—In an envelope.

12256. Did he put them in an envelope?—Yes, sealed, closed.

12257. Did you see him putting the notes into the envelope?—No.

12258. Had he the envelope made up before you went in?—Yes, and he told me there was forty pounds, half notes, in that.

12259. Who told you that?—The man in Corcoran's hotel, sir.

12260. Did he tell you what to do with them?—He gave them to me and said there was forty pounds, half notes, in them. The superscription was overheaded he said to Pat. Kennedy.

12261. Did you give them to Pat. Kennedy?—I did.

12262. Did you go straight out to give them to him?—Straight.

12263. Do you not know of any message at all like that to Kennedy being given to the Commoners?—Not to my knowledge.

12264. You did not take any letters at all there?—Yes, I did, sir.

12265. To whom?—Every voter in the Commons.

12266. Do you know what was in those letters?—No; sealed letters.

12267. From whom did you get them?—I got them on the table that's in the sitting-room.

12268. Do you know if anybody got money at all at the last election?—No, only what I heard during the inquiry now, sir; that is all I know about it.

Mr. *Munster*.—I was desirous of asking if you would want the attendance of Miss Sterne.

Mr. WATERS, Q.C.—I should think so.

Mr. *Munster*.—My term in the house I am in expires to-morrow.

Mr. WATERS, Q.C.—What do you wish to say?

Mr. *Munster*.—I am desirous of saying that the term of the house I have got expires to-morrow. I believe the dean is desirous of having it as a school opened very shortly. In the absence of making provision with him, if you think you would want her I can make arrangements.

Nicholas Mansergh.

Nicholas Mansergh tenders himself, and is sworn; examined by Mr. WATERS, Q.C.

12269. Now, Mr. Mansergh, what have you to say?—I know nothing more than I voted for Mr. O'Beirne.

12270. Is that all? You need not tell me that, because I knew it before?—Am I discharged?

12271. No; not yet. Now, as you are there, I will put a few questions to you. I believe you voted in 1865?—I did.

12272. How much did you get in 1865?—Nothing.

12273. Or after it?—Never.

12274. Never at all?—Never.

12275. Dear me! You are quite sure of that?—Certain.

12276. For whom did you vote in 1865?—For O'Beirne; and for him twice—before then Hemphill.

12277. For Hemphill twice?—Hemphill twice and O'Beirne twice.

12278. Mr. GRIFFIN.—Did you vote twice at the same election?—No, sir; how could I do that? I voted twice for Hemphill and twice for O'Beirne.

12279. Mr. WATERS, Q.C.—As you came to give evidence I expected you would give some?—I have nothing to say, sir.

12280. Then why did you come?—Feeling that you would be sending a bailiff after me.

12281. If you are so perfectly pure you ought to be above suspicion?—I am so perfectly pure that I don't much mind how you insinuate.

12282. I do not insinuate?—You may insinuate as much as you like.

12283. Mr. GRIFFIN.—You seem to insinuate that we have some grounds for summoning you?—No; but the neighbours are talking.

12284. What did the neighbours say?—They said I ought to be here, but I wasn't here.

12285. Do the neighbours say you got anything at all?—I don't know about neighbours. Now, you three wigs together, put them together. I told you out everything, and you can't get no more out of me.

12286. Do you know anything else?—No; I voted twice for Hemphill, and would again.

12287. You did not happen to sign a bill in 1865?—No, indeed; and if it is in existence bring it up.

12288. Mr. MOLLOY.—Did you ever get anything on account of the last election?—No.

12289. From any person?—No.

12290. Before or after did you get anything?—No; nor never expected it.

12291. Whom were you acting as agent for?—For nobody; nor wouldn't condescend to be agent for you, sir.

12292. Mr. WATERS, Q.C.—We are sometimes obliged, very much against our inclination, to be exceedingly severe, and to require persons to recollect they are in a court of justice?—I beg your pardon, gentlemen.

12293. And giving evidence under the solemn obligation of an oath, I believe you are giving it truly; but you must always recollect the solemn obligation you are under, and preserve great decorum?—I do again submit to your judgment that I was out of bounds in the way I disrespected this gentleman. I know I was out of bounds.

12294. Mr. MOLLOY.—Did you get any money or cheque on account of the last election?—They sent me a £5 retainer.

12295. Now, was not that something to tell us when you came up on the table?—They sent it to me. I didn't think I should confess myself to you that way, because they sent it without being asking them to send it to me.

12296. What did you do with that cheque?—Sent it back to them after three hours.

12297. To whom?—To those who handed it to me.

12298. Who handed it to you?—Pat. Laffan.

12299. And you kept it three hours?—Three hours.

12300. Was it a cheque?—A cheque, and it was so badly written you couldn't know what there was in it.

12301. Did you keep it for three hours?—At seven o'clock in the morning they brought it; I kept it three hours, not wishing myself to be a servant to go back with it; I sent it by my man back.

12302. Did you keep it three hours to discover what the cheque was?—Not a bit; I could see that as plain as I can see the wig on you this minute.

12303. Mr. WATERS, Q.C.—Now, remember?—I remember everything I am saying to you.

12304. Mr. MOLLOY.—Did Pat Laffan give you this cheque into your own hands?—He did.

12305. Did you see what it was when you got it?—I did.

12306. Who signed it?—I don't know.

12307. What did he say to you?—He gave it to me near an old sentry-box inside my garden gate, and he handed it to me and said, "there's that for you." As soon as he went away I looked at it, and the writing was so bad I couldn't see more; I kept it in my pocket three or four hours, and sent it by my man to this gentleman here [points to Mr. Michael J. Laffan]; and this gentleman here wouldn't accept of it, because it wasn't for him.

12308. Why did you not call after him when he gave it to you to come and take it back?—Why, he ran away so fast from me you couldn't see no more than you would see the telegraph wire. Now, would you ask me fairly, Mr. Commissioner, why did he came to me?

12309. Mr. WATERS, Q.C.—That is for us to consider.

12310. Mr. MOLLOY.—Had you no communication with him previously?—Not the slightest.

12311. Had you promised Mr. O'Beirne to vote for him before?—Yes; I was, I believe, the first man who offered him—who went up to his hotel and said I would vote for him; and I will tell you why; three months or two months before I asked some persons in Cashel to see would they join me to get up—to see would they, from Mr. O'Beirne's good acts heretofore—would they pledge themselves to vote for him without expense.

12312. Before you got the cheque was it well known in Cashel that you intended to vote for Mr. O'Beirne?—Oh, it is well known, sir.

12313. Did any person canvass you on Mr. Munster's behalf?—Yes.

12314. What did you tell them?—That I would vote with Mr. O'Beirne.

12315. Who canvassed you for Mr. Munster?—That man first [points to Mr. Michael J. Laffan].

[Adjourned.]

TWELFTH DAY.
October 16.
Nicholas Mansergh.

THIRTEENTH DAY.

MONDAY, OCTOBER 18, 1869.

THIRTEENTH DAY.
October 18.

Mr. *Patrick Laffan* sworn; examined by MR. WATERS, Q.C.

Mr. Patrick Laffan.

12316. Mr. Laffan, you are a brother of Mr. Michael Laffan who was the conducting agent of Mr. Munster?—Yes.

12317. When were you in Cashel last, Mr. Laffan?—I was in Cashel last November.

12318. Have you been since then living in Dublin?—No, not entirely.

12319. What is the last time at which you have been in Dublin before the beginning of this Commission?—I left Dublin the 1st of October.

12320. The 1st of October?—The 1st of October.

12321. Were you aware, Mr. Laffan, that you were sought for as a witness to attend before this Commission?—At that time I was not aware, but I anticipated that I would be.

12322. And am I to assume then that you mean to say you went away for the purpose of not appearing?—Yes, I went away for the purpose of not being examined.

12323. When did you first become aware that you were sought for as a witness? I presume you read the reports of the proceedings here?—Well, I cannot exactly tell you that; but on reading the papers I have seen that my brother was asked about me; I got a letter from my landlady in Dublin, who said that a young man had been there looking for me.

12324. Where did you get that?—In Drogheda.

12325. Were you in Drogheda then?—Not all that time; my address there having become known I went to Liverpool.

12326. Was any of your family aware of your address?—My brother in Dublin was aware of my address in Drogheda. It was in consequence of that that I went to Liverpool.

12327. I am glad for your own sake that you have appeared at last. You understand the position that you stand in now with reference to the proceedings at the last election; and also, I presume, you read of

THIRTEENTH DAY.

October 18.

Mr. Patrick Laffan

what I have said more than once from the bench here of our power of giving certificates, and the effect of those certificates?—Yes.

12328. I presume you have seen that the giving or withholding a certificate is entirely optional with us, and that we will exercise our option only on judging the candour with which the witness tells everything he knows before us. And bearing that in mind, knowing that before you have come here, I presume, to tell us everything you know with reference to the last election. And now I preface my examination of you by saying that you are not to take any question put to you, that you are not to answer it merely according to the words, but in the spirit in which the question is put, and not merely technically. Now, Mr. Laffan, we have heard that Larkin was engaged here for the distribution of money amongst the voters, and that he was supplied with money by you and Patrick Cunningham. I want to know now have you an account of all the money you received with reference to the election, and an account of its disbursement?—I have.

12329. Will you produce them, if you please?—[Witness hands in a document.] At one side you will see the names of those who received money; and on the other the amount of money which I received, and other ways in which a portion of it was spent.

12330. I think you are in error here. You have given me here only the disbursements?—Oh, yes; but I just put down the whole of the amount I received. I expected you would ask me how I received it. If you wish I will do that for you.

12331. How much did you receive altogether?—Altogether I received £1,250. That is, exclusive of some small sums I received in the beginning from my brother, and which I have spent paying car-drivers and some things of that kind.

12332. This sum of £1,250, then, you give me as the money you received and distributed for the purpose of bribing voters?—That is the sum I received, but all that has not been so distributed. There is a certain portion which is chargeable to me, and there are portions which have gone in other ways.

12333. How much did you receive from your brother besides that £1,250?—Well, I cannot exactly tell you the amount of it, but I think about £50 or £60. I have here a bill £63, and a number of small things paid from time to time.

12334. From whom did you receive the £1,250?—I received it from different—not from the same persons; I did not receive it all from the same person.

12335. I want the persons from whom you received it, and the dates, and the order in which you received it?—I can give you the dates; but I must preface that by saying that after we gave the £5 retainers, and they would take no more of them, it was proposed by some gentleman to give £10 retainers instead of £5, to induce them to become agents. Mr. Leahy urged me to give £10 retainers. I told him I did not think I would be able to make them take them, as they had seen the notice from Mr. Grace advising them not to take them; but he seemed very anxious to have it done.

12336. You have not given me an account of the moneys you have received?—I am coming to it. I had no money to give these £10 retainers, and Mr. Edmond Leahy one morning gave me £100; I think that is on the 11th October—I think that was the first.

12337. How did he give you the sum of £100—was it in cash?—He gave it to me in notes.

12338. I meant that you should make a distinction between cheques and notes. I infer that you got it in "cash," we will call it?—Just so.

12339. What was the next sum you got?—I got two sums, I think, of £50, and two sums more of £100. I cannot be——

12340. From whom did you get these?—From Mr. Leahy. At all events between the 11th and 15th I got £350 in notes that way.

12341. Does that include the first £100?—It does, putting them altogether.

12342. Then from the 11th to the 15th you received £250 in addition to the £100 you already told me?—Yes.

12343. Have you no account any where of the times at which you received this money?—There is one £100 I have not an account of. I used get them at Corcoran's hotel, and places I hadn't an opportunity of writing it down, but I have the £250. He used give me money—a bundle of notes at Corcoran's hotel, where there would be a number of people, and he never told me when giving it what sum. Afterwards when I had an opportunity I counted them, and entered it down.

12344. Where did you enter this?—In a memorandum book.

12345. Where is it?—I haven't it about me.

12346. What did you do with it?—I have it in my house, I think.

12347. You must get it?—I will get it.

12348. Perhaps your brother can procure it if you tell him where it is: are there any other documents you have not brought to court that you used on the occasion of the election?—I think the only documents are some letters of Mr. Leahy.

12349. These are certainly essential and I wish to see them also. Go and get them and be prepared to answer me when you come back that you have brought everthing you have?—Yes.

Patrick Kennedy sworn; examined by Mr. WATERS, Q.C.

Patrick Kennedy.

12350. You received a letter from Matthew Dwyer?—Yes, sir.

12351. And that letter contained some money, I believe?—It did.

12352. How much money did it contain?—Forty pounds, half notes.

12353. Was there any letter inside in the parcel?—No, sir.

12354. It contained merely the notes of the £40?—Yes, sir.

12355. Was that £40 given to you for your vote?—I was not asked that question.

12356. I ask you the question?—Well, I know.

12357. You hear me asking the question?—Well, I do, sir.

12358. Was it for your vote?—No; but Patrick Cunningham came to me the night before, about ten o'clock. He asked me would I let my house and I told him I would.

12359. What night was that?—The night before the polling, between nine and ten o'clock at night.

11360. You told him you would?—Yes, sir.

12361. Tell me all that took place between you that night?—Nothing happened between us. I told him the sum I required for my house.

12362. How much did you ask?—£40.

12363. Well?—He said he would communicate that—to whom he didn't say, nor I didn't ask him.

12364. He said he would communicate it?—Yes.

12365. You understood what asking you to let your house meant, of course?—I did, sir.

12366. You understood it meant that you were to give your vote for Mr. Munster?—Well, I suppose so.

12367. And the £40 you got the next day was in pursuance of that arrangement made with Cunningham?—Well, it was, sir. Then I couldn't be sure whether I was to get them or not.

12368. But you are sure that you did get them though?—Oh, yes.

12369. And I see it was in furtherance of an arrangement you made with Cunningham the night before?—Yes.

12370. For whom did you vote at the election?—For Mr. Munster.

12371. Were you a voter in 1865?—Yes.

12372. For whom did you vote in 1865?—For Mr. John Lanigan.

12373. Had you been canvassed at that election by anyone on behalf of Mr. O'Beirne?—No; but just—by no person unless by Mr. O'Beirne himself when he was going around to the voters.

12374. What answer did you give him. Did you say you were promised, or had not made up your mind, or would not vote for him?—No, but I told him the polling day would tell who I would vote for.

12375. Did you say anything to him about letting your house?—I didn't.

12376. Did you say anything to any of Mr. O'Beirne's friends about letting your house?—No, I did not, nor they to me either.

12377. At the time that Mr. O'Beirne asked you, and that you said the polling day would show for whom you would vote, had you your mind made up?—Yes, I had.

12378. For whom?—For Mr. Munster.

12379. Why did you not tell that to Mr. O'Beirne? Do you hear me?—I do, sir.

12380. Then answer the question: Why did you not tell that to Mr. O'Beirne?—By gor I don't know, sir; Mr. O'Beirne, when he came in, didn't remain one minute.

12381. At the time Mr. O'Beirne called on you, had you made any arrangement about your house?—No, sir.

12382. Had you a talk with anyone about your house?—No.

12383. Had you promised anyone to vote for Mr. Munster?—I had not.

12384. By whom had you been canvassed on behalf of Mr. Munster?—I wasn't canvassed by any person until the night Patsy Cunningham came to me.

12385. Until Patsy Cunningham called?—Yes; Mr. Munster went around himself. I was influenced by Captain Byrne. He called on my people-in-law in Templemore, and they influenced me to vote for Mr. Munster.

12386. That is Captain Dudley Byrne?—Yes.

12387. Did you receive letters from your people-in-law, or did they come?—No, I received a letter from them.

12388. What did they say in the letter?—That they wished I would vote for Mr. Munster.

12389. Did they say you would get any remuneration?—No.

12390. How long before the polling was it that you got the letter from your people-in-law in Templemore?—A month or so.

12391. Did anybody canvass you then on behalf of Mr. Munster for that month before the election, because we have heard here that men were canvassed ten times a day?—I believe Mr. Pat Laffan came to me once or twice.

12392. That is, after you got the letter from your people-in-law?—I couldn't say was it before or after.

12393. Did you tell Mr. Laffan that you had made up your mind to vote for Mr. Munster?—No, I did not.

12394. Why did you not—now tell me the truth? Bedad, I couldn't tell you, sir.

12395. Did you tell Mr. Laffan that you expected something for your vote?—Well, I didn't tell him; but I suppose he knew what was in our minds.

12396. Did you write it, or make signs to him?—I didn't.

12397. You must have said something that led him to believe it, for he would not pay you £40, I suppose, if he knew you were going to vote for Mr. Munster. What did you tell him that led him to believe you required money for your vote?—I don't know that I told him anything.

12398. Did you not tell me he understood that you wanted it; that it was in the minds of both of you. Recollect that the candour of your answering is what will entitle you to a certificate. Tell me what was it you said to Mr. Laffan that made him know you wanted money for your vote? Did you say something that led him to believe you wanted money for your vote?—Well, I gave him to understand, I suppose, that I did.

12399. Are you not able to tell me better than that? Do you not recollect anything of what you said? Did you ask if there was any money going, or did you ask what they were paying for houses, or anything of that kind?—I didn't, sir.

12400. Then all you can tell me is that you led him, by your conversation, to believe that you wanted money?—Yes, sir.

12401. Did you get any money in 1865?—No, sir.

12402. For your house, or otherwise?—No, sir.

John Quirke sworn; examined by Mr. WATERS, Q.C.

John Quirke.

12403. For whom did you vote in 1865?—For Mr. O'Beirne.

12404. Now, Mr. Quirke, how much did you get in connexion with the election of 1865, or arising out of it?—I got nothing but what I got for my lodgings and house.

12405. That is exactly what I want to know?—I got £60.

12406. £60?—Yes.

12407. For your house?—For my lodgings and house.

12408. Did anyone lodge in them?—No, there didn't.

12409. And no use was made of your house?—No, there wasn't.

12410. Who was it that took them from you?—Mr. Johnson.

12411. How long before the election did he take them?—I couldn't exactly tell—some days before it. I was in the habit of letting it often at former elections and Mr. Massy had it, and Mr. Lanigan had it, and several others. It is a very large room—two large rooms in connexion with one another, a bedroom going with them; and he came to me and took them from me. They were open and vacant there for him at any time he thought proper.

12412. Of course it never occurred to you to refuse the money because they were not used?—I got the money beforehand; I had some dealings with others in the same way before that, and I found some difficulty in getting the money after. I said I wouldn't be caught in the same trap again.

12413. Who took them in 1859?—They weren't taken that year at all.

12414. In 1857 who had them?—Mr. Lanigan.

12415. What did Mr. Lanigan pay for them in 1857?—I think that is the year he stopped at my house. I am not certain, but I know he had them, and he was defeated this year that I say, and I didn't charge him. He left the thing to myself; so I didn't charge him much for the rooms, only what accommodation he got. He paid for that, such as diet.

12416. How much did you get?—I got £65. He lodged and had a lot of his friends dining there, and for cars. I charged him nothing for the committee rooms, only some three or four pounds, or something for standing in the place.

12417. Did anyone hire your rooms in 1868, the last election?—No, they didn't.

12418. You voted for Mr. Munster at the last election?—I did, sir.

12419. Why did you not vote for Mr. O'Beirne, for whom you voted in 1865?—Because I saw there was good reason to encourage the generosity of Mr. Munster coming to town. He laid out a great deal of money; others promised to give something, and gave nothing. He gave £500 to the Christian Brothers that has the school, and a great many other things which entitled him to votes of many others besides me.

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October 18.

John Quirke.

12420. If he had not given this £500 for the Christian Brothers, and had not given money so freely, as he is reported to have done in the town, you would not have voted for him?—I suppose not; I didn't know him at all, nor anyone else, until he came there.

12421. Mr. MOLLOY.—Did you see any difference between the political opinions of Mr. O'Beirne and Mr. Munster?—Well, I didn't; I thought the two were equal, two of the same religion and very kind, and that the man doing the most good was the most entitled. Many a man would put his head in a window and make a grand speech, but do nothing; even some of them would promise to bring the river to Cashel.

12422. Mr. WATERS, Q.C.—What you set value on was the distribution of money by Mr. Munster in Cashel?—Yes; that showed he was a good man, and entitled to serve the town.

12423. Were you canvassed by Mr. O'Beirne in this last election?—He didn't speak to me about it; he called to the house, but I wasn't within.

12424. Did he never call more than once?—He might have called several times; but very seldom I'm there.

12425. Did you never see Mr. O'Beirne then, to be canvassed by him before the election?—I saw him when he come to town; he owed me a bill since the last election, I called to him several times about it.

12426. How much did he owe you?—Thirty-seven pounds.

12427. When did you go to him about it?—I called to him in the beginning, on a Saturday.

12428. Tell all the conversation that occurred?—There were only a few words. He went away from me.

12429. What were the few words?—I think he said he would make it right, or something of that kind; I couldn't tell, for I felt a little annoyed with him.

12430. At his not paying you?—Yes, and for not answering the letters I wrote to him.

12431. He said he would make it all right?—He did.

12432. Did you come again to him?—Yes, I did, up to his lodgings.

12433. What occurred then?—He gave me some printing to do, and he got some post-cars from me. There was nothing occurred at the time more than that. That was all. He sent the money to the house.

12434. What money?—The £37.

12435. When did he send it to the house?—Sometime before the election. He sent it in two instances, I understand.

12436. Now, Mr. Quirke, did anything pass between you and Mr. O'Beirne with reference to your vote at either of those meetings?—He never asked me.

12437. Not at either of those meetings?—I don't think there was any person up to this asked me for a vote—I am voting since '32—except Mr. Perrin and Mr. Wolfe called at my house, and I stood at the door; we were so glad at the time to meet them, every one stood at the door to watch and meet them, and I think I stood at the door, the same as every other voter.

12438. Now are you quite clear about your recollection, that Mr. O'Beirne never asked you if you would vote for him?—Not a word about it.

12439. Did he say anything that would make you think that he expected your vote?—We had no conversation about it, sir, at all. 'Twas all about the printing, and he was in a great hurry with it.

12440. What amount of printing had you at the last election?—£13 10*s.*, I think. As soon as I was settled with, every person that came belonging to him I gave them to understand my mind was made up to go with Mr. Munster. I said not.

12441. Before that you did not say that your mind was made up?—I didn't tell any person what I intended, because I was afraid I wouldn't get the money that was due to me; and that was what kept me from going sooner; and I told Mr. Michael Laffan the same. He called on me in the beginning, and said there was a gentleman coming, and I told him I could make no promise. I said I didn't know much about the gentleman that was coming; and, equally so, that there was a bill due by Mr. O'Beirne which I expected to be paid; and if I went beforehand, I expected never to be paid. He owes me a bill now, and I suppose I'll——

12442. Mr. GRIFFIN.—Is that the £13 10*s.*?—Yes. It would have been a great deal more, but I gave him to understand my mind was made up to go with Mr. Munster.

12443. You gave him to understand?—I gave notice to his messenger.

12444. Who was that?—I couldn't tell you now. There were so many talking about it, I couldn't recollect.

12445. Mr. O'Beirne then stopped the orders?—He didn't send to me any more.

12446. How soon after you got the £37 did you make up your mind?—Immediately, on the spot.

12447. Did anyone come to you to ask you?—They didn't. I told Mr. Laffan when my bill was settled—the way I saw Mr. Munster going in the town—"don't give me up," says I; "as soon as I'm settled with Mr. O'Beirne, I'll make you the promise."

12448. Did you go to Mr. Laffan and make him a promise then?—No, Mr. Leahy called on me and I told him, "Put me in your list."

12449. Is that all that happened between you and Mr. Leahy?—That is all. He never offered me a penny, nor I didn't ask him. "Don't speak about my vote," says I to him, that I didn't want anything from him you know, that I didn't expect anything for my vote. "You are sure of my vote," says I, "so no more about my vote," says I to Mr. Leahy.

12450. Did you know Mr. Leahy was asking people what they wanted?—No, sir. He asked me would I vote, and I told him my mind was made up to go for Mr. Munster.

12451. Why did you tell Mr. Leahy you would not expect anything for your vote? Were you afraid he would offer you money?—I will tell you why I spoke to him.

12452. Why did you tell Mr. Leahy that you were not expecting anything for your vote?—That he needn't say anything about my vote: that he was sure of it. There was no word about money between Mr. Leahy and me. I told him that I wanted—that I would go freely with him.

12453. "That you wanted," you were going to say?—That I wanted nothing, that I wanted no money. He heard there were other people about the town for money, and I said I wanted no money for my vote.

12454. What did you say to Mr. Leahy?—I couldn't tell you.

12455. Did you know he was offering money to people?—I didn't indeed.

12456. Mr. WATERS, Q.C.—Would you have let your rooms if Mr. Leahy had been asking them?—I would; Mr. Laffan the first day wanted to take my rooms and I wouldn't let them in consequence of Mr. O'Beirne. "We want your rooms," said he, for Mr. Laffan had it for the county members. He came to me and I told him the bill was due to me, and if I set my rooms independent I would have no chance of getting the bill from Mr. O'Beirne.

12457. Did you tell him that as soon as you settled your bill you would be ready for him?—I did.

12458. Did Mr. Laffan come to you then about the rooms when you had settled the bill?—He never spoke to me afterwards, because immediately, as soon as I met Mr. Leahy—he was often in the shop buying stationery and other things—we were often in chat, and I had a great respect for him, in consequence of being the brother of the Archbishop and so on.

12459. You were willing to set the rooms to Mr. Laffan?—I was, with the exception——

12460. But you would not do it until you secured the £37 from Mr. O'Beirne?—Yes.

12461. When you were willing to set the rooms to Mr. Laffan did you talk about the price?—Not a word about it.

12462. How much did you expect?—There wasn't a word about it.

12463. Mr. MOLLOY.—Did you expect to set them at the last election?—I did expect it.

12464. Mr. WATERS, Q.C.—I suppose you did not expect that Mr. Munster would pay less than Mr. O'Beirne at the election before?—I didn't know what he would pay. If I go further than what I know, or what is in my mind, you wouldn't ask me to do that, because when I wasn't determined to set them I could make no agreement. Then he had lodgings taken at Mrs. Corcoran's.

12465. You told me you expected to set your rooms at the election?—Well, I did; I have them always; they make no other use of them, but the same purpose as that.

12466. You got sixty pounds for the election of 1865, when Mr. O'Beirne had your rooms, and you know that taking rooms in Cashel was a delicate way of conveying money to voters; and knowing all that, why did you not go to Mr. Laffan after getting the £37, and say, "now, I'm ready to set my rooms; how much will you give me"?—I wasn't determined to set them at all if he came to buy them; but I didn't want to sell them as selling my vote.

12467. Did you put in any claim for them afterwards?—Not a halfpenny.

12468. Did you receive any money in connexion with the election of 1868?—I put in a bill for printing, and horses, and cars, and posting.

12469. What was the amount of that bill?—£150.

12470. Mr. MOLLOY.—You made out a bill and sent it in for £150?—Yes; a long time after when there was a bill posted for every person to send in their claim.

12471. To whom did you give the bill?—To Mr. Leahy, I think.

12472. Mr. WATERS, Q.C.—Were you paid since?—I was not.

12473. Mr. GRIFFIN.—Had you any conversation about not being paid with anybody?—No, except Mr. Leahy, and he was not here much since. The last time I was talking to him he was in too great a hurry, and he said another time he would talk about it.

12474. Mr. WATERS, Q.C.—When was that?—I couldn't tell you. He was a couple of times here.

12475. You sent in a bill for £150?—Yes, immediately after.

Mr. *Michael J. Laffan* recalled; examined by Mr. WATERS, Q.C.

Mr. Michael J. Laffan.

12476. Mr. Laffan, where is that account?—I have not got it, sir, and I never saw it.

John Quirke's examination resumed by Mr. WATERS, Q.C.

John Quirke.

12477. Where did you give it to Mr. Leahy?—In his office, I think; in his office in John-street.

12478. Is it in Mr. Munster's house in John-street?—Yes, sir. He has no other place but John-street, and I think Abbeyview.

12479. Are you able to give me any idea of when you sent in that bill?—Immediately after; I think it was in January.

12480. Do you say January?—I think so. If you like I will go down and get a copy of it.

12481. Did you ever ask for payment since?—I did.

12482. Whom did you ask?—Mr. Leahy; nobody else.

12483. Did you know that Mr. Laffan was the conducting agent?—Well, Mr. Leahy did this part.

12484. Did you know that Mr. Laffan was conducting agent?—I did.

12485. Why did you not ask him?—I thought the other man was the same.

12486. Did you see Mr. Munster daily about the streets since?—I did.

12487. Did you ever ask him?—I didn't.

12488. You did not tell him he owed you £150 for printing and cars?—I never did.

12489. How soon after you sent him the bill in January did you ask for the amount?—Mr. Leahy went away. He was here a couple of times since. The last time he came to Cashel I didn't ask him.

12490. When did you see him last?—He came, I think, a couple of months ago.

12491. And you did not ask him then?—I didn't, because I thought it useless, as they were settling no bills. I didn't think there was any bills settled.

12492. Was it that you did not like to ask him until the Commission was over?—That was a good reason, I suppose. I know the bill was put in at any rate.

12493. You say you asked Mr. Leahy on the very day after sending it in in January. What did he say?—He said he wasn't prepared to pay them; that he wasn't paying any bill.

12494. Did he say he could not pay at present?—He said simply tantamount that he wasn't paying any bills.

12495. Did he say anything tantamount to this—that he could not pay anything until after the Commission?—No.

12496. Nothing at all like that?—No, sir; he said not, I think, until the Petition was over.

12497. Mr. Leahy said that to you?—Yes; but since the Petition was tried we had no word at all.

12498. And since the Petition you had not a word with Mr. Leahy about it?—No; I had not.

12499. How often was he in Cashel since?—I believe only once.

12500. At that time, although it was £150, you never asked him?—I did not.

12501. And you never asked Mr. Munster, or Mr. Laffan?—I never did.

12502. Now why did you not inquire of Mr. Munster about this £150?—When they were not paying any bill; when Mr. Leahy told me—Mr. Leahy when he called to the house; I told him that I got the money from Mr. O'Beirne, and that "Now," says I, "I'm at liberty; I will go to your side now," says I, "to Mr. Munster."

12503. You are going far away from the question I asked you. Answer the question. Why did you not ask Mr. Munster for the £150?—When he wasn't paying bills.

12504. That is not the reason, sir; £150 is a large sum?—I understand Mr. Munster didn't pay a halfpenny to anybody.

12505. Did you hear that he paid Michael O'Sullivan?—I heard it twice in court here; I didn't hear it before.

12506. Is it because he was not paying others that you did not ask him?—I didn't ask him; I thought he paid no bill.

12507. Would you never ask him?—I would, after a certain time, of course; I wasn't afraid but he would pay it.

12508. Mr. MOLLOY.—Whose money did you expect the £150 to be?—Mr. Munster's.

12509. Why did you not ask himself? You asked Mr. O'Beirne for the £37?—Because Mr. O'Beirne was a different man; I would ask Mr. Munster at a future time.

12510. How long would you wait?—Until the election matter was settled.

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John Quirke.

12511. Until the Commission would be over?—Until all was settled; but I thought I had no necessity, for Mr. Leahy would pay me.

12512. Mr. GRIFFIN.—Was it Mr. Michael Laffan's name was at the bottom of the notice about sending in claims, or Mr. Richardson's?—I couldn't tell you.

12513. Mr. WATERS, Q.C.—Did you know that Mr. Richardson was the expense agent?—There were so many agents I couldn't tell who was.

12514. Did you know Mr. Richardson was the expense agent?—I heard he was an agent doing business.

12515. And the expense agent?—Yes.

12516. Why did you not send the claim to him?—The person I promised my vote to, I gave it to him.

12517. Have you the things entered in your books?—I have.

12518. All of them?—Yes.

12519. Bring me your books if you please?—The agreement I made with Mr. Leahy was—"then," says I—they complained about Mr. Munster, sometimes that I hadn't cars for him. "It would be better for Mr. Munster," says I, "or for you now—there will be a great demand for cars, and I would keep so many horses and cars for you." And them weren't entered in the book at all. They were then so much a day for so many horses, while the election was on, work or play.

12520. And these are not entered in your books?—They are not.

12521. Is there anything entered in your books?—There is.

12522. Produce your books in which you have entered anything against Mr. Munster for the last election. [Mr. Munster hands in questions.] Mr. Munster, there are four of these questions that we do not consider to affect the inquiry; the other I will put for you. Mr. Munster wishes to have you asked did you call in John-street to press for payment of your car bill, and urge on Mr. Munster the fact of your support and vote?—I called to Mr. Leahy for it.

12523. Did you urge on Mr. Munster himself?—No, I did not; I wasn't speaking to Mr. Munster at all about it.

12524. Now produce the books if you please, sir?—I recollect now the day I was talking to Mr. Leahy, when I was going out I said some words; I spoke to Mr. Leahy, and I met Mr. Munster coming out, and he said something about not to talk about voting, or something else, that he knew nothing about it.

12525. Then you did speak to Mr. Munster?—No, 'twas he spoke to me; I didn't.

12526. What did he say to you?—He said something that I wasn't friendly to him. There was something about printing; that my printer wasn't able to complete the job of all his work; and Mr. Munster didn't think I was friendly. "You can't say but I was friendly," says I, "for I voted for you." "Don't talk of your vote to me," says he.

12527. Mr. GRIFFIN.—Did he say anything more to you than not to talk about your vote to him?—Nothing more, because I walked up street that minute.

Mr. Patrick Laffan.

Mr. *Patrick Laffan's* examination resumed by Mr. WATERS, Q.C.

12528. *Witness.*—When I got money I put it down in that [hands in a book]. It is in regular order in the other book. You see the 11th there where it commences.

12529. Give me the letters and take the book in your hand. Now, Mr. Laffan, begin, if you please, and read from the book or from any other account you have, the moneys you got and the dates on which you got them. £100 on the 11th is the only thing I have taken down as yet?—Then I have marked here on the 13th October £50.

12530. From Mr. Leahy?—Yes.

12531. Was that in cash or by cheque?—All in cash.

12532. The next, if you please?—The next was on the 14th, £100.

12533. The next?—The other £100 has not been entered by me. There is no date put down for it. I didn't put it down in the book.

12534. About what date did you get it? Before the 15th?—I think they were all before the 15th; that is my impression. Possibly I got the £100 before the 11th.

12535. Proceed with the rest?—The other money I have not entered down; I will tell you from memory.

12536. Have you not entered them anywhere? Did you not enter in any book those large sums as you got them?—No, I did not expect them to be mentioned here.

12537. Were you never to render an account of them?—Yes, I did so.

12538. And from memory only?—Yes.

12539. What were the other sums that you got?—On Sunday, the 15th October, I think it was, I got £600.

12540. Was it in cash?—In gold.

12541. From Mr. Leahy?—No.

12542. From whom?—Well I will tell you. Mr. Leahy told me to go to Thurles, and I went there to the house of a gentleman.

12543. Who is the gentleman?—A Mr. M'Namara, and he gave me some money, £600 in gold, which had been left there, he said, by a young man.

12544. What is Mr. M'Namara's Christian name?—I don't know his Christian name.

12545. Does he live in Thurles?—He lives on the road between Cashel and Thurles.

12546. Does he live in the town of Thurles?—Oh, he lives in the town of Thurles, that is, on the road between Cashel and Thurles.

12547. Do you know what he is?—He is a friar.

12548. Is he attached to any community?—He is.

12549. What community?—I don't know exactly what the community is. He is a Dominican or Franciscan; I don't know which.

12550. I told you that you were to tell us candidly everything you know. You see that I have now, with a certain amount of torture, to drag out of you those answers. I beg of you to recollect yourself. Why do you not tell me out everything. You say you were directed to go to a gentleman; I have dragged that from you?—I promised him not to tell his name.

12551. You are bound to tell me everything. You must tell me. What is this Mr. M'Namara?—He is a friar, sir.

12552. Of what order?—I don't know the order; I forget it.

12553. Is there a branch of the order in Thurles?—He is the branch of his order in Thurles himself.

12554. Has he a chapel there?—He has no chapel.

12555. Has he a school?—No, he is the only one in Thurles of the order.

12556. Does he officiate as a clergyman?—Oh, yes.

12557. Where does he officiate?—I do not know.

12558. You say he has no church?—He has no church. He is an inhabitant of Thurles—lives there. I believe he officiates in the parish church.

12559. Mr. GRIFFIN.—He has a private house?—Yes.

12560. Does it belong to him?—I think the whole house belongs to him.

12561. Mr. WATERS, Q.C.—Can you describe more accurately where he lives, so that a person going to Thurles could find the house readily?—I am sure anybody going to Thurles, and asking for the gentleman, can find the house. There is no difficulty about that.

12562. Did you ever see this Mr. M'Namara before?—Oh, yes, I have been acquainted with him before.

12563. What do you call him? Do you call him Father M'Namara?—Father M'Namara.

12564. You do not know his Christian name?—I do not know his Christian name.

12565. Do you mean to say you do not know where he officiates?—I believe he officiates in the parish chapel.

12566. He is a friar?—Yes.

12567. Therefore he is not one of the secular clergy of the place?—No.

12568. Is his house at the right or left hand side?—At the right hand side, very near where Doctor Hanley's is, in the town of Thurles.

12569. You say Mr. Leahy directed you to go there?—Yes.

12570. Did you go there?—I went there.

12571. Whom did you see?—I saw Mr. M'Namara.

12572. What did Mr. M'Namara give you?—He brought out two little bags.

12573. And I suppose you found that those bags contained, as you say, £600 in gold?—Yes.

12574. Did he tell you where he got them?—I think he mentioned at the time that a young man had come by train, and that he left him those parcels for me.

12575. Did he know who the young man was?—No, he said he never saw him before.

12576. Mr. Leahy told you to go to Thurles to Mr. M'Namara's house?—Yes.

12577. Tell me exactly what you were to do; did he tell you how you would get the money?—On Sunday evening, about four or five o'clock, I think, I met Mr. Leahy.

12578. Where did you meet him?—I think it was up at Abbeyview, at Mr. Munster's house; and he told me to go to Thurles to this gentleman's house. I don't know whether he said exactly what—oh, yes, he informed me that a young man would leave something there for me; and that perhaps I might induce the young man to come back with me.

12579. Did he tell you who the young man was?—No.

12580. Did you ever hear from him afterwards who the young man was?—No.

12581. Had you any reason to know or suspect who he was?—No, I have not the slightest reason.

12582. Had you any conversation further than that with Mr. Leahy before going to Thurles? Did he tell you anything else?—I think, yes. I remember now that he gave me a cheque to give—I think for £5 or five guineas—to give to Mr. M'Namara.

12583. Whose cheque was that?—I think—I cannot positively say whose cheque. It might have been a cheque of Mr. Munster's; but I don't know. It may have been a cheque of Mr. Munster's.

12584. It may have been?—Yes; I can't positively state.

12585. On what bank was it do you know?—I don't know. I just took it and folded it, put it in my pocket, and did not mind.

12586. It was a cheque for £5 you say?—I think it was £5 or five guineas.

12587. What did he tell you to do with that cheque?—He said to me to give it to Mr. M'Namara.

12588. Was it payable to Mr. M'Namara?—No, it was not.

12589. To whom was it payable?—I think it was originally payable to the Archbishop, and that he didn't take it, and that he gave it to me then for Mr. M'Namara. I think it was payable to Doctor Leahy. It was sent to him, I think, and he didn't accept it, or something of that kind; and then Mr. Leahy had this cheque in his pocket; and when I was going he told me to give it to Mr. M'Namara, as a sort of compli ment I suppose.

12590. You say it may have been a cheque of Mr. Munster's. Do you mean by that to say that you believe it was?—No; but I mean by that to say that I do not remember whose cheque it was, and that it might have been his.

12591. Did anything else occur on that occasion between you and Mr. Leahy?—No, I don't think there did.

12592. Did Mr. Leahy give you at the time any account of the cheque further than you have given us, or say what it was for, or anything about it?—No, I do not think he did.

12593. Mr. MOLLOY.—Was there any person's name mentioned in the cheque as the payee of it?—I suppose it was a cheque payable to bearer. You say the Rev. Dr. Leahy's name was in it. I suppose it was payable to the Rev. Dr. Leahy, or bearer?—I could not say. I think inside it was payable to Dr. Leahy. I cannot say whether bearer was crossed.

12594. Was it endorsed, do you know, by the Archbishop?—I am not positive. In fact, I put the cheque in my pocket, and didn't think it of any consequence.

12595. Mr. WATERS, Q.C.—Did you give that cheque to the Rev. Mr. M'Namara?—I did.

12596. Did anything else pass between you and the Rev. Mr. M'Namara besides what you have told us?—No, except this: that when I went there first, and he mentioned the circumstance of this young fellow having come there, I told him to keep the custody of the money until I went down street. I think he mentioned to me how a young man had come at two or three o'clock by train that day. He thought he had gone back again.

12597. Did he say where he had come from?—Oh, no. He had it only a few hours in his custody.

12598. Where did you go from Mr. M'Namara's house?—I went down from the house to the town of Thurles, and met Captain Byrne, and Captain Byrne introduced our friend "in the moon" there.

12599. Larkin?—Yes.

12600. After speaking to Larkin did you go back?—I went with Captain Byrne to the hotel, and had tea, I think, and punch. After that I got into a covered car with Larkin; stopped at Mr. M'Namara's door, leaving Larkin in the car; got into Mr. M'Namara's house; got the money; came to the car, and went in.

12601. Did you speak to anybody else in Thurles?—No, except in the hotel, a casual observation, but not in any other way.

12602. Did you tell Captain Byrne that you had got this money?—No, I did not. My impression is I did not.

12603. Captain Byrne knew very well though what Larkin was brought there for?—I dare say he did.

12604. Did you not ask Captain Byrne to bring a man who would act in that way for you?—Yes.

12605. Continue, if you please, the sums you have received. There are £950?—£300 more, I think, to be accounted for.

12606. From whom did you get that?—I got it from Captain Byrne; or rather, strictly speaking, he left it on the table, and I took it up.

12607. Did you get it in one day, in one payment?—The £300?—yes. It was in one.

12608. What day was it?—I think it was Tuesday; it ought to be about the 17th.

12609. Tuesday before the day of polling?—Before the polling day.

12610. Where did you get that £300 from Captain Byrne?—In Corcoran's hotel.

12611. Captain Byrne did not lay this money down on the table accidentally. Was it in gold or notes?—It was in notes, sir.

12612. Begin at the beginning and tell me all about it. Pray do not require me to be putting so many questions to you?—I am most anxious to tell all.

12613. As we come to each particular matter you will recollect, that although it may be very painful to you to speak of Captain Byrne or Mr. Munster, you are under a greater obligation here. I need not tell a gentleman of your education that you are under a far greater obligation now than your desire not to speak of friends. Therefore, do not put me to the trouble of having to ask you those questions. You plainly enough show that you would rather not implicate friends if you can avoid it; but you must speak the whole truth you know. The only thing I will ask you is, that you will save me the trouble of having to put a great number of questions to you. Commence at the beginning of this interview with Captain Byrne, and tell me what took place between you and him?—Several evenings in Corcoran's hotel we used to be talking generally over the election, after dinner—Captain

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Byrne and I talked. I mentioned to him several times that Mr. Munster would not have the slightest chance in Cashel unless that he bribed; and I mentioned to him that it was quite absurd for us to be trying to work on without having money—to have somebody come with money with that intention. We had a number of conversations of which this is the general purport. One night Captain Byrne—I think it was on the 16th, Captain Byrne mentioned something about he would make it all right to-morrow. That is the day before I got it; of course I am giving you the dates as nearly as I can. Next morning the 17th, I went in; he told me to—he was in bed in Corcoran's hotel, and he told me to get a bill—I think it was a three shilling bill stamp or four shilling bill stamp. I got it at Mrs. Dolan's, and filled a promissory note then, payable on demand to him for £300.

12614. Was he the payee of the note? Just repeat the words of the note?—"I promise to pay Captain Dudley Byrne on demand, the sum of £300; value received."

12615. You signed that with your own name?—Signed it with my own name.

12616. What occurred then?—I left that on the table. He mentioned something about its being on the dressing-table. I looked round and saw on the dressing-table a bundle of notes; they were £300.

12617. When you had the conversation about the bill stamp, you say he told you to get a four shilling bill stamp; did he tell you the amount of money the stamp was to cover, or the value of the stamp that you were to get?—The value of the stamp, three or four shillings.

12618. Did anything further take place when you brought in the stamp?—When I brought in the stamp he told me to fill it as I have stated.

12619. Did he tell you for what amount you were to fill it?—For £300.

12620. Are you quite sure that that was on the morning of the 17th?—That is the best of my recollection; of course there may be a day or so.

12621. Whether it was on the morning of the 17th or not, are you quite certain that you had a conversation the preceding evening? Whatever day it was, had you a conversation with Mr. Byrne to the effect you have told us, the evening preceding that morning?—I had the evening previous.

12622. And on that occasion he told you that he would make it all right next day?—Yes.

12623. You found the £300 on the dressing-table?—Yes.

12624. And you took the money?—Yes.

12625. Did he see you taking it?—I don't know whether he actually saw me taking it. It disappeared, at all events, when he got up.

12626. Referring to those conversations, of which you say you had several with Captain Byrne, that Mr. Munster had not the slightest chance of succeeding in Cashel unless he bribed, and that you wanted money for the purpose, did you tell Captain Byrne how much you had?—No, I did not.

12627. Did you tell him you had got any?—At the time I was talking to him about this I had not got all the money. I got that £600 on the 15th; previously to that I had talked to him.

12628. Up to the 16th you had received £950?—Yes.

12629. And on the evening of the 16th had you spent the £950?—No, I had not.

12630. But you saw that there was a necessity for more?—Oh, yes; I saw there would be scarcely enough for what I anticipated.

12631. Did you tell Mr. Byrne how much you were short?—No, I did not.

12632. Did you name any sum to him as the amount you would require?—I do not think I did.

12633. Was the sum of £300 arrived at by himself?—That is my impression.

12634. You do not think you mentioned any sum to him at all?—I do not think I did.

12635. Mr. GRIFFIN.—Did you say that the money you had would not be enough?—No, sir, I did not; I did not mention to him I had got money at all.

12636. He must have known you had got money, as you brought this man to distribute it?—I do not know. Perhaps that was his opinion. He may have thought that I anticipated it.

12637. Mr. WATERS, Q.C.—That is £1,250 altogether. Is that the entire amount you received?—That is the entire amount, with the exception of what I stated before, of which you will see an account—small sums I paid for my brother before anything of this kind turned up, for cars and so on.

12638. Was any of that £65 expended by way of retainers, or in any way to influence voters?—I should like to look at the list.

12639. You told us you had conversations with Mr. Leahy about those retainers, and that Mr. Leahy wanted you to advance the amount from £5 to £10. Will you just give us the whole of that conversation, because I interrupted you in it to come at something else at the time?—I will give it to you as well as I can. I mentioned to Mr. Leahy the number of retainers I believe I had given. I did not think I would be able to give any more on account of this notice; and he said, couldn't I give £10. I told him I didn't think they would take £10—that it wouldn't be enough. He said to try it. I objected to it several times; I didn't think I could do it. I went to do it afterwards. Mr. Leahy, I believe, entertained some idea—he wanted to avoid bribing, I believe, if he could—he entertained the idea he would be able to retain all Mr. O'Beirne's supporters for Mr. Munster to destroy their votes.

12640. And he thought £10 would be a sufficiently large sum to induce the people not to vote, is that it?—Oh, no; that is not it. When it got out you know that they could not vote, and I went to them afterwards to take £5 as agent, they saw through it. We thought £10 being a larger sum, they might take the sum and run the chance of getting more afterwards.

12641. Did you mean that they would take £10, vote for Mr. Munster, and run the chance of getting more afterwards?—Oh, not at all; that they would take the £10 as a retainer; that it would be so tempting they would not refuse it. Then we were under the impression, at least I was, that they could not vote if they took it.

12642. How many of those retainers were out then?—About fourteen or fifteen. There is a list of them.

12643. Give me the list, if you please. [Witness hands in list.] Were those all five guinea retainers?—Yes.

12644. How many £10 retainers did you give?—Only three, I think.

12645. John Kingsbury, William Quinlan, and Martin Delahunt?—Yes.

12646. Give me the list of those you tried to do it with?—There are four others; I dare say there were more; I disremember it.

12647. Did they reject them?—They did; in fact I think it has been mentioned here.

12648. Mr. GRIFFIN.—Did they reject them, or give them back after a time?—In fact, they would not accept them at all.

12649. Mr. WATERS.—Did any of those men offer to take a larger sum: James Kennedy of Canopy-street; William Cummins, William Maloughney, and Patrick Russell?—I think Russell intimated to me that he would much prefer I would arrange the whole of it with his wife.

12650. Did you go to his wife?—No, I did not.

12651. Mr. Leahy, I suppose, knew perfectly well that you were distributing this money?—Knew perfectly well.

12652. Of course, when he sent you for £600?—I dare say he knew pretty well what had been done with it, but he was not cognizant of individual cases.

12653. But he knew you were getting it, and what you were doing with it?—I dare say he might.

12654. Had you any conversations from time to time with Mr. Leahy about the distribution of the

money?—Not about its distribution; that is, you mean in detail.

12655. No, not entirely the details; but had you general conversations with Mr. Leahy? Though you did not name the particular persons to whom you gave the money, had you conversations with him as to how you were getting on?—No; while it was going on I don't think I had.

12656. What occurred between you and Mr. Leahy? Let me know how you introduced the matter to Mr. Leahy, and how he came to give you this first sum of £350?—He came to give me that when it was proposed to give £10 retainers. I had no money to give at the time. He then gave me that money, and I used to tell him after the day how I was enabled to succeed; but still he kept giving me the money until he had given up to £350. He didn't tell me what to do with the balance after giving the retainers; but the Saturday week before the election, I think it was, I was speaking to Mr. Leahy, telling him we were losing ground day after day, it was no use to do any more, that I feared they had been bribed already at the other side, that they were beginning it, and if it was his intention to have anything done that way at our side, it would be better to have it done at once. He said, "Haven't you money enough; why don't you begin?"

12657. That is, why did you not begin to bribe?—He didn't add the word "bribe."

12658. Did you not say they had been bribing at the other side?—Yes.

12659. And did he not refer to that when he said, "Have you not money enough; why do you not begin?"—He did; I think so.

12660. Where did this conversation occur?—In Corcoran's hotel.

12661. Now, come to the day on which you were directed to go for the £600; tell me how it came about; did you tell him you were getting short?—On that day, except what I have already mentioned; I don't think there was anything else; but a week or ten days before it I explained to him how this business should be done, if it was intended to do it at all.

12662. What do you mean by "this business?"—It is, in fact, that they should be bribed.

12663. You explained how it was to be done?—I explained how it should be done. I said he ought to enter into an arrangement to get money if it was to be used. He said something about he would see about it. I was expecting every day he would say something to me about going to get it; consequently on Sunday when he told me to go to Thurles, there was a sort of mute understanding between us as to what it was about.

12664. Those conversations all preceded the Sunday on which you went to Thurles?—Yes.

12665. When you came back from Thurles on that Sunday I presume you told Mr. Leahy what you had got?—When I came back from Thurles Mr. Leahy was gone to bed. I looked for him in order to tell him, and he had gone to bed. I did not see him that night. The next day I don't think I told him how much I had got, but I said it was all right, or I had succeeded in my mission, or something of that kind.

12666. Did you never tell him the amount?—I don't think I did.

12667. Did he tell you how much you would get?—Well, I won't be positive about that—that he mentioned the sum of money.

12668. Surely he mentioned to you, or you to him, that you were to get, or that you had got, £600?—I don't think I mentioned to him the sum. He didn't seem to wish to know.

12669. We have taken it down already that you said "Mr. Leahy told me to go to the house of Mr. M'Namara at Thurles, who would give me £600?"—I am not certain; it may be so.

12670. Did you receive any other money, Mr. Laffan, besides that £1,250 and the £65 you have already spoken of that you got from your brother?—That is all the moneys, sir. The moneys from my brother were some small sums.

12671. Did you receive any other money from Mr. Munster?—I did not. There are some small sums I received from my brother may not be mentioned in this. [Peruses his account.] Yes, they are all mentioned in this.

12672. Did you receive any other money than that?—No.

12673. I find you charged here, sir, in this book with receiving £200?—Well, I didn't actually receive that money; that was money for the convent in Fethard.

12674. "November 11th, P. Laffan £200?"—That was money for the convent at Fethard.

12675. Did you get a cheque for £200?—In Abbeyview Mr. Munster came into the parlour while I was there. He brought me in a cheque which I believe was the same cheque, and he told me to indorse it to Miss Eade.

12676. Was it a cheque in your favour?—It was a cheque in my favour.

12677. Do you know what was done with it?—I saw in the papers what was done with it, but don't know.

12678. How did it happen to be in your favour?—I don't know except that I happened to be at Fethard with Mr. Munster and we saw the place. It came out that there had been £200 paid for some ground there for a school or something of that kind. Mr. Munster sent me in to the ladies to inquire about it.

12679. Who showed you over the place?—Dean Cantwell.

12680. Did that conversation about the £200 occur in Dean Cantwell's presence?—No; but we had been walking about and he showed a piece of ground recently purchased for £200 for a convent or school. Mr. Munster told me to go and ascertain from the nuns how much had been paid for it. I went in and did so. That is the only reason I think Mr. Munster drew the cheque in my favour.

12681. How long did that occur before the day you got the cheque?—The cheque appears to have been dated the 11th; well, I should say about a week before that.

12682. Then you do not know, yourself, anything further about the application of that £200 cheque?—No, I do not. [Witness is handed a cheque and identifies it as the cheque referred to.]

12683. Then it appears that it was the Rev. Mr. Cantwell that got cash for this cheque?—Yes.

12684. Were you in communication with anybody else except Mr. Leahy and Captain Byrne, with reference to this expenditure of money at the election?—No, sir.

12685. With nobody else?—No.

12686. There is another small sum of £7 that appears to have been paid to you. What was that for?—It may have been for something ordered for the house, I do not know; because sometimes I used get bills to pay for household expenses, as I would be passing down the street just to pay them.

10687. Mr. Molloy.—What bed-room was Captain Byrne in when he gave you the £300 in Corcoran's hotel?—He was in the centre bed-room on the first landing.

12688. Mr. Waters, Q.C.—Was that bed-room number six?—I don't think it was; number six is a top room.

12689. You have written down here, Mr. Laffan, it appears, the names of the persons to whom you gave money. I must just go through them. When did you give William Quinlan £10?—On the 11th November.

12690. William Quinlan, I find, voted for Mr. Munster?—He did. I took back the retainer.

12691. Where do you debit yourself with that again?—Oh, but I took it back in a sense. He borrowed the money to give me back the £10. I got the £10, and I afterwards gave the £10 to the person of whom he had borrowed it.

12692. You paid Quinlan £10 originally?—Yes.

12693. Quinlan borrowed £10 to pay back the retainer?—Yes, and he gave me the £10, and I after-

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wards gave back the £10 to the person of whom Quinlan borrowed it.

12694. Then it was a roundabout way, I suppose, of satisfying Quinlan's conscience?—Yes.

12695. And Quinlan afterwards voted for Mr. Munster?—Yes.

12696. Did he get any promise of anything?—I think not.

12697. And why did he refuse the £10?—Refuse it! He did not refuse it at all.

12698. Why did he want to return it?—It was I got it back from him again.

12699. I suppose it was in order to enable him to swear that he had given back the retainer?—[No answer.]

12700. Mr. MOLLOY.—When you gave the retainer to Quinlan were you not of opinion that Quinlan intended to vote for Mr. O'Beirne?—I was.

12701. When did he change his mind?—Later on towards the polling day.

12702. Mr. WATERS, Q.C.—Do you not know anything that induced him to change his mind? The £10 we know would not be enough?—I cannot positively state. When I gave him the £10, and became agent—and became associated with us.

12703. Do you think he had expected more?—I dare say he did.

12704. Did he apply for more afterwards?—No, he did not apply for it.

12705. Just state to me what occurred at the time you gave Quinlan the retainer first? Had you canvassed him before that?—Well, I can't remember.

12706. Had you got an account from any person that Quinlan was not going to vote for you?—I must have got it, or I would not have given the retainer.

12707. And he was hostile to you when you went and got him to take this retainer?—Yes.

12708. From whom do you think you got the account that he was going to vote against you?—I couldn't tell you that.

12709. You cannot tell?—No.

12710. Have you any canvassing book of the electors?—I would be a very idle fellow if I were to take down everything that was told me.

12711. Had you a canvassing list?—O yes, I had a list that I used to mark off now and again.

12712. Where is that list?—I don't know; it might be in the office.

12713. I told you to bring down all the papers that you had—you had observations on them of course?—What I merely put was a stroke or an "M" for Munster.

12714. If you had this list here now it might refresh your memory, and perhaps show you who it was that mentioned Quinlan was hostile. When you went to Quinlan what occurred?—I talked to him generally about Mr. Munster and about his becoming an agent to him, and that if he would do so I would give him as a retainer, in the first instance, a retainer for £10.

12715. Mr. GRIFFIN.—Did you say "in the first instance?"—I do not know I actually used these words, but that I would give him a retainer for £10.

12716. Mr. WATERS, Q.C.—Did you mean that you would give him more afterwards?—I don't know that I used the words "in the first instance."

12717. Mr. GRIFFIN.—Did you use any words that would give him the idea that he would get more afterwards?—I may have done so.

12718. Mr. WATERS, Q.C.—Did you?—I don't recollect that I did.

12719. Was there anything further than this said, that you would give him the retainer for £10?—Nothing further.

12720. Did you tell him he could not vote if he got the retainer?—I didn't mention anything about it.

12721. Is that all that you recollect that passed between you?—There may have been more talk; but of course it was not so short as that.

12722. Did you give him the retainer then?—I did.

12723. And did he take it?—He took it.

12724. Did he say anything when he was taking it?—I don't think he did.

12725. You found afterwards that he was with you?—Yes.

12726. When you found that did you go to him or did he come to you about taking back the retainer?—I took back the retainer in Mulcahy's house, I think, the night before the polling. Quinlan had been drunk, and I was brought about one o'clock in the day to Mulcahy's house; I went up there and Mulcahy lent him the £10, and I got it from Quinlan and he went up and voted.

12727. Are you able to tell any conversation that took place between you when this occurred?—I believe I said to Quinlan, "I will take back your retainer from you and you can do what you like."

12728. Did you at the same moment that you got £10 from Mulcahy hand it back again?—Yes, I handed it back again.

12729. In Quinlan's presence?—I think Quinlan was present; whether he saw it or not.

12730. Did he know he was not to repay Mulcahy the £10?—I don't know. He was present, but whether he saw me actually hand the money is another thing.

12731. In giving these retainers I want to ask you generally, did you tell any people—when they discovered by the notice of Mr. Grace that their retainers affected their votes—that if they did not say anything about it they might vote for Mr. Munster?—Yes.

12732. To whom did you say that?—I think I told it to one.

12733. Who was that one?—Will you hand me the list of retainers, please? [List handed to witness]—In looking over that list it does not strike me that I did say it to any of these people.

12734. Did any man that got a retainer from you vote for Mr. Munster?—Yes.

12735. Who did?—A man of the name of Martin Phelan.

12736. Martin Phelan?—Yes, that is one.

12737. How much did he get?—Five guineas.

12738. He is not in this list at all?—Oh, no, sir, the five-guinea retainers are not in that list. The five-guinea retainers came from a different source.

12739. The five-guinea retainers were from your brother's money?—Yes; from a cheque-book of my brother's, I merely filled in the amount.

12740. Did you tell Phelan that he would get more after voting?—No.

12741. Did you promise him more money when he said he was going to vote for Mr. Munster?—No. When I gave him the cheque I gave him directions to canvass for Mr. Munster, and he gave an account to me of how he was getting on. I don't think I ever saw him since.

12742. I find that Martin Delahunt, who is second on your list, did not vote at all?—No.

12743. Do you know why he did not vote?—Do I know why he didn't vote.

12744. Yes. Did you tell him at the time that it would stop him from voting?—I think I did.

12745. Did he understand that if he took the £10 he could not vote?—Yes, I think so.

12746. Had you previously canvassed him for Mr. Munster?—I had.

12747. And he had refused before?—He talked in an ambiguous sort of way.

12748. Did you know when you gave him the £10 that he was going to vote for M. O'Beirne?—I don't know, but I had a doubt about him; I wanted to make sure of it.

12749. And he, knowing that £10 would stop him from voting, took it?—I think so.

12750. And you gave him the £10 with the object of preventing his voting against you. Now, are you quite clear about it, that he knew it would prevent him from voting?—Yes, I think so. In fact this notice had been placarded—the notice from Mr. Grace, had appeared in print about the town when he got the £10.

12751. Who is John Dwyer that you have next on

the list?—That is the John Dwyer who got the five-guinea retainer by means of a cheque.

12752. Is that John Dwyer of Price's Lot?—Yes. There is John Dwyer also: this is John Dwyer of the Commons. There are two Johns.

12753. At the time you gave John Dwyer £5 did he know that that would prevent him from voting?—He had previously got five guineas at the time I gave him the £5, I cannot say really, but I would rather the man had it, because some time had elapsed between the five guineas by means of the cheque, and the £5 in notes.

12754. Where did you give John Dwyer the £5?—In Corcoran's.

12755. What did you give the £5 for?—Mr. Leahy mentioned to me when talking about the £10 retainers how I could give £5 more to those I had given five guineas to, for many of them had been grumbling about being taken in and their market destroyed.

12756. Did Mr. Leahy tell you they had been grumbling?—No, but I knew myself.

12757. Did you tell him that?—I conveyed it to him, I daresay.

12758. And in your canvassing he told you to give £5 more?—I can't say it was in consequence of that; but he mentioned at the time of giving the £10 retainers, how I might give £5 more to those I had already given the cheques to.

12759. What did you understand from Mr. Leahy by his object in doing that?—Was it that those men should vote for Mr. Munster on getting the £5 additional?—I didn't understand it so.

12760. What did you understand his object to be?—That they were greatly disappointed and grumbled; and it was sent as well to keep them quiet by giving them more.

12761. If the five guineas stopped them from voting, what change was to be effected by giving them £5 more unless it was to vote for Mr. Munster?— I didn't understand that.

13762. Mr. GRIFFIN.—Were they talking of returning the retainers?—Yes, some of them sent them back.

12763. Was it to prevent them returning the retainers that you would give them £5?—I don't think it was, because I think it was rather as I have explained before, to quiet them.

12764. Mr. WATERS, Q.C.—Was it you that gave the money to Edmond Bowes?—No.

12765. Did you arrange with him as to what he was to get?—No.

12766. What did you do with the money for Bowes?—I gave it to Cunningham.

12767. Have you gone over this list with Cunningham since you came to town?—No.

12768. Have you communicated with him?—I have not generally, but merely to square up about a particular point. I didn't wish to communicate with him; I communicated with him about a particular sum of money that is in the account that I was anxious to know about, and I got a reply; and I have had no other communication with him since I came to town.

12769. What about Michael Coffey's £15?—Did he vote for Mr Munster?—No, he did not.

12770. How did you give Michael Coffey £15?—I engaged his house for £35, and I gave him £15 on account.

12771. Is Coffey here still?—I heard that he has gone to America, sir.

12772. And I suppose you heard that Coffey was going to be a supporter of Mr. O'Beirne?—Yes.

12773. And you engaged his house as a way of engaging his vote?—Well that was my intention. In addition to that Carroll had refused to give his house at the time, and I wished to take another house, partly to show that I had an assistant.

12774. Did Coffey understand when you were engaging his house, that it was for the purpose of engaging his vote as well?—Well, I said to him, or a gentleman that was present with me at the time, Mr. Scallan of Dublin, he said to Coffey "you have promised us your vote already, so we don't want that at all. It is your house we want," because Coffey had promised his vote to me and Mr. Munster.

12775. Was it in consequence of having promised you beforehand that you went to take his house?—Yes, it was in consequence of his having promised before, and I having heard that he was now wavering.

12776. You tell us you meant that engagement of his house to be an engagement of his vote?—I did.

12777. Did Coffey understand it in that sense also?—I am nearly sure he did; he must have understood it so.

12778. How did he come afterwards to vote for Mr. O'Beirne?—I saw—I read it in passing a report about the petition trial.

12779. Did you not know any more about it after you had given the £15 until after the petition?—No, I did not.

12780. Why did you not give the entire amount?—I wanted to keep it as a sort of security.

12781. As a sort of check on his vote?—As a sort of check on his vote.

12782. Did anything pass between Coffey and you at the time? Did you say why you gave him only £15?—I don't think I said that at all.

12783. Mr. GRIFFIN.—Did you say the rest would be paid after the election?—Oh, I did; I promised I think that I would pay the rest the morning after the polling.

12784. Mr. WATERS, Q.C.—Who paid the money to Denis Dwyer?—I think it was Larkin, sir—yes.

12785. Bring your recollection to the transaction with Carroll. Do you recollect having a conversation with Carroll previous to the polling day, and previous to the taking of his house?—I do.

12786. Do you recollect conversations with Carroll with reference to whiskey?—I do.

12787. State what they were, if you please?—I mentioned one time I was in number six in Corcoran's hotel with Cunningham, in the evening, and a knock came to the door. I asked Cunningham, "who is that?"—He said he thought it was Carroll. I said to go out and get rid of him; that I didn't want to see him. He said it would be better for me to see him myself. He let Carroll in. After bidding Carroll good evening, I instantly said I didn't approve of the idea of the whiskey; that it would bring in a third party; but let him come on Monday, or some other day, that I would see what could be done for him.

12788. Had you a conversation with him before about whiskey?—I don't know that I had, but I had with Cunningham, and Cunningham had with him.

12789. When you said it would bring in a third party, you meant it would be a bribe, and you did not think it prudent to have a third person involved in the matter?—Yes.

12790. Who paid the money to Patrick Fitzgerald?—Larkin.

12791. You took Patrick Fitzgerald up there I believe?—Yes I saw that mentioned, but I don't remember the circumstance.

12792. Who paid the money to John Dwyer?—Larkin.

12793. I find that you put down here the price of Looby's jennet?—Yes.

12794. Was the jennet bought from Looby for the purpose of being a bribe to him?—I dare say it was—yes; I dare say it was to a certain extent; Mr. Leahy told me, that Thomas Looby had been speaking to him. He had a donkey; he said to give him £14 or £15 for him.

12795. Mr. Leahy told you that Looby had been speaking to him; is that what you say?—Yes, sir.

12796. I suppose when you went to buy it from him, you found that £14 or £15 was not enough?—Yes.

12797. Did you volunteer to make it £20, or did Looby require it?—Oh, Looby required it.

12798. Now, Mr. Laffan, this man, Thomas Looby, was paid out of the secret service money; was he not?—Yes, sir.

12799. He was paid £20 for the jennet out of

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the secret service money. What was done with that jennet—who got it?—I believe Mr. Munster rode it afterwards—yes, he did.

12800. Did you see Mr. Munster use it afterwards?—I did, sir.

12801. Riding it?—Yes.

12802. Mr. MOLLOY.—Did he ask from whom the jennet was bought?—No.

12803. Mr. WATERS, Q.C.—Did you ever tell him?—No, I think.

12804. Did you tell him how much you had paid for it?—No. After the election was over I sent the jennet up to Mr. Munster's, and I never mentioned to anybody about where I got him, or what I paid for him.

12805. Then you paid for him before you got him?—Yes; he had him a fortnight, I think.

12806. Was he working him or using him?—I don't know.

12807. You say that this jennet was bought as a bribe?—I wouldn't say as a bribe; because he was worth a certain amount of money.

12808. Did you not pay more than the value for him?—I did.

12809. It was not so large a bribe as £20, but it was a bribe to the extent of the extra value of the animal?—Yes.

12810. Your account is, that having purchased the animal in that way, and paid for it out of this secret service money, you sent it to Mr. Munster's place at Abbeyview, and that it was put into his stable, and you say you saw him riding it after?—Yes.

12811. Mr. MOLLOY.—You are certain the jennet was not taken from his place on the eve of the election?—No, it was not.

12812. What did you do with the receipt you got from Looby?—I left it in my brother's office; I have not seen it since.

12813. Mr. WATERS, Q.C.—How was John Farrell paid—I believe by a Mr. Ferris?—Yes.

12814. Who arranged with James Phelan?—It was Cunningham arranged with him.

12815. Mr. MOLLOY.—You did not see the jennet taken away from Looby? You do not know when it was taken?—I do.

12816. Do you know of your own knowledge when it left Looby's place?—I do. I am not sure I saw it actually going up the street, but I saw it afterwards in Mr. Munster's place.

12817. Mr. WATERS, Q.C.—Was it you that paid Patrick Croagh?—Yes. I sent to him first for sand for the carriage-road at Abbeyview.

12818. Was there any account kept of what sand was got from him?—There was not.

12819. You are aware you paid him double the amount of what was got?—I am.

12820. I suppose three times the amount?—It may be.

12821. And that sand was put on Mr. Munster's place at Abbeyview?—Yes.

12822. Do you know anything of the payment to John Reilly?—It was paid by Larkin.

12823. Did you give an order to John Reilly to go to Larkin?—If I did, I told Mrs. Reilly to send her son down to Cunningham.

11824. Is it the son that has the vote?—No; the father.

12825. Did you arrange with Mrs. Reilly as to the amount to be paid for the vote?—I did.

12826. How much was it?—£30.

12827. Do you know was Mr. Reilly himself aware of the arrangement?—I cannot tell that; she may not have told him.

12828. Do you know how Reilly had voted before?—Yes, sir.

12829. For whom did he vote before?—For Mr. Lanigan.

12830. And why did you consider it necessary, or how did you learn that it was necessary to pay him £30?—I had heard from somebody that Captain Graham was entering into some arrangement.

12831. Did you ever speak to Reilly himself?—I did, sir.

12832. What occurred between you?—I began to speak to him in Corcoran's house about Mr. Munster, and, I think, intimated something about money; but I don't think I made a specific offer to himself.

12833. Did you convey to Reilly that you had arranged with his wife?—I don't know that; I don't think I did.

12834. You intimated to him something about money?—Yes.

12835. Are you not able to say more than that what it was?—No, I am not.

12836. But you are quite certain that you intimated to him that he would get money?—Yes, I am.

12837. Did you send a man named James Connors to Larkin to get £30?—I did.

12838. That was for Patrick Ryan?—It was.

12839. Some of those having been proved already I am not going through them to prevent incumbering the notes and a most unnecessary waste of time. I will ask you now in a general way were you aware beforehand that all those people whose names you have down here were to have got this money that you have opposite their names—I mean before they were paid did you know it? In every case was not the arrangement made with you?—Not every case. Carroll's case was arranged without my being actually aware of it at the time.

12840. Did you not give the money for the purpose?—Cunningham had £50 that he gave for buying Murnane's house that he got back. He applied £35 of that to Carroll.

12841. But you were in treaty with Carroll? He came up and you said you could not get the whiskey?—Yes.

12842. You knew Pat Ryan was to get £30? Did you make that arrangement?—Yes.

12843. Did you make the arrangement with Moloney who was paid by Hackett?—I did not.

12844. Did you give his name to Hackett and tell him he was to get money from him?—Yes.

12845. And you also gave Hally's name?—Yes.

12846. Did you make the arrangement with Patrick Griffin?—I did.

12847. What was the £30 that he got for?—For his vote.

12848. Did you make any arrangement with Richard Butler?—No, I don't remember that I did; I think it was Cunningham that made the arrangement with him.

Patrick Cunningham.

Patrick Cunningham recalled; examined by Mr. WATERS, Q.C.

12849. Is that so, Cunningham—did you arrange with Butler?—Yes, sir.

12850. For £30?—Yes.

12851. And that was for his vote?—Yes.

Mr. Patrick Laffan.

Mr. *Patrick Laffan's* examination resumed by Mr. WATERS, Q.C.

12852. Was it you who arranged with Jeremiah Connolly for £70 for votes?—Yes.

12853. We are told Michael Noonan has gone to America?—I heard he has.

12854. He appears to have got £40?—Yes.

12855. How does it come that he got £10 additional?—I think he gave no note; but he came down to Corcoran's on the eve of the election and was stating how he would go to vote for Mr. O'Beirne and tell the whole thing. There were a number of persons there

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and they prevailed on me, as he was complaining, as his son was by—they prevailed on me to give something to the son to get rid of him. So this money was given to the son.

12856. This was the evening before the polling you say?—Yes.

12857. Did he tell you that evening that he had not passed any note?—I do not think it was he that told me; I think it was Cunningham.

12858. You say he came to Corcoran's and said he would vote for Mr. O'Beirne and tell the whole thing?—Yes. He had been several times threatening; I was greatly annoyed and I asked Cunningham if this man had given a note.

12859. Did he tell that in the presence of the persons at Corcoran's?—I don't know that they heard him. He was half drunk and they saw him speaking to me.

12860. Who advised you to give the money for his son?—I don't recollect.

12861. Was Mr. Leahy or Mr. Byrne there?—No, some of the townspeople.

12862. Then this was hush money to make him keep quiet?—To make him keep quiet.

12863. Who gave the money to William Brennan?—Larkin.

12864. Did you make an arrangement with Brennan?—I did, sir.

12865. With himself?—Yes.

12866. And was the £35 for his vote?—Yes.

12867. Was it you that made the arrangement with Robert Cashen?—No, it was not, it was Cunningham made that arrangement.

12868. Was it you that arranged with Denis Heffernan?—No.

12869. Was it you that made the arrangement with Edmond Foley?—I had been talking to Foley and offered him money, but I think it was Cunningham that made the final arrangement before he got the money.

12870. He appears to have voted for Mr. O'Beirne?—Yes, I think it was Cunningham introduced him.

Patrick Cunningham recalled; examined by Mr. WATERS, Q.C.

Patrick Cunningham

12871. Do you recollect that Cunningham?—I do, sir.

12872. And was it you that made the arrangement?—The final arrangement.

Mr. *Patrick Laffan's* examination resumed by Mr. WATERS, Q.C.

Mr. Patrick Laffan.

12873. What do you mean by "cash chargeable to Cunningham" that you have down here?—That is cash he had to account for.

12874. Cash that you gave him?—Yes.

12875. And do you know for whom you gave it?—I do not; it was out of sums of money I gave him.

12876. I see here, "paid William Ryan £5"—who is that William Ryan?—He is a brother to Denis Ryan. It was after the election I paid him that £5, at Mr. Leahy's request. Mr. Leahy had him looking up information about the petition, and he asked some money from Mr. Leahy. Then I gave him that £5.

12877. "Cash some time before the election to Mrs. Rochford for feathers, £5?"—I gave her £5 on account of some feathers that were ordered for the house, and had not been paid for.

12878. Was that a portion of the £350?—It was.

12879. And they went to Mr. Munster's house?—Yes.

12880. Do you know of any other feathers having been bought from her. You say you paid that on account?—I only ordered them at the time that I gave the £5 on account.

12881. Were you told to order them?—I was.

12882. By whom?—By some of the ladies in Mr. Munster's house.

12883. Did you order them because they were wanted, or did you order them for the purpose of making them friendly to you?—I think the feathers were wanted.

12884. Do you know whether they were or were not?—I think they were wanted.

12885. Now, Mr. Laffan, Larkin was examined here, and he says in his accounts, which seem to have been very accurately kept, that he returned you an account at Templemore—where is that account?—I have it, sir.

12886. He says he gave you a correct account at Templemore—[witness hands in account]—and amongst his accounts I find that he paid, by your order, some person £35. I have not got that name from him?—I think £30.

12887. I have also £30 to a person he did not know by "Patrick Laffan's order"—who was that?—James Connors.

12888. So I apprehended. But now there is "£35 by order of Patrick Laffan" the same day—who is that person?—Have you Edmond Foley?

12889. Yes?—And Edmond Stapleton?

12890. Yes. We got Stapleton. We did not get it at first, but we found afterwards sufficient to identify it. There is "E. St." and "pocket," and Larkin swore he put that into his pocket?—Yes.

12891. But there is thirty-five unaccounted for; "by order of Patrick Laffan, £35." Is that in Larkin's handwriting?—Yes, sir.

12892. All of this?—Yes; but you see in pencil on the top, that I wrote myself.

12893. What does "D. H." stand for?—Denis Heffernan.

12894. And "J. D?"—John Duggan.

12895. And "B?"—Bowes.

12896. Here is, "Mr. L., £35?"—That was given to me, but not by my order.

12897. We have £35 given to you, and by your order £35?—The £35 that was given to me is, I think, £35 I brought up to Mr. Hackett.

12898. You gave £70 to Mr. Hackett and £40, that is £110; and you gave him something more—how much more?—I gave him £240 altogether, but I got back £117 8*s.*

12899. £117 8*s.*?—Yes, sir.

12900. That leaves Mr. Hackett to account for £122 12*s.*?—Yes, sir.

12901. Did you give him £10 for sand?—That has nothing to do with it at all; but there were twelve guineas of that account that I paid at the time of getting back the money, due to young Mr. Dolan.

12902. What was that for?—He is a veterinary surgeon.

12903. And is that a portion of the money you gave to Mr. Hackett?—Yes, sir.

12904. Do you not recollect any other person that got £35 from you besides those in the list you have given us?—There was no other person.

12905. And are you sure that no other person got money?—I am.

12906. I wish you would turn it over in your recollection, and see how it is. You have seen this little book before?—I don't know what it is yet, sir.

12907. It is a book kept by Larkin. First there is "William Brennan, £35;" next he says £35 paid to yourself, and then "notes by order of Mr. Laffan, £35?"—Has he Stapleton in addition to that £35?

12908. Yes; Stapleton is the one next before Brennan. You will see there is "E. St.," and "pocket £35," that is Stapleton. Then comes William Bren-

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nan?—I tell you how I think it must have occurred. I think that £35 for Edmond Stapleton was given twice. I think first it was given to Denis Ryan.

12909. That is quite right?—I think afterwards it was given to Stapleton himself.

12910. No doubt of that—Denis Ryan returned it to you?—To Cunningham he returned it.

12911. But Stapleton had it before he paid that £35 to your order, so that I think you forgot some person?—No, sir.

12912. We examined young Mr. Cahill here, you paid him £4, where have you that entered?—I don't think it was paid him. Yes, I have it in this small account.

12913. How did you come to pay it?—I don't know how I came to pay it; I suppose Mr. Cahill can explain that.

12914. Was not he employed in your brother's office?—No, he was not.

12915. How was he employed?—He used to be employed in Mr. Munster's house in John-street.

12916. How was he employed there?—He used to be inspecting the people employed at work.

12917. Did you make any arrangement as to what he was to be paid?—No, I think not.

12918. Was he employed by you?—No, I think it was by my brother.

12919. You canvassed very largely and extensively through the town for Mr. Munster?—Yes.

12920. Were you asked for money by any person who afterwards voted for Mr. O'Beirne, except those you have already named, or had you any conversations about money with any persons who voted for Mr. O'Beirne?—Yes, sir.

12921. Who are they?—I remember that sometime some of the Commoners came to me and they said, if Mr. Munster would give them £100 each, they would vote for him.

12922. Now, who said that?—I have been thinking. The idea occurred to me before. I have been thinking who the man must have been; I think it was one of the Kennedys, or one of the Neills.

12923. That is too indefinite?—I know a man that came in with them at the time.

12924. Who is that?—A man named Neill, he is not a voter.

12925. Is that Jeremiah Neill?—Yes.

12926. Do you think it was some Kennedy?—Some Kennedy, or other name. It was a Commons' man; I think it was one of the Kennedys.

12927. Is there more than one Kennedy there?—There are two Kennedys.

12928. Do you recollect which was it, John or Patrick Kennedy?—No; I don't recollect which of them it was.

12929. But one or the other of them, you say, said if they got £100?—£100 each, they would vote for Mr. Munster.

12930. Mr. GRIFFIN.—How many persons came on that occasion?—These men, Neill and Kennedy.

12931. Were they speaking merely for themselves?—He talked as if he represented a number of the Commoners.

12932. Do you recollect what persons they were?—My impression was that they were a portion of the Commons commonly called Attykitt.

12933. Do these Kennedys live at Attykitt?—Yes, they do.

12934. You understood him as speaking of all the Attykitt voters?—Yes.

12935. Did he mention any name?—No, he did not.

12936. How long before the polling was this?—A day or two before the polling.

12937. What relation is this Jeremiah Neill to Neill of Attykitt, who voted for Mr. O'Beirne?—A son, or nephew, or at all events a relation of his.

12938. Mr. WATERS, Q.C.—Turn this matter over in your recollection, and be able to answer us in the morning something further about it, and any other matter which occurs to you. You will also have the goodness to ascertain what you did with the £35 that you got from Larkin, and who was the person the £35 was paid to by your order, whose name you have not given us. We have not got any name from you of any person who has got money in addition to those we have got already. We have down on our notes from Larkin every name you have given us. I think it is plain that you must forget something. You will have the goodness to look after it. Larkin seems to have been very accurate, and he says he paid some man notes, by your order, £35. He takes credit for that out of the money he received. I think it is plain that you must now forget that. Try and recollect it in the morning, and bring the canvassing lists and any other documents that you have in connexion with the election?—I know, sir, by the balance of money, there could have been nobody else got any.

Patrick Reilly.

Patrick Reilly sworn; examined by Mr. MOLLOY.

12939. You are the son of John Reilly, of Lady's-well-street?—Yes, sir.

12940. Your father voted at the last election?—Yes, sir, for Mr. Munster.

12941. You got £30 for him?—No, sir.

12942. Did you get £30?—My father did.

12943. Where did he get the £30?—At Mrs. Corcoran's.

12944. Were you there?—I was, sir.

12945. Who gave it to him?—I don't know, sir. I wasn't there. He went in from me into the room number six. I and him were in the house together, and Patrick Cunningham came and he called my father with him. He conveyed him then up the stairs; so he remained away for about five minutes or so. I considered it was some other place that he took him to, so accordingly I went upstairs after him, and I see my father above on the lobby. He was after being in; he was just after coming out, and he says—"£30," he says, "that I am getting." There was some arrangement with my mother and Mr. Pat. Laffan heretofore, and with that then, "Well," says I, "'tis better for you to take it than to leave it." So accordingly the father went back again into the room and got the £30.

12946. What was the £30 for?—For his vote, I suppose.

12947. How did he vote in 1865?—For Mr. Lanigan.

12948. What did he get then?—Nothing at all, sir.

12949. You saw the £30 with him when he came out the second time?—I did not, sir, but he told me he got it.

Michael Cahill.

Michael Cahill sworn; examined by Mr. GRIFFIN.

12950. You and Edward Looby, Thomas Connors, John Butler and James Connors, were all employed, I believe, at the last election?—Yes, sir.

12951. What were you employed to do?—To forward Mr. Munster's interests, sir, as far as we could, and to protect him otherwise through the town.

12952. Did you canvass many voters for him?—A few, sir, not many.

12953. Did you give anybody any money?—No, sir.

12954. Do you know of anybody getting any money?—No, I don't.

12955. Did anybody ask you for any money?—No, they didn't.

12956. Did none of the voters that you spoke to on Mr. Munster's behalf ask for any money?—I asked some of them who were they going to vote for, and

they told me "for the man that would give the most money."

12957. Do you remember any of those that said that?—A couple of them, sir.

12958. Who were they?—One of them is William Neill, and the other, I believe, Daniel Moloney, and both of the Commons of Attykitt, I believe.

12959. Do they live in Hill's Lot?—I don't know whether 'tis Attykitt's Lot or Hill's Lot. It isn't Doctor Moloney's lot.

12960. What did you say when they said they would vote for the man that would give the most money?—They told me they would vote less for Mr. O'Beirne than for Mr. Munster.

12961. Did they say what difference they would make between the two?—They didn't. They said they heard Mr. Munster was giving plenty money, and I said I didn't know of that.

12962. How long was that before the election?—About eleven days.

12963. Did they say how much they expected?—They did not. I asked them how much would they be satisfied to take, and they told me they didn't know, but whatever would be going the way they would vote for Mr. O'Beirne less than Mr. Munster. I asked them how many would vote for Mr. Munster if they were satisfied with the settlement, and if there was a certain sum lodged in the bank would they accept of it, to get it after the election, and they said not; I asked them if they got half notes now, and the rest after the election, and they said not, they didn't want bills or bonds, that they got enough of them before.

12964. Were the two of them together when this conversation occurred?—Yes, sir, they were.

12965. Who had told you to adopt those modes of ensuring that they would keep faith with you? Was it Mr. Pat Laffan?—No, sir; he wasn't aware of it. I went to him after, myself and another.

12966. Who was the other?—John Butler, and Mr. Pat Laffan told me he wasn't empowered to give money; so after that we didn't make any allusion to money after, sir. He said it wasn't in his power to give money to anyone.

12967. Had you no other conversations of the same kind with any other men?—Unless with the same William Neill and his uncle Jer. Neill.

12968. Where was that?—The three of us met in the Main-street.

12969. Is Jer. Neill a voter?—He lives in the one yard with his nephew.

12970. Is Jer. Neill a voter?—He is, sir.

12971. Is William Neill a voter?—He is. They went down to Mr. Munster's hotel with me.

12972. What occurred there?—We went up stairs and we came on the landing of the stairs. Jer. Neill turned round and said this was no place for him to be; the nephew remained and went into the room, and what happened there I don't know.

12973. Is that the room the mysterious man was in?—No, sir; the mysterious man wasn't in being then.

12974. How long was it before the election?—About a week, I believe, sir.

12975. Who was in the room?—I can't say which of the Laffans, but I believe one of them was, and Mr. Scallan.

12976. Had you any conversation with Jer. Neill before he turned back and said that was no place for him, similar to what you had with John Neill and Daniel Moloney?—I hadn't, sir.

12977. Did he say he would vote for whoever gave most money?—He didn't, sir, but the other two parties did.

32978. Was he by at any conversation of that kind between you and William Neill?—No, sir; but I told him it was no harm to him to come and see what he could do. He said whatever he would get he would vote for Mr. O'Beirne.

12979. Were you conversing with the voters in the Attykitt neighbourhood?—No, sir. I was never in the Commons only the day that Mr. Munster went there.

12980. Were you not speaking to any other voters there but Attykitt voters?—No, sir. We often had conversations when I met them, but not anything serious.

12981. There was nothing similar to that conversation?—No, sir, there wasn't.

12982. Are you aware of any of the others having promised money?—No, sir.

12983. Were you not canvassing with them?—No, sir; I didn't see e'er a voter any time.

12984. Did you only canvass two voters for Mr. Munster?—Yes, sir. We did several other things for him. We protected him through the town, and other things.

12985. Was it Mr. Michael Laffan that employed you?—Yes, sir.

12986. What took place when you were employed by him?—He sent for the five of us. He wanted us to do all we could for Mr. Munster. We said we would do all in our power for Mr. Munster, for his interest and protection, and every other thing; and we spoke ourselves after to Mr. Laffan, and he said he would see us settled for.

12987. When was that?—After the election, sir.

12988. Did Mr. Laffan give you any specific directions how to forward Mr. Munster's interests?—There was a line of conduct marked out for us, sir.

12989. Who put it into your head about lodging the money in bank and giving half-notes?—Only my own head, sir. I thought so when I was interested to get every man to come.

12990. Did Mr Laffan give you any directions to offer any bribe?—He didn't, sir. I went to Mr. Pat Laffan, and he told me 'twasn't in his power to give any money; so after that we didn't speak to any man about money.

12991. Did you not process Mr. Munster for £20?—Yes, sir, I did.

12992. What time did you process Mr. Munster?—On Friday, sir.

12993. To the next coming sessions?—Yes, sir.

John Quirke recalled; examined by Mr. WATERS, Q.C.

John Quirke

12994. Have you brought your book?—I have, sir. (Hands in a book.)

12995. How much do you make the account altogether?—£29 10*s.*, or £30 altogether. The car account commenced in October. The man that kept the account is here; he can explain it.

John Apperson sworn; examined by Mr. WATERS, Q.C.

John Apperson.

12996. I want the account. You say it was about £29?—I think that, sir. [Witness shows the account, and explains the items, which include copies of two ballads "neither worth keeping," placards against bribery, &c.]

12997. How much was the car account?—The entries in the book are there; it commences in October. Some of them are not brought out.

12998. Do I understand that you have entered the cars supplied to Mr. Munster, but that you have not brought out the items in some of them?—Yes, sir.

12999. Did you calculate how much they would come to?—No, sir. Mr. Quirke put the charges to it, as he always does in the accounts. He puts the prices of all cars and orders.

13000. How many cars were there supplied?—I couldn't tell you, for they were out night and day.

13001. Did you make out a list of the entries that are here?—I did, sir.

13002. About how many are they?—I couldn't tell you sir, they are so numerous.

THIRTEENTH DAY.
October 18.

John Quirke.

John Quirke recalled by Mr. WATERS, Q.C.

13003. Mr. Quirke, have you a copy of the bill? You said you had a copy of the bill?—I have not, sir.

Mr. Edward H. Biggin.

Mr. *Edward H. Biggin* recalled by Mr. WATERS, Q.C.

13004. Mr. Biggin, have you the bill?—I have not, sir.

John Quirke.

John Quirke's examination resumed by Mr. WATERS, Q.C.

13005. *Witness.*—There was a lot of cars, and we came to the understanding then, as I wasn't able to supply Mr. Munster cars. "'Tis better for you," says I to Mr. Leahy, "to call in a certain number of horses, such as I used at former elections, and," says I, "we'll have them in the stable always ready for a call." Then them were to be ready for Mr. Munster, and them were not entered in the book at all. There was a certain date, from the date in the book until the bill went to Mr. Munster.

13006. Have for me in the morning, if you have materials for doing it, a copy of the account you sent in. You are not to invent it?—I'll give you the amount of the bill, and I'll go as near as I can to it.

13007. You have told us already it was nearly £150?—Yes.

John Apperson.

John Apperson's examination resumed by Mr. GRIFFIN.

13008. You were not present when those cars were ordered?—No, sir.

13009. Whose writing is this?—I can't say, sir. [*Quirke.*—They were done by the woman in the shop.] All the cars got before the day of the polling were made out on a separate account; and any car got after that you see "post" to it. I posted them in a separate account.

13010. Mr. WATERS, Q.C.—Where is the account you got of all the cars?—They are not posted in the ledger. After the election they are all posted; before the election they are not posted, but they are entered there.

John Quirke.

John Quirke's examination resumed by Mr. WATERS, Q.C.

13011. What was the date of your arrangement with Mr. Leahy?—I couldn't tell you, sir; but it stops there until about a fortnight after the election, when I billed Mr. Leahy. The account stops at so many horses a day until it commences in the bill again. Mr. Munster paid it regularly weekly, or according as he would get the account, from that since.

13012. Mr. GRIFFIN.—Are all the cars supplied for Mr. Munster's use entered in this book?—They are, and the cars he is paying for now.

13013. Are all the cars he ever got from you entered in this book?—With the exception of the time I settled with Mr. Leahy. When I settled with Mr. Leahy, I arranged with him to keep so many cars in the stable.

John Apperson.

John Apperson recalled at the desire of Mr. Munster.

13014. Mr. WATERS, Q.C.—Mr. Munster wishes to know what was the date of the bills for the reward of £500 for the discovery of bribery?—They were done twice, sir; November 6th and December 2nd.

13015. Five hundred pounds?—Yes, sir; I think so; and some smaller sum for private information.

(Adjourned).

FOURTEENTH DAY!
October 19.

FOURTEENTH DAY.

TUESDAY, OCTOBER 19, 1869.

John Apperson

John Apperson recalled by Mr. WATERS, Q.C.

13016. You have a list charged from the day of polling down to the 3rd of December?—Yes.

13017. Did I understand Mr. Quirke to say, yesterday, that he sent in his bill, and was paid regularly by Mr. Munster his bill for cars after the polling?—You did, sir. Your direction to me was to give you a list of cars. I followed it.

13018. Yes. Mr. Quirke was paid for all the cars supplied after the polling?—He was, sir. If you look at the ledger it will throw some light on it. There is no entry there until after the polling, in the ledger; but there is in the day book. I extracted from them both.

13019. Did not Mr. Quirke say these were all paid?—He said they were all paid up to the 20th, I think, sir.

13020. You keep the account?—I keep the account, but I can't say whether paid or not.

13021. Do you keep the accounts also of all the stationery and other things supplied from the establishment?—No, sir; I keep the car account.

13022. Does that ledger contain any account for stationery or other things supplied from the shop?—No, sir; nothing but cars.

13023. The printing account amounts to about £29?—Yes, sir. Perhaps I should explain to your worship that in case of an agreement with Mr. Quirke—now in the case of the Marquis of Hastings when he stood a candidate for Waterford, Mr. Quirke got £98 for his cars for two days, and there was no entry made, it being entirely in a bulk sum—I understand he agreed for a bulk sum with Mr. Munster's people at the polling day, consequently I didn't enter it.

Denis Dwyer, of Friar-street, sworn; examined by Mr. WATERS, Q.C. Denis Dwyer.

13024. Mr. Dwyer, you received a sum of £30 at the election?—I did, sir.

13025. What was it for?—I suppose for my vote.

13026. With whom did you arrange the sum of £30?—Three nights before the election, about the hour of ten o'clock at night, I was sent for to my house. We had our clothes off to go to bed, when a rap came to the door to say I was wanted at the hotel. When I went to the door I could see no person. I went down straight to the hotel, and went upstairs, up as high as the second flight of stairs. I saw two people there on the lobby. It was dark a little. They pointed me that way to the door. I went and opened the door, and I closed it after me again. I saw a man sitting down by the side of a table, with his face covered with a large shawl. I could see nothing but a part of his cheek and his nose. He had a hat on him. He asked me was I Denis Dwyer. I told him I was. He pulled out from other papers part of a sheet of paper to me, and laid a pen and ink near me. I wrote my name, and laid down the pen then, and the money was laid on a piece of paper just to my hand. I took the money and counted it, and laid it on the paper again. I then took up the paper and folded it, and I walked out. I didn't say one word to him, nor he to me, ever after.

13027. Had you no arrangement before that with anyone?—Not a word.

13028. For whom did you vote?—Mr. Munster, sir.

13029. Did you vote in 1865 for anyone?—I never had a vote before that time.

13030. Is that your handwriting [is handed bill, and identifies his signature]?—It is my writing.

John Quirke recalled; examined by Mr. WATERS, Q.C. John Quirke.

13031. At what time was it you said you made the arrangement with Mr. Leahy for the cars for Mr. Munster for the election?—After this, sir [hands in a bill]. I sent that bill to Mr. Laffan, and it wasn't paid. They weren't paying any accounts then. After that I met Mr. Leahy, and it was then he came to terms with me. He desired me go down; that I would be paid that bill any time I liked, because I said I thought it was fair to get money on account. I said I was satisfied, and didn't want any money, and I could get it altogether. Then from that the arrangement went on. I always got once and a half or twice as much for cars as I got there; but for being in the town I reduced.

13032. Whose writing is that at the bottom there?—A while ago I wrote it, sir, to put me in mind of some things to tell you about former elections.

13033. What do you wish to say about them?—Here is something more explaining it [hands in another document]. I wrote it afterwards, to show you the way former elections went on.

13034. Do you say that after the date of this bill, which is the 2nd November, you made an arrangement with Mr. Leahy for a bulk sum?—For a pound a horse for so many horses. When the election was over—and then I settled with him when the election was over—when I put in the bill, he said it was unfair to charge so much. "Well," I said, "give me half horses from that out," and for any other horses Mr. Munster wanted, I was to charge sixpence a mile, which Mr. Munster paid me.

13035. How many horses were you to supply?—Six horses.

13036. For how many days?—Until the election was over, I suppose—about eleven days.

13037. From the 2nd November until the election was over?—Until I agreed with him, I was some time without giving any horses; from the time the bill was drawn until I met Mr. Leahy.

13038. What day did you meet Mr. Leahy?—About eleven days before the election.

13039. And then you were to get £6 a day for those eleven days?—Yes, sir.

13040. That is £66, is that what you say?—Yes, and then there was ——.

13041. You say you did not enter that arrangement in any book?—No, I didn't, only what some of the boys for their own memory had to get; some of them entered in the books, but I told them not.

13042. What do you mean by that?—Why, their own fees, because drivers always get their own fees, exclusive of what I had to get.

13043. Then how does it come to pass that I find in this account given in by your book-keeper—"November 10th, car to Fethard with Mr. Munster; 12th, ditto to Abbeyview; ditto, up and down; 15th, ditto up and down town all day;" 18th, 19th, 20th, and so on. If you had this arrangement to be paid £6 a day for cars with Mr. Leahy, why do I find these entries?—You will find them bills, I mean are not in that book at all, and I desired the boys not to enter them.

13044. Why are these entered here?—Because the boys did it from themselves, as I tell you to jog their memory for the purpose of getting their own fees, because, I understand every Saturday night the boys were paid.

13045. Did you supply anything else to Mr. Munster besides the printing and the cars?—Nothing else; there was some trifling share of stationery.

13046. To what amount?—I only charged 10*s.* for it. There was £29 10*s.* for printing.

13047. I put it down at £29, but it does not amount to so much?—£29 10*s.* is down in the book, and 10*s.* for pens, and paper, and ink.

13048. The whole of that makes £96. I want to know how your claim of £150 was made out?—There was £30 after, until the bill was given, it is for so much a day for the horses; 10*s.* a day for six days for ten days after.

13049. They are every one of them charged here, sir?—I never look over the book at all. It is kept in the office, in the shop, by the young woman.

13050. They are charged down to the 31st December, and you told us you were paid for the cars supplied after the election up to the end of the year?—Not immediately after the election, sir. After my bill was given in I was paid. I was paid after Mr. Munster called in the bills. I was paid regularly after that, but until the bill was given in I was to get 10*s.* a day for each horse.

13051. That is whether the horses were used or not?—Whether used or not. I kept them regularly for them. When Mr. Leahy came to see the bill he said, "Well, now it is unfair to charge so much as the election is over." "Well," says I to him, "are you satisfied to pay half price for them, for all the horses and everything else I was getting." "I am," says he, "that was sixty horses, that made £30."

13052. Had you any conversation with Mr. Leahy about how you were going to vote?—I never had. I gave him to understand, of course, that I was his friend; that where I was employed it was fair I should do every assistance I could in that way.

13053. Have you a son-in-law named Watkins?—Yes, sir.

13054. Had you any conversation with Mr. Watkins about how you would vote?—I hadn't; we never spoke about things of the kind.

13055. Never?—Never.

13056. Did Mr. Watkins tell you that he had any conversation with Mr. Leahy?—No, he never did; but Mr. Watkins was present when Mr. Leahy and I agreed about the horses.

13057. Had you promised Mr. Leahy before you agreed about the horses to vote for Mr. Munster?—Not a word.

FOURTEENTH DAY.

October 19.

John Quirke.

13058. Was it after you were employed by Mr. Leahy in this way, at £1 a horse for six horses a day, that you said you would vote for Mr. Munster?—I didn't tell him at all. I gave him to understand that I would be a friend from that out. You could be friendly to a person if you had no vote; many a way you might have of introducing Mr. Munster's name to persons you would be talking to. Of course it was my business to assist my friend if I could.

13059. Mr. MOLLOY.—Did you ever tell Mr. O'Beirne you would not vote unless you were paid?—I never told him a word at all about it; but Mr. O'Beirne never asked me for my vote.

13060. You might tell him—I didn't tell him.

13061. Or that where you were employed you would vote?—I didn't; he never asked me for my vote, nor neither did Mr. Laffan never ask me about it when he was talking to me.

Mr. Patrick Laffan.

Mr. *Patrick Laffan* recalled; examined by Mr. WATERS, Q.C.

13062. You gave us yesterday an account of the moneys that you received?—Yes.

13063. And you told us that up to the 15th you received from Mr. Leahy £350; is that so?—I have been thinking over it since, and it occurs to me I must have received some of the £350 after the 15th. I have been thinking over it in connexion with other circumstances.

13064. Have you any means of ascertaining when you did receive it—it is material?—Well, I don't know how I can ascertain it exactly.

13065. I understood you to say yesterday that the £600 was the last money you got from Mr. Leahy?—Yes; but that £600 I got on the 15th; but I have been thinking last night of some circumstances that turned up between Sunday and the day of examination, and it occurred to me that I must have got £50 or £100 from Mr. Leahy after the 15th.

13066. Are you sure that you did not receive more than £1,250?—Quite positive.

13067. I think you are mistaken. Look at that memorandum in the margin, and you will see that on the 1st of November you received £50.

Mr. *Munster*—I think the witness is speaking of November instead of October all along.

13068. *Witness.*—November it should have been. That was a mistake. It is marked in this book November.

13069. I think it is obvious that it must be November. Then that observation of mine has no force, for that £50 may have formed a portion of the £350?—Yes; there is £100 I have no date for.

13070. How did that come? You gave all these dates; you said you received on the 11th October £100?—Yes.

13071. Now take that page into your hand?—This was merely after the election. The other night I was copying out some figures. It was not done at the time of the election at all.

13072. How much did you charge yourself with?—Here I have repeated some things twice. There are thirteen hundred and seven pounds marked here.

13073. Well, now, what have you repeated twice?—Well, I can't say exactly without thinking over the account.

13074. Is this the account you made out with Larkin?—Larkin gave me that, sir.

13075. These are your figures at the end, and do you see that you bring out £1,275?—I see I do.

13076. Does that not lead you to believe that you got more than £1,250?—It does not, sir.

13077. How did you make out £1,275?—I counted something twice.

13078. Show me what you counted twice?—I can't recollect.

13079. Do you recollect that you paid Larkin £802?—It was not paid directly by me.

13080. Larkin has an account for £802?—He has.

13081. Tot up the left-hand side of that column, and you will see that you left £35 out of it. You left out Stapleton's money, which is at the bottom?—Yes; it is written in pencil, sir.

13082. I know. Add Stapleton's money, which you know he got, and you will find that you have left £35 out of the tot. You see that Stapleton's money is not in the tot at all?—No.

13083. The tot ought to be £35 more; you make it £1,275, even excluding Stapleton's money. Does that lead you to believe that you got more than £1,250?—No, it does not; it was the way it was put down—some given by Mr. Hackett, some given by this person and that person, some given to Ferris, and so on.

13084. We have it proved that those persons all got the moneys entered opposite their names. Here is "Patrick Laffan, £35," that was paid to you?—Yes, that was £35 I gave to Hackett.

13085. Every one of those Larkin has down here in this book. Here is Stapleton's money, £35, not carried into the tot; add that £35 and you make it just £1,300, and here you have £1,307 12*s.* Now £240 was given to Hackett; two thirties were given to Duggan and Heffernan?—Yes.

13086. Who got the £80?—That was the £80 given to Cunningham one time that I gave him notes. I put it down there as money given to him. That money may have been given as a portion of the £802. Cunningham may have given £30 out of that to the man.

13087. There is £78 12*s.* mentioned here; what is the meaning of that?—That would be a number of small items, the retainers, and the £5 and £7 you see there.

13088. We have that in a separate account; and it is not £78 at all?—It is not, because there are other items which I was paid for, that £78 included retainers and a number of items, some of which were paid on account of my brother. Those items he afterwards paid me and other items.

13089. Did you make up this tot of £1,275 at the time you were engaged with Larkin?—It was about that time, but I don't think it was that day.

13090. And you say that very recently you made up this tot, £1,272 12*s.* In one case it is £1,275 12*s.*, and in the other £1,272 12*s.*, and you have not down the £3 you gave Larkin, which would make this £1,275 12*s.* correspond with the other. I think you will have to search your memory again?—Mr. Leahy never told me the amount he was giving me.

13091. It is quite natural that you might omit a sum of money. Those things were taken hastily and you do not appear to have kept a very accurate account, as you would have done in an ordinary business transaction. Try and bring your recollection over it again?—About that £35 that was given twice; that was originally given to Denis Ryan, he gave it back to Cunningham; Cunningham gave it to Larkin; Larkin then gave it back to Stapleton and he puts it down twice.

13092. Perfectly right; because he charges himself twice with it?—But then you see that he acknowledges having received £35. Now I think that is the £35 he got back from Cunningham. He received it twice and gave it twice.

Denis Ryan recalled by Mr. WATERS, Q.C.

13093. Who ordered Denis Ryan the £35; was it Cunningham or Mr. Laffan?—Cunningham, your worship.

Mr. *Patrick Laffan's* examination resumed by Mr. WATERS, Q.C.

13094. He has down here, "a man unknown, by the order of Mr. Laffan, £35," that cannnot be Denis Ryan, for it was Cunningham that ordered Larkin to pay Denis Ryan £35. Stapleton's was paid on the 18th and this £35 was paid on the 19th?—Wasn't it on the 19th Stapleton was paid?

13095. No, it was on the 19th according to the book?—I think Denis Ryan could tell you.

13096. They both concur; November 18th, Stapleton, and the next date is November 19th, "a man by the order of Mr. Laffan £35"?——There is no other man got £35 to my knowledge, sir. I have gone over the list carefully.

13097. Mr. GRIFFIN.—When were the pencil figures made?—They were made after the election.

13098. These are not entries you made yourself lately?—No, sir.

13099. Mr. MOLLOY.—Is the entry of £50 on the 1st of November correct in this pass book?—Well, I cannot say. I didn't observe that before. There is £100 that I have no date for.

13100. Mr. WATERS, Q.C.—On the 1st November there is £50. Read those entries there?—"Received £50 from Mr. L."

13101. Is that Mr. Leahy?—Yes.

13102. What is the next entry to that?—November 4th, received from Mr. L. five shillings.

13103. What is the next entry there?—Borrowed from Captain Byrne £1 10*s*. That was for some car hire, it was afterwards repaid.

13104. You said you got £50 from Mr. Leahy on the 1st of November?—Yes.

13105. If you add that to the £1,250 you acknowledge, it makes £1,300?—I bring in every sum into the figures that are here.

13106. You debit yourself with £1,307?—Yes, but there was an error in making that calculation.

13107. You admitted this morning that you did not recollect that £50 before. That added to the £1,250 you acknowledged yesterday makes £1,300. I have no reason to doubt that you are now determined, as far as you can, to make amends for what you have done. It is quite natural you might fall into those mistakes?—If you permit me to take that book, I will see how I could do it.

13108. I will give you all the books, and you can go over them again.

13109. Mr. GRIFFIN.—I see items there making £78 10*s*., what are those items?—There is Quinlan, the retainer, for £10, and telegraph money £3.

13110. Mr. WATERS, Q.C.—You have that charged to another account altogether?—I have given you an account of them. I have copied them out.

13111. There is another mistake I want to call your attention to. I asked you yesterday how much money you gave Hackett, and you told me £240?—Yes.

13112. And that you got back £117 8*s*.?—Yes.

13113. That left £122 12*s*.?—Yes.

13114. He acknowledged to have paid £110?—Yes.

13115. That leaves £12 12*s*. balance. You told me that was paid to Mr. Dolan, a veterinary surgeon?—Yes.

13116. That is an error on your part, because you took credit for that out of this £66 also?—Afterwards I made out a bill of some sums that I went and had paid out of this money for other than election purposes. I gave the bill to my brother, and he gave me back that sum.

13117. You debit yourself with £1,250, and with £66 3*s*. You discharge yourself of portion of that £1,250 by saying, "I paid £240 to Hackett?"—No, I don't say that; it is only in this book that is mentioned, sir.

13118. The £12 12*s*. remained in his hands to pay Mr. Dolan?—Yes.

13119. There is the £12 12*s*. again charged?—I paid him the twelve guineas, and there is £7 mentioned in Larkin's bill also that I afterwards charged my brother with, and he paid me; and I held myself chargeable with that money at the end of the list, the same as if I had not paid those twelve guineas or this £7 at all.

13120. Mr. GRIFFIN—Is this the bill as furnished by you to your brother of expenses incurred by you?—That is only a copy of it.

13121. These are a number of legitimate expenses?—They are a number of legitimate expenses, and these have been abstracted—the greater part of them—from this book.

13122. Yes, I can understand that very well.

13123. Mr. WATERS, Q.C.—You are certain of the £1,250 and of the £63 6*s*. 1*d*.?—Yes; I think I didn't actually receive the £63 6*s*. 1*d*. at all.

13124. Mr. GRIFFIN.—You said you were paid it by your brother?—Yes.

13125. And your brother takes credit for paying you £66 6*s*. 1*d*.

Mr. *Michael J. Laffan* recalled by Mr. GRIFFIN.

13126. Do you not, Mr. Laffan?—I do, sir.

Mr. *Patrick Laffan's* examination resumed by Mr. GRIFFIN.

13127. You got £1,250 and £66 6*s*. 1*d*.?—But out of that £1,250 the greater portion of the £63 was spent, and afterwards got back, just the same as if I hadn't spent it all.

13128. Who is Michael Callaghan that is made the payee of those notes?—I don't know, sir.

13129. Are not those notes written by you [is handed the promissory notes]. One will do as well as all?—No, sir; they are not.

13130. Whose writing is that?—I think it is young Mr. Richardson's.

13131. Who is young Mr. Richardson?—The son of Mr. Richardson, Mr. Munster's expense agent.

13132. The son of Mr. Richardson, Mr. Munster's expense agent?—Yes.

13133. They are all in the same handwriting?—So I see, sir.

13134. Somebody said they were in your writing?—That is a mistake, sir.

13135. Then those notes, given for bribing those men, are all in young Mr. Richardson's handwriting?—Young Mr. Richardson was at the hotel, and wanted a number of notes written. I gave him one, and told him to copy a number of them out. He was a young gentleman over here with Mr. Munster at the time. He took no part in the election, but was merely looking on.

13136. What age is he?—I should think about seventeen or eighteen; he may be more.

13137. Was it you that put in Michael Callaghan's name?—No; I think it must have been done by Larkin.

13138. It is plainly not Larkin?—I saw by the paper M'Carthy was in some.

13139. Mr. GRIFFIN.—That is a mistake; the witness stated he thought M'Carthy, but these are all to Michael Callaghan.

13140. Mr. WATERS, Q.C.—Michael is written in a different handwriting, as if the surname was known, and the Christian name not. You will see at once that you are not correct in saying it was Larkin wrote the names. There is Larkin's writing underneath the man's mark and the amount of money; therefore Michael Callaghan's name must have been supplied. You see in the first note "Callaghan" and "Michael" are in very different handwriting?—I do, sir.

13141. You do not know, then, who Michael Callaghan is?—I do not, sir.

13142. Although you tell us that you are the person that got them written?—Yes; that is my impression, that I told Richardson to write them.

13143. You drew the first note?—I certainly was under the impression I put in Michael Callaghan, and drew one of them.

FOURTEENTH DAY.

October 19.

Mr. Patrick Laffan.

13144. You charged yourself with a balance of £107 18*s.* 7*d.*; how was that money spent?—It has not been spent for election purposes.

13145. How was it spent?—It is chargeable to myself.

13146. The entire amount?—Yes.

13147. The entire amount is chargeable to you?—Yes.

13148. And was not spent in election matters at all?—No.

13149. Did you pay any of it to any person?—No.

13150. Look at this first letter. You say you received that letter from Mr. Leahy?—Yes, sir.

13151. Just read it if you please?—Thurles, November 4th, 1868.

13152. It is written from the palace. Mr. Leahy is brother of the Archbishop?—Yes.

"The Palace, Thurles,
"November 4th, 1868.

"MY DEAR MR. PATRICK,—You will, I doubt not, excuse the familiarity of my address, and yet I have no reason for what I say, except your generous character may afford me an excuse. If you have not enough means at command, I shall take care to supply them when and where you like; only say where and when. In the meantime I know you wish to prosecute your medical studies, and you might find help in Paris. If you went there to-morrow or after, you might return by Dieppe or Havre to Newhaven near Brighton, and perhaps you could call and stay for a time at Sillwood Lodge in Brighton.

"Ever yours,
"E. LEAHY.

"Reply at once to me. M., at Gresham to-day."

13153. At the time you got this letter of the 4th November had you any intention of going to prosecute your studies at Paris?—No, I had not, sir.

13154. Therefore when Mr. Leahy wrote that it had some hidden meaning, which is not the meaning the words would ordinarily bear. What does it allude to?—Mr. Leahy said to me before I went to Dublin, about a week before that letter, he asked me would I like to go to Paris, and I said I would.

13155. Before you went up or went away?—Before I went up.

13156. Surely you did not go to Dublin until a very long time after this. You were here fully engaged on the 4th November, and had not gone to Dublin?—That letter I received in Dublin, sir.

13157. This letter?—Yes, sir, a week after the election.

13158. Dated 4th November?—Yes, sir.

13159. Your recollection must clearly be wrong?—Oh, it is not, it is in Dublin I received it. See might it be December.

13160. I do not think it looks like it at all. "If you have not means at command, I shall take care to supply them; only say where and when." What means did that refer to? Is it not your opinion that it referred to money for the election?—Yes, sir.

13161. Therefore it must have been written about the time it bears date?—It is December, sir. It is December there, because I left Dublin for Paris on the 6th December, and I got it a day or two before.

13162. "If you went there to-morrow or after you might return by Dieppe or Havre to Newhaven, near Brighton, and perhaps could call and stay for a time at Sillwood Lodge, in Brighton." Were you at Sillwood Lodge?—No, sir.

13163. What is the meaning of that passage?—To call at Sillwood Lodge.

13164. What was the meaning of pretending you were going over to prosecute your medical studies, and that you would call at Sillwood Lodge, and stay for a time there? Was it that you might stay out of the way there, lying *perdu*?—I don't think he had that meaning, because as I was going to Paris I could stay there without going to Sillwood Lodge. I don't know he had any particular meaning. I believe Sillwood Lodge is a residence of Mr. Munster, and I might call there for some time.

13165. Is Sillwood Lodge a residence of Mr. Munster?—I believe it is. I left Dublin on the 6th December; I got that on Saturday, the 5th.

13166. Mr. GRIFFIN.—Tell me what is the meaning of this—"If you have not enough means at command I shall take care to supply them when and where you like; only say where and when." It could not refer to your going to Paris from what follows: "in the meantime I know you wish to promote your medical studies, and you might find help in Paris." Did that refer to the election?—No, sir, not at all, because the election was over at this time. It referred to the expense of going to Paris. It was after the election was over in December.

13167. Why did your generous character afford an excuse for offering you money to go to Paris?—I think it is about the familiarity of his address that he talks with regard to generous character.

13168. Why did he date that 4th November if he was not writing it then?—I don't know, sir; perhaps it is written indistinctly there. It is like November, but I certainly received on the 5th December, for I went the day after.

13169. Mr. WATERS, Q.C.—At the top there is, "Reply at once to me. M., at Gresham to-day?"—Yes, sir; that alludes to Mr. Munster's being seen at the Gresham hotel.

13170. I have to ask you now, Mr. Laffan, where you went when you went from Dublin. You went to Paris on the 5th December, you say?—I left Dublin on the 6th.

13171. Did you go for the purpose of being out of the way, so as not to be served with a subpœna for the petition?—I did, sir.

13172. With whom were you in communication when you were in Paris?—With Mr. Leahy.

13173. Anybody else?—Yes, I communicated with my brother; that is, not with my brother here, but my brother the doctor in Dublin.

13174. Mr. MOLLOY.—Do you know William Cullen, a voter, of Boherclough?—I do.

13175. You sent for him one night to go up to you?—I did.

13176. What did you want him for?—To offer him a £10 retainer.

13177. What took place when he went to you at Corcoran's?—We had a conversation, the particulars of which I do not remember; but, at all events, I offered him a £10 retainer, and he refused it.

13178. Did you offer him £15?—I may have advanced from ten to fifteen, but I do not remember the circumstance, but that I offered him a retainer and he refused, is the only point I remember.

13179. Had you known he was pledged to Mr. O'Beirne at the time?—I had not.

13180. What did he say when you offered him the retainer?—He declined it.

13181. Did he give any reason?—I do not think he did.

13182. Mr. WATERS, Q.C.—Who is H. Hunt, whose name I see here?—He is a reporter.

13183. Who is Hourigan?—He was leading the mob.

13184. And Donnell?—Donnell is a voter.

13185. What was Donnell paid £2 for. There are telegraph men, £2; boys, £5; Donnell, £2?—That alludes to a man that was engaged at Abbeyview about some men there; he is not a voter.

13186. There is another, R. O'Donnell, £2 4*s.*?—That is the same; he was paid for paying men.

13187. There was a man named Donnell examined here, who told us that you gave him some money?—Yes; Thomas O'Donnell. He is down in the other account—the narrow slip.

13188. It is from that I am reading it. There is no Thomas—there is Richard O'Donnell, R. O'Donnell, and Donnell without any Christian name? [No answer.]

13189. Have you got the canvassing lists?—I found only one canvassing list, and there is one of the sheets out of it.

13190. Have you looked over it?—Yes, I have looked at it, sir. I see that Mr. Munster's supporters were marked on it.

13191. Have you found any papers that would

enable you to give us any information as to any demands of money made on you, or requests of money from you from any voters during the election?—All the papers I could find are on the file; they are merely a few receipts.

13192. Have you, amongst them, found anything to refresh your memory, and enable you to say you were asked for money by any voter during the election?—No.

13193. What were those men doing under O'Donnell?—There was scarcely a week he had not employed people at Abbeyview, minding the gates, attending to the avenue, and things of that kind—they were labouring men.

13194. You have no marks on this list that would assist you in what I have been asking you?—No, sir.

13195. I give you all these documents back, the two accounts you furnished, and the account you settled with Larkin, and you have your own book.

13196. Mr. *Munster.*—If you would ask Mr. Laffan—there was a bazaar for the North William-street Orphanage in Dublin very early in December. He went with a large party up by early train from Thurles?—*Witness*—I remember it perfectly, and it was after that that I got the letter from Mr. Leahy.

13197. Mr. GRIFFIN.—Then you knew Mr. Munster was in Dublin before you got that letter?—I knew he was in Dublin.

13198. What was the meaning of Mr. Leahy writing to you that Mr. Munster would be in Dublin? When did you go to Dublin?—I do not know the date.

13199. How long did you stay in Dublin?—I staid in Dublin a week.

13200. Was Mr. Munster in Dublin the whole of that time?—No; he was not; he staid only two or three days, and then went down to Cashel.

13201. Did he come back again before you went away?—He came back again according to that letter before I went away.

13202. It is only by that letter you remember it?—Oh, yes; the day I got the letter I saw Mr. Munster in Dublin. I was not speaking to him, but I saw him in the street.

13203. Mr. WATERS, Q.C.—At the time you got that £600 did Mr. Leahy know how you were going to apply it?—Did he know how I was going to apply it?

13204. Yes?—Well, do you mean in details, or a general way?

13205. In a general way?—Well, I think he did.

13206. Had you not at this time given up the contrivance about the retainers, and abandoned it as worthless?—Yes.

13207. Did you not tell Mr. Leahy that the plan was worthless?—Yes, I did.

13208. And I think you told Mr. Leahy also that they were bribing at the other side?—Yes.

13209. And that he said, "why don't you begin?"—Yes.

13210. Have you a clear recollection that that occurred?—I have. I think Cunningham was present at the time, sir.

13211. Read that letter to yourself, you need not read it out [witness is handed a letter]. That letter is of course plainly written for a purpose. It does not disclose the writer's real state of mind at the time he wrote it. Is that so?—Well, Mr. Leahy did tell me one morning not to do so, after he had given me the money.

13212. He first supplied you with the money to do it, and then he told you not to do it! Do you think he was serious when he said that to you; or do you think he said it to have the opportunity of saying that he told you not to do it—I am only asking you what was your impression at the time?—I forget exactly what was my impression at the time, but I believe it was for the purpose of saying he told me.

13213. Now I want to know is this Richard Donnell a voter?—No, sir.

13214. Is he connected with a voter?—He is son-in-law to a voter.

13215. Son-in-law of James Carroll?—Yes.

13216. He voted for Mr. Munster?—He did.

13217. How much money did you give Donnel altogether?—I cannot say, but the money I gave him was not for himself; it was to pay men; he used to pay the men; there were several labouring men engaged about Abbeyview, and he used pay them, and used come to me and I paid him.

13218. Did you make any arrangement with him in consideration of his father-in-law's vote?—No.

13219. Did you make any arrangement with his father-in-law?—No.

13220. Although you paid no more money than you have down in this list, did you promise money to anyone that has not been paid?—Yes.

13221. To whom did you promise any money?—Well, I think that after the election, that John Looby of the Green was up with me, and he was asking me about money, and I intimated to him that I thought he could get it after the—after some time.

13222. That is hardly distinct enough. He was asking you for money?—After the election he came to me to know was I going to settle.

13223. Had you any arrangement with him before the election?—No, sir.

13224. Did anything pass between you to lead him to believe that you would give him money?—I do not think there did.

13225. You say that after the election he came to you to ask if you would give him money?—Yes.

13226. That was for having voted, was it?—I believe so.

13227. And you led him to believe he would get it afterwards?—I led him to believe that he would get it some time.

13228. Is there any other case of a similar nature, Mr. Laffan?—Well, I dare say there are others to whom I did intimate something of the kind, but I do not remember.

13229. Well, you know it is very necessary for us to know it. So far as this inquiry is concerned, it is quite the same whether the money was paid or not; so do not imagine you are only to try to recollect those to whom you paid the money?—I remember telling a similar thing to a man named Tom Connors after the election. Both these occurred after the election.

13230. Did Thomas Connors come to you to ask it?—Yes, he came up to the house, but there was no understanding of any kind before passed.

13231. But after the election he came to you to ask it?—Yes.

13232. Is that Thomas Connors of Canopy-street?—Yes.

13233. Did anybody else?—No, I do not think there was anybody else.

13234. As your attention was not directed to this before, you will have the goodness, if you please, to think of it, and see if any men did come to you. You will tell me afterwards, if you recollect, if any other men came in the same way?—Yes; I recollect other men, but they had got the money—Denis Heffernan

13235. We have that case proved already. You will tell me, if you please, again, any other person that came to ask you for money, or with whom any arrangement was made that was not carried out. There was some controversy between Larkin and Thomas Looby, from whom you bought the jennet; that leads me to ask you was there any other man engaged in paying money but Larkin?—No.

13236. No one else?—No one else.

13237. Do you know Thomas Looby, of Hughes's Lot?—Yes.

13238. Had you any arrangement with him about voting at the election?—No; I don't think I had. I don't remember speaking to that man at all.

13239. Had you any sort of arrangement or talk with Edmund Long?—No.

13240. Do you know what influenced him to vote for you?—Do you mean my belief?

13241. Yes?—It is very hard for me to form an opinion.

13242. You have no reason to believe one way or the other?—No; I have not.

FOURTEENTH DAY.

October 19.

Mr. Patrick Laffan.

13243. I do not want you to guess at all. Mr. Molloy wishes to call your attention to Cunningham's evidence: "I heard that Edmund Long was not paid. I think Mr. Laffan once said that Edmund Long was promised money, but he didn't say how much." Have you any recollection of that?

Patrick Cunningham.

Patrick Cunningham recalled by Mr. WATERS, Q.C.

13244. Do you recollect saying that, Cunningham?—I do, sir. I thought so at the time.

Mr. Patrick Laffan.

Mr. *Patrick Laffan's* examination resumed by Mr. WATERS, Q.C.

13245. *Witness.*—That he was promised money by the other side?

13246. No; but by your side?—I don't remember.

13247. You will endeavour to recollect if any other men were promised, although not paid, or if they came to ask you?—I will.

13248. You can take up the register and go through it?—Yes.

13249. Mr. *Michael J. Laffan* applies for the letters to peruse them.

13250. Mr. WATERS, Q.C.—I would rather not show them at present. Mr. Patrick Laffan will please not say anything about those letters to any one.

The Rev. James M'Namara.

The Rev. *James M'Namara* sworn; examined by Mr. WATERS, Q.C.

13251. Mr. M'Namara, you know Mr. Patrick Laffan?—Well, I do I believe. I do—I ought to know him.

13252. You are a Roman Catholic clergyman?—Yes.

13253. Are you a secular or regular?—Regular.

13254. Of what order?—The Order of Saint Francis.

13255. I believe you reside in Thurles?—I do.

13256. And you officiate in a church of your order, I suppose?—I officiate daily in my own house in a little capella of my own; in the Cathedral, and at other churches of the diocese during the year. On Sundays, when I am asked, I go to the Cathedral; and then I go collecting alms to country churches and chapels.

13257. Do you recollect getting two bags of money in the month of November last?—I do, my lord, but I don't know what were in them; I was not told what were in the bags.

13258. But you got two bags?—They were left in my house.

13259. Had you them in your hand?—Well, I had my hand on them, perhaps.

13260. And lifted them?—Yes.

13261. And you found they were weighty?—Yes.

13262. You were quite sure it was not pebbles were in them?—It might be brass, but there was something in them.

13263. But you know it was money?—Well, it was; but I couldn't swear to that, because I didn't see it.

13264. Who left those two bags with you?—Really I don't know who was the first person that brought them. I left them on the chimney-piece there.

13265. Who gave them to you?—I couldn't know him—I couldn't know him.

13266. On what day did you get them?—Oh, I don't know.

13267. You must try to recollect. Do you recollect the day you gave them?—I suppose it was the next day some one called for them.

13268. Do you recollect the day you gave them to Mr. Laffan?—I do not.

13269. Do you see Mr. Laffan in court?—I do. He will tell himself. I thought there would be no more about it, because I had no interest in the case.

13270. Do you recollect giving them to Mr. Patrick Laffan?—Yes; I believe I do; he called in, at all events.

13271. Now, is your memory so very bad that you do not recollect giving them?—Yes.

13272. You do not often in your life, I suppose, get two bags of gold; it is a thing that would leave an impression on any one's recollection. Do you recollect giving them to Mr. Patrick Laffan on a Sunday?—No, I do not.

13273. Do you recollect the fact of giving them to Mr. Patrick Laffan?—Yes, I do recollect.

13274. You told me they were brought the day before?—Yes, I believe so.

13275. Did you see the person who brought them?—I didn't know him.

13276. That is not an answer to my question, sir?—Whether I was inside or outside.

13277. Did you see the person who brought them was my question?—I saw some person that brought them, I should think.

13278. It is not likely that it is a message that would be given to a servant; it is most probable it was given to yourself. I therefore ask you did you see the person who brought them?—I couldn't say that—whether I was inside at the reception of it.

13279. Inside or outside is perfectly immaterial. I ask you again, did you see the person who brought the money?—Well, I couldn't say, but I know it was left there; it was brought there.

13280. Was there any letter left with it?—I should think not. I didn't find it.

13281. Really you must give me better evidence?—Sure I thought I wouldn't be called on this trial about it at all.

13282. Did you know what you were to do with them?—I left it on the chimney-piece until he called for it the next morning.

13283. Pray again recollect you are giving your evidence?—I am.

13284. And that at least you ought to give your evidence, for I cannot say that you are. I asked you did you know what you were to do with them, and your answer was, "I left them on the chimney-piece until he would call for them." Surely you know that that is no answer. Do you know what you were to do with those two bags of money?—I suppose to protect them until he would call for them.

13285. Were you told a person would call for them?—I was.

13286. Were you told who would call for them?—I don't know.

13287. Would you have given them to any person that called for them?—I would not.

13288. If I called would you have given them to me?—I would not.

13289. Did the person that left those two bags tell you to whom they were to be given?—Yes, he did. He said it was to Mr. Laffan they would be given.

13290. He said it was to Mr. Laffan they were to be given?—Yes.

13291. Did he tell you where he came from?—He did not.

13292. Before he came there did you know that the money would be left there?—No.

13293. Did you know such a message would be left there?—Before the first arrival?

13294. Yes?—I did not.

The Rev. James M'Namara.

13295. Do you know Mr. Leahy?—Which Mr. Leahy?

13296. The brother of the archbishop?—I do know him.

13297. Have you ever had any conversation with Mr. Leahy with reference to those two bags?—Never.

13298. Have you ever had any conversation with any person except the person who brought them and Mr. Laffan?—Never.

[The short-hand writer reads question and answer No. 13264.]

13299. You repeated to me twice, Mr. M'Namara, an answer which requires some explanation. You repeated to me twice, "I really don't know who was the first person who gave them to me." You repeated that twice?—Well, I don't know.

13300. Or when they were first brought?—I didn't know him—at first.

13301. I want to know why you said, "I don't know who first brought them." Were they taken away and brought again?—They were not; they were only brought in once, and taken away the next.

13302. Will you have the goodness to tell me all the person who brought this money said to you when he brought it into your place?—I forget; but I think he said nothing but to leave them there until they would be called for.

13303. He surely said more than that, Mr. M'Namara. He surely said more than "leave them here until they will be called for?"—Well, I don't recollect what he said.

13304. Have you no recollection whatever of what he said?—Not the least, unless he left them there to be called for. In short, I didn't take much notice of them at all.

13305. Did you suspect it was money?—I couldn't say which.

13306. Did you suspect it was money?—I suppose it must have been something like it.

13307. And do you mean to say you took charge of two bags of money from a person you did not know, receiving no more instruction than "they are to be left here until they are called for?"—I told all I know about it.

13308. Mr. Laffan, when under examination here yesterday, was very unwilling to mention your name. He was bound under the compulsion of his oath, and under our power here to mention your name. With great reluctance he mentioned your name, and he gave, as a reason for his reluctance, to mention your name this—that you bound him never to mention your name in connexion with it?—I never said any such thing.

Mr. *Patrick Laffan* recalled by Mr. WATERS, Q.C.

Mr. Patrick Laffan.

13309. Mr. Laffan, stand up, if you please. Did you say that yesterday?—Yes, I did, sir.

13310. Did the Rev. Mr. M'Namara bind you to secrecy in connexion with that transaction?—The way it occurred was this:—When I was going away and bidding him good-by, he put up his hand [witness makes a descriptive gesture], and said "not a word, not a word."

The *Rev. James M'Namara's* examination resumed by Mr. WATERS, Q.C.

The Rev. James M'Namara.

13311. Did you wish Mr. Laffan not to speak about it?—Oh, I didn't tell him to speak about it.

13312. You told me a minute ago that you never mentioned this matter to any one. If it was a perfectly innocent transaction, would you not have gossipped about it with your acquaintances and friends? I want to know why you did not mention it—you who say you did not know it was money?—I didn't know it was.

13313. And you say you never mentioned it to a human being?—No.

13314. When you got it where did you put it?—I left it on the chimney-piece.

13315. Did you leave it there all night?—I did.

13316. Was it sealed?—It was sealed.

13317. Were they canvas bags or leather bags?—I don't know which. It was well sealed, at all events. I left it so.

13318. Did you ask the person that came with it to sit down or to stay for a while, or anything?—I don't think I did.

13319. Did he stay any time at all in your place?—A very short time, I should think. He only came in and walked away, I should think.

13320. Was it a man or a woman: do you recollect that much?—It was a man.

13321. Was he an old man or a young man?—Rather young—a young man. I didn't ask him for his name.

13322. You did not ask his name?—No.

13323. Why did you not ask his name?—Because, whatever it was, he was sure it would be safe for him.

13324. At the time you got it did you suspect it was money?—I couldn't swear to that.

13325. Now, I did not ask you that. Pray have the goodness to answer my question?—Yes.

13326. Well, answer it?—Well, I suppose it may be.

13327. That is not an answer to my question?—Well, I couldn't say it was money, because I didn't see it.

13328. That is not an answer to my question. I am very sorry to have to repeat it so often. I ask you again, at the time that you got it did you suspect it was money?—Well, I suspected there was something in it.

13329. That is not an answer to my question. Mr. M'Namara, I am exceedingly sorry to be obliged to say to a person in your position—a person of your sacred profession, who ought to set an example of the greatest candour to persons in the humbler paths of life, and who are to be instructed by your example as well as your word—I have to tell you that I sent a man to prison the other day for what you have just done, four times refusing to answer my question. I have to ask you again, at the time you got those bags did you suspect it was money was in them?—Well, I suppose I did. I couldn't be sure of it.

13330. Do you mean to say then that, without knowing anything beforehand, without knowing the name of the person who brought it, or without asking any question, you took the money, and never inquired where it came from, or for what purpose it was left?—I never inquired for what or where, never.

13331. Did you suspect where the money came from?—I did not.

13332. You did not?—No.

13333. Have you ever heard since; I do not ask you if you know; have you ever heard since where it came from?—I cannot say. I don't know.

13334. I ask you, sir, have you ever heard where it came from?—Unless Mr. Laffan can tell.

13335. Now, sir, I ask you again, if you please, have you ever heard where it came from?—Perhaps it came from Cashel—it might come from Cashel.

13336. It might come from London, or it might come from St. Petersburg. Answer my question—have you ever heard where it came from?—Yes. As far as I could understand, I should think it came from, perhaps, Mr. Munster.

13337. How did you understand that?—Oh, Mr. Laffan called for it.

13338. You must tell me, if you please, now, sir,

FOURTEENTH DAY.

October 19.

The Rev. James M'Namara.

how you came to suspect that it came from Mr. Munster. I must know all about it. Have the goodness to tell me?—Oh, sure I am telling you as far as I can.

13339. I want to know why you suspected it came from Mr. Munster?—As the election was going on here.

13340. Have you never heard anything as to where it came from?—No, unless what I tell you.

13341. Did you hear from anyone that it came from Mr. Munster?—I should think not.

13342. What?—I think I did not. I only suspect it.

13343. Did you ever receive any communication, verbal or written, from anyone with reference to that transaction since it occurred?—Never.

13344. There was no communication of any kind made to you with reference to it since it occurred, by anyone?—No.

13345. Have you never had any conversation at all with anyone in which that subject was alluded to, directly or indirectly?—Never, so far as that money.

13346. As what?—So far as the two bags of money.

13347. Now, what do you mean by that exception? I ask you had you any conversation with anyone in which that subject of leaving or taking the money, or where it came from, was ever alluded to, directly or indirectly?—I should think not.

13348. That is very unsatisfactory, Mr. M'Namara. On my word, I am ashamed and pained?—I never spoke to anyone about it.

13349. On your solemn oath, sir, are you not able to give any sort of information whatever about that transaction?—No, sir, so far as that.

13350. So far as what?—As the two bags—the two bags.

13351. Well, with reference to any others bags, I ask you again, sir, on your solemn oath, are you able to give me any explanation or information?—[No answer.]

13352. Mr. GRIFFIN.—You say, sir, you are not able to give any information with reference to that transaction as regards the two bags. What part of the transaction are you able to give an explanation about?—Which transaction?

13353. The answer you gave was, that you were not able to give an explanation in connexion with the two bags. What part of the transaction are you able to give an explanation about?—I mean to say that one time I got a few pounds.

13354. Mr. WATERS, Q.C.—I have not asked you about that yet. I am asking you about the first transaction. I am not at all satisfied?—Oh, I have no reminiscence of it—if I had I would tell. I thought I wouldn't have anything to do with this business.

13355. You received a cheque that day?—That day?

13356. Yes, from Mr. Laffan—did you receive a cheque from Mr. Laffan?—I don't think I did.

Mr. Patrick Laffan.

Mr. *Patrick Laffan* recalled; examined by Mr. WATERS, Q.C.

13357. Mr. Laffan, stand up. Did you tell me yesterday that you gave this gentleman a cheque that day?—I did, sir.

13358. Did you give him a cheque that day?—I did, sir.

The Rev. ames M'Namara.

The Rev. *James M'Namara's* examination resumed by Mr. WATERS, Q.C.

13359. Did you get a cheque on the bank from Mr. Laffan?—No. [Mr. *Patrick Laffan.*—Mr. M'Namara, I think, does not know me very intimately—he may forget that he got the cheque from me].

Mr. Patrick Laffan.

Mr. *Patrick Laffan* again examined by Mr. WATERS, Q.C.

13360. Did you get a cheque from Mr. Leahy?—I did.

13361. Did you hand that cheque to the Rev. Mr. M'Namara the day you got the money from him?—I did.

13362. What was the amount of the cheque?—£5, I think.

13363. Did you tell Mr. M'Namara where it came from?—I think I mentioned Mr. Leahy—that is my impression.

13364. But you are not quite certain of that?—No.

13365. Have you the slightest doubt in the world that you gave him that cheque for £5?—No, sir.

The Rev. James M'Namara.

The Rev. *James M'Namara's* examination resumed by Mr. WATERS, Q.C.

13366. Now, did you get the cheque, Mr. M'Namara?—I got a cheque, but I don't know who it came from.

13367. Did you tell me a moment ago that you got no cheque?—Oh, I did not—I was going to answer.

13368. Now you say you did get a cheque from Mr. Laffan?—Oh, I acknowedge I got a cheque for £5.

13369. Mr. M'Namara, I will not examine you any further at present. I will adjourn your examination. You had better search your recollection; search it very carefully, and come back here prepared to tell me what you recollect?—Oh, I took no date.

13370. You will be back here to-morrow morning, and bring anything you have with regard to that cheque. Try and search your recollection so as to answer me a little more satisfactorily to-morrow.

Patrick Ryan was called but did not appear.

John Darmody

John Darmody sworn; examined by Mr. WATERS, Q.C.

13371. For whom did you vote at the last election?—I had no vote, your worship.

13372. You are not a voter?—No, sir, I am not.

13373. Have you a brother?—I have, sir.

13374. What is his name?—Pat. Darmody and William Darmody. I have ne'er a brother in Ireland.

13375. Were you here during the last election?—I was here after the election, sir.

13376. Were you here during the election?—Not at all, sir.

13377. Do you know Cunningham's house?—I do, sir.

13378. Were you ever in Cunningham's house during the last election time?—No, sir, until before the election, about a month or five weeks, or about that, I think.

13379. Are you sure you were not here while the election was going on?—Not at all, sir.

13380. Do you know Mr. Leahy?—I do, well, sir.

13381. Were you in Mr. Leahy's employment?—I

was in his brother's employment. I held a farm convenient to his brother's farm near Thurles. I was superintending a farm for years for him, selling and buying, and looking after the farm as steward to him.

13382. Did you see Mr. Leahy during the election time?—I saw him before the election.

13383. Where did you see him?—I saw him in Thurles at our county meeting for the county election.

13384. I am speaking of the Cashel election in November last?—I came one day with corn and sold three loads of corn below to Cunningham. A man there said Mr. Leahy was in town. I said I would like to see him, and I came to see him. That was before the election—no, it was after the election, sir, not before the election; it was after the election, about five or six weeks.

13385. Did Mr. Leahy ever give you any commands with reference to the Cashel election?—Yes, we had a conversation after the election being over, sir, about it.

13386. What about it?—That he wanted to know had I any influence over any voter after the election being over a long time.

13387. What else did he say?—That I had no influence, but a friend of my own lived in the Commons.

13388. Where had you this conversation with Mr. Leahy?—Above at Mr. Munster's—Mr. Laffan's—that is the day I was with him after the election being over; a month or five weeks.

13389. And you say he was talking with you after the election was over, and asking if you had any influence with voters in Cashel?—He was, sir.

13390. What is your friend's name on the Commons?—A cousin of mine that is married, Tom Cooney, sir; I understand he didn't vote for either party.

13391. Were you stopping at any time in Cunningham's house—did you sleep at night there?—Not the time I came with the corn, but ten or twelve days or a fortnight after that a car came to my house late at night, about nine or ten o'clock, and they told me Mr. Leahy sent down both of them with the car to have me go up that night to Cashel to him. That night blew so hard and cold my family wouldn't let me out, but I would go in the morning. Then they took a cup of tea, the night was so hard, and they warmed themselves before they went away, and I came in the morning and put up at Cunningham's house, and Mr. Leahy was gone in the morning. I waited at Cunningham's house, expecting that he would come back, and I slept at Cunningham's house the day following, expecting him, and didn't see him since, but I saw him about a month ago driving through the town with Mr. Munster, and I had a salute.

13392. Did they mention what he wanted you for?—I couldn't say. I suppose it was about the election.

13393. Did the men tell you?—No, they did not.

13394. Who were the men?—Mat. Murrin; he stopped at Cunningham's house.

13395. Where did you see him?—I see him at Cunningham's house. That is the first time I ever knew him, the time I came with the three loads of oats and sold them at Cunningham's, and that is the man that went with the driver for me to the house. I was surprised when I see my name on the paper, and I got wild to see I would be concerned in bribes, that never got a shilling from either party, to say that I would be put on the paper publicly.

13396. Are you telling me the truth, that that is all you know about it?—It is, indeed, your worship; you can't bring a shilling against me. I didn't see a shilling of Mr. Munster's money no more than the man unborn. I am at a loss to be losing my time coming here.

13397. Is that all you know about it?—That is all, sir.

13398. You are quite sure of that?—I am, sir, quite sure. Somebody had some games with me, sir. I didn't want any games of that class.

13399. If Mr. Cunningham said Mr. Leahy sent you to the house, and you were stopping there, would it be true?—He didn't. Mr. Murrin stopped at the house when I came there. I was a day before there with three loads of oats, and sold it, and put my horse up in the stable; and he was the man that went for me.

13400. Mr. MOLLOY.—Do you know Luke Larkin?—Oh, well, sir, this twenty-five year.

13401. Mr. WATERS, Q.C.—Did you see him there at all?—I took no account of him; not a sight, sir.

13402. Are you quite sure that you are not mistaken in saying that this was after the election? Why would Mr. Leahy ask had you any influence over voters if the election was over?—I don't know, sir; I didn't see him that day I came.

13403. Are you sure it was after the election?—Oh, it was, sir, five or six weeks. I wasn't here at the election, sir.

13404. How long was it before Christmas? Was it after or before Christmas?—I cannot recollect, sir, but I know it was it after the election.

13405. Was it a month before Christmas?—Sure Mr. Cunningham has it in his book the day I sold the oats; and another day a car went for me to the house.

13406. How soon after that did the car go?—Ten or twelve days. I couldn't well recollect, more or less, sir.

13407. Who bought the oats from you?—Tom Cunningham.

13408. Was it the father or the son?—It was the father bought it, sir. They went for me with the car, sir.

13409. Well, Mr. Darmody, I have no reason to believe you do not tell me the truth. Do you tell me candidly and honestly that you know nothing about the election?—Not a ha'p'orth, sir.

13410. Mrs. Cunningham told us you stopped in the house?—I stopped that night, sir.

13411. But during the election?—Is it me, sir?

13412. Yes?—She said afterwards she was wrong, sir; she cannot prove it. I stopped one night in the house, that is all that I slept there.

13413. If old Tom Cunningham said he saw you going into the room where Luke Larkin was, would he be mistaken?—He is mistaken, sir, or any man that would say it. Sure Luke Larkin knows me this seventeen or eighteen years.

13414. You were not there at all?—I was not, sir. Sure I was surprised myself to see it on the paper, sir. That's what vexed me. I think as much of my character as any man in the land.

13415. Do you really believe now that it is wrong to bribe?—I couldn't say, sir; I don't know; perhaps I would take it myself if I got it. By gor I would take it, sir, perhaps as soon as another.

Richard Butler sworn; examined by Mr. WATERS, Q.C. Richard Butler.

13416. Are you a voter?—Yes, sir.

13417. For whom did you vote at the last election?—Mr. Munster, sir.

13418. You got £30?—I did, sir.

13419. From Mr. Larkin. You did not know who he was then?—I didn't, sir.

13420. Where was it that he gave it to you?—Below at Mr. Cunningham's.

13421. And you signed a note, I believe?—I did, sir, I marked my name to it.

13422. Do you not write yourself?—No, sir.

13423. You only put your mark to it?—That was all, sir.

13424. Was that £30 for your vote?—I suppose it was, sir.

13425. With whom did you make the arrangement

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Richard Butler.

before that?—No one, sir; I never went to anyone about it. On the second night before the election I was called to Mrs. Corcoran's, and Pat. Cunningham was the man I met. He asked me was I going home. I told him I was, and he gave me a bit of a note. "Go down with this to the house," says he. I went down. I met his father inside. I gave the note to whoever was inside. He asked me my name, and I said, "Richard Butler," and he gave me £30, sir.

13426. Did you ever vote before, Mr. Butler?—I did, sir.

13427. When?—Not the last time—not in '65; but before that, for Mr. Lanigan.

13428. Did you get anything for voting then?—I never got a farthing during my life before, sir.

Edmund Long.

Edmund Long sworn; examined by Mr. MOLLOY.

13429. You voted at the last election for Mr. Munster?—Yes.

13430. Who canvassed you?—It was Mr. Laffan I gave my vote to.

13431. Which of them?—Mr. Pat. Laffan.

13432. How long before the election?—About two or three days, sir.

13433. What was the arrangement?—No arrangement, sir, only to give my vote.

13434. How much were you to get?—How much was I to get?

13435. Yes?—I don't know.

13436. But you were to get something?—He didn't promise me nothing, sir.

13437. But did you expect anything?—I expected it hereafter, when the election would be over; if I got it I would take it.

13438. And you expected it?—Well, I did expect it.

13439. How much did you expect?—By gor I couldn't say, sir.

13440. How did you vote in 1865?—I had no vote then, sir.

13441. Was the last the first election at which you voted?—It was, sir.

13442. Did you tell Mr. Laffan or any person that you expected money?—No, I didn't tell Mr. Laffan, but he asked me would I take it, and I said not, sir.

13443. When did Mr. Laffan ask you would you take it?—Before the election, sir.

13444. Which Mr. Laffan?—Mr. Pat. Laffan.

13445. What did you say to him?—I said I wouldn't take money, sir, for I wasn't very well then, sir.

13446. Did you expect to die before the election?—Begor I didn't know but I would, sir.

13447. You said you expected to get money?—If I got it I would take it, sir.

13448. Why did you refuse when he asked you?—I said I wouldn't, sir, nor I wouldn't take it until after the election.

13449. You would think it was bribery if you got it before the election?—I know it is bribery every time it is got.

13450. Did you apply ever to anyone after the election?—Never, sir; never.

13451. When did you expect to get it?—Oh, how do I know, sir; whenever I get it I will take it.

13452. Tell me why you would not take the money before the election?—I wouldn't sir; I was in dread of the thing; for fear I would be put to e'er an oath. It was the first election I had a vote, and I said I would wait until after the election was all over.

13453. Was it the first time Mr. Laffan canvassed you that he asked you would you take money?—Oh, no, sir; I offered my vote before that, sir.

John Cassidy.

John Cassidy sworn; examined by Mr. GRIFFIN.

13454. Are you uncle to Jerry Connolly?—Yes, sir.

13455. For whom did you vote at the last election?—Mr. O'Beirne, sir, with great pleasure.

13456. Who canvassed you for Mr. O'Beirne?—A friend of Mr. O'Beirne, Captain Graham.

13457. Were you canvassed on Mr. Munster's side?—Well, in a sort of a way, your worship.

13458. By whom?—By Mr. Laffan, here.

13459. Michael or Pat?—The elder of the two; this gentleman here. [Points out Mr. Michael J. Laffan.]

13460. Did your nephew speak to you at all about it?—He did, your worship.

13461. What did he say?—He told me he intended to seek employment at the election. "And I think," says he, "by having four votes it would be effected; and will I mention you," says he, "with some others?" "Well, you may," says I; "but mind, I am not pledged by anything you say." "Oh, no," says he, "of course."

13462. Did you hear afterwards he had been employed?—Well, your worship, the next time I saw him after this discourse, he told me he saw Mr. Laffan, and that he would say nothing; but Mr. Leahy was talking about opening a boot store to employ men, and he asked him, "Are you capable of conducting business?" He said "Yes." "Do you think yourself engaged now?" "Yes," he says; "but I don't know my terms." "No, nor you won't, but we keep our word."

13463. Did you hear afterwards that he got £70?—Never, until it appeared here in court. When he came to me again he said, "I hear you are pledged to Mr. O'Beirne—is it true?" "Yes," says I, "it is true." "Then," says he, "I have no more talking about you." "No," says I to him.

13464. Did you get money for voting for Mr. O'Beirne?—No, your worship; it would be a mean man would want money for voting for Mr. O'Beirne.

13465. Did you get money before for voting for Mr. O'Beirne?—I thought it a great honour to have it to give to the gentleman.

13466. Did you get any promise or intimation of any kind?—Not the slightest. I thought it was the greatest gift I could bestow, especially through Captain Graham, an old acquaintance of mine.

13467. Then why did you tell your nephew that he might mention you to the other side?—I was quite at liberty. I thought my vote my own. I could vote as I liked, but once I was pledged ——

13468. If you had been pledged before your nephew was employed, would you have voted for Mr. Munster?—I may have my weak points.

13469. You would accept the temptation, you mean?—I might, your worship, and I would repent it as long as I live. I might have my weak points as well as another. I consider that a voter for Mr. Munster would not vote for him only for getting money.

13470. Mr. MOLLOY.—Did you get a retainer from Mr. Laffan?—I did, sir.

13471. Why did you take it?—When I found the money was laid out to cheat me, I thought I had as good a right to return the compliment.

13472. Did you think he was cheating you?—I knew well he was, on account of the discourse that happened between him and me before.

13473. Did he not give you five guineas?—He gave me a bill cheque. He must have been very stupid if he didn't know I was very much in favour of Mr. O'Beirne before that.

13474. Did he not speak to you about the retainer before you took it?—He did.

John Cassidy.

13475. Did you not go away?—I did, your worship.

13476. Did you not come back to him the next day?—No, your worship: the first time that I made my appearance to Mr. Laffan.

13477. When did he speak to you about the retainer?—When I was in his presence of course; when he sent a special messenger for me.

13478. Go on?—I should tell your worship the conversation that happened between him and me before that.

13479. Tell the conversation about the retainer?—He sent for me and I came to him. "Well," he says, "what I could do for you would be to give you an agency." "Well," says I, "I may be employed otherwise; I am engaged from six o'clock in the morning to six o'clock in the evening; whatever hours are fit for working I could do nothing in the way of agency." "Oh," says he then, "I would want you only by night; an hour of an evening, or a Sunday would do me." "Well," says I, "I will think over it, so I will come and let you know this evening." So in the evening he first came to my house, and my wife when she heard Mr. Laffan inquiring for me, she asked me what he was wanting me for; "he wanted to engage me as an agent to Mr. Munster."

Mr. WATERS, Q.C.—You must not be telling us the confidence between yourself and your wife!

13480. Mr. GRIFFIN.—What did you do in the evening?—I went up to tell Mr. Laffan I would have nothing to do with him. There was a lot of rowdies on the lobby. "This is no place for me," says I, so I went away. I was coming up street in a few days after and met him. I told him I called to the hotel to tell him I would have nothing to do with him. "Just turn into Corcoran's here," says he. We turned in. "Couldn't you come," says he, "of an evening or a Sunday; your brother-in-law and brother are with us, and wouldn't you speak to them," says he, "and all that?" "Oh, I could do that," says I; "sure I never got a £5 note for such small work before," and I took it, to my misfortune, nearly.

13481. Why did you not keep it?—No, when I found it would affect my vote.

13482. You published a letter about it?—I did, your worship.

13483. Was it you that composed the letter?—No, sir.

13484. Who composed the letter?—A young man; I think he was Mr. O'Beirne's valet.

13485. What was his name?—Henry.

13486. Mr. WATERS, Q.C.—Did you cash the cheque?—I did not.

13487. How long did you keep it?—About three hours.

13488. To whom did you take it?—I took it back to Mr. Laffan's; he wouldn't take it; so I left it on the table.

13489. Where did you go with it when you got it?—I went to my house and locked it up. "Why did you take that?" says my wife. "Well," says I, "sure I can give it back to him."

13490. From whom did you learn that it would affect your vote?—From a gentleman.

13491. Did you go to him?—No, but he came to me.

13492. Who was he?—Captain Graham.

13493. He came and asked you had you got it?—He asked me "Have you been at Corcoran's with Mr. Laffan?" "Yes, sir," says I, "he sent for me to give me a retainer." "Why did you do such a thing as that?" says he; "do you know you are ruining your vote?" "No," says I. "You have actually by taking that," says he, "ruined your vote." "Well," then," says I, "I'll go give it back."

13494. At the time you took the cheque for five guineas, did you intend to vote for Mr. Munster?—Oh, yes, I did.

13495. For Mr. Munster?—Oh, no, sir; sure I hadn't the slightest idea of that. You ought to allow me to tell you how Mr. Laffan came about me to "coogle me up;" that Mr. Munster was picking up all the Protestant girls in England, to make Catholics of them; and instead of that he is leaving them go church.

13496. Had you a vote in 1865?—No, I had not, your worship; 'tis as well for me I hadn't.

Denis Considine sworn; examined by Mr. MOLLOY.

Denis Considine.

13497. *Witness.*—Gentlemen, will you allow me to say a few words?

13498. What do you wish to say?—I voted for Mr. Lanigan in 1859, here, and for Mr. Lanigan in 1865, and I wouldn't have voted in '59, because I was promised to Mr. Scully at the time, but Mr. Scully went to Cork, and then I voted for Mr. Lanigan, and then I voted for Mr. Lanigan in '65, and for Mr. Munster in '68. I wasn't canvassed by anyone, only by Mr. Scully in '68. I told Mr. Scully if he could show me he had the slightest chance that I would vote for him then. Mr. Munster, Mr. Laffan, or any single soul connected with him never asked me would I vote for him. I never for the last thirty years in Cashel—never got a penny at any election from a member, or agent, or any single soul connected with them, in any single shape or form. I never took a glass of whiskey or a tumbler of beer in any election. Now, any question you ask me I'll answer.

13499. What family have you?—I have eight in family.

13500. What are the names of your sons?—My son Michael, and my nephew John.

13501. Were they employed at the election?—Yes. My son Michael was employed by Mr. Laffan; some time before the election he had him writing; and I believe my nephew was home at college at the time.

13502. How long was your son employed before the election?—I couldn't say.

13503. What was he doing?—Writing circulars.

13504. How much money did he get?—He got £3.

13505. Who gave him the £3?—Mr. Laffan will tell you; I don't know.

13506. Did you hear from Michael?—Mr. Laffan, he said, gave it; Captain Dudly Byrne, I believe, was in the room: I heard that. There was no one in Cashel ever got less at an election than I did, for I never got anything at all.

13507. Have you sent in any claim on Mr. Munster?—Well, I think Mr. Laffan, at the time the claims were payable, desired him to send in his claim.

13508. How much?—He desired him to send in for £40.

13509. Were you by at the conversation?—No; Mr. Laffan told me to have the son sometime before the petition send it in.

13510. Sometime before the petition he came and asked you to have a claim sent in by you for your son?—Yes, sir.

13511. And you sent in the claim?—He did, sir; Mr. Laffan mentioned the sum.

13512. Did your son send in a claim?—He did, sir.

13513. Who wrote the claim?—My son himself, sir.

13514. Did he apply for payment after the petition?—No, sir, he never did. There was no word about payment until Mr. Laffan introduced it. I wasn't sorry I voted for Mr. Munster, for he is a kind, charitable man. We had a good many here since Mr. Perrin, and none of them ever went to a poor man's house and gave him blankets.

13515. How old is your son?—Twenty-two years last February.

13516. Did you not think £40 rather too much?—It was Mr. Laffan; I never introduced anything about the money.

13517. Do you not think it an exorbitant sum?—I think it was, but he didn't expect anything, I believe, at the same time.

13518. He did not expect anything?—I think he did not.

13519. You did not think the £40 for your son

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had any thing to do with your vote?—Oh, no, it could not, for I never had anything to do with anyone.

13520. How long was your son employed?—I couldn't say.

13521. Was he perfectly satisfied when he got the £3?—I think he was, because there was more money entered to him, and he refused it, he told me.

13522. Was he not anxious that you should vote for Mr. Munster?—He never interfered with me.

13523. Was he not anxious?—I don't think he was, sir.

13524. Mr. WATERS, Q.C.—You say your son was offered some more money by somebody else?—The time he got the £3 he told me he was asked would he take any more, and he refused it.

13525. Have the goodness to send your son up here?—I will, sir.

Michael Considine.

Michael Considine sworn; examined by Mr. WATERS, Q.C.

13526. Are you the son of the last witness?—Yes, sir.

13527. Your father told us you got £3. From whom did you get it?—From Mr. Michael Laffan.

13528. And he says you told him that you were offered more?—Yes.

13529. How much more were you offered?—I could not say.

13530. By whom were you offered more?—When he sent a message for me about the close of September he happened to be at Mrs. Corcoran's in company with Captain Dudly Byrne. I went to him and he said, "I want to engage your services during the forthcoming election." "Very well," says I. In the evening at Mr. Munster's house I was engaged. This was a good while previous to the election. Said he, "There will be an exposition of Mr. Munster's principles in a few days at least; his address will be issued; you will be kind enough to say to persons that ask who he is, that he is a gentleman from England; he is of pure Liberal principles, and has recommendations from some leading clergymen." "Very well," says I. "I'll give £3," says he. I took it. "I'll tell you what your services are; say nothing until I give you instructions." I went away. He sent for me two or three days afterwards. I went to his office. No one was there but himself. He was about giving me instructions; he reserved it. He was about giving me more money. "I'll not have it," says I. I never spoke to Mr. Laffan afterwards about the election.

13531. I want to know why you refused the money?—I didn't want the money at the time. I was very much inclined to return his £3, and to remain free.

13532. Why were you inclined to return the three pounds?—I didn't want to be connected with the election in any way.

13533. What do you mean by remaining "free?" you had not a vote?—That is, to remain myself without being trammelled by duty or services under any person.

13534. We must all trammel ourselves with work of some kind or other. I suppose you would not have any objection to get honest work and to be paid for it?—I would not.

13535. I want to know why you refused the additional money?—I had no particular reason. I said to Mr. Laffan that I didn't want it. He didn't name any sum, but said, "There's money here for you," making a move to give me some money, but I said I wouldn't have it.

13536. Was there any conversation between you as to how your father was going to vote?—There was not.

13537. At any time?—No.

13538. Did you and your father often debate the respective politics of the candidates?—Very often we spoke about them.

13539. When was your father's mind inclined towards supporting Mr. Munster?—I couldn't really say, but I thought he would lean towards the successful candidate, whoever he might be.

13540. What is your father's occupation?—He is a plumber.

13541. And do you assist him?—No.

13542. How are you occupied?—I am a clerk.

13543. Do you know if your father worked for Mr. Munster?—Yes, he did.

13544. Did he do much work for him?—Well, I think not—some few small jobs in his trade.

13545. Do you know how he was paid?—I can't say; I don't know anything about it.

13546. You put in a claim for £40?—Yes.

13547. Are you in employment at present?—Yes, I am, sir.

13548. Where?—In the baking establishment of Going and Smith, as book-keeper.

13549. May I ask what is your salary there?—£40 a year—15*s.* a week—that is, I think, £39 a year.

13550. And that is for the entire year?—Oh, it is weekly I'm paid.

13551. But 15*s.* a week is just £39 a year?—Yes.

13552. How long were you engaged for Mr. Laffan;—How long was I engaged?

13553. Yes?—I can't say exactly the date, but my term of service dates from sometime near the close of September, '68.

13554. Were you in your present employment at the time?—I was not.

13555. But you were in some other employment?—I was.

13556. What was your salary at the employment in which you then were?—About £30 a year.

13557. Did you remain in it during the election?—Yes, I was.

13558. Therefore, the only time you could give Mr. Laffan was in the evenings?—Yes; my employment at that time took me from eleven to three o'clock.

13559. After that you might assist Mr. Laffan?—Yes.

13560. From the end of September to the 20th November—two months—but you were not with Mr. Laffan all that time?—I was not.

13561. Were you a month?—I was not.

13562. Were you a fortnight?—No, I was not.

13563. Were you a week?—I was not.

13564. Were you at all?—I was, as writing clerk.

13565. How long—how many nights?—About three times, I think.

13566. And for those three times you put in a claim of £40?—I put in a claim.

13567. Did you?—Yes; it was at the suggestion of Mr. Laffan the claim was put in.

13568. Explain how you earned the money from Mr. Laffan, and afterwards put in a claim for £40?—I can't explain it any more; I refused the money at the time; the reason I put in the claim afterwards was that Mr. Laffan suggested I should put in a claim for the sum mentioned, and he suggested the figure.

13569. What did he say to you?—Not to me, but to my father, and it came through my father to me.

13570. What did your father say when giving you the message?—He says to me, "I and Mr. Laffan were speaking about the election, and he says it would be well for you to put in a bill; and Laffan," he says, "is most cautious about these things." He used the word "cautious;" "but still," he says, "I would be most anxious to put in a bill for your services to receive remuneration in some form." "Very well," says I. I then drafted a draft of the bill.

13571. Did your father tell you the amount?—Yes, he did; the amount he conveyed from Mr. Laffan to me.

13572. And he said £40?—Yes, he did.

13573. Did you say to your father, "I did not earn £40?" Did you express no astonishment? You had got £3 for the three evenings?—Yes.

13574. And did you say to your father, "What does he want me to put in a claim for £40 for; I am well paid already?"—I didn't say I was well paid.

Michael Considine.

13575. Did you consider you were well paid?—Yes.

13576. And you were putting in a claim for £40?—Yes.

13577. For what?—As I stated in my bill, "for services rendered."

13578. Why you admitted that you were well paid already. Do you think you have any further explanation to offer?—I don't think I have.

13579. I will give you the fullest opportunity. Accordingly, let me ask why you put in a bill for £40 for services, when you admit you were well paid already?—My only explanation is that the amount of £40 would act as an incentive to my procuring a position through the influence and patronage of Mr. Munster.

13580. Therefore, you were taking £40 from Mr. Munster to enable Mr. Munster to serve you afterwards?—No, but in the event of procuring a position through his influence I would abandon—I was to abandon—my claim.

13581. Did it ever occur to you at all that that was remuneration for your father's vote, and not for your services?—Never, at that time.

13582. Did it ever since?—Well, I can't say what my impressions were, but I was so conscious of my father's integrity, that I was sure he would refuse a bribe from any man.

John Considine.

John Considine sworn; examined by Mr. WATERS, Q.C.

13583. You were a poll clerk at the election?—Yes, sir; a tally clerk.

13584. Did you put in a claim?—For £1, sir.

13585. Did you put in a claim for any more?—There was no mention of any sum in the claim I put in. I only said "for services rendered."

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled by Mr. WATERS, Q.C.

13586. *Witness.*—I think I put in £1 for the day.

13587. Mr. Michael Laffan, is this one of those cases you mentioned before?—It stands on very nearly the same footing. I will explain it when I come to be examined. I employed young Considine for a legitimate purpose at the election.

13588. But £40 is not a legitimate sum to pay?—No, I didn't intend that he should get £40.

13589. Did you hear what his father swore?—The father asked me what he would put down. "Oh, anything you like," said I. "You may put down £40;" but it did not follow that he was going to get it.

Mary Walsh.

Mary Walsh sworn; examined by Mr. GRIFFIN.

13590. You are sister of James Walsh?—Yes, sir.

13591. He voted for Mr. Munster at the last election?—He did, sir, for Mr. Munster.

13592. Were you spoken to at all about his vote?—Never, sir.

13593. Did Mr. Laffan speak to you about it?—Never, sir; neither of the Mr. Laffans.

13594. Did Pat. Cunningham?—Never, sir? not a single word ever.

13595. Did Michael O'Sullivan—he is a relative of yours—speak to you about it?—Never, sir.

13596. Michael O'Sullivan was a great supporter of Mr. Munster's?—I believe he was, sir.

13597. Did he never say anything to you about voting for him?—He never did, sir.

13598. Did anyone ever speak to you about it?—No; none of the Laffans, nor Tom Cunningham, nor Patsy Cunningham, nor Mr. O'Sullivan.

13599. Did anybody tell you that it would be a good thing for him to vote for Mr. Munster?—Never, sir.

13600. Had he a vote in 1865?—Never, but now, sir; never before, sir.

13601. Did you hear of his getting anything for his vote?—No, sir, nor he wasn't promised it that I know anything about.

James Darmody was called but did not appear.

Michael Darmody.

Michael Darmody sworn; examined by Mr. MOLLOY.

13602. Are you a son of James Darmody?—Yes, sir.

13603. Your father voted for Mr. Munster at the last election?—My father is dead this day fourteen years, sir.

13604. Mr. WATERS, Q.C.—Were you not asked, this moment, "are you the son of James Darmody?"—I am brother of James Darmody.

13605. Why, you said you are his son?—I forgot myself.—Do not be angry with us then if we made a mistake about your father being alive.

13606. Mr. MOLLOY.—Your brother voted for Mr. Munster?—He did, sir.

13607. He got £30?—He did, sir.

13608. Did he tell you that he got the £30?—He never told me, but I hear he got it.

13609. Were you employed at the election?—No, sir.

13610. In any way?—In any way.

13611. Were you paid any money?—There was a brother of mine drew some sand for Mr. Munster and he got paid for it.

13612. How much sand did he draw?—Two loads, sir—a load each day.

13613. How much did he get for the two loads of sand?—30*s.*

13614. Did he get any other money?—I didn't get any other money.

13615. Did your brother get any other money?—It is I that got the 30*s.*, sir, for drawing the sand.

13616. Who paid you the 30*s*,.?—I got 10*s.* sir, before the election, and I got a pound after.

13617. Who paid you?—Pat. Cunningham, sir.

13618. He paid you the 30*s.*?—Ten shillings of it, sir. He gave it to James Hanley, and James Hanley gave it to me.

13619. Who gave you the pound?—Mat Dwyer, sir.

13620. And you did nothing except to supply those two loads of sand?—It is not I drew them at all, but my brother; it is I got paid for it.

13621. Mr. WATERS, Q.C.—How much would you send me two loads of sand to-day for?—I have no sand.

13622. How much could your brother draw them for—how much a load?—I suppose 8*s.*, sir, would be enough.

13623. Do you consider he was very well paid in getting 30*s.*?—He was too well paid, sir.

FOURTEENTH DAY.

October 19.

John Rielly was called, but did not appear.

Mr. Martin Delahunt.

Mr. *Martin Delahunt* sworn; examined by Mr. MOLLOY.

13624. Had you a vote before the last election?—No.

13625. You did not vote at the last election?—No.

13626. You took a retainer on one side?—Yes.

13627. Were you canvassed by both sides?—No.

13628. Who canvassed you?—I was not canvassed at all; I was spoken to by Mr. Pat. Laffan.

13629. What did he say?—He asked me who was I going to vote for, and I said I wouldn't vote at all, and he gave me a retainer.

13630. What was the retainer for?—To give me something to do, he said.

13631. Did he tell you what you were to do?—No; he said he would give me something to do.

13632. Did he tell you the retainer would prevent you from voting?—No; I thought myself it would, but I had made up my mind not to vote at either side.

13633. When you would not vote, I suppose you were not inclined to take any part in the election at all?—That was my determination.

13634. Mr. Laffan was examined here yesterday, and told us that at the time he gave you the £10, he told you this would prevent you from voting?—I don't think he stated any such thing. I knew myself I could not vote. I thought it would be illegal to vote after taking it; but I made up my mind not to vote at all before I got the retainer.

13635. Mr. GRIFFIN.—Did you ask for the retainer, or was it offered to you?—I didn't ask for it at all.

13636. And you told Mr. Laffan, before he gave it to you, that you had made up your mind not to vote?—Decidedly.

13637. Then can you form any idea as to what Mr. Laffan's object was in giving it?—Well, I suppose he thought he might serve me by giving it, to give me something to do, perhaps, to serve me.

13638. Do you think it was to interfere with your vote?—I don't think he had any idea of that. I think it was to serve me. He knew I would not vote. I have to explain that I am a teacher of languages, and he was formerly a pupil of mine, and perhaps he thought he might serve me by giving me that.

John Rielly was called, but did not appear.

William Brennan.

William Brennan sworn; examined by Mr. GRIFFIN.

13639. For whom did you vote at the last election?—Mr. Munster, sir.

13640. Who canvassed you?—Mr. Laffan, sir.

13641. Was it Mr. Patrick or Mr. Michael?—Mr. Michael, sir, and Mr. Pat.

13642. You got £35?—I did, sir.

13643. Where did you get it?—At Corcoran's room.

13644. Who told you to go there?—Mr. Pat Laffan told me to go there.

13645. Was it with Mr. Pat Laffan you made the arrangement about the £35?—It was, sir.

13646. That was for your vote?—It was, sir, I believe, that.

13647. Had you a vote in 1865?—No, sir.

13648. Do you know of any other money given or promised at the election?—I heard every person got money, sir. Were it not for that I wouldn't go look for it myself.

13649. Only for that you would not have looked for it?—I would not, sir.

13650. It was hearing that money was going that put it into your head to seek for money?—Yes, sir; I said if every one voted independent I would; but no one did, except very little anyhow.

13651. Do you know of anyone having been promised money that has not been mentioned as yet?—No, sir.

13652. Do you know of any case that has not come out yet?—That was promised money?

13653. Yes?—No, I don't, sir. I don't mean any person but myself.

13654. Did you sign that bill [is handed a bill]?—I did, sir.

Edmond Bowes was called, but did not appear.

Mortimer Shea.

Mortimer Shea recalled by Mr. WATERS, Q.C.

13655. What do you know of Bowes?—He is in the infirmary this length of time, under the care of Dr. Russell, your worship.

Patrick Ryan was called, but did not appear.

Mortimer Shea.

Mortimer Shea recalled; examined by Mr. WATERS, Q.C.

13656. *Witness.*—I was up at his house, and I heard him talking up stairs, and the wife told me he was in bed, and not able to get up. She said it was after drink after the night.

13657. When did you go there?—I went since the court was adjourned.

13658. How long is it since you went there first?—It is Thursday last.

Captain *Dudly Byrne* was called, but did not appear.

Mr. *James Lyster O'Beirne* was called, but did not appear.

Thomas Looby, of Hughes's Lot, was called, but did not appear.

Mr. *John Davis White* handed in a letter which he said had reference to Mrs. Watkins, who had been examined.

John Rielly sworn; examined by Mr. MOLLOY. John Rielly.

13659. You voted at the last election for Mr. Munster?—Yes, sir.

13660. You got £30?—Yes, sir.

13661. What was the £30 for?—Well, as far as I could judge it was in order to get my vote.

13662. Where did you get the £30?—At Corcoran's hotel.

13663. From the man in the room there?—Yes, sir.

13664. Who made the arrangement with you that you were to get £30?—Mr. Pat Laffan.

13665. How long before the election?—Well, I couldn't exactly tell; it wasn't very long at all.

13666. Were you canvassed by any person else on Mr. Munster's behalf?—I was.

13667. Who canvassed you?—Oh, no, I wasn't on Mr. Munster's side.

13668. Who canvassed you on Mr. O'Beirne's side?—Captain Graham.

13669. What did you tell him when he canvassed you?—I told him that I didn't well know what I would do.

13670. Were you offered any money, or promised any money, if you would vote on Mr. O'Beirne's side?—Oh, I believe, certainly, that I would get some money if it was a thing I done it, but I didn't do it.

13671. How do you know that you would get it?—According to the conversation between us.

13672. The conversation between whom?—Between Captain Graham.

13673. What did Captain Graham say to you?—He asked me to vote for Mr. O'Beirne.

13674. What else?—He considered that I ought to do it for him as soon as for any man; he was my landlord.

13675. Captain Graham was?—Yes, in charge of my holding.

13676. What more did he say?—He proffered me no money.

13677. Did he speak to you about money?—He expected that I would give my vote to Mr. O'Beirne.

13678. That is, as he was your landlord?—Yes, and he said to influence me.

13679. But he said nothing about money?—No.

13680. Did you vote in 1865?—I did, for Mr. Lanigan.

13681. Was any inducement held out to you in 1865 to vote for Mr. Lanigan?—Not a penny, sir; not a pound nor a shilling; I gave my vote for Lanigan at the time, and I never gave a vote for Mr. O'Beirne.

13682. Were you canvassed in 1865 on Mr. O'Beirne's side?—Well, I couldn't well say; I don't think I was; they found me too determined for Mr. Lanigan.

13683. Did you ever vote for Mr. Lanigan in 1859?—Every time he come I voted for him.

13684. And received no promise?—No money nor anything in the world, but to vote independent, nor never during my life, while I am giving votes thirty years.

13685. If you had not made an arrangement for money this time—for £30—whom would you have voted for?—Well I certainly think I would vote for Mr. Munster, because I don't like Mr. O'Beirne.

13686. You have an old grudge against him for putting out the man you voted for in 1865?—That is it, just now; you clinched it. I had, and I hold it up.

13687. Did you ask for any money, or suggest that you should get money?—I never asked a penny of Captain Graham.

13688. No, but when you were canvassed by Mr. Pat Laffan?—No, I asked no money, but I was directed to go to Corcoran's, and I got £30.

13689. Just tell me what occurred when the arrangement was made. Who told you to go to Corcoran's?—To call at Corcoran's and I would be directed.

13690. Did Mr. Patrick Laffan send for you? When had you this conversation?—I had it in many places, and in my own house.

13691. Did you expect when the general election was coming round that you would get money for voting?—I did not.

13692. When did you first hear that money was going?—When they named it to me.

13693. Who named it to you first?—Mr. Laffan did.

13694. Was it a few days before the election took place?—I couldn't know how many days.

13695. Tell us how it took place?—He told me that he would ——

13696. Well, sir, why do you not speak?—I consider that he considered there was bribery going round, and that he said to me, "will you give your vote."

13697. What did you say to that?—I said I would.

13698. To Mr. Munster?—To Mr. Munster.

13699. Then how did he come to speak about your getting money?—He stated that.

13700. Mr. WATERS, Q.C.—Did you know that you were doing wrong?—At the time?

13701. Yes?—Why at the time, the first time, I couldn't very well say whether it was wrong or right.

13702. You did not know that it was wrong to receive a bribe. Are you aware that you have rendered yourself liable to a penalty of £100 for taking it?—I wasn't a judge of that, your worship.

13703. Is this your handwriting?—It is my writing. [Identifies his signature to a bill.]

13704. Mr. MOLLOY.—Did you understand from Captain Graham's conversation that you might expect money?—I might be letting him the house.

13705. What did he say about the letting of your house?—That he would pay me for it—for letting my house to him.

13706. Did he say how much?—No, he never named the sum.

13707. Did he ask you to let the house?—He did.

13708. What did you say to that?—I said, "it is rather late now;" I said I would not—that I was promised, and that I would give my vote as I settled, to Mr. Munster.

13709. Was Captain Graham with you after you had the conversation with Mr. Patrick Laffan?—I don't know whether it was either the evening before the polling, or the morning; I can't exactly say which.

13710. Mr. GRIFFIN.—Had you got the £30 at that time?—No, I had not.

13711. Captain Graham asked you whether you would let your house?—He did.

13712. And you said it was rather late as you had promised the other side?—Yes.

13713. What did Captain Graham say to that?—He said nothing but went away.

13714. He considered it was a final answer?—That's it.

William Quinlan sworn; examined by Mr. GRIFFIN. William Quinlan.

13715. You voted for Mr. Munster at the last election?—Yes, sir,

13716. And you got a £10 retainer from Mr. Patrick Laffan?—Yes, sir.

13717. Where did he give you that?—In Corcoran's hotel, sir.

13718. How long before the election?—About ten or eleven days, sir.

FOURTEENTH DAY.

October 19.

William Quinlan.

13719. What did he say?—He asked me would I take a retainer and I said, "yes."

13720. At the time you took this retainer was the notice about the five-guinea retainers published by Mr. Grace, given?—I think it was, sir.

13721. Then you knew that taking the retainer made it illegal for you to vote?—Yes, sir.

13722. How did you come to vote afterwards?—It seems the night before the election; I was drunk all that night and in the morning—I stopped that night in a neighbour's house.

13723. What was the name of the neighbour?—Michael Meara, a cooper, sir—Daniel Meara—they brought me home.

13724. Who brought you home?—Michael Meara and some more of the boys, sir.

13725. Who were the other boys?—I couldn't really say, sir.

13726. They brought you home from Meara's?—They did, sir.

13727. That was the morning of the polling?—Yes, the morning of the polling; I came down street then.

13728. Who brought you to the poll?—Richard Donnell brought me to the poll, sir.

13729. You don't remember what occurred between you and Mr. Laffan the night before the polling?—I didn't see him at all since I got the retainer.

13730. He said he saw you?—No; but the morning of the polling he saw me at James Mulcahy's.

13731. What occurred then?—He said to take up the retainer, sir.

13732. Where did he bring you to?—To Mulcahy's.

13733. What occurred then?—He asked me for the retainer and I gave it to him.

13734. Where did you get the money to give him?—I sent to the house for it.

13735. Are you sure you did not get it from James Mulcahy?—When?

13736. Then?—I didn't at that present moment.

13737. Did you not borrow it from Mulcahy?—No, sir, I sent to the house and £5 came; I sent again, and there was another £5 came up; and in the evening I found my mistake; it was a £10 note of my own money came, and I missed a £5 note in the evening.

13738. Then you gave back the £10 and a £5 note?—Yes, sir, through mistake.

13739. You got back the £5?—I got it back, sir.

13740. You got back the £10 and the £5?—Yes, sir.

13741. From whom?—From Thomas Mulcahy. When I missed the £10 note I had I sent about it.

13742. When you took the retainer originally were you aware that it would prevent you from voting?—Yes, sir.

13743. Had you a vote in '65?—No, sir, never before.

13744. Mr. MOLLOY.—Were they the same notes that you got back again?—I couldn't tell you, sir. I know I had a £10 note, and it went through mistake for a £5 note.

13745. Did you get that £10 note back again?—Yes, sir.

13746. Mr. GRIFFIN.—Did you intend to give up the £10 when you gave back the retainer?—Yes, sir. I only meant to give up the £10.

13747. When Mr. Laffan told you to give back the retainer, that was that you might vote?—He didn't say which, sir. He said he would dispense without me any longer.

13748. Did you expect to get the £10 again?—It is likely I did, sir; but I wouldn't look for it if I never got it.

13749. Mr. WATERS, Q.C.—Is it likely that when you got £10 for your services that you would give it back upon being asked for it?—I may, sir.

13750. Are you a likely fellow to do that?—Begor I don't know, sir.

13751. Did you expect to get more?—No, sir, nor never applied, nor never troubled him.

13752. But you did get it back and kept it since?—Yes, sir.

13753. You never gave any work?—No, sir.

13754. Nothing except your vote?—Yes, sir.

13755. And do you think it was your vote they wanted?—I think it was, sir; or, rather, to break it, perhaps.

13756. Mr. GRIFFIN.—Did you not think that when you gave your services you ought to get more than £10?—Begor I don't know, sir.

13757. Did you not hear that others got more?—It is only lately I heard that, sir.

13758. Do you not think yourself very badly used?—Begor there is no help for it now, sir.

Thomas Looby.

Thomas Looby, of Hughes's Lot, sworn; examined by Mr. MOLLOY.

13759. You live in Hughes's Lot?—Yes, sir.

13760. And voted at the last election for Mr Munster?—I did, sir.

13761. How did you vote in 1865?—I don't recollect it, but I voted for Mr. Lanigan. I voted before that for Mr. Hemphill.

13762. Have you a family?—I have, sir; one son and a daughter.

13763. What is the son's name?—Maurice.

13764. Who canvassed you on Mr. Munster's behalf?—Pat Laffan came to me, and I was in the garden working. He came to me, he told me, Mr. Munster was in the way, on the road coming up. The road was bad, and he couldn't come up, and he wanted me down to Mr. Munster. I told him that I wouldn't; that I was going to vote for no one, to the best of my opinion, on this election.

13765. Did he go away then, or had you any further conversation?—No further conversation, only conveyed him out of my own yard.

13766. Did he come back again?—No.

13767. Did any other person canvass you on behalf of Mr. Munster?—Well, they did—Mr. Michael Laffan and Mr. Leahy.

13768. When Mr. Leahy canvassed you what passed between you?—They came to me and they met me in the yard, and I told them that I wasn't going at this election, or that I wouldn't vote for anyone; and then there was my agent, he wanted the vote, and I said I wouldn't vote for anyone—that it was too troublesome.

13769. What did Mr. Leahy say to that?—We parted then. I went down the yard and we parted.

13770. Were you canvassed after that?—No, only I was canvassed after that—Mr O'Beirne came to me.

13771. What did you tell Mr. O'Beirne?—I told him I wouldn't vote for anyone.

13772. When did you change your mind?—Oh, well, you know I kept my mind to myself, ever until the last day, and could give my vote then to who I would like.

13773. When did you make up your mind to vote for Mr. Munster?—The very day I came here.

13774. Why did you not make up your mind before?—Because a long time before that I see a great many poor people going along by my place. I see them badly clad a long time, and I see them afterwards with good clothes. Where did you get them? We got them from Mr. Munster.

13775. Is that what induced you to depart from your neutrality and vote for Mr. Munster?—No, but I considered he being a good man.

13776. How much were you to get for your vote?—Nothing.

13777. Did you hear there was money going?—I heard there was lots of money, sir.

13778. Was Maurice employed?—No, I don't think he came to Cashel two days.

13779. What did he get?—Nothing. No.

13780. Was he promised anything?—No.

13781. Did he send in a claim?—No, sir; nor neither did I.

Mr. *Michael J. Laffan* recalled; examined by Mr. MOLLOY. Mr. Michael J. Laffan.

13782. Have you got the claim?—He is already on the list of those five persons I passed in to you.

Thomas Looby's examination resumed by Mr. MOLLOY. Thomas Looby.

13783. Do you know anything about your son sending in a claim for £35?—I'm sure he didn't without my knowledge.

13784. Did he ever speak to you about it?—No, nor he daren't without my consent; and whoever put it in let them answer for it. I never gave permission to put in any claim.

13785. Is that the first you heard of your son's being about to get money?—I didn't hear it at all till last week, because I never went to Mr. Laffan about it, nor neither did he.

13786. When you heard about this, did you speak to your son?—I knew well my son didn't do it.

13787. When you heard last week that there was a claim by your son, did you speak to him about it?—Sure I did.

13788. What did he say?—Sure he didn't do it no more than me. He wouldn't do it—he wouldn't do it without my consent—he dare not.

13789. You would not allow him to take money for services he did not perform?—He wasn't in the business at all. I don't think during the election he gave two days in Cashel, nor one day.

13790. Mr. WATERS, Q.C.—Are you surprised to hear that there is a claim for him for £35?—I am not surprised at anything.

13791. Would you take the money?—Begor, any man would take the money. I would take it if I got it.

13792. If you were offered the £35 last month for having voted for Mr. Munster would you take it?—I would, if I was offered it.

13793. And if you were offered it to-morrow?—Yes.

13794. Mr. MOLLOY.—When you were going up that day to vote for Mr. Munster, did you expect after the election that your son would get any money?—I never did; I never did; I never did.

John Hanley sworn; examined by Mr. GRIFFIN. John Hanley.

13795. Where do you live?—Hughes' Lot, sir.

13796. You voted for Mr. Munster at the last election?—I did, sir.

13797. Have you any son named James Hanley?—No, sir.

13798. Have you any relation of the name of James Hanley?—No, sir, not living.

13799. Had you any relation named James Hanley living at the time of the election?—I hadn't, sir.

13800. Who canvassed you for Mr. Munster?—Mr. Laffan.

13801. Mr. Patrick Laffan?—Yes, sir.

13802. Did he make you any promise for voting for him?—He made me no promise, sir.

13803. Did he tell you you would not be worse off for voting for Mr. Munster?—He told me Mr. Munster was a good man, and the best man for the town.

13804. Did he say anything about his being a good man for yourself?—No, sir, he did not.

13805. Did he give you to understand, in any way, that you would get anything after the election?—I don't know, sir, if my memory recollects; he might say he wouldn't forget it, or something that way.

13806. That who would not forget it? That Mr. Munster would not forget you?—Yes, sir.

13807. You heard that there was a good deal of money going at the election?—I did, sir, from the reports.

13808. How much did you expect to get?—I didn't expect to get anything, unless their kindness would be good enough to give it to me after the thing would be all over.

13809. How much did you expect their kindness ought to be?—I didn't know that, sir.

13810. Had you any conversation with any person since the election, about what their kindness ought to be?—No, with no person.

13811. Now, from what Mr. Laffan told you, you expected to get something after the election?—I did, sir, I expected if the thing was going on that I wouldn't be forgotten, but I never asked them yet.

13812. You expect not to be forgotten?—Yes, sir.

13813. Were you canvassed by Mr. O'Beirne's side?—I was, sir.

13814. Who canvassed you on Mr. O'Beirne's side?—I forget now, sir, who came the way.

13815. Did Captain Graham come to you?—No, he didn't; himself sent some agents—Mr. O'Beirne—to know would I vote for him, and I said not.

13816. Were you promised to Mr. Munster at that time?—I was, and I continued my promise.

13817. Did you vote in 1865?—I did, sir.

13818. For whom?—Lanigan.

13819. Did you get anything at that time for voting?—No.

13820. Or were you promised anything?—No.

13821. Did you ever get anything at any other election?—Well, sir, from Mr. Lanigan I got, about twelve months after the election that he was thrown out; Archdeacon Laffan interfered and he sent me £10; that was twelve months more, I believe, after the election.

13822. Was it after Mr. Lanigan was thrown out?—Yes, sir, he was thrown out at this time, and it was twelve months after that he sent me the £10.

13823. You did not hear of his sending money to any other voters?—I didn't, sir, any more than bills that I heard he paid about the town.

13824. What kind of bills?—Money for damages done in these houses.

13825. What bills did he pay, did you hear?—For cars and jingles, and all this, I heard.

13826. On what ground did Archdeacon Laffan interfere for you?—Because he was the best friend of mine. He said I was at some loss.

13827. What loss?—A loss of pigs and some things that way, and he interfered with Mr. Lanigan, and Mr. Lanigan sent me £10. That's all the money I ever got about elections.

13828. Mr MOLLOY.—At the election of 1865 was there any understanding amongst the Commoners to vote if they got a certain sum from Mr. Lanigan?—I couldn't tell you that.

13829. Are you not one of them?—No, sir.

13830. Are you anything to Edmond Hanley of Clonmel-road?—No, sir, I'm not.

13831. Mr. WATERS, Q.C.—Mr. Laffan wishes to ask you were you processed by your landlord at the time you got this £10?—Oh, he desired us to vote for Mr. Lanigan.

13832. You say you got £10?—I did, from Mr. Lanigan, twelve months after the election he was thrown out.

13833. Were you hard up at the time?—I was, sir.

13834. In what way?—For the loss of pigs and some damages that way.

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Edmond Hanley.

Edmond Hanley sworn; examined by Mr. MOLLOY.

13835. You voted for Mr. Munster?—Decidedly.

13836. When were you canvassed?—A day or two previous to the election, if I don't mistake.

13837. Was that the first time you were canvassed for Mr. Munster?—It was, sir.

13838. Who canvassed you?—Himself in person.

13839. What did you tell him when he canvassed you?—I plumped for him.

13840. Had you been canvassed at the other side?—By no means.

13841. No person at the last election, except Mr. Munster himself, canvassed you?—No, sir.

13842. You told him you would give him your vote?—I did.

13843. How did you vote in 1865?—For Mr. Munster.

13844. And in 1859?—For Lanigan.

13845. Are you a farmer?—Yes, sir.

13846. James is your son?—Yes, sir.

13847. How was he engaged at the election, or was he engaged?—He was more attending to his own business at home than electioneering affairs; but on certain occurrences I was invited, or, at least, called on, to attend the committee, that I had reason to be protected, and I brought him with me for protection.

13848. How many of those committee meetings did you attend?—I suppose about three.

13849. What did James get for protecting you?—I don't understand that.

13850. How much did he send in a claim for?—He didn't send in a claim; it is myself done that.

13851. How much is it for?—I suppose about £50 for the whole thing.

13852. Mr. WATERS, Q.C.—£55?—If I don't mistake, I suppose it is that.

13853. £55 for protecting you for going to committee meetings?—Yes; and I was as sure of getting it as of getting one shilling or one pound; either one or the other.

13854. Mr. MOLLOY.—Did you get a pound?—No.

13855. Mr. GRIFFIN.—What was the ground of your certainty of getting it?—I had no surety for it at all.

13856. You told me you were sure of getting it?—As sure as I was of getting a single shilling; but I had no surety for it, and wouldn't get it, and that is the reason my bill was so high, that I was as sure of getting a single pound as that, every bit.

13857. Mr. WATERS, Q.C.—Is that your writing [witness is handed a claim]?—It is.

13858. Mr. MOLLOY.—Read it out?—I read it before [hands it in].

13859. Mr. WATERS, Q.C.—"Cashel, December, 28th, 1869, Mr. Henry Munster to James Hanley, debtor: To amount of services rendered during the election, £55." Is this your bill [hands the document to witness]?—Yes, that is correct.

13860. Mr. MOLLOY.—How many loads of gravel did you give?—I gave two days' work; he got two days' work; not I, but himself and the horse gave two days' work.

13861. You were paid £1 for that?—I don't know what he was paid. We billed for fifty shillings, and he gave me to understand he got thirty shillings, and he pocketed his winners.

13862. When you went to the committee-rooms you got refreshments?—As usual.

13863. And James got refreshments also?—I am not aware of that.

13864. But was he not protecting you?—He didn't go in. As soon as he'd see me secured in, he kept himself quite clear outside.

13865. You got refreshments always?—It is natural to suppose.

13866. Did James come to town with the expectation of getting some refreshments?—He is always in town.

13867. Did you pay for the refreshments?—I'd like that, indeed. What a fool you think I am.

13868. Did all the voters get refreshments?—I'm not aware.

13869. Were you not there with them?—In some instances I was; but not in general.

13870. At the three meetings that you attended, did the other voters get refreshments?—It is natural to suppose they did.

13871. Did you see them having refreshments?—To be candid, I didn't.

13872. Mr. WATERS, Q.C.—What is usually paid for a horse and car here?—In the spring season there would be a higher price.

13873. What would you charge in November if I wanted to get a horse?—If you came in a hurried season.

13874. I am asking you about November, sir, and apply yourself to it. What would I get a horse and man in November to work for by the day in Cashel?—You would get a horse for 5*s.*—at least you would get a horse.

13875. This is your son's bill—"Henry Munster, esquire, to James Hanley, debtor; to amount of horse work drawing gravel, £1 10*s.*;" and he is paid that amount, that is 15*s.* a day?—So he told me that he was paid it; it was nothing in my pocket.

13876. About the proper value of that would be 10*s.*?—That would be it, then.

13877. And he was paid three times the value?—That may be, too.

13878. Mr. MOLLOY.—Was it from Darmody's they were drawing the sand?—I don't know where the quarry was; some place out in the Commons, I believe; but he gave two days at the work. He billed as he told me; he billed for 50*s.* and he got 30*s.*

Mr. Michael J. Laffan

Mr. *Michael J. Laffan* recalled; examined by Mr. MOLLOY.

13879. Had you any conversation with the last witness?—I spoke to him as well as Feehan—the two were together.

13880. Did you tell him to put in a claim?—Yes.

Mrs. Anne Hanley.

Mrs. *Anne Hanley* sworn; examined by Mr. GRIFFIN.

13881. Where do you live?—In John-street, at present, sir.

13882. Did you send in a bill for the last election?—Yes, sir, for horse work.

13883. What was the amount of the bill?—Something over £8, sir. The bill may be more, but that was what I received—something over £8.

13884. When were you paid?—A short time after the election, sir.

13885. Do you remember by whom it was paid?—I don't know the young man that gave me £5 at first. I got £5 first, and the balance by Mr. Close's son.

13886. What was it for?—For cars and horse work.

13887. Have you any relations voters?—Well, I don't think I have, sir; but I have friends, and well-wishers, but no relations.

13888. There are three or four Hanleys—Michael, John, Edmond, Matthew. Are any of them relations of yours?—Not as I know. There may be one, but I don't know.

13889. Have you supplied cars to that amount?—Yes, sir.

13890. Mr. MOLLOY.—You were paid the full amount?—I believe I billed for more than I got.

13891. Mr. WATERS, Q.C.—You are sure that you were paid £8?—I was paid £5 first, and £3 after then.

Thomas Connor was called but did not appear.

Mr. *Edward H. Biggin* recalled by Mr. WATERS, Q.C.

Mr. WATERS, Q.C.—Mr. Biggin, I received a note from you last night. I am very sorry that I cannot comply with your request by examining you to-day.

Miss *Catherine O'Dwyer* sworn; examined by Mr. MOLLOY.

Miss Catherine O'Dwyer.

13892. Miss O'Dwyer, there was a dinner at your hotel before the election?—There was, sir.

13893. How long before the election was it?—It was the night before the polling.

13894. How many persons dined?—I really couldn't say, sir.

13895. Can you tell me about how many?—The dinner was ordered for forty or fifty by the persons that ordered it, and there was a great rush came into the house—a regular mob. I am sure there were over a hundred in the house.

13896. Who ordered dinner for forty or fifty?—There were two or three persons ordered it. They came early in the week and asked me could I give them a dinner. I think it was on Monday or Tuesday. They asked me if I could give them a dinner that day. It was then late in the day, and I said I could not. They then went away rather dissatisfied, and came back again and asked me to oblige them. I said I could not. They asked me would I name a day. I said Wednesday or Thursday; so I decided to give them a dinner on Thursday.

13897. How much a head was the dinner?—*5s.*

13898. How many dinners were you paid for?—I had a list of the persons that paid me at the time of the petition, and it was kept from me. I had a memorandum; I should think about twenty-five, sir.

13899. That was about half the number?—About half the number.

13900. And some man paid for several?—Yes; he took the money from several persons in my presence, and he brought it to me. I think he gave me £3, and he told me there were two others paid him; that is not included in the £3. He owes that to me yet, and for his own dinner also; and several others.

13901. And you are still to be paid for about twenty-five?—I am, sir.

13902. Was there a breakfast ordered?—Yes, sir.

13903. By whom?—Mr. O'Connor of Laffana, and he has not paid for it yet.

13904. A good many stopped in the hotel that night?—A great many of them, sir.

13905. Mr. O'Beirne was there?—He was at the dinner, and remained for some time after.

13906. Were refreshments supplied to any voters in your house?—No, sir.

13907. There was a lunch there on the day of the declaration?—Yes, the day of the declaration there was a lunch given by Mr. O'Beirne.

13908. Did you supply any other refreshment to any persons and charge it Mr. O'Beirne?—No, sir; I don't remember that I did.

13909. Does Mr. O'Beirne owe you an account?—He does, sir; he owes me an account for the lunch.

13910. And who owes you the account for the breakfast?—Mr. O'Connor of Laffana. It is only something over £1.

13911. Who owes you for the twenty-five dinners?—Those twenty-five persons.

13912. Do you know who they are?—I know some of them; but I don't know them all. It occurred—I never intended that it should have been as it was.

13913. Who is Mr. Geary that you had an account with?—Denis Geary.

13914. What was his account for?—He got some spirits the night of the dinner; but he has a long account with me without that at all.

Mr. *Pierce Grace* recalled; examined by Mr. WATERS, Q.C.

Mr. Pierce Grace.

13915. You were the conducting agent of Mr. O'Beirne at the last election?—Yes.

13916. You were, I believe, concerned for him at the previous election?—I was concerned, but not his conducting agent.

13917. Were you concerned for him in the election of '65?—I was.

13918. Were you long engaged for him at the election of '68 before the election took place?—Yes, several months.

13919. Did you canvass for him, Mr. Grace?—I should mention to you that about the latter end of September I got ill, and I might distinguish two periods—before my illness and after it.

13920. What was the date of your recovery, or the time you were able to be out again?—I cannot give the exact dates, but about the latter end of September I got ill. I was not able to be out until the beginning of November. I had fever during that time.

13921. Were you able to see persons who called to your house?—No; I was confined to my bed; I had fever.

13922. We may take the period from the end of September to the beginning of November as an entire blank as concerned with the election?—Quite so.

13923. Up to September had you been canvassing?—Up to September I had been merely feeling my way by ascertaining the feeling of the people. I may have asked one or two persons; I don't think I did.

13924. How did you find the feeling of the people at the time?—I found that, generally speaking, everybody told me they approved highly of the parliamentary conduct of Mr. O'Beirne, and there seemed to be a friendly feeling towards him. There were some, of course, who entertained quite a different feeling. That was the general feeling, I think.

13925. At that time did you apprehend a contest?—Before I got ill I did; not very long before it.

13926. Was there any other candidate named except those you have already heard?—Mr. Scully, Mr. Munster, Mr. O'Beirne; that is all, I think. There was a Mr. Petrie, who published an address and sent circulars to the people of the town, but I believe he was not a real candidate—he never appeared.

13927. Did you canvass after November largely for Mr. O'Beirne?—I did not.

13928. You did not?—I did not. In fact, after when I was able to be out, I was not able much to go about at all; I was after a very heavy fit of fever, and you can imagine the state I was in.

13929. Did you happen to be in court during the examination of Captain Graham?—No, I was not.

13930. Was Mr. O'Beirne in the town at all up to the period of your illness?—He was not.

13931. Captain Graham said that you wrote to him before Mr. O'Beirne's arrival to say that it was necessary to take a hotel?—I cannot say whether I wrote to him; I do not think I wrote to him.

13932. He told us that you said that you wrote to Mr. O'Beirne that it was necessary to take a hotel, and that the matter being pressing you came to Captain Graham?—Quite correct.

13933. You got, I believe, a cheque then from Captain Graham for £50?—I got £50 in notes.

13934. Was that for the purpose of taking a hotel?—Yes.

13935. Was the hotel only for the purpose of lodging Mr. O'Beirne while he was here?—Well, the hotel on such occasions is used for more than that. It is generally taken up with people going in and out—constantly in and out—with the candidate.

13936. Has it to your knowledge been always customary to take a hotel during elections?—Yes.

13937. Invariably the rule?—During my experience; at '65 I knew two of the hotels to be taken; and at a

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October 19.

Mr. Pierce Grace.

previous election I really do not know whether there was or was not. I know Mr. O'Beirne was stopping at a hotel at the election previous to '65, but whether he was there as an ordinary guest, or had the hotel taken, I cannot say.

13938. Mr. O'Beirne took Dunne's hotel, I believe?—Yes.

13939. Did you take it for him?—I took it for him.

13940. Mr. Munster, we have heard, had Corcoran's hotel?—Yes.

13941. Do you know that Mr. Vincent Scully took a hotel?—I think not; I don't think he ever really intended to contest the borough at all.

13942. Mr. Dunne, whose house you took, had a vote, I believe?—He had; he is dead since.

13943. Had you any conversation with Mr. Dunne before taking his house as to how he would vote?—I had conversations with Mr. Dunne repeatedly, not exactly as to how he would vote; I met him almost every day. I will tell you the reason I took his hotel. Mr. Dunne told me there was a brother of his living in London; that Mr. O'Beirne had acted very kindly towards him; that Mr. O'Beirne had got a situation for a son of his five or six months before the election. I felt perfectly satisfied from his conversation that he would vote for and support Mr. O'Beirne without asking him, or he telling me. That was one of the reasons I took his hotel. Another was, there was merely to cross the street between his house and my own, and it was the most convenient for myself to visit Mr. O'Beirne, and I could be sent for in a moment.

13944. Is it in as central a situation as the other hotel?—Central?

13945. Yes?—Well, I don't think either of them very central. Corcoran's is in the extreme end of the town; I think of the two Corcoran's is at a more extreme end. Perhaps there is very little difference between them.

13946. We have heard of the method of engaging votes by taking houses. You will answer me candidly at once, had your taking of Dunne's hotel anything to do with his vote?—It was quite an exception to such cases.

13947. Had you such intention?—No intention.

13948. No intention whatever?—None whatever. I felt perfectly satisfied at the time I took his hotel that he was a friend of Mr. O'Beirne. He was a friend of my own. I was inclined to put the money in his way, and I took his hotel also at a previous county election.

13949. You got £50 from Captain Graham; besides that you got a sum of £25?—I got £25, £19, and £15.

13950. The £25 Captain Graham tells us was given for Dr. Moloney?—Yes.

13951. Explain the circumstances under which you got it?—After the election of '65 there was a good deal of dissatisfaction expressed or felt about the manner in which Mr. O'Beirne had left town without paying money he owed, and I think about a year after that election. I thought that his having done so would make him unpopular. I wrote to him then urging him to pay all these claims. The thing then died out to some extent. Perhaps some of them were satisfied, but I didn't hear much about it until about a year before the last election, and I again informed him what was going on. Later it was said that Mr. O'Beirne was in fact a pauper; that he was unable to pay his debts; that he never would come to contest Cashel; and these two sums that were owing to Mrs. Hanley and Dr. Moloney were freely spoken of as proofs of his pauperism; and I thought that was acting injuriously to him, and wrote to him urging him to have the money paid, and not having received money from him, I spoke to Captain Graham, and Captain Graham said, "Why don't you pay the money yourself?" I declined to advance money of my own for election purposes. I cannot be quite sure whether I asked Captain Graham to advance it, or whether he volunteered it; but he gave me the money at all events. I paid Mrs. Hanley £19; I knew it was due to her. I went to Dr. Moloney; I wanted to ascertain whether the money was due to him, and he produced letters that satisfied me that it was due. I then paid it. I made no secret of the matter. On the contrary, I paid it with a view of making it public that Mr. O'Beirne's debts were paid. I did so publicly, and it was with that view and that view only, to get rid of the argument that was made use of in the streets, that his debts were not paid, that I paid that money.

13952. Tell me upon what grounds Mr. O'Beirne owed the debt to Dr. Moloney?—After the election of '65, Mr. O'Beirne directed Dr. Moloney, and agreed to pay him, I think, £25 for his attending the people generally who resided on the Commons. After the expiration of the year, I saw from the letters Dr. Moloney produced to me, Dr. Moloney asked Mr. O'Beirne to discontinue that engagement, and Mr. O'Beirne wrote to him to keep it on for another year or two further. He produced those letters to me, and of course I was perfectly satisfied on reading them that Mr. O'Beirne having directed Dr. Moloney to continue his services, that he had a right to be paid.

13953. Did Dr. Moloney complain to you that he had not been paid?—He mentioned several times he had not been paid.

13954. Did he express dissatisfaction with Mr. O'Beirne?—He generally spoke of it in rather a joking way.

13955. Then why, if he spoke in a jesting way, did you pay him?—He had spoken of it jokingly to other people, and they gave it as an argument in favour of the opinion they entertained of Mr. O'Beirne's pauperism. It was not to satisfy Dr. Moloney I paid the money.

13956. Did Dr. Moloney ever intimate that unless he was paid he would not support Mr. O'Beirne?—Certainly the contrary always—always the contrary.

13957. Did you believe, from the conversations you had with Dr. Moloney, that he would have voted for Mr. O'Beirne even if he had not been paid?—I have no doubt whatever—I have not a particle of doubt of it.

13958. What year's salary was it—was it the salary for 1868?—I think it was up to March, '68. It was then understood at the time he was paid up to that time, and the thing was to discontinue for the future; he was to have no further claim.

13959. Had he been paid the previous years?—I presume so. That was all he told me was then due.

13960. He told us he only got payment for two years?—I really don't know he was paid anything beyond what he said was due.

13961. Who is Mrs. Hanley?—A car proprietor and shopkeeper in town. I knew she had given a very large number of cars in '65, and that she had been constantly asking for payment.

13962. Is she connected with any voters?—There was a son of hers a voter.

13963. Was he then living with her?—No, nor had not been living with her for a long time before that.

13964. Is he alive still?—No; he died since.

13965. Was he alive and a voter at the election in '68?—He was.

13966. And voted for Mr. O'Beirne?—Yes.

13967. Did you hear that Hanley was displeased at his mother's account not being paid?—Oh, he was grumbling about it.

13968. I suppose you will not say of him as you say of Dr. Moloney, that you were perfectly sure he would vote for Mr. O'Beirne if the account had not been paid?—I was perfectly sure of that.

13969. Were you as sure of it as you were of Dr. Moloney?—I felt more convinced of Dr. Moloney, but still I think Hanley would have voted whether it was paid or not.

13970. Do you recollect any specific conversation or observations of Hanley, showing it was doubtful he would vote for Mr. O'Beirne unless he was paid?—I cannot call to mind.

13971. Did the general tone of his conversation leave a doubt on your mind?—No; I always thought he would vote. He felt often angry at not being paid, but I did not think that would have affected his vote; and I may add, I paid these sums of money at the time perfectly unconditionally, not having said a word in any way about the votes. There was another £15; I ascertained before I paid the money to Keeffe that he had got a cheque from Mr. O'Beirne for the amount. I returned that £15 to Captain Graham.

13972. Is Keeffe a voter?—He is not a voter.

13973. But I suppose he is considerably useful in making a row at election times?—Just so.

13974. No more good than that, I suppose?—I do not think he made any rows, but rather kept his party in order.

13975. Making a noise I mean when I say rows?—Yes.

13976. Now, Mr. Grace, do you know what Mr. O'Beirne's election of 1865 cost?—I do not.

13977. Do you know anything of the cost of the election of 1868?—I do not.

13978. Did you expend any money yourself except what you have told?—I got £4 from Mr. O'Beirne's man after the election to pay two clerks and that is the entire amount of my expenditure. I handed it to the agent for expenses.

13979. Have you been directly or indirectly concerned in any other payments?—No; £50 for the hotel, £4 handed me for two clerks, a cheque for £25 for the sheriff, which I handed over to him in the same manner; that is all I know about.

13980. £50 for the hotel, £25 for the sheriff, and £4 for two clerks?—That is all.

13981. Although you did not yourself pay did you see any other money paid?—I did not.

13982. Did you see any cheques of Mr. O'Beirne's?—I did not.

13983. Do you know anything of any payments having been made to anyone?—I do not indeed.

13984. Do you know a man of the name of Foley. Did you ever hear of his bill having been taken up by Mr. O'Beirne?—I heard it lately. I heard it here.

13985. Did you not hear it until this Commission?—I cannot remember that I did. It might have been mentioned at the time of the petition, but I do not recollect.

13986. Foley was examined, but he did not mention it at the petition?—I do not remember I ever heard it until I heard it here.

13987. In the course of your canvass you must have had communication with electors?—Not a great many indeed; I did not go into the house of any elector at all except I met them casually.

13988. Have you had applications made to you for money? When I say that I do not mean a direct demand for money. We know the insidious ways in which men would suggest it. I want to know during your canvass if in any manner you understood that a man expected money for his vote?—The only way I could understand that would be if a man was asked how he would vote and hesitate and say he had not his mind made up; but there was nothing said to me that would lead me to believe such. There was a good deal said in joking. Persons that I knew would not vote for Mr. Munster held out their hands to me asking how much would I give; but beyond that I do not remember that there was anything said that would lead me so to infer.

13989. Do you not recollect young Connolly coming to you?—Yes; Connolly came to me before my illness and asked me either to employ him or get him employment at the election.

13990. What did you tell him?—I told him at the time that I was not employing anybody and would not until Mr. O'Beirne's arrival. I quite forgot the matter until he called to me again after I had recovered. I saw him in my own office and he asked me again to get him employment. I said that I would speak to Mr. O'Beirne, but did not know what arrangements he had made. I knew Connolly from his childhood and all his family, and knew them to be decent and strictly honest. Whether he had or had not a vote I would have done him any service I could. However I asked him, "what remuneration will you expect for your services?" He declined to name a sum and pressed me to say what I thought. At length I said, "If you get £15 or £20 it is a very good thing for your services." He held his head down for a moment and then looked up at me and said, "Would you think £100 too much?" "£100," said I, "for your services! It is as much as the conducting agent at either side will get." He hesitated again and said he had five votes, I think; that he either could bring five votes or that he could influence them, and I said "Oh, that looks very like purchasing votes, and with that I will have nothing whatever to do." We parted and that is the whole conversation I had with him.

13991. Would not £20 be a large sum to give a lad of that kind?—Such sums were paid frequently.

13992. Do you think the services of a lad of that kind were worth £20?—Ordinary services during the same periods when elections would not be going on would not be worth £20; but everybody is better paid during elections than at other times.

13993. Twenty pounds seems a large sum to have a lad paid for about a month?—I believed him to be strictly honest; that money might be placed in his hands for payment of mobs, and things of that kind. In fact, I considered he could save £20 during the time; and I may say this, that people are always paid more liberally during an election than at any other time. Even at county elections I have known men to be paid £30 at the county election that during the same period would not be able to earn £5 at any other business.

13994. Do you mean that in that conversation with Connolly you had no intention of influencing a vote?—Most decidedly; not at the moment. When he mentioned votes I broke off the conversation and had no more to say to him. I went into the election fully determined to have nothing to do with any corrupt practice, and it was very well known through the town that I had nothing to do with such matters.

13995. Can you recollect any other instance of any person coming to you from whose conversation you learned that he was looking for money for himself, or a relative, or a friend?—I can't remember.

13996. You do not recollect anyone at all?—No, I do not. There were a great many conversations carried on about the election that I cannot remember, I dare say, but I don't remember anything of that kind.

13997. Did you get any claim after the election?—Yes, I did.

13998. Have you made a list of them?—I have got all the claims in my pocket. [Witness hands in documents.] There are some other papers got mixed up with them; I had them at the petition, and other papers got mixed up with them.

13999. Will these be paid still do you think?—I rather think not.

14000. The only one I have met with is the *Clonmel Chronicle*?—Oh, there are others there; I should think there are others.

14001. No, there are not?—I had them in a bundle. I must have made a mistake; I brought the wrong papers.

14002. As I find these cheques here, did you hear anything about them?—Yes, I did.

14003. Some persons came, I believe, and gave you these cheques?—Yes.

14004. How many came?—I think three or four.

14005. These were cheques that were given to them by Mr. Laffan. I believe I have four here. Were they given by Mr. Laffan as retainers?—Yes.

14006. Do you know were these persons supporters of Mr. O'Beirne?—At the time?

14007. Yes?—I recollect they said so, but I do not know positively. I cannot very well tell at the time who were supporters at all of Mr. O'Beirne, for I had been very little with him.

FOURTEENTH DAY.

October 19.

Mr. Pierce Grace.

14008. We have it already that you published a notice as to what the effect of the retainers was?—Yes.

14009. I have only one claim here?—I will furnish the other claims. I thought I put them in my pocket, but I put the wrong papers. I got two claims from the *Clonmel Chronicle*, and I suppose I put one of them there.

14010. Did you appoint an expense agent?—Yes. Mr. O'Beirne rather appointed him, Mr. Pat Connor.

14011. But I believe he did not do very much?—I believe he paid only four pounds that I gave him.

Dr. Daniel Moloney.

Dr. *Daniel Moloney* here tenders himself.

14012. *Witness.*—I got two cheques of £12 10*s.* each for '65 and '66. The 2nd December, '66, I got the last £12 10*s.*; nothing more until I got this £25 from Mr. Grace in '68.

Mr. Pierce Grace.

Mr. *Pierce Grace's* examination resumed by Mr. WATERS, Q.C.

14013. I asked you if you saw any payments made, and you said you did not?—I did not.

14014. Do you know that Mr. O'Beirne was paying expenses?—I believe so.

14015. Do you know he was making payments by his own hand?—I really don't know, but I think he was.

14016. Mr. Munster wants to know did you advise Mr. O'Beirne that that was illegal?—The election expense agent was not appointed until the day of the nomination.

14017. Did you ever advise Mr. O'Beirne that that course was illegal?—It was not an illegal one.

14018. Therefore you did not advise him?—I did not advise him.

14019. Mr. Munster wishes to know are persons paid more liberally when they happen to be connected with voters. I can answer the question for Mr. Munster so far as my experience goes. [Mr. *Munster.*—I am afraid you are not aware of ——] What do you say, Mr. Grace?—I was never concerned in an election except the previous one, and was only nominally then.

14020. You did not do as much as Mr. Johnson?—No, I did not.

[Mr. *Munster* hands in a slip of paper.]

Mr. WATERS, Q.C.—Mr. Munster, if I feel it my duty I shall put any question, however painful, that I think tends to the purpose for which we are here; but on any point outside that I am not disposed to inquire.

Mr. *Munster.*—To save the time of the Court, I should like to know if principal questions may be put to the credit of a witness.

Mr. WATERS, Q.C.—Not to any person in court.

Mr. *Munster.*—No, but to the witness himself.

Mr. WATERS, Q.C.—If we believe a witness is not telling us the truth we will test as far as we can, but that is a matter that must be left to our discretion. I will receive questions from anyone tending to elicit information; but questions referring to any former charge against a witness, and ordinary charges affecting character, I will not ask.

14021. *Witness.*—If it refers to me, there never was a charge against me.

14022. Mr. WATERS, Q.C.—It does not concern you, Mr. Grace. It is only right to say that the suggestion was relating to what occurred the other day with regard to Mr. Phelan. I will not pursue it any further, and I will not put this question. Mr. Munster wants to know what efforts had been made to serve Mr. Leahy as a witness for the election petition. On the election petition you said, "I gave directions that every effort should be made to serve both these gentlemen," that is, Mr. Leahy and Captain Dudley Byrne. Mr. Munster wants to know what efforts had been made. Did you give a summons to be served on Mr. Leahy?—I did.

14023. Did you do the same with that as with every other subpœna?—Yes, I gave a subpœna to be served on Mr. Leahy. I saw him in town here on a Saturday. I told the man to have watchers on him, and that if he was leaving before twelve o'clock to follow him to Goold's Cross and serve him there. He made his escape some way and was not served.

14024. With regard to Captain Dudley Byrne, what did you do?—I merely gave a subpœna to the man and told him to serve him. I thought he was in town at the time.

14025. Mr. *Munster.*—Will you ask Mr. Grace if he ever gave directions to have a summons served on Captain Byrne at his house?—*Witness.*—I don't think I did.

14026. Mr. WATERS, Q.C.—Did you give his address to the process-server?—The process-server knew his residence as well as I did, but I did not tell him to go there.

14027. You gave a subpœna to him?—I did, with the *bona fide* intention of having it served, as we were most anxious to produce him.

14028. You will send in the claims?—I will bring them up in the morning.

Dr. Michael Phelan Cormack.

Doctor *Michael Phelan Cormack* tenders himself.

14029. *Witness.*—I feel seriously aggrieved by the statement of Phelan that he had me arrested in January last for debt. I beg leave to allow me to contradict it.

14030. Mr. WATERS, Q.C.—I will hear any statement you desire to make?—I beg leave to contradict the statement of Phelan that he had me arrested in January last under a warrant. Neither he nor any other man had me arrested under a decree for debt. The sheriff's deputy here is ill, and not able to attend, otherwise I would have him here to corroborate my statement. He is so ill that Mr. Ffrench had to see him in bed to-day to take his declaration. My friends and myself feel seriously aggrieved by the statement of Phelan.

14031. You do not wish to add anything more?—Nothing more except a direct contradiction to what he has stated.

14032. It is a collateral matter into which my brothers and I do not feel bound to enter?—He has also stated that I sent Cunningham to purchase cattle, which I deny; I never gave any authority to Cunningham to purchase cattle for Mr. Munster.

14033. It is right to tell you that Cunningham himself says you did go to him?—I was walking after some cattle by Cunningham's house, and Cunningham asked me, "Are you going to buy those cattle, Doctor?" I said, "I am not; Phelan is every day tormenting me about some stock, do you know the value?" I know nothing at all; that is the only conversation, but I never asked Cunningham to go to Phelan to purchase stock, and I deny his statement with regard to his having me arrested. Neither he nor any other man had. I think it too bad that my character and position should be assailed.

[Adjourned.]

FIFTEENTH DAY.

Wednesday, October 20, 1869.

Mr. *Pierce Grace* recalled; examined by Mr. Waters, Q.C.

14034. Do you produce the several claims that you say were furnished to you as Mr. O'Beirne's conducting agent?—Yes, sir.

14035. Do you know if any of them have been paid?—I do not know. I heard—sombody told me that there was a bill of Miss Ryan's paid, but I did not hear of any other.

14036. The *Clonmel Chronicle*, £116?—Has not been paid.

14037. The *Nenagh Guardian*, £34?—Has not been paid.

14038. The *Tipperary Free Press*, £100 0*s.* 4*d.*?—Has not been paid.

14039. The *Waterford Chronicle*, £8?—Not paid.

14040. Mrs. Cecilia Dunne; is that Mrs. Dunne of the hotel?—No, it is another Mrs. Dunne, £14 10*s.*; not the proprietor of the hotel. This is all for cars employed about the election. I think the bill has been paid. I think Mr. O'Beirne himself stated at the time of the petition that he would pay the bill.

14041. Quirke's bill for printing, £13 12*s.* 6*d.*, we are told has not been paid?—No.

14042. James Dunne, amount of hotel bill, £106 2*s.* 6*d.*; does that include the £50?—I think not; exclusive of that, I think.

14043. Do you know has it been paid?—I think not.

14044. Edmund Canavan, services during the election, £10. Is that the man who was examined here, and who was what is called the mobsman?—Yes.

14045. James Ryan of Cashel; do you know who that is?—He is one of the same class of men.

14046. "Honorable sir, I was employed during the election here. I believe I got two-and-sixpence a day, but in my fighting and arguments I often lost the most part of my hire. Now, as the election is favourable to you, and Attorney Grace"—that is you, I suppose—"knows my exertions, I hope you will consider me. I will leave the matter in your hands; James Ryan." Is he a voter?—He is not.

14047. I suppose the "arguments" he refers to were those commonly used by mobsmen in the street at different times. Mary Ryan; is that Miss Mary Ryan of the hotel?—Yes.

14048. "Squires, for reporting;" what reporting is that, do you know?—He was a sort of a watcher, and used to make reports to Mr. O'Beirne of what he saw going on at the opposite side.

14049. Who is he?—He is the son of Mr. Squires, who is an elector.

14050. He appears to have been paid £1 of this?—I didn't pay him anything.

14051. James Cullen; is that the man who was examined here?—I was not here when he was examined.

14052. "Amount due to me as agent at the recent election of Cashel, £5?"—I think I heard he was examined.

14053. "James Lyster O'Beirne, M.P., debtor to Thomas Murphy; £25 for the use of part of his house at Lower Gate-street, during the late election?—He was examined.

14054. He was not paid the £25?—No, he was not.

14055. Do you know who is Mary Glasgow who "ruled forty women during the election"?—I don't know.

14056. She asked only £3 for it; that is very small for the performance of such a task. "Sir, Mary Glasgow ruled forty women during the election, speeched and advocated day and night during six weeks in the interest of Mr. O'Beirne, shook hands with that honorable gentleman, and kept loyal and true during the whole time. The exertion of the contest has made her rather backward in health, and she begs to submit to you her claim of three pounds. Hoping you will long enjoy good health, I remain, sir, your humble servant, Mary Glasgow." Who is David Ryan, do you know?—I do; he is not an elector.

14057. Is he son of an elector?—No.

14058. He claims £10 for canvassing?—Yes; he told me he was employed by Mr. O'Beirne. I didn't employ him.

14059. Patrick Dwyer, ten pounds for canvassing?—That is the same class of man; he is no elector, nor son of an elector.

14060. "James L. O'Beirne, esq., to James Gleeson to amount of labour £2. Honored sir, you may remember when in Cashel you took my name in your book for the above. I then told that I followed you from Goold's Cross to Cashel. You got three votes through me. In return I hope you will keep your promise to me in Mrs. Dunne's room, and remain your obedient servant, James Gleeson, Friar-street." Who is he, do you know?—That is a poor man of the town here.

14061. Is he connected with any voter?—Not one.

14062. He is not, you say?—Oh, not at all.

14063. Mr. Griffin.—Do you know anything about Pat Foley, son of Edmund Foley, being employed?—No.

14064. Or Francis Ryan, son of Joseph Ryan?—I believe he was employed, but I didn't employ him.

14065. Michael Hackett, son of William Hackett?—I don't know the young man was at all at our side.

14066. Or Pat Hackett, son of John Hackett?—He was not employed.

14067. William Cashen?—I think he was employed.

14068. James Cashen, son of Patrick Cashen?—I am not aware of that. There is one portion of my evidence yesterday I wish to allude to. You asked me my knowledge of payments made by Mr. O'Beirne. There was a sum of £60 Mr. O'Beirne told me he paid Ryan for the use of his house. I was not aware of it at the time of the payment, but he told me afterwards he paid it.

14069. That is Ryan and Murnane's?—Yes, it is only yesterday evening I remembered the fact.

14070. Do you know anything of Daniel Moloney of Hughes's Lot?—I know there are such persons.

14071. Did they ever come to you about the election?—I don't remember they did. As to the payments made by myself, there was a small sum of £3 I recollect having paid the court-keeper here, for the erection of a platform, or something of that kind. I didn't remember it yesterday when giving evidence.

14072. Mr. Waters, Q.C.—Do you recollect since yesterday of any persons coming to you and leading you to believe that they expected money?—No, I do not recollect anybody since. If anything of the kind should occur to me before the Commission closes, I will mention it.

14073. Mr. Griffin.—Did you say anything about those cheques to Ryan and Hogan?—I don't know anything about them.

14074. Mr. Waters, Q.C.—Do you know where those men Ryan and Hogan are?—They left the town.

14075. I am unable to find anything about them?—I don't know where they are. Hogan was, until recently, about the town in some place, but I heard he went away to some place looking for a situation. I don't think he is about now.

14076. Do you know are any of his family living in the town?—Oh, not in the town; he didn't belong to the town at all.

14077. Do you know where he came from?—Oh, yes; I think a place called Coolkip, it is within about six miles of Cashel. I think Coolkip is the name of the place.

[*Mortimer Shea.*—Your worship, he was seven days previous to the Commission, in the town here; but I was told he left the country since.]

FIFTEENTH DAY.

October 20.

The Rev. James M'Namara.

The Rev. *James M'Namara* recalled; examined by Mr. WATERS, Q.C.

14078. You have already been sworn on this inquiry, and you consider yourself under the same obligation?—Yes.

14079. I hope, Mr. M'Namara, you have endeavoured to think of this transaction since?—I have, my lord, as well as I could, and I apologise for not being very well on yesterday; I was a little uneasy.

14080. You recollect now that you got £5?—I do, my lord.

14081. And you recollect that it was by cheque?—It was, my lord.

14082. Do you know on what bank the cheque was?—Well, I do not, my lord.

14083. Do you recollect where you got that cheque?—I got it cashed in Thurles, my lord.

14084. By whom?—In the National bank, by myself.

14085. Do you recollect getting it cashed the next day, or how soon after you got it did you get it cashed?—Well, perhaps the next day, my lord.

14086. Do you recollect whose name was in the cheque when you got it?—The Archbishop's.

14087. Can you say if the cheque was payable to order, or payable to bearer—you understand the distinction?—Of course, my lord. The Archbishop put his signature to it.

14088. Was the Archbishop's signature to it when you got it, or did you take it to him?—I took it to him, my lord.

14089. Had you any conversation with him with reference to the cheque?—I went myself, my lord, with it to him, and he said—I thought it was for himself, my lord—but he said, "This is for your use," that is, for my use.

14090. And do you recollect any further conversation with reference to it. Did you tell him how you got it?—Well, as far as I can, my lord, I think it was my name was on it; I think I went with it to the Archbishop; then, when he opened it, he put his signature to it.

14091. Do you recollect if you told the Archbishop from whom you got the cheque, or that you got it from Mr. Pat Laffan? Did you tell the Archbishop from whom you got it?—Yes, I did, my lord.

14092. Do you recollect whose name was signed to the cheque, that is, the person who drew the cheque?—Well, I do not, my lord.

14093. You do not know who drew it at all?—No, my lord, I do not.

14094. When you told the Archbishop from whom you got the cheque, did you tell the circumstance of those two bags being left with you?—No, he did not ask me, my lord.

14095. Did you say anything to him about it?—I might before tell him that they were there.

14096. When you say you might, do you believe you did tell him?—I do, my lord.

14097. You say that was before you took the cheque to get his indorsement upon it?—No, I believe after, my lord; I hadn't it long—more than a day.

14098. Did you tell him that, before the money was taken away, or after it was taken away?—After the money was taken.

14099. Did you tell the Archbishop who sent the bags to you, or how they came to you?—I did, I think, my lord.

14100. Who did you tell him sent them to you?—Of course, Mr. Laffan.

14101. Did you tell him who sent the two bags to you?—I did not, my lord; I couldn't know it.

14102. You did not? Do I understand you to say you told the Archbishop that Mr. Pat Laffan took them away?—I did, my lord.

14103. Now, Mr. M'Namara, will you tell me, if you please, as well as you recollect, all the conversation between you and the Archbishop with reference to these two bags?—Oh, very little, my lord, I suppose only five words.

14104. Did he tell you that he knew anything about them or where they came from?—He did not, my lord.

14105. Did he seem surprised at hearing of those two bags of money being left with you?—Well, I suppose he did, my lord.

14106. Now, you know, Mr. M'Namara, that Mr. Leahy, the Archbishop's brother, was concerned in the sending of that money there?—Yes; I didn't know it.

14107. Do you know it now?—I do, my lord.

14108. Do you know now by whom they were left?—I do not, my lord.

14109. Did you never know that Mr. Leahy was concerned in the transaction until you learned it from these proceedings? Had you never a conversation with Mr. Edmund Leahy about it?—Never, my lord.

14110. Did he intimate to you that they came by his agency?—Never, my lord.

14111. Have you seen him since that time?—Oh, I have seen him since, but not a word about the election or anything that way, my lord.

14112. Now you are quite sure that you never heard that Mr. Leahy was concerned in sending those bags to you before the proceedings here?—I am quite sure of it, my lord.

14113. Do you recollect, now, having ever seen the young man that brought the money before or since?—I have not a recollection of him; I would tell it if I knew him, as well as every other matter.

14114. And you never heard his name from anyone?—Never, my lord.

14115. Or where he came from?—Never.

14116. Do you know if he came by train or drove there?—I believe there was a car—that they came by car.

14117. Do you know if it was a private car or a hackney car?—I think it was a hackney car.

14118. Do you know if the car belonged to Thurles?—I do not know to whom it belonged, my lord; I only saw it outside; there is a high wall at my house.

14119. Do you know Mr. Edmund Leahy's family?—Do I know them, my lord?

14120. Yes, by sight, I mean?—Well, I would; I only met them once.

14121. Do you know if Mr. Leahy has a son as old as the person who brought this money to you?—I don't know, my lord; I know he has a son at all events; I met him only once.

14122. Was this young man Mr. Leahy's son?—No.

14123. He was not—you are sure of that?—I am sure of it.

14124. You used the expression to me just this moment, "they came by car?"—Yes, my lord.

14125. Did you mean by that that there was anyone with the young man who brought the money?—I think Mr. Laffan was with him.

14126. There was some person?—Yes, my lord.

14127. Did that person come into your house?—Not the second; only the young man that brought the money.

14128. Then the second person remained outside?—Remained outside.

14129. Was that a second person besides the driver?—I think so, my lord.

14130. When you cashed the cheque did you keep the entire amount yourself?—I did, my lord, only I might have given some in charity.

14131. I mean did you use it all yourself?—Well, I did, my lord.

14132. What I mean is that you did not give half, or any portion of it, away to any person?—No.

14133. You said you thought the cheque was for the use of the Archbishop?—It was his name was in it.

14134. I understand that your name was not in it at all when it was given to you?—Only the Archbishop's name. My name was not in it.

14135. And you took the cheque to the Archbishop, thinking it was for him?—Yes, my lord.

14136. Did he tell you at once that it was not for him, but for you?—He did, my lord.

14137. Did he say that he had ever seen the cheque before, or knew anything about it?—Never. All he did is, put his signature to it.

14138. I believe there is a second bank in Thurles?—There is, my lord.

14139. The Provincial Bank, or the Bank of Ireland?—The Bank of Ireland.

14140. Are you quite sure it was at the National Bank you got it cashed?—It was at the National Bank.

14141. And you are unable to say if it was a cheque on any Thurles bank?—I could not say.

14142. Would you recollect if it was a cheque on an Irish bank?—I could not tell, my lord, because I did not mind much, but brought it to him.

14143. Do you recollect what the colour of the cheque was?—Well, I think it was a blue; somewhat like that colour [pointing to a cheque on the National Bank.]

14144. Do you think that was the colour?—Really, I could not say; but I think it was rather blueish [witness is shown a cheque on the National Bank, and one on the Bank of Ireland]. No, it was not that [the Bank of Ireland].

14145. And you think it was rather this [National Bank]?—Yes.

14146. Now, it strikes us as a very strange thing, that a person comes to you, a total stranger to you, and without any previous intimation, leaves two bags of money with you. Perhaps now you will try to recollect if you received any previous intimation in any way that this money was to be left?—Never, my lord.

14147. By message or otherwise, in any way?—Never, my lord.

14148. Or that any message would be left?—Never.

14149. And your evidence is that, until the young man came with two bags of money, you never heard anything was going to be left with you for any person?—Never, my lord.

14150. Describe the young man as well as you recollect him?—I don't know.

14151. Do you recollect the colour of his hair?—I think he was fair-faced.

14152. The colour of his hair?—It must be fair likewise.

14153. Did he wear whiskers or moustache?—I don't think he did; I did not mind him much.

14154. Did he wear whiskers, or moustache, or beard?—I believe hardly either.

14155. Mr. GRIFFIN.—Can you remember any more of what occurred between you and the young man when he came in? Describe as well as you can recollect what occurred?—He came in.

14156. Who opened the door?—An old housekeeper.

14157. Did he come in?—He walked in; the door was open.

14158. What did he say?—He said to leave those two bags here to my care until they would be called for.

14159. Did he give no reason for selecting you for the charge of them?—No reason.

14160. Did he say he was told by anyone to leave them there?—He was not, my lord; I suppose he left it as a confidential locality.

14161. How long did he remain?—Not five minutes, but went back to his car, nor I didn't go after him out.

14162. Mr. WATERS, Q.C.—Do you know any gentleman named Moore?—Where, my lord?

14163. Anywhere?—There are so many Moores: I don't know any of them in Thurles.

14164. Do you know if this young man's name was Moore?—No, my lord.

14165. Mr. *Munster*.—Mr. George Moore was staying with me, and went with me to Killarney; I can fix the time of his departure. I do not know what time this was.—*Witness*.—The 15th November.

14166. Mr. WATERS, Q.C.—What Moore do you speak of?—Mr. *Munster*.—The son of Mr. George Henry Moore—his eldest son. My impression is it was long before that.

Captain *Dudly Byrne* was called, but did not appear.

Mr. *Michael Joseph Laffan* recalled; examined by Mr. WATERS, Q.C.

14167. Mr. *Macsheehy*.—You acknowledge yourself already sworn?—Yes.

14168. Mr. WATERS, Q.C.—You were the conducting agent of Mr. Munster at the last election?—I was.

14169. When were you retained by Mr. Munster?—I was retained by Captain Byrne in September—I think about the 14th September, about a week before the Cashel races, which were, I think, on the 22nd or 23rd September.

14170. By Captain Dudly Byrne?—By Captain Byrne.

[Mr. *Munster*.—Would you ask Mr. Laffan if I did not ask to have the names of the payees of the cheques entered in my book.]

14171. Is that so, Mr. Laffan?—I believe so.

14172. Is that retainer in writing, or did it take place by verbal communication?—Verbal communication and handing me a £5 note, or £5, I cannot say which.

14173. Did he tell you at the time on whose behalf you were retained?—Certainly, before I took the retainer he told me about Mr. Munster; he gave me a description of him and his political views, and all that, which met with my approval.

14174. Did you then put yourself in communication with Mr. Munster?—No; I had a letter or two from Mr. Munster, but I do not think I put myself in communication, because that communication was carried on between Mr. Byrne and myself, or Mr. Leahy and myself, or Mr. Richardson; we had the three of those here before Mr. Munster came.

14175. Do you recollect when Mr. Leahy came here?—Mr. Leahy came here, I am sure, within a week of the time I got the retainer from Captain Byrne.

14176. That would be somewhere about the 21st September?—Yes.

14177. Did he remain here until the end of the election?—Oh, he was coming and going.

14178. Well, with casual absences?—I think in the first instance he was away, but at all events he was coming and going from that until the election.

14179. And you received instruction from Mr. Leahy as an agent of Mr. Munster?—Yes.

14180. And in the same way from Mr. Byrne?—From Mr. Byrne; the instructions I received from Mr. Byrne.

14181. You consulted with them, and they acted in concert with you?—Yes; or rather I consulted them about things—some little things that I did and can explain by-and-by.

14182. I mean to apply generally over the election proceedings. Mr. Leahy and Mr. Byrne acted with you, in concert with you, in behalf of Mr. Munster?—After the election business commenced I don't think I had much communication with Captain Byrne; I had with Mr. Leahy.

14183. I suppose you had almost constantly communication with Mr. Leahy about it?—Not constantly.

14184. When he was here?—When he was here I met him, I suppose, every day.

14185. You said you had letters from Mr. Munster himself?—I have.

14186. Have you kept those letters?—I have. The principal letters I got from Mr. Munster are two. I got some from his secretary announcing about telegrams and one thing or another; they were of no

FIFTEENTH DAY.

October 20.

Mr. Michael Joseph Laffan

consequence; the principal letters are two—one in reference to the Christian Brothers' school; and the other, I think, sending me a hundred guineas. This is the letter about the Christian Brothers. If you like I shall read it.

14187. I have a copy of that letter; Mr. Munster gave it to me. Is that letter dated 9th September, '68?—The 19th September.

14188. It is the 9th in this copy?—It could not be the 9th, for I was not retained at all on the 9th.

14189. Give me the original letter.—[Witness hands it in.]—Is this the first letter you got from Mr. Munster?—I declare I don't know.

14190. It does not seem to be the first?—No, this one of September 23rd, enclosing the cheque for a hundred guineas. [Mr. *Munster*, I believe I have copies of all my letters. Mr. Leahy took presses of them, I think. I believe the press book is here.]

14191. Now, Mr. Laffan, looking at this letter of the 19th of September, does it not appear that you must have been in communication with Mr. Munster before?—No, it does not follow, and I will tell you why I had communication with Mr. Leahy or Mr. Biggin or some of them. I have a bundle of letters from all imaginable people; on looking at them I do not think them useful for this inquiry; there are really only two letters that it occurred to me might be brought into evidence, and accordingly I brought them.

14192. I will read this letter. This is a letter you say you got from Mr. Munster, and you think it is the first?—This letter, I must tell you, is not in reply to a letter from me to Mr. Munster.

14193. It is not?—It is not. I think the letter I wrote about the Christian Brothers was written to Captain Byrne or Mr. Leahy.

14194. Have you got a copy of that letter?—I am sure I have.

14195. It will be very necessary; it will be impossible to go on without it now. I will read this letter:—

"Sheffield, September 19th, 1868.

"MY DEAR MR. LAFFAN,—I am quite shocked that in your kind caution for me you should have thought it necessary to secure a sort of *quid pro quo* in any case for me in *quasi* return for anything I may like to do for the excellent Christian Brothers in your town.

"'———*Longè mea discrepat istis*
Et vox et ratio.'

Such has never been my manner, and, please God, never will be. Even in dealing with laymen I always prefer to suppose that there is honour on both sides; but in a matter concerning men serving God in religion *procul absit*, God forbid that I should offer them, not a bargain, but even the semblance of one. 'Tis 'Cæsar's wife,' you know. When you know me better you will comprehend the almost ludicrous aspect it bears in comparison with my notions of what is proper. As for yourself, my dear sir, something of the same feeling exists. If I am rightly informed, you wish, in case your work should be too light, to stipulate for a fee of £105. If so, it seems quite a reasonable thing to me, and I should prefer, if that is so, and you will say so to me, to send you my cheque, at once, for that amount. Of late I have (for reasons you will hear) been prepaying everybody, nor have I the least fear but that in the hands of a gentleman like yourself, to whom my friend Mr. L. has thought fit to confide my interests, I shall find no diminution of zeal.

"I am, yours truly,
"H. MUNSTER.

"P.S.—My views about the Christian Brothers' schools are so large that they will require a special ambassador. I think I shall have a bargain to propose, but, I trust, not a corrupt one. "H. M."

John Arthur.

John Arthur sworn; examined by Mr. MOLLOY.

14196. How long have you been an elector of Cashel?—About since '57.

14197. You voted for Mr. Munster at the last election?—I did, sir.

14198. For whom did you vote in 1865?—For Mr. Lanigan, sir, the election immediately before that.

14199. Who canvassed you on behalf of Mr. Munster at the last election?—Well, at the time I let Mr. Munster the house—immediately after letting it, I think it was Mr. Michael Laffan or Mr. Richardson, either one or the other, asked me would I vote for Mr. Munster, and I said I would hold myself aloof—that I did not know whether I would vote for anyone at the time.

14200. Have you been canvassed on Mr. O'Beirne's behalf?—I have been spoken to on Mr. O'Beirne's behalf.

14201. Who spoke to you?—He spoke to me himself; I was one day passing Mr. Dunne's hotel, and a man was at the door; he said Mr. O'Beirne wanted to speak to me; I said he could have nothing to say to me; he said, "Come in;" I went upstairs and spoke to him; we hadn't much—only just spoken about the election; we had not many words.

14202. Did he ask you whether you would support him at the election?—He didn't exactly ask my support, but something to that intent; I don't recollect exactly.

14203. What reply did you make?—I told him I wouldn't promise or bind myself to anyone.

14204. When did you let the house to Mr. Munster?—I don't exactly recollect the date, but I have a document which will show if you wish to look at it, sir.

14205. Have you it there?—I have [hands in an agreement to let a house, dated the 14th October, 1868].

14206. What rent do you pay for that house yourself?—£16 a year, sir.

14207. And you get a profit rent of £10 a year?—Yes, sir.

14208. And the first year's rent was paid in advance?—It was, sir.

14209. Was there any inducement held out to you to support Mr. Munster?—Not a bit, sir; there was no inducement in the world; I let my house regularly—the same as what I got from any other tenant, and what I had from a former one, and there was no inducement in the world to hold out; I said I would keep my hand clear of it.

14210. What did you get for the use of your house by the police during the election?—I think about—I think either £2 or £3; I don't exactly recollect the sum; it wasn't as much as I expected—it wasn't anything like what I had expected.

14211. How much did you get from the police for the borough election?—I think in all, between the two elections, about £3, as well as I recollect.

14212. When was the year's rent paid in advance?—Immediately on its being passed, I got a cheque in the course of one or two days.

14213. Did you stipulate for a year's rent being paid in advance?—Certainly, sir, I did, because the former tenant had went off in arrears to me and I didn't get it.

14214. Mr. Munster had been some time in Cashel before this agreement was made?—I didn't see him at all before.

14215. Were you afraid he would go away?—I was not afraid; but not knowing the gentleman—all I knew was Mr. Laffan, and him I knew very well, but I didn't know the other gentleman as well as I do now.

14216. Had you any further dealings with Mr. Munster besides letting him this house?—I had, sir, a little; I have another document which I can show; here is an order that he gave me for spirits for Christmas for the poor, and here are the names of those that Mr. Laffan gave me, to whom it was delivered—Presents at Christmas for the poor. [Hands in a document.]

14217. Amounting to £6 13*s.*?—Yes, sir.

14218. Are those all the persons he gave the spirits to?—Yes, sir, these are the names; Mr. Laffan fur-

nished me with the names of the parties to whom I was to give it.

14219. Do you live next door to the telegraph office?—I don't, sir; I live in the other part of the town, down; that is, a house that I took and repaired—built it, rather.

14220. Did you live in that house before you set it to Mr. Munster?—No, sir; but I kept a bakery in it for some time.

14221. Did you give up the bakery?—Yes; and another trader had it between the time I spent in it.

14222. What rent did the former tenant pay you?—Twenty-six pounds he was to pay me.

14223. For the whole house?—For the whole house.

14224. And you have the under part set now for £26?—No; I have the front house set for £26 a year, not the whole, but the front house.

14225. Mr. GRIFFIN.—Had the former tenant the front and the back house?—He had, sir.

14226. What was in the back house?—It is merely a bakery.

14227. What did you get for it?—I got nothing at all.

14228. Did you make any use of it?—No, sir; Mr. Munster had it during the winter for a soup kitchen for the poor; it was out of repair, and he ordered me to get it repaired, and I gave it to him as long as he wished.

14229. Does he pay you anything for it?—Nothing at all, sir; I repaired it, and I gave it to him as long as he wishes for the same purpose.

John Dwyer sworn; examined by Mr. GRIFFIN.

John Dwyer.

14230. You live in the Main-street?—Yes, sir.

14231. You got £30 for the last election?—Well, I don't deny it, sir.

14232. Where did you get it?—Below at Mrs. Corcoran's hotel, sir.

14233. How long before the election did you get it?—Either two or three days, sir.

14234. Who told you to go there for it?—We had an understanding about it, sir.

14235. With whom had you the understanding—was it with Mr. Pat. Laffan?—No, sir.

14236. With whom?—Mr. Cunningham.

14237. The understanding was that you were to get £30 for your vote?—No, sir.

14238. What were you to get the £30 for?—There was a part of my house taken.

14239. Where is your house?—In the Main-street, sir.

14240. How much of your house was taken?—The front room, sir.

14241. The whole house is valued at £5 10*s.*?—Yes, sir.

14242. Was it used?—Well, there was two or three men came in there and took dinner.

14243. Who were those men?—Well, there was some men of the Carews, of the Commons, that came in and took dinner there.

14244. And paid for it?—Yes, sir, called for dinner, and paid for it out of their pockets.

14245. What is your business—are you a publican?—Well, I deal in the grocery department, and I'm a wool-buyer and a skinner by trade, sir.

14246. You have a grocery?—Yes, sir, and an eating-house.

14247. Was that the only use that was made of your house?—That was all, sir.

14248. If those men had come to your house without its being taken by Mr. Munster, would you have given them a dinner?—Begor, I would give every man dinner that would pay me for it, why not, sir? It is not for nothing I would get it myself.

14249. Were you canvassed at Mr. O'Beirne's side?—Yes, he did himself canvass me.

14250. How long before the election?—I did not keep a regular account, and could not tell you how long it was.

14251. I suppose when your house was taken by Mr. Munster you would not consider yourself at liberty to vote for Mr. O'Beirne?—Not at all, sir. You are quite astray, sir. That is not the way of the case. I beg your pardon for saying it. It was two or three days before the election my house was taken. Mr. O'Beirne canvassed me a fortnight before that.

14252. Yes, but after your house was taken by Mr. Munster would you consider it fair to vote for Mr. O'Beirne?—I ——

14253. After getting the £30 from Mr. Munster's side, would you have considered it fair to vote for Mr. O'Beirne?—Sure I refused Mr. O'Beirne before that.

14254. Will you answer my question, sir?—I don't understand it properly, sir.

14255. Would you have considered it fair to vote for Mr. O'Beirne after taking £30 from Mr. Munster for your house?—Well, I would not, sir. I would not consider it fair, sir, because I wasn't inclined to vote for him.

14256. It was in Corcoran's hotel you were paid?—It was, sir.

14257. Was it in the room at the top of the house?—The middle room. I went up one flight of stairs, and there I got it.

14258. Describe how you got it?—I was sent into the room there, and the money was on the table, and there was some man that handed me a paper. He asked me my name, and I said John Dwyer. I signed my hand to the paper, and took the money that was on the table.

14259. Is that the note you signed [is handed a note]?—By gor, I couldn't tell you sir, but I could tell that that is my name, sir.

14260. Is that your signature?—Well, it is, sir.

14261. Did you vote in the election of '65?—No, I had no vote then, sir.

14262. Was your house taken at that election?—No, sir. Mr. Munster never asked a vote from me, and I gave it to him independent.

14263. Mr. WATERS, Q.C.—Did you put in a claim for any money against Mr. Munster?—No, sir, but there was some flannel bought from me, sir.

14264. How much flannel was bought from you?—I believe the whole amount of what Mr. Munster bought from me was something over £8. I don't know really now, sir.

14265. When was that bought—was it before the election?—Well, it was, sir. He bought it from me in the public streets before the whole town, the same way as I sell to every other person.

14266. Was it for the poor?—For the poor he bought it, sir. He extended his charity in that way, sir.

14267. Do you know anything about a claim for £40?—I know no more than what I tell you. I have no knowledge of anything—never interfered in any way in the world but what I tell you.

[Mr. *Munster*.—Will you ask him, sir, if that flannel was two rolls that I bought at his door, and paid for, in cash, at the time?]

14268. Was that two rolls of flannel bought by Mr. Munster, and cash paid for it at the time?—No, sir. I went up and put in a bill to Miss Stearne, I understood, and she gave me a cheque on the bank.

14269. Mr. *Munster*.—It had to be measured, I think?—Yes, sir. She gave me a cheque on the bank.

14270. Mr. WATERS, Q.C.—Did you sell it at the ordinary price?—The same price, sir, that I was getting on the market for it. The same price, sir.

FIFTEENTH DAY.

October 20.

Patrick Ryan, of Lady's Well-street, was called, but did not appear.

James K. Fahie sworn; examined by Mr. MOLLOY.

James K. Fahie.

14271. How long have you been an elector of Cashel, Mr. Fahie?—Since the year 1865.

14272. Had you no vote before '65?—No, not for the borough.

14273. Were you in occupation of the same premises in '59 that you were in '65?—Fifty-nine? Well, I think I was, but I had no vote in '59.

14274. For whom did you vote in '65?—For Mr. O'Beirne.

14275. Were you canvassed by Mr. O'Beirne?—Yes.

14276. Were you canvassed by Mr. Lanigan?—I don't recollect.

14277. Did you ever promise Mr. Lanigan to vote for him?—No.

14278. Was ever a promise made on your behalf to vote for Mr. Lanigan?—I am not aware.

14279. Not to your knowledge?—Not to my knowledge.

14280. Did you promise Mr. O'Beirne when he canvassed you?—Yes.

14281. Were you under any obligations to Mr. Lanigan?—Well, my daughter got an appointment, I believe, through Mr. Lanigan.

14282. Why did you prefer Mr. O'Beirne to Mr. Lanigan?—I considered that Mr. O'Beirne stood in a high position, and was an able man, and I thought he would be the best candidate for Cashel, or representative for Cashel.

14283. Did not Mr. Lanigan obtain an appointment for your daughter?—Yes, I admit that.

14284. When was the appointment made?—Well, I should say, perhaps, about the year '59.

14285. Fifty-nine?—I think so.

14286. Were you acquainted with Mr. O'Beirne before the election of '65?—No, not acquainted; but I heard that he stood in a very high position in London as a commercial man.

14287. Did you receive any inducement for voting for Mr. O'Beirne in '65?—Receive any inducement?

14288. Yes?—I received no inducement.

14289. Did any member of your family?—No, not to my knowledge. I am quite sure they did not.

14290. Were not Mr. Lanigan and Mr. O'Beirne of the same political principles?—Well, I believe they were.

14291. Was not Mr. Lanigan a man very generally liked in the county Tipperary?—I have no doubt.

14292. And Mr. O'Beirne was a stranger?—He was, but I did not think Mr. Lanigan as active.

14293. And Mr. Lanigan had served your family?—Yes.

14294. And you voted against him?—I did.

14295. Mr. WATERS, Q.C.—Tell the reason you had?—The only way that I became acquainted with Mr. O'Beirne—there was a son of mine got a promise of an appointment in Dublin. He went to Dublin, and when he arrived there he was disappointed. Then he would not come to Cashel, and, consequently, he went on to London; and I believe he called on Mr. O'Beirne, and Mr. O'Beirne had him put into the Millwall works, I believe, as clerk.

14296. How long was that before the election of '65?—Well, I think it occurred in the year '64. I think about twelve months previously. It happened just in a casual way. I was not aware he went on to London at all until after some time.

14297. And you say it was on account of your gratitude to Mr. O'Beirne for your son that you voted for Mr. O'Beirne in 1865?—That, coupled with hearing of Mr. O'Beirne's position in London, brought me to the conclusion that he would be the best man.

14298. Did you receive any promise of money?—No promise.

14299. Did you receive any favour?—There was another son of mine that I prepared for the telegraph engineering department and it was necessary that he should become acquainted with practical parts, and we had an arrangement for him to proceed on to Dublin to get that information, but the other son being in London we thought it better to have the two go together, and this son got a letter of recommendation to the central telegraph companies' offices in London.

14300. From whom did he get it?—Well, he got it from Mr. O'Beirne.

14301. In what year was it?—Well, I believe it was in the same year, '64; some time in '64.

14302. Mr. MOLLOY.—Do you know, Mr. Johnson, that was Mr. O'Beirne's conducting agent?—Yes, I knew he was Mr. O'Beirne's conducting agent.

14303. If he said you got money for the election of 1865 would it be true?—He would say an untruth.

14304. Was your house let in 1865?—No.

14305. Any part of it?—No part in the world.

14306. If Mr. Johnson said that money was given to some person for your vote, would it be true?—No, I think not.

14307. Mr. WATERS, Q.C.—Why do you say you think not?—Because I am satisfied it would come to my knowledge if he gave money to any member of my family.

14308. Mr. MOLLOY.—Were you canvassed at the last election?—Yes.

14309. By whom?—By Mr. O'Beirne.

14310. Were you canvassed by anyone else?—Well, in fact there was no occasion to canvass me at all. I felt bound, particularly by Mr. O'Beirne's career. I thought, in fact, no man equal to him.

14311. What fault did you find in Mr. Lanigan's political career?—To be candid with you, I thought him rather a country gentleman to seek some parliamentary honours.

14312. What fault had you with Mr. Lanigan?—I had no fault, but there were complaints, that he did not follow up his professions.

14313. Can you specify any?—He pledged himself to be an Independent Oppositionist, and after that he went with the Government.

14314. Can you specify any other occasion on which he went with the Government?—I believe he went with them in mostly every case.

14315. With what Government?—With the Government of the day. I believe it was a Liberal Government he went with.

[Witness applied for expenses, but did not get any.]

Patrick Ryan of Lady's Well, sworn; examined by Mr. GRIFFIN.

Patrick Ryan.

14316. Do you know James Connors?—I do, sir.

14317. Did you get money from him at the last election?—I did sir, £30.

14318. Why did you get it?—Gor, I could not tell you why he gave it. I know I got it at all events.

14319. Do you remember was it in a letter, or in sovereigns, or how?—I could not tell you that, sir.

14320. How long before the election did you get it?—I didn't get it before the election.

14321. With whom had you arranged about getting it?—No one, sir.

14322. Had you not spoken to Pat. Cunningham about it?—No.

14323. Had you not spoken to anyone?—No, I was never promised anything for my vote.

14324. Were you very much surprised when you got the £30 after the election?—I was not surprised one bit at all about it. I did not care whether I got it or not.

Patrick Ryan.

14325. You did not care for £30?—No, sir. If I never got £30 I would vote for the man I voted with.

14326. Mr. MOLLOY.—What was the £30 for?—I suppose for my vote, sir—the same as every one got.

14327. Mr. GRIFFIN.—Then you expected to get it?—I did not, sir. I never expected it until the night before that I came to vote for Mr. Munster.

14328. You did not expect it until the night before?—Never asked it, sir.

14329. What occurred the night before the election to make you expect it?—I heard people were getting money and I said it was as good for me to have it as anyone else.

14330. To whom did you say that?—To James Connors.

14331. That was the man who afterwards gave the money to you?—Yes, sir.

14332. And after that expectation, you voted for Mr. Munster the next day?—Yes, but I would vote for Mr. Munster had I never got it.

14333. Had you a vote in 1865?—No, sir.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* recalled; examined by Mr. WATERS, Q.C.

14334. What is the letter which you now produce?—A letter in answer to a letter from Captain Byrne. I will hand you the letter. There is not very much in it that is material to read.

14335. You say you sent this letter to Mr. Byrne?—Yes.

14336. On the 15th September, 1868?—Yes.

The Chief Commissioner reads the letter as follows:—

"Cashel, 15th day of September, 1868.

"MY DEAR SIR,—Since you left I have gone through a good many of the electors, and Mr. Munster's candidature has been favourably received. You should have address issued immediately and let him be prepared to come here the day after the races. Take care to see the address before sending it to anyone for publication. I have been talking to some of the Commissioners and telling them that Mr. Munster if elected would desire to confer some substantial benefit on the town; and one of them suggested that as they are about getting up Christian Brothers' schools, and as Mr. M. is so wealthy, the best thing he could do to gain a good character at the outset, would be to agree to give if returned £400 or £500 to establish these, the money to be given back to him by the trustees if not elected. There is no doubt this would be a judicious investment, that is, if he do not mind the expensive nature of it. Mention it to him and see how far he would be inclined to go, that I might be able to state something of the kind. I wish particularly you would come up again, say on Friday morning, in reference to John Lanigan. It would be of advantage to arrange that one of his sons should come up with Mr. Munster. It will be of considerable service to have Mr. M. identified with Tipperary people, and the Lanigans should not hesitate to pay off O'Beirne.

"Fathfully yours,

"MICHAEL J. LAFFAN.

"To Captain Byrne, Sorrel-hill.

"Take care to see that any letters I write you are sealed with D.L., and the seal unbroken, M.J.L."

14337. Now, Mr. Laffan, before writing that letter had you any communication from Mr. Munster, or anyone on his behalf in reference to his desire to contribute to a fund for bringing the Christian Brothers here?—No, I had no conversation with reference to a desire to bring the Christian Brothers. It was Mr. Leahy or Mr. Byrne, who came here, and either one or the other of them stated what is set out there, that Mr. Munster would be glad to do something, and so on, for the town. That is set out as something that had been previously told on the part of Mr. Munster.

14338. You were told of Mr. Munster's desire, as you expressed it, to confer some substantial benefit on the town?—It was so put.

14339. By whom?—By Mr. Byrne, I think, for I don't think I saw Mr. Leahy at the time, but I may have done so.

14340. Then, as far as you are able to tell me, and as far as your knowledge goes, the first mention of the Christian Brothers came from this letter to you?—Just so.

14341. You are quite sure of that?—I am quite sure of that.

14342. With which of the Commissioners had you the conversation that you have detailed in these letters?—With Mr. William Corby.

14343. You named more than one. Had you a conversation with more than one?—I think it was with him the conversation occurred.

14344. Was he the only person with whom it occurred?—Yes; I think the first person that mentioned it to me was Mr. Savage. Mr. Savage said he had been talking to Mr. Corby, and they thought it a very good thing. I turned into Mr. Corby's shop, and we discussed the matter.

14345. Then, Mr. Savage and Mr. Corby both mentioned it?—I think they were both present.

14346. After writing that letter to Mr. Byrne, what was the next you heard as to the scheme of subsidizing the Christian Brothers' charity?—I think the next thing I heard was that letter from Mr. Munster. I believe—I don't know whether I heard it or not—that my letter was forwarded to Mr. Leahy.

14347. To Mr. Leahy?—I think so—that my letter had reached Mr. Munster, or something that way; and his letter in reply would lead you to suppose that it might have, because it deals with the condition that I was putting in.

14348. After that did you hold any further communication with the Commissioners, or the persons whom you call trustees, with reference to the Christian Brothers' schools?—Oh, I did not deal with them in that way as a body or Commissioners, or treat with them. It was not in the way of negotiation. I simply mentioned the matter.

14349. I want to know what further occurred?—After I got the letter from Mr. Munster, stating that whatever he would do he would do without any conditions. I stated it publicly. I have not the slightest doubt I mentioned it to Mr. Corby; but I mentioned it to some person at all events. There does not appear to be any letter there to Mr. Munster up to the 19th, I think.

14350. How soon after that did Mr. Munster come to town?—About the 16th October.

14351. After this letter of the 19th September from Mr. Munster what steps did you take with reference to this matter of the Christian Brothers?—I don't know; I talked to persons about it, and I mentioned the fact that he would not give it conditionally, but would give it unconditionally, or something of that kind, and they thought it a very liberal and generous thing on his part. I thought it also a liberal offer, and mentioned it in that way, and I believe nothing happened then until after Mr. Munster came here. I mentioned the matter again to Mr. Munster.

14352. When he came?—Yes.

14353. There was no further letter about it?—There was no further letter. I treated it as an understood thing that he would see those parties interested about the Christian Brothers' schools, and accordingly he did one day at Abbeyview see five or six gentlemen, amongst whom were Mr. Corby, I think Mr. Mullins the Chairman of the Town Commissioners, Mr. Patrick Phelan, Mr. Cahill, and I don't know if Mr. Matt O'Ryan may have been there.

14354. Was Mr. Savage?—No; I don't think Mr. Savage was there. He had nothing to say to it beyond the conversation I had with him in the first instance.

14355. Tell us, if you please, what took place?—I introduced them to Mr. Munster, I believe, and Mr. Munster was discussing the matter, and asked their views, or something else as to what they proposed to do, and the thing was gone into. I know Mr. Corby

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mentioned that they would want a sum of about £500, that that sum would be necessary, or would be required to enable them to start the Christian Brothers here. I know that Mr. Munster wrote a cheque for that amount. It was laid down in the first instance, that it should not be looked upon as in any way relating to the election; that he was not to be considered as dealing on account of votes.

14356. Who said that?—Mr. Munster. And those parties who came in there, said it was perfectly understood that it was in no way to influence them to vote for Mr. Munster, and some of them. Mr. Corby did not give his vote for Mr. Munster, though he was the principal person.

14357. But in your letter of the 15th September you plainly dealt with it as a useful thing in an electioneering point of view, and no other way?—I did, and Mr. Munster did not approve of it, and accordingly it was put aside.

14358. Mr. Munster's letter speaks for itself?—At this interview it was the same thing. Those who came there came with the full understanding that it was not to influence them.

14359. Are you quite sure with reference to this meeting? Mr. Munster in his letter says that he was quite shocked that you should have thought it necessary to insure a sort of *quid pro quo* for anything he should do. Did you understand that that was referring to the return of the £500, if not elected?—Just so; yes.

14360. Did Mr. Munster at this interview, or on any occasion that you speak of remonstrate, I will use the word, against anything at all about this return of the money?—No, there was nothing else. There was a condition that the Christian Brothers should be established within six or nine months—nine months, I think. He asked what time would they have them there, and they said six months. "Very well," said he, "we will make it three months more," and there was a letter written with the cheque; they made an agreement within nine months, and Mr. Leahy became satisfied they could be established within nine months.

14361. Now, Mr. Laffan, Mr. Munster says something was said as to a suitable locality?—Yes; there was.

14362. These are matters of mere detail?—The letter that was written with the cheque was that Mr. Leahy might be satisfied, or that those parties should satisfy Mr. Leahy that there was a suitable place to be had, that there was a probability—and though it was not put as a condition that it should be opened—that there was a probability of its being opened within nine months; and on his being satisfied as to the probability of its being done in the time fixed, he should then hand over this cheque to the parish priest of Cashel.

14363. I believe the cheque was handed over?—Mr. Leahy was satisfied, and the cheque was handed over.

14364. You put this proposition forward, I apprehend from your letter, believing it would influence votes at the election?—Well, I don't think that is a fair way to put it.

14365. You admitted to me that it was as an electioneering scheme?—My view of it is simply this; I thought that when Mr. Munster—when I was told that Mr. Munster was willing to do something for the benefit of the town, and all that kind of thing, I thought it would be a very good and proper thing to announce it—that it would not render him unpopular with the electors and non-electors; but I did not apprehend that it would have a direct influence, or induce a man to vote.

14366. If you did not think it would bring him votes, would you have proposed it?—If I did not think it would render his position better with the constituency.

14367. Does not that mean bringing him votes?—Of course it would indirectly affect the result.

14368. You expected it would indirectly affect his candidature and help him to get votes?—Yes.

14369. And in that light you proposed it in your letter?—And in that light I proposed it.

14370. You said that Mr. Corby was one of those gentlemen who mentioned this matter to you, and who did not vote for Mr. Munster?—Yes.

14371. He voted for Mr. O'Beirne?—Yes.

14372. Is there more than one Mr. Corby?—There are two—father and son.

14373. There is only one a voter—William Corby. I find he is the last gentleman who recorded his vote at the election?—I believe so.

14374. And at that time the contest was over?—It was.

14375. You were beaten at that time?—Yes.

14376. I was asking a question with reference to Mr. Leahy's being acting for Mr. Munster. I will read this letter, as it shows that Mr. Munster wished him to have a part in the management of the election.

"September 23rd, 1868.

"MY DEAR SIR,—I am just in receipt of your letter of the 21st instant. *Quocunque titulo debeatur*, and mistakes will occur, second-hand especially and at a distance, I cannot do wrong in enclosing you my cheque for a hundred guineas, for which you will be so good as to send me your receipt. I have no doubt of your zeal and prudence; but as I believe, Mr. Leahy is an older man, and of much experience, I hope you will take his counsel on all matters.

"Yours truly,

"H. MUNSTER."

14377. Did you consult afterwards with Mr. Leahy about this matter of the Christian Brothers?—No, I do not think I did.

14378. Did you at all?—I am not sure. The only persons I mentioned, I mentioned in that letter to Mr. Byrne, and when I got the answer back the matter was completed for the time.

14379. Do you recollect any conversation with Mr. Leahy about it?—I do not recollect any conversation with him on the subject.

14380. You were present in court when Patrick Halloran was examined?—Yes; I was not present when he said this.

14381. Halloran said that you showed a cheque for £5,000?—Yes.

14382. Had you such a document?—Not a cheque.

14383. A credit receipt?—A credit receipt.

14384. You had?—I had.

14385. Did you show it?—I do not recollect the fact of showing it to Halloran, but I showed it to three or four parties. I have no doubt when he says I showed it to him that I did so.

14386. Do you mean to say that you showed it to many parties through the town?—No.

14387. Did you take it out with you to show it?—When I got it, I believe I put it in my pocket-book, and it remained there a considerable time.

14388. Was this a deposit receipt of Mr. Munster's previous lodgment in the bank?—Yes.

14389. It was not for election purposes only?—No; in fact I can't say he lodged it.

14390. How did it come into your hands?—Mr. Leahy gave it to me.

14391. For what purpose did Mr. Leahy give it to you?—My recollection about the receipt is this—After Mr. Munster was first announced as a candidate, a long time, I think some ten or twelve or perhaps more days elapsed between that and the publication of his address, and all kinds of rumours were afloat—that there was no such man in existence at all, and that in fact his name was only put forward to represent somebody else who would by-and-by appear. All these rumours were industriously circulated. As I recollect this receipt was given to show that there was such a man, and that was the most substantial proof that he was there.

14392. Did you show the receipt out at the Commons?—I am sure I did, for he says it was at the Commons I showed it to him.

14393. Do you recollect the fact of carrying it to the Commons?—I do not recollect the fact, but I had it in my pocket a considerable time.

14394. Then, it was given to you by Mr. Leahy for the purpose of showing it?—Yes: yes.

14395. You say you were not here when Halloran was examined. I have it that you said to him, that if he would vote for Mr. Munster he would be remunerated. Do you recollect saying that?—I do not. My recollection is different.

14396. Will you say you did not state it?—I will say that I went to Halloran. He was one of those parties I wanted to employ as an agent. I was advised that I ought to secure him and some others I will name. I have a list of the parties.

14397. Why did you want to employ Halloran as an agent?—I was told Halloran and James Dwyer of the Commons were two of the most important of Mr. O'Beirne's supporters in the election of '65.

14398. And without telling them that this would affect their votes?—I wanted to make him a *bonâ fide* agent, and pay him well for it; but he wanted to know the terms—the amount of money, and I declined to specify any sum. I showed him the receipt to convince him that there was quite money enough to pay him well if he worked with us.

14399. You said that you would pay him well. What amount was present to your mind at the time that would pay him well?—I should say £40 or £50, for I had agreed to give a man previously £50.

14400. You had agreed to give him that, knowing he would not vote for you, but to prevent his voting for Mr. O'Beirne?—No, because I thought he would be a useful agent in the Commons to work for us.

14401. Did you not tell me he was the man to whom you wanted to give five guineas retainer?—No, I wanted to retain him as an agent, not a five guinea agent.

14402. You knew at the time that by retaining him he could not vote for you? You knew no agent could vote?—Yes. I did not give it to him at that time to retain him, for the purpose of preventing his voting, or tying him up any way; but I went for the *bona fide* purpose of making him an agent.

14403. Having in view that he would not vote for you, and that retaining him as agent would prevent his voting against you?—No; it was with that view I went. No doubt if I went into the thing closely, and ranged over the whole of it, that was a necessary consequence of retaining him as an agent; but it does not follow that that was the particular object I had in view.

14404. But you thought he was hostile to you, and you went to him, because he was one of Mr. O'Beirne's most useful supporters? Did you think he would, from the magic of your voice, become an ardent supporter of yours?—I did not; I mentioned that I wanted to employ him as agent.

14405. Was it not to stop him from voting for Mr. O'Beirne?—No; I expected he would do us good service in the Commons. I heard he did so in '65, and that he appeared to be more the leader in the Commons.

14406. Mr. GRIFFIN.—Did you say you thought he could not be got to vote for Mr. Munster?—No; I do not think I put it in that way.

14407. Mr. WATERS, Q.C.—You employed Denis Ryan as agent?—Yes.

14408. And gave him two guineas?—I gave him two guineas.

14409. Was it you or your brother?—It was I employed him.

14410. Was it you paid him the two guineas?—It was.

14411. Did you tell him he was to get more?—Certainly. I made a special agreement with him that he was to get £50.

14412. Was that before or after, or at the same time that you went to Patrick Halloran?—It was before. Denis Ryan was the first, and I am not quite sure but that it was he suggested it to me.

14413. Did you know that Ryan had been an active supportor of Mr. O'Beirne before?—I did.

14414. Do you know that he voted afterwards for you?—I did.

14415. Did you know that he was going to vote for you?—My recollection is, that I did not; and I recollect that I met him in John-street on the day of the polling, and I asked him how things were going, and he dropped a very injudicious hint: "That Ned Stapleton," said he, "that we thought would not vote, is after voting, and I ran up and voted against him."

14416. You have not paid him the £50?—No.

14417. Why has he not been paid?—After he had voted I thought that, perhaps, it would present a difficulty, and then he sent in a claim in the name of his son.

14418. If the arrangement was, as you say, a specific arrangement with himself for £50, I want to know why you had a claim on his son's name?—In consequence of his having afterwards voted.

14419. Did you tell him to put in the claim in his son's name?—Well, I dare say I did. I do not recollect the fact of doing so.

14420. And his claim was not returned to Mr. Richardson as one of the legitimate expenses of the election?—His name was returned in my opinion.

14421. To Mr. Richardson?—Yes.

14422. Give me the list?—I sent copies of those accounts which have been produced here—all accounts between me and Mr. Munster—to Mr. Richardson in the month of December. I think in the list that I sent him a copy of the other day in that list his name is returned.

14423. I do not find that there appears here in the expense agent's account any return either of the two guineas paid to him, or of the £50 additional claimed by him?—Well, sir, I only know that this is a copy of the account I sent in. It is included in that £91 18*s.* 8*d.*

14424. To whom did you send that in?—To Mr. Richardson I sent in all my accounts, with a balance-sheet and everything else, showing what moneys I received and what I paid. That is a portion of the account [handing in a document].

14425. It is neither in the list of claims nor in the list of payments, nor is the son's name in the list of claims. Do you know John Dwyer, the man who got the five guineas retainer?—I do.

14426. Where is his place?—It is somewhere in the Commons.

14427. Do you recollect giving him a retainer? Do you know if he was an ardent supporter of Mr. O'Beirne?—I think he was. I think I saw him about before.

14428. Did you believe you could get him to vote for Mr. Munster?—I didn't believe I could get him to vote unless he was paid for it.

14429. Then you knew that some of those men required payment?—I did, unquestionably.

14430. He says that he came to you to complain about having given him a retainer and broken his vote?—I am not sure it was I gave it to him at all. Either my brother or myself gave it to him.

14431. He says it was you; he got £5 from your brother as well. He got a five guinea cheque from you and £5 from your brother, and he says he came to you to complain of having played what he called a trick on him and having broken his vote, as he calls it, by giving him a retainer; and he says you told him that if he kept the matter private he could vote?—I do not recollect that taking place. Something of the kind may have occurred that he has construed in that way.

14432. But you have no recollection of it?—I have no recollection of it.

14433. When did it become known to you that many persons required money to vote?—I should think it became known to me before Mr. Munster was announced as a candidate at all.

14434. Did you tell that to Mr. Leahy?—I did.

14435. And to Mr. Byrne?—And to Mr. Byrne.

14436. Did you tell it to Mr. Munster?—I did.

14437. When did you tell Mr. Munster that money

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would be required, and that many persons would not vote unless they got money?—After he came here.

14438. I find here what was proved before, that Michael Coffey was paid £20. He recovered that, I believe, by process against Mr. Munster?—He got a decree for it.

14439. At the time that he got that did you know of his having got £15 from your brother?—I did. It was a matter publicly talked of.

14440. At what sessions did he get the decree?—At the Cashel Sessions of January, '69.

14441. Do you recollect that those sessions were over before the end of January?—They are always held on the 2nd or 3rd of January.

14442. I suppose they were over in a week?—Three days generally.

14443. Did you defend the process for Mr. Munster?—No. I got no instructions. I was rather surprised at that.

14444. Was there no defence entered?—No defence.

14445. I suppose £20 was the full amount of his process?—The full amount of his process.

14446. Had you any conversation with Mr. Munster about the process?—I believe not.

14447. Did you tell Mr. Munster he had been paid those £15 by your brother?—I don't think I had any conversation with Mr. Munster at all about it.

14448. You have known I suppose that taking houses in this town was an ordinary way of cloaking bribes for voting?—It had become established—so established now.

14449. Did you know that before this election?—I knew houses to be taken for that purpose. I thought then, and think now that houses that are wanted may be taken, even though the taking of them would to some extent influence voters afterwards.

14450. But were you aware of houses being taken and money paid for them although no use was made or intended to be made of them?—I cannot say I heard of it, but I don't think until the last election it was done.

14451. We have it here as occurring in 1865?—Yes, I might have heard of it.

14452. How many houses were taken altogether for Mr. Munster at the last election?—I shall go through them as far as I had to do with them.

14453. Go through first those you had to do with, and afterwards those you know?—After I was engaged I told Mr. Byrne that we should have a committee room. I think it is referred to in one of his letters afterwards. The first house I proposed to take for the purpose, was Mr. James Dunne's hotel. I went to him and saw him, and had some conversation. It dropped, and we did not go into it, in consequence of something that happened to be said at the time not relating to the present election in any way. When it failed I did nothing for a day or two, and the next thing I heard was, whilst I had in contemplation still to renew the negotiation with Mr. Dunne, that it was taken for Mr. O'Beirne; Captain Byrne came up, and we opened a negotiation to get Ryan and Murnane's.

14454. With which of them did you open the negotiation—with Ryan or Murnane?—I think Ryan.

14455. Captain Byrne was present?—He was talking after dinner I think in Corcoran's hotel. We sent for Ryan or Murnane, whichever of them it was. He mentioned £100, which we would not listen to, and I think we went as far as £60, which he did not think sufficient, and we did not go beyond that.

14456. At the time he asked £100 you understood perfectly well that meant the vote?—He did not say; he intimated it was an advantage to take that house, or something that way.

14457. And you knew that there were two votes in that house?—I did. I think the next person I spoke to was Mr. Quirke. Mr. Quirke correctly described the result I think yesterday here, or the day before, when he said he told me he could not entertain any proposition about his rooms, or anything else. At all events, that there was some old thing to be settled with Mr. O'Beirne.

14458. And that until he received it he could not enter into any negotiation?—Exactly; something that way.

14459. Was there any sum named at all between you and Mr. Quirke?—No, no sum whatever.

14460. I know that on occasions of that kind persons will not speak of votes. Was there anything to lead you to understand that he conceived you were engaging his vote?—I do not think there was. We only just touched upon it, and I found how he was placed, and it stopped there. Quirke's, and Ryan's, and Murnane's, I may tell you, were taken for committee rooms on former occasions. Quirke's was also both for the borough and county elections. After Quirke's came Mackey's, and I looked at Mackey's one day.

14461. Is that Patrick Mackey, whose house was subsequently taken for Mr. O'Beirne?—Yes, and whose house we had in '65. I recollect Mackey wanted £50.

14462. He subsequently took £40, I think?—I read so, but I was not present when he gave his evidence. I read that he said I offered him £25. I have no recollection of making him an offer at all, and my belief is that I did not; but I said here the other day, and I can only repeat it, that when he said £50, I may have said, "Would not £25 be enough to ask;" but I don't recollect I went so far as to make an offer of anything. He may have, of course, construed it so far.

14463. What was the next?—The next was Dwyer's, next door.

14464. What Dwyer was that?—Michael Dwyer of Canopy-street. I went to Michael Dwyer's; I went up to see his room. I looked at it, and I forget whether he named £50. I think he did, or something. I said I would see after it again or look in again, and the matter ended there. I don't think I went near either Mackey or Dwyer after that; I heard that Mackey complained that I didn't.

14465. Did you hear anything about Dwyer having made any other arrangement?—No.

14466. Why did you not go to him?—I cannot tell now, but I think when Mr. Richardson came it was agreed we should stop at Corcoran's.

14467. You went to Dwyer with the *bona fide* intention of looking at and taking his room?—Yes; I went up to see the room, to see whether it would suit.

14468. What was next after Dwyer's?—So far they stood for some time. It became necessary to get a private house for Mr. Munster, and that also was a matter that I had to look after; and there were four private houses that I went to see about. The first was Dr. Cormack's, then Mr. Boyton's, and it was for a considerable time a question under consideration which of the two should be taken. There was another house which I thought would be very suitable—a private gentleman's house—and I went to him, and he was rather offended that I should have thought he would, for anyone or any consideration, set his house. If you like I will give his name, but I do not think it is necessary.

14469. Unless it is a question connected with the election in any way there is no use?—No.

14470. Was he a voter?—He is a voter.

14471. And all the persons whose houses you went to take were voters?—Yes. If I were going to do a legitimate thing, and that by doing it with one person I could get a vote, and by doing it with another I could not, I would give it to the person from whom I would get the vote, and would consider it perfectly fair to do so; and I went to Mr. Kite's to see after his house.

14472. I know myself that he sets a very high value on his house?—Yes; at that time it was full.

14473. What did he ask you?—He did not name any sum. He had some friends staying at the time, and could not name any sum. Then, some time after, when I was canvassing a voter a Mr. Flynn had promised me, I said to him I thought I would use his house. I never made any bargain with him, or took the house, or did anything beyond that. Subsequently,

as he tells you, I told him I had taken Walshe's, or mentioned Walshe's.

14474. Before you pass Flynn's case, tell me what occurred with reference to his claim?—Mr. Flynn never put in a claim.

14475. Well, his wife did?—His wife did not.

14476. The claim is in, though?—It is in—put in by me. The original thing was William Flynn; the letters of William were abbreviated, it seems; it has been copied into "Mrs.;" it was William Flynn originally. I thought he might as well have his claim as if I had taken it. I put something in his way before at the county election, and I may have the pleasure of doing something for him again.

14477. At that time you had Corcoran's hotel?—I should think so. I never contemplated using Flynn's house as a committee room. It was not suitable.

14478. For what reason did you speak to Flynn, was it to put a good thing in his way?—To put a good thing in his way.

14479. And he so understood it?—He did. He promised me at the time, and I had not the least doubt he would keep his promise.

14480. What is the next?—The next is Walshe's. I was going home one night from Corcoran's and happened to see him at the door, and just on the moment it occurred to me to say to him, "I think this would be a good place for a tally-room. I suppose we can have it." "To be sure," said he to me, or something of that kind, and there it stopped.

14481. You never made any use of Walshe's house?—I don't know. It was to have been used as a tally-room.

14482. What is his claim put down for?—He sent us in a claim for £50.

14483. Do you recollect his saying that you told him it could not be paid until after the petition?—After the election when those claims were received and they could not be paid I gave the best excuse I could.

14484. Did you say after the petition?—It is very likely I did.

14485. Had you any discussion with Ryan as to his claim, or have you any recollection as to what claim he was to keep back and what to put in?—I don't know that I had any discussion.

14486. There is hardly one-fifth furnished to the Sheriff of the claims that were put in. I want to know did you make a selection with Mr. Richardson?—I am sure Mr. Richardson sent me the draft account. I have not the last account. I wrote back to him telling him, "I don't think you are bound to return those at all." I think I said that to him, pointing them out.

14487. Is it your impression that you got a draft account with those that are here?—Yes; and with more than are here.

14488. And that you referred to some, advising him not to return them?—Yes.

14489. Do you recollect saying to Denis Ryan that his claim of £50 could not be paid until after the petition and commission?—I don't recollect I ever used the words that it could not.

14490. Or that it would not?—I suppose I said something of the kind. Numbers of people came to me, and I said there is the petition or commission. Of course I should give them some excuse.

14491. Those excuses would not be necessary if you considered them legitimate expenses?—There are some that I thought legitimate expenses, and they were not paid.

14492. You do not consider Denis Ryan's perfectly legitimate?—After he voted I did not. I thought then that it became open to question.

14493. Or Flynn's?—I do not think Flynn has a claim in at all.

14494. I find it here?—I know it is there. I don't regard it as a claim so much as a thing for consideration whether he will have to get something or not.

14495. And Walshe's?—Walshe's is a claim. Of course he will have to be paid something.

14496. You do not say that you did not tell him that it could not be paid until after the Commission?—I won't undertake to say that I didn't tell him so.

14497. What is the next?—The purchase of a house from Dr. Butler, and the taking of the telegraph office.

14498. I see Richard O'Donnell entered here as paid £10; who is he?—A man who lives in Lady's Well, and he was employed paying up at Abbeyview. He was steward, or principal man there.

14499. He is paid £10 on account of the election?—Yes.

14500. Is he connected with a voter?—He is son-in-law of a voter.

14501. What is the father-in-law's name?—James Carroll.

14502. For whom did he vote?—He voted for Mr. Munster.

14503. Do you say that that is all about the houses?—That is all.

14504. You have not mentioned Coffey's house?—No; those are houses with which I myself had to do.

14505. Now come to those you had nothing to do with. Who is Alice O'Donnell?—She is a publican.

14506. Is she anything to Richard O'Donnell?—Nothing at all.

14507. Who is Thomas O'Donnell?—That is the man who is Mr. Munster's tenant.

14508. Is Mrs. O'Donnell connected with a voter?—She is a daughter of Walsh, that man whose house was dealt with. She lives separate. She does not live with him though. Before I leave this subject I should note here that William Maloughney, whose evidence I read, has said that the Laffans—he put it double—that they came to him and said something about his houses. I merely wish to say I have no recollection of ever saying anything to William Maloughney about his house. I never contemplated taking it at all.

14509. Now about the houses you are not practically concerned in taking, but that you heard of?—James Phelan's house—that half note case—some time between the election and petition I heard of it.

14510. Not before?—Not before.

14511. Any other?—Yes; Ryan and Murnane's house was taken by us some days before the election.

14512. The money was paid?—The money was paid.

14513. By Patrick Cunningham?—Exactly.

14514. Was it done with your knowledge at the time?—No.

14515. Were you consulted about it?—I don't think I was consulted about the taking, but I must after the taking, and that I approved of it, except in one respect, that I didn't approve of the manner in which the bargain was made. Why I approved of Ryan and Murnane's house was this—at that time we were reduced to one room in Corcoran's hotel; it was necessary to have some place to ourselves, and some place else for a committee room, for they are two distinct things.

14516. And I suppose you approved also of that on the ground that their two votes would be then sure to you?—Of course I contemplated that.

14517. You already very frankly told me that in this interview which you and Captain Byrne had with Ryan and Murnane, when they asked £100, you understood their votes should be bought?—So I understood, for I recollect Captain Byrne stating we had nothing to do with the votes.

14518. But negatives of that kind are understood in election times to be what we call in logic, negatives pregnant?—No; I think he was sincere in it.

14519. I hear that such things are done sometimes?—I didn't watch it so closely as that. I believe he was perfectly sincere in saying to Ryan—"You are best not introduce anything about the votes, for we do not want to say anything about them." After Ryan and Murnane returned the money, Carroll's house was taken to supply Ryan and Murnane's.

14520. Is Carroll's the house at the end of the street here?—Yes.

14521. A very low house?—There are two storeys.

14522. A ground floor, and one storey over that?—Yes.

14523. And the rooms upstairs are apparently very small?—I did not see them.

14524. Did you hear that there were three beds in the room?—I heard it at the trial, or petition here.

14525. The £35 was to be paid for the use of a room with three beds in it?—So I have heard. That is the evidence sworn.

14526. Have you any reason to disbelieve it?—I have no reason to disbelieve it; I know there was contrary swearing.

14527. Have you any reason to disbelieve that the beds were in the room?—No, I have no reason to disbelieve it; nobody ever told me what was inside in his house.

14528. I presume you were not consulted about taking Carroll's house?—My recollection is that I was not—that I was away, and that it was that evening I was told about it; and I was told in the same breath that he had taken up the money and given it to Mr. Grace, and said it was a bribe. They gave me a very fair account of the whole transaction—that when Ryan and Murnane gave up the house, that it was taken in succession to it to supply the want that we thought existed.

14529. After Carroll's what is the next house?—The only other name I know was Coffey's. I think he came to me a day or two before the polling. I think my brother came to me and Mr. Scallon to know would they take it. I said I would not be responsible for taking it. Ultimately they said they would do it to put the Commons voters in the night before, or something of that kind. Ultimately they took it, and I directed that the purpose for which they took it should be carried out.

14530. With regard to the engagement of those five men, what do you wish to say?—I never contemplated, when employing those men, that they were to be used for purposes of bribing. I heard here that they were. The first time I heard it was after it was sworn on the table.

14531. And you did not know anything at all about it before?—I knew nothing about Duggan's dealing with those people before.

14532. You knew something about those things?—I knew something before.

14533. All those things do not come upon you by surprise, for you would look upon us as wizards I suppose if they did?—I knew things had been done, but the details of them I did not know.

14534. I think you have given evidence already with regard to Rawlins?—I have.

14535. Have you anything to add to that?—I have nothing to add to it.

14536. You had some dealings with Michael Carew—you gave him five guineas as a retainer, I believe?—Yes; I believe so.

14537. He says you told him he could get as much as any other man. Is that so?—I believe I told him, when giving him the retainer, and he wanted to know how much he would get, that he would get as much as anyone else.

14538. Was that when you paid him the five guineas?—I think so.

14539. Did you tell him at the time of his getting the five guineas that he could not vote?—I cannot say; but my belief is, that any of those I gave the five guineas retainer that I told them they could not vote. At any rate I told it to Kennedy, Rawlings, Carew, and Quirke. I am quite sure I told it to Kennedy and Quirke.

14540. Did Carew make a claim?—Michael Carew? I never heard that he put in a claim for services, but he applied to me after the election.

14541. Did he come to you personally and make a claim on you to vote for Mr. Munster?—Yes, he did come to me.

14542. Do you recollect what he asked?—I don't think he asked for any particular sum.

14543. Were you here when Carew was examined?—I think I was.

14544. Do you recollect Carew saying that on the morning of the election you said to him you would have him to vote for Mr. Munster?—Yes, I heard him swear that.

14545. Do you say it is true?—Something of that kind occurred.

14546. He afterwards asked you for money, not naming a sum?—Not naming a sum, I always understood. I thought Carew's retainer had been cancelled, or had fallen to the ground.

14547. Do you know that he never cashed it?—I do. I am sure I must have known it.

14548. What did you say to him when he asked the money?—I do not know.

14549. Did you only put him off?—I think I referred him and Billy Ryan to Mr. Leahy. I know Billy Ryan and himself applied to me.

14550. Mr. Griffin.—Is that little Billy?—Yes; little Billy he is called. I know they applied to me and I referred them to Mr. Leahy.

14551. Do you know John Maher? You put in a claim for him, I believe?—Yes.

14552. John Maher is son of Patrick Maher, I believe?—Yes.

14553. Is his claim £36?—Yes. I should first perhaps deal with the agents as they stand.

14554. You may as well now turn to that subject. Refer to the conversation you had with Michael Carew, and his allegation that when you gave him five guineas you told him he would get as much as any other person. Does that mean beyond the five guineas?—Yes, of course. It could have no other meaning.

14555. And after that you did say to him that you would have him vote for Mr. Munster?—Yes, some words of that sort.

14556. Then he made a demand for money on you afterwards?—He did.

14557. Go on now?—Very soon after I was retained I recommended the engagement of certain persons as agents. In all those matters I consulted Captain Byrne or Mr. Leahy; and the first person I recommended we ought to engage was Mr. James Heany, who is a solicitor, living in this town. Captain Byrne and I waited on Mr. Heany, but did not see him then. We saw him, I think, the next day at the Cashel races, and he stated he had made a promise to a gentleman in Cashel which precluded him from taking our retainer. The next was Mr. William Phelan, who was a barrister by profession, and I offered him a retainer, which he, for private reasons, refused. I then thought it would be very well to have the support of the *Cashel Gazette*, and entered into a ——

14558. That is an influential local journal, I believe?—It is a local journal; and I entered into an arrangement, which you have already heard, with Mr. White. I then discussed with Mr. Leahy the advisability of getting some one in the Commons.

14559. Before you pass from that—after your engagement with Mr. White did he act?—Mr. White never acted as agent.

14560. But assisting through his columns?—Oh, certainly. He allowed us to insert some articles or one thing or another—letters, or whatever they were. With Mr. Leahy's concurrence Denis Ryan was engaged.

14561. Was Mr. Leahy cognizant of the arrangement with Ryan—the two guineas paid and the £50 to be paid?—I do not know. He was aware of the two guineas.

14562. But of the £50 to be paid?—It was before I agreed to give that sum I consulted Mr. Leahy, and he sanctioned it. I then engaged young Cunningham—Pat. Cunningham, who had been, I knew, engaged at previous elections, both borough and county.

14563. I presume you knew also that his father had voted at the former election for Mr. O'Beirne?—Yes; but his father's vote was not what influenced me. I was anxious to get him: though I knew his father or somebody had a vote, and that I estimated it as a probable

result that I would get that vote; I do not put it that I went with the express purpose of getting the vote, which makes a great deal of difference.

14564. I quite understand you?—Then I discussed with either Mr. Munster or Mr. Leahy that we ought to get some parties about the town who would help to create support and put forward Mr. Munster's merits, and be of use afterwards as occasion might require; by the support of those four persons, Hubert Cahill, John B. Meara, a clerk in my office formerly, William Connors, and Michael Considine.

14565. Was Michael Considine the man who was examined yesterday?—Yes, I employed him. I recollect Captain Byrne was present when I employed Considine.

14566. He sent in a claim for £40?—Yes, sir.

14567. You engaged those four persons?—Yes. The next person I find on my list that I proposed to engage was Mr. Keeffe.

14568. He was to be in the fighting department?—Precisely. I was directed to engage him; that it was better to have him than to have him against us, and I made very liberal offers to him with that view, which he did not seem ready to accept.

14569. What did you offer him?—£20.

14570. Was it on the ground that it was beneath his value, that he refused the £20?—Well, I don't know. I think he was anxious to get that £15 due by Mr. O'Beirne, and that that made matters right; pending my offer, I believe it came, and that that put it square.

14571. And in addition to that I suppose he had a lively gratitude for expected favours?—Well, I should say, naturally. There were two or three parties from time to time I asked to become agents; Mr. Cody, who declined; Mr. James Hackett, of the Green—the negotiation failed there; Richard Grace, James Dwyer, and Pat Halloran of the Commons.

14572. Did you want those men altogether?—No; I went to them one after another. When one failed I spoke to another. I was anxious to get Hackett, I must confess.

14573. I find their fathers nearly all voted against you?—Hackett is a voter himself.

14574. Mr. GRIFFIN.—Cody is a voter, too?—Cody is a voter, too.

14575. Mr. WATERS, Q.C.—Did you know that those gentlemen had been supporters of Mr. O'Beirne before?—I knew that Cody had.

14576. And Mr. Hackett?—Yes.

14577. James Hackett, of the Green?—Yes.

14578. What sums did you offer them?—I did not offer Cody anything, I simply asked him would he come with us.

14579. What did he say?—He refused. He gave me some reasons which did not affect the election at the time. He stated something. I offered Richard Grace five guineas retainer when those retainers came out.

14580. Did you go to him before?—No, I had no interview with him before.

14581. Did he return the retainer?—He said, I think, that he would consider it, and he did not come near me. That notice of Mr. Grace came out while he was considering it, which, of course, put an end to his taking it.

14582. In any of those interviews with persons whom you wished to employ, and particularly with reference to those who had votes themselves, did anything occur between you and them about their asking the amount you would pay?—Nothing whatever with Cody in that way.

14583. Or with Hackett?—That is what we split upon. That is what we failed in.

14584. Tell me about it?—I was agreeing with Hackett and giving him a retainer of five guineas. He wanted that I should make the retainer twenty-five guineas, I think. I said I thought we would do that, but I consulted Mr. Munster, and Mr. Munster would not allow it.

14585. For what reason?—I don't know. It would be breaking the rule. That is my recollection of it.

14586. Is that the only case in which you consulted Mr. Munster?—I don't know. It may have been Mr. Richardson or Mr. Leahy I consulted in that case—that I didn't consult Mr. Munster about it.

14587. Was the £25 only a retainer?—If he got the £25 I should think it would have been more than a retainer for his services.

14588. Would he then have voted for Mr. Munster?—He was not to vote at all. His father, and brother, and brother-in-law had votes, and I thought it would be important, of course, to secure him as agent.

14589. You thought the votes would follow. I thought he was looked upon as the head of the family.

14590. You say he asked £25?—I think so. That is it.

14591. Was there any conversation between you and him as to how his relatives would vote?—I don't think there was anything said about it.

14592. None at all?—I think not.

14593. Did he make any observation with reference to it?—I think not. He understood, of course, that I was anxious to secure the votes.

14594. And I suppose it was tacitly understood between you?—Well, I should think it was. I know that I had it in my mind when going to him to employ him.

14595. Anything else?—That Richard O'Donnell got employment at Abbeyview—those men that were there, keeping guard, keeping off boys, and that kind of thing. Andrew Mulcahy who was employed in my office; I had him employed at the county election three or four days. I think it is from that he got to the borough election.

14596. He is son of James Mulcahy?—Yes.

14597. He has a claim in for £30?—Yes.

14598. And Thomas Mulcahy £10?—Yes.

14599. That is £40 for that family?—Yes.

14600. Were those claims put in with your knowledge?—Yes.

14601. The £30 would be over and above everything else?—People are very liberally paid at elections.

14602. You do not pay so liberally at county as at borough elections, sons of voters?—No, we don't.

14603. They have no votes at the county?—No, but we pay them liberally.

14604. But not so liberally as at borough elections where their fathers have votes?—No.

14605. Now, as to the persons you recommended to put in claims?—Some of them I did. I do not say I recommended them all. The others did it themselves.

14606. You said, that in consequence of having voted independently, you thought they should not be worse off than those who made corrupt bargains?—Something of the kind was passing in my mind. It was intimated to me in the case of a man named Ryan, by Cunningham, that he expected some compliment would be paid.

14607. What Ryan is that?—John Ryan of the Green.

14608. For his son Thomas, I think?—For his nephew, or something that way. It was intimated to me, in like manner by Mr. Cahill about a man named Tierney. When this intimation was conveyed to me I thought it well to have them send in those claims, and they could be dealt with afterwards.

14609. That is by Patrick Cunningham, a young man with reference to John Ryan, and Tierney's case by Cahill?—Yes; James C. Cahill.

14610. Who is next?—Then there is James Hanly.

14611. Is that the son of Edmond Hanly?—Yes.

14612. Who intimated to you anything about Edmond Hanly?—I don't recollect the circumstances connected with it. I know the claim came into me.

14613. What is the next?—John Maher.

14614. That is son of Patrick Maher?—Yes. I don't think I got any intimation in any shape or form. The next is John Rochford.

14615. Is that the man who said to you, when talking about telegraph work, "it is my vote you want, and not my labour"?—Something in that way. I don't

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know those were the exact words he said. I know he promised me his vote at the very outset.

14616. You mentioned Patrick Feehan?—Yes.

14617. What is the voter's Christian name in that case?—John.

14618. What is the next case?—George Looby.

14619. Is George the voter's Christian name?—John.

14620. And George is his son?—Yes.

14621. Who is Maurice's son?—Thomas.

14622. Is that Thomas Looby of Hughes's Lot?—Yes. I have given you Ryan and Teirney. The next is Fogarty.

14623. What is the voter's Christian name?—Rody. There are three more, but I——

14624. You gave us John Looby?—No, I did not.

14625. Flynn?—William Flynn. That was the house case that I mentioned.

14626. And Walshe?—There was no Walshe. Walshe sent me in a claim. He made a demand for £50.

14627. Andrew Mulcahy?—Mulcahy did a good deal, I think, about the election. So far as I know he was about every place—some of those Mulcahys.

14628. Anything further on that subject?—No.

14629. You were going to mention something?—I was going to mention that I employed Considine Connolly, and Mulcahy.

14630. They did no work?—Connolly did some.

14631. Did Considine do any?—I don't know, I could not watch.

14632. Mr. MOLLOY.—Who is James Looby?—He is a butcher, or jobber, in Friar-street.

14633. Why did he refuse the £5?—I have not the slightest idea. I think he was a great fool. Probably he thought it too small.

14634. Was he employed at the election?—Oh, he was. I think his relative said one day, "Here is one that can do something for you." "Very well," said I, "let him do it, he will be paid accordingly." I don't know what he did, I'm sure.

14635. Mr. WATERS, Q.C.—You engaged Mr. Jerome Scully at the election?—Yes, I did at the nomination.

14636. And Mr. Scully, as he told us, is not a professional man?—No, but he was conducting agent at an election in Cork.

14637. But you were conducting the election here?—Yes.

14638. And you were to pay him £25?—I did not pay him, but it was understood he would be paid.

14639. I want to know what he was to be paid the £25 for?—Simply because he stipulated it.

14640. Why did you do it?—I wanted to secure those who were supporting Mr. Scully.

14641. Were there any more than Mr. Jerome Scully?—There were three or four more. I thought they would give their support, and it was with that view I had him.

14642. You say he stipulated?—He mentioned he would lose £25 by joining us—that in consequence of the arrangement between himself and Mr. Vincent Scully he would lose it by turning over his support to us. I said, "I'm sure you won't be allowed to be at a loss."

14643. Mr. MOLLOY.—Did you employ him as an agent?—Well, that is the employment.

14644. Mr. WATERS, Q.C.—You say turning over his support for you?—That is his support, and do what he could with those supporting Mr. Vincent Scully.

14645. Was that distinctly spoken of?—I don't know, but that is what I had in view.

14646. Had he that in view in the conversation between you? Did he express that in the conversation between you, or had he it in view from what you heard him say?—I can't tell you.

14647. Did he say anything of five or six men?—I don't think he did.

14648. Now, Mr. Laffan, I have already asked you about the £500 we commenced with. Are you aware that Mr. Munster expended a very large amount in charities in this town and neighbourhood before the election?—He expended some. I don't know.

14649. Apply yourself only to the time before the election?—He expended some—I don't know to what amount. I know he expended a lot of money to the convent and bazaar.

14650. Did you not hear evidence given here of his charities?—I knew that he was giving charity about the town. I heard Mr. Quirk, I think, talk of it.

14651. Did you know anything of it?—I know he gave a good deal of charity to the poor people here.

14652. Did you get any of that to distribute for him?—I'm not sure. When he came first I got some shillings, or was present when somebody got it, to distribute to poor objects

14653. Was that much?—Perhaps £2 or £3 to some poor women.

14654. Do you know if this distribution of charity occurred during Mr. Munster's canvass?—I saw it. I think it is going on still.

14655. I asked you to apply yourself only to the time of the election?—Yes, but of course the whole thing would be taken together.

14656. But you know that what is very innocent at one time is not so at another time. For instance, you may take a dozen houses at £50 each, but, taking them at an election, a bad construction may be put upon your acts. Have you paid any bills to persons for goods purchased with the object of distribution in charity in the town?—I have not paid.

14657. You have heard it come out from time to time, but do you know anything about it?—I do not.

14658. You were not professionally concerned in them?—I don't think I was; I have no recollection.

14659. Had you any conversation with Mr. Leahy or Mr. Byrne about it?—No; it was Mr. Munster's own act, I believe. He pursued the same course before he came here at all.

14660. I have to ask you what money you got yourself?—I have a balance sheet here, a copy of which I sent to Mr. Richardson.

14661. How much did you receive altogether?—Up to the 7th, I think during the election, I will say £813 15*s.* 7*d.*

14662. I make it a little more than that?—Because there is a balance due to me on foot of the account.

14663. Even with the exception of that £10 7*s.* 2*d.*?—I don't know how that is.

14664. I will tell you what it is for?—I think Mr. Richardson and I agreed the other day as to his account, £513 15*s.* 7*d.*

14665. Did you get a cheque from Miss Stearne on the 23rd October?—That is not in here at all.

14666. Did you get one?—I can't tell. If I got a cheque from her it is for something that I had paid, and that she merely refunded to me, but it did not form part of the account. I know I paid for a load of coal one time and got a cheque for £1 6*s.*

14667. Do you recollect paying £10 7*s.* 2*d.* for earthenware?—No.

14668. How did you dispose of the £813 15*s.* 7*d.*—read out the account for me?—There is a balance due of £93 14*s.* 7*d.*, due to me on foot of the account, which makes the money £907 9*s.* 8*d.* The first item is "Cash to Cunningham, sundries, various purposes—see his accoount—£177." The next is "To P. M. Laffan, sundries, see his account, £63 6*s.* 1*d.*"

14669. I understand none of these has been put into the account of the agent for election expenses?—Oh, they have.

14670. Well, go on?—"Cash to agents, as retainers and on account, see account, £91 18*s.* 8*d.*" "Cash to Hourigan, and so forth, for mob, and to butchers, £120 17*s.* 6*d.*" Paid in connexion with Abbeyview and John-street——

14671. Is this in connexion with the election?—It is not belonging really to the election.

14672. How much is it?—£13 0*s.* 6*d.* There were a number of other things thrown over on me to pay.

14673. That £13 0*s.* 6*d.* is not connected with the

election?—I do not think it is. Then there is, "Paid drivers and so forth, on account, for cars, £19 9*s*." And there is, "Paid in connexion with telegraph office, £34 8*s*. Sundries, including £20 subscribed to the Corrigan fund, £37 9*s*. 9*d*.; and £350 to Mr. Leahy," and that makes £907 9*s*. 8*d*. That is simply the balance sheet.

14674. Give us now the dates of the payments to Mr. Leahy—what are they?—November 11th, £100; 13th, £50; 14th, £100; and 19th, £100.

14675. How did you pay that money to Mr. Leahy, was it by cheque?—No, by cash; handed him cash.

14676. How did Mr. Leahy come to ask you for it—did he tell you what it was for?—No; of course I knew it was for election purposes. After the five-guinea cheques failed, as well as I recollect, Mr. Leahy proposed I should give ten pounds. I disapproved of that and declined to give it, and told him to get somebody else to do it; and he said "very well, can you give me the money for the purpose?" I said I had no money available (there was at the time some £20, or a small balance in my favour); "but," said I, "get Mr. Munster to advance the money, and then I will hand it over to you."

14677. Did he then get Mr. Munster to advance the money?—Mr. Munster advanced £300 to me. The moment I got it I handed Mr. Leahy £100 of it, and the rest subsequently.

14678. Did you get the £300 in cash?—No, but a cheque transferred from Mr. Munster's account to mine.

14679. Did you know that Mr. Munster was aware that it was to be paid over to Mr. Leahy for £10 retainers?—I believe he did not know it from what subsequently took place.

14680. You were not present when Mr. Leahy got you the £300?—It took place at Abbeyview. In justice to Mr. Leahy, or Mr. Munster at all events, I must tell you that that advance was in order that I should not be out of money.

14681. Who mentioned that?—I went to Mr. Munster, and he said to me, "Why should not I be in advance to you instead of you being in advance to me?" Mr. Richardson was not there at the time. "I think," said he, "I had better place £200 or £300 to your credit." He gave me the cheque then. That was the result of the conversation between Mr. Leahy and Mr. Munster.

14682. What day was that?—I think on the 10th, judging from the fact that I paid him £100 on the 11th, for the next day I got the cheque from Mr. Munster and transferred it.

14683. You were aware that this £300 was to be applied in a way you disapproved of?—I did not perhaps disapprove of the £10 cheques, but I did not myself wish to have anything to do with it.

14684. Did you refuse to have anything to do with it?—Yes.

14685. Was that on the ground that you disapproved of the proceedings?—Yes, I thought it perfectly useless.

14686. Is that the reason?—Yes; parties were, in fact, only irritated by the five guineas. They thought they were tricked.

14687. You gave Mr. Leahy £100 of that £300, on the 11th November?—Yes.

14688. On the 13th November how did he ask you for £50?—I don't recollect the subsequent giving of the money, except on one occasion when he came and asked me could I give him more money, and I told him I could give £50, the £50 of a cheque I was after getting from Mr. Richardson. I gave him £50 in cash, and I presented Mr. Richardson's cheque.

14689. Did you pay over those four several sums, making £350, as the conducting agent of Mr. Munster, without asking Mr. Leahy what he wanted to do with the money?—Certainly, I regarded Mr. Leahy as having sufficient good sense and prudence to spend the money without my interference.

14690. You have heard since that that money was paid for bribing?—I heard after the election that some of it, at all events, went in bribery.

14691. Have you heard that £1,150 was spent so?—Yes, but I gave £250 of this before.

14692. Are you quite sure of those dates?—I am quite sure of them.

14693. You are able to fix with certainty the 11th November?—I am.

14694. That shows your brother was mistaken, and it may probably help his recollection with reference to another thing. What is your next account?—Sundries, including the Corrigan fund, £37 9*s*. 9*d*. I sent a cheque for £20 to the Corrigan fund in Dublin. I sent it by Mr. Munster's directions. The next account is paid in connexion with the telegraph office. I paid £34 8*s*. for fitting up the place.

14695. This telegraph was made by Mr. Munster?—Yes.

14696. You have only produced us one letter to Mr. Munster, dated 19th September, 1868. It appears from your letter of the 21st you must have got two letters, for you say, "I duly received your two letters"?—I am sure I got two letters from Mr. Munster. I think I handed in two letters of his.

14697. You have one of the 23rd inclosing a cheque for one hundred guineas, but in your letter of the 21st you say, "I duly received your two letters," so that you must have received two before the 21st?—Is that a copy of my letter to Mr. Munster? I did not send it. I found a letter of the 4th October from Mr. Munster, and have it [hands in a letter].

14698. It is not material. In this letter of the 21st you say, "I duly received your two letters. I will take care to get the rest of the papers mentioned. The great drawback at present is, that we have not your address. Mr. L."—that is Mr. Leahy, I presume?—Yes.

14699. "Mr. L. will be here, and will write you fully as to the Christian Brothers. Your ideas are certainly far in advance of what could be expected." Did you write again with reference to that?—I don't think I did.

14700. You never did?—I don't think I did. I have no recollection.

14701. Did you receive letters from Mr. Leahy with reference to the election?—I did.

14702. Have you got them?—I have.

14703. Did you go through them lately?—Yes; about a fortnight ago I ran through what I had. I recollect he was most particular about some bad English in the address, and some things of that kind. I don't think I have anything else. I don't think I have any things that are really important.

14704. Have you any letters from Mr. Leahy with reference to the Christian Brothers?—No; I don't think I ever got a letter from him in reference to it.

14705. Did you ever hear from Mr. Byrne that he had contributed this £300 your brother said he got from him?—I never heard a word of it until my brother swore it on the table. I purposely avoided asking my brother anything until he gave his evidence.

14706. Mr. MOLLOY.—On the 9th November, in Mr. Richardson's accounts, there is an entry of £50 paid to you, Mr. Laffan, for charities. What were they?—I think not.

14707. Well, it is here?—I'm not responsible for what is there.

14708. What is the £50 you got on the 9th November for?—I don't know. I got several sums from Mr. Richardson amounting to £915; but, certainly, I never got £50 for charities.

14709. You said the other day that you knew there were some corrupt practises and mysterious movements that you observed. What were they?—I saw people going about—I could hardly describe to you.

14710. What was the mystery?—People going in and out and inquiring for Patrick Cunningham and Patrick Laffan, and dropping hints that I did not at all want to hear or get at.

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14711. In the list of thirty-six agents entered here there are some men you have not spoken of. There is James J. Hickie; he is down for £15?—It does not follow because he sent in a claim he was entitled to it.

14712. Was he an agent?—He appeared to be friendly; I thought he ought to get paid for it.

14713. James Kirby, £10?—He was employed in person, and got, I think, more than he was worth. He got £4 from me. It was suggested at the time that he was very popular in the Commons.

14714. Did he send in a claim himself for £10?—He sent it in himself.

14715. There is David Neill, £50?—David Neill got a retainer of five guineas, and afterwards £2 from me, and he processed Mr. Munster at the Tipperary sessions for £40, and the Chairman thought he had been sufficiently remunerated; but I believe he got a decree for £5.

14716. For what?—For services, I think, Mr. Rollestone said.

14717. Was he a voter?—No. I think he got a decree for £5. I think one of them got a decree for £5, and two of them were dismissed.

14718. There is William Neill down for £30. Who is he?—He is another of them, out on the Commons.

14719. Is he a voter?—No; his father has a vote.

14720. How did his name come to be entered for £30?—Because he sent in a claim for it. He processed for it, and his case was dismissed. I don't think he appeared. It was dismissed without prejudice.

14721. For whom did his father vote?—Mr. O'Beirne.

14722. There are Michael and James Foley, £30?—Some one of those Foleys came to me, and said he could do a great deal out in the Commons. I told him go and do it. I promised him nothing beyond that if he did anything good for us he would be paid. He afterwards came and applied for £50. I did not see that he had done very much to entitle him to it.

14723. Who is Thomas Ryan?—I have mentioned him. There is another man named Flavan; he has a claim there. I heard nothing about him until I got his claim. I don't know very well what he did, but he sent in a claim for £15, because he canvassed thirty electors in the street, from one house to another.

14724. Did you apprise Mr. Munster of the suspicion excited in your mind by these mysterious movements?—No, certainly not.

Mr. *Munster.*—I should like to ask a few questions; I should like to ask Mr. Laffan generally the same questions I asked Patrick Cunningham and intend to ask Mr. Patrick Laffan.

14725. Mr. WATERS, Q.C.—Mr. Munster desires you to say if the taking of Ryan's or Carroll's house was legitimate?—I believe Mr. Munster regarded it as perfectly legitimate, but my recollection of it is that Mr. Munster was not aware of the taking of Carroll's house.

14726. And you were not aware of it?—Until it was taken.

14727. Nor of Ryan's?—Ryan's I became aware of at the moment. My recollection differs somewhat from Mr. Munster's on that point, because of something that happened at the trial in Dublin. Mr. Munster believes he was aware of it, and the precise object for which it was taken before the taking of it, but my recollection is different.

Mr. *Munster.*—My impression is that I discussed the price with him, and the grounds on which the price might be promised or claimed.

14728. Mr. WATERS, Q.C.—Do you recollect that?—I don't recollect discussing it with Mr. Munster.

14729. Was not the price of Ryan's house discussed?—We may have had a discussion some time before it was taken, but I have no recollection of it at present.

Mr. *Munster.*—I don't know if it was before it was taken, but it was before I knew of it. I should like Mr. Laffan to see the questions on the petition 7,216, and the following ones. I think it was on the trial of the petition that the matter arose.

[Witness peruses the report.]

14730. Mr. WATERS, Q.C.—You have read that answer?—I have, sir. It does not alter my recollection that it was after Carroll's house was taken that you were aware of it. Perhaps you were aware of it before I was. At all events, my recollection is this—that it was after it was taken I became aware of it, and that it was I and Captain Byrne that discussed the matter with you.

14731. Mr. *Munster.*—I wish to ask Mr. Laffan does he recollect discussing the price of £50 for Ryan's house before I thought it was taken?—I don't recollect, but it is a thing very likely he did.

14732. Was it not your brother, Mr. Patrick Laffan, that gave the £50 for the house?—It was. I think before the taking of it I was consulted about it. I had something to do about it, but I think at that time I had not.

14733. Referring to another question of mine, number 7,234 in the election petition, I would wish to ask Mr. Laffan if he recollects the words to which I deposed there?—Oh, yes, I have a perfect recollection. Mr. Munster did make use of those words, and they are—I said, "Mr. Laffan, I will forgive any result that may happen except winning the election and being unseated for bribery."

14734. Mr. WATERS, Q.C.—You say you recollect perfectly Mr. Munster saying, "I will forgive any result that may happen except winning the election and being unseated for bribery"?—I recollect he said that amongst other things.

14735. If you recollect any other observations of the same kind—or, I would rather call them, instructions given to you by Mr. Munster of the same character—Mr. Munster wishes you to state them?—On the occasion of giving the five-guinea retainers—when it was discussed, and Mr. Munster expressed—proposed it—Mr. Munster expresed himself decidedly opposed to bribery.

14736. But he approved of the giving of the retainers?—It was Mr. Munster that thought of it.

14737. Was the whole subject of those retainers discussed by you and Mr. Munster openly and fully?—Yes; and I think Mr. Leahy was present, and there may have been more; but I think the three of us were there.

14738. Were you satisfied just now that it was Mr. Munster suggested it?—Yes. [Mr. *Munster.*—Oh, yes, it was.]

14739. Referring to the letter of the 19th September, 1868, Mr. Munster wishes to know did you ever show that letter to the Archdeacon, or to anybody?—I don't know. I am sure I showed it to some people. It is a matter I would not have kept private. I either showed it or I told the substance of it. I don't recollect that I ever showed it to Archdeacon Quirke. It was his letter about giving the £500 unconditionally. In fact, I think it was after Mr. Munster came that he was brought into the matter by the understanding that that cheque should be given to him.

14740. These are of the same character as one you were asked before. Did Mr. Munster urge the necessity of reserving money to be spent in defeating bribery, and fighting the petition, and did he say to you that the change of the law on the trial of petitions made a great deal of difference?—Oh, yes, of course he did.

14741. What is the meaning of that? I do not understand it?—I don't recollect exactly the terms used on every occasion by Mr. Munster. I could only give you the general impression that he was desirous to have nothing illegal done.

14742. Did Mr. Munster ever tell you what his particular views were concerning bribery, and what unusual restrictions he conceived himself to be under?—Yes; I think Mr. Munster mentioned the fact that he would not feel justified that bribery was ever justified, if it was justified at all, unless it was first used as a weapon of defence—unless the opposite party went into it, and then he might fight them with their own weapons, and that he was under particular obligations

in coming here not to bribe, but that he should fight it purely.

14743. Am I to understand you as representing Mr. Munster's views to be that if he discovered the other side were bribing he might then bribe?—That is only part of the conversations, or some of the discussions that took place between us—that he was not willing to bribe, and that he did not look on it as at all justifiable; but that was the only event in which it would be warranted.

14744. But you did not understand him to say it would be justifiable?—Perhaps justifiable is not the word to use at all, but that that is the only instance in which it would be allowable, or tolerable, or ought be had recourse to.

14745. I am afraid those words are not much better.

14746. Mr. *Munster*.—Did I ever express this view, that although in general many persons would regard bribery in defence as tolerable in my case, there were particular restrictions which cut me out from that view?—I think that is about it. Perhaps that is more correct than the other. I don't undertake—I would much prefer Mr. Munster would give his own recollection of those things. All that happened at the election I certainly cannot undertake to tell you.

Mr. *Munster*.—Oh, certainly. I dare say we discussed them fifty times.

14747. Mr. WATERS, Q.C.—Did Mr. Munster mention what those restrictions were?—I don't recollect that he did.

14748. Did Mr. Munster send you a caution twice—once in a letter written by Mr. Biggin, and once subsequently by Miss Stearne, to destroy no papers?—He did. I have got the letters.

14749. And you have not destroyed any, I suppose?—No, certainly. None, except a lot of them that we flung into the fire after the election was over; and there were none since.

14750. We think it right to say that we have not seen the least evidence in the world that would lead us to the conclusion that any paper was destroyed or suppressed.

Mr. *Munster*.—I am very happy to hear you say so, but such was my confusion, or inability to keep mastery over them, that I wished myself not to be responsible. One of my questions has reference to a conversation about the change of the law. Perhaps Mr. Laffan would recollect it in this way, that I once mentioned to him that the first thing would be, that both he and I would be examined here on oath.

Mr. WATERS, Q.C.—That a more ready tribunal was provided.

14751. *Witness*.—Yes, I recollect that having taken place.

Captain *Dudly Byrne* was called but did not appear; *Edmond Bowes* was called but did not appear.

John Butler sworn; examined by Mr. MOLLOY.

John Butler.

14752. Were you employed with Connors and other men at the late election?—Yes, your worship.

14753. For what were you employed?—For the protection of Mr. Munster, and to protect him at the election.

14754. What protection did he want?—Why, it appears he did, sir, for there was a large number of people at the other side, sir.

14755. Who employed you?—Mr. Michael Laffan, sir.

14756. What were you to get for protecting him?—I did not make any special agreement at all, sir.

14757. Was Connors employed in the same way as you?—Yes, five of us, your worship.

14758. He was canvassing men for their votes?—I suppose so.

14759. And offering money for them?—He might promise money; but I don't think he was authorized to give any.

14760. Did you canvass any persons for their votes?—One or two, sir, I think.

14761. Whom did you canvass?—William Gorman.

14762. What did he say when you went to canvass him?—He said he couldn't give me a decided answer presently, sir; that he would see about another time what he would do.

14763. Did you promise him anything?—I did, sir.

14764. How much did you promise him?—I made no figure at all, sir.

14765. What did you promise him?—I said we might give him some money, as much as he would get at the other side, if not more.

14766. Who is the second man that you canvassed?—I think William Neill, out at the Commons.

14767. What did he say when you went to him?—We understood he would take money if he got it.

14768. Did you tell him you had money to give?—Yes, I did, sir.

14769. What did you say to him?—Much the same as I told William Gorman; that we could give him money, and more money than he could get at Mr. O'Beirne's side.

14770. Was he pleased to hear that?—Well he did, it appears, sir.

14771. Did he say he would go with you?—Yes, sir, by our bringing out the money to him.

14772. Did you bring out the money to him?—No, sir.

14773. Did you look for it?—Yes, sir, I made application for it.

14774. To whom did you apply?—To Mr. Patrick Laffan.

14775. What did he say when you applied to him for it?—He made the remark that he could give no money.

14776. Did you canvass any other person?—I believe I did, sir, Danny Whelan. I believe I was with some men that same morning;—it is Danny Molony, sir.

14777. That is Daniel Molony, of Hughes's Lot?—That's him, sir, I think.

14778. What did he say to you?—I don't think the man made me any answer at all, because he was with William Neill, sir.

14779. Was he listening?—He was; that is, presently, sir.

14780. Did you apply for any money for Gorman?—No, I did not, your worship.

14781. Did you tell any person what Gorman told you?—I did not, sir. Thomas Connors and Michael Cahill were with me at the time I was speaking to Gorman.

14782. Did you see Gorman a second time?—No, sir, I never spoke to him since about it.

14783. Did you ever speak to him afterwards?—Never after, from that day to this.

14784. Who else were about in this canvass?—Michael Cahill and Thomas Connors, the dealer.

14785. Where does he live?—At Bohermoor, sir.

14786. Is he a voter?—No, he is not, sir.

14787. Who else did you canvass?—I did not try anyone else.

14788. Was there anyone else present at these conversations?—Michael Cahill was, sir.

14789. Was there anyone else besides Michael Cahill?—No one else, sir, I think.

14790. What did Michael Cahill say?—Begad, he only said the same, your worship, as I'm saying now.

14791. Did he expect money?—Yes.

14792. Mr. WATERS, Q.C.—Did you say that Cahill was with you when you were talking to Neill and Moloney?—Yes, your worship.

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John Butler.

14793. Cahill is not a voter?—He is not, your worship.

14794. Mr. MOLLOY.—Were there any other voters besides Gorman and Neill?—No, there was not. No, sir.

14795. Had you any other conversation with voters except those?—No, I don't think we had, your worship.

14796. Mr. GRIFFIN.—What did William Neill say to you. Did you understand from him that he would take money?—I understood from him he would take money. I don't know was it I or Cahill asked him, but I believe it was myself. I asked him is it in the bank we would lodge it to their credit, or how would they like to have it.

14797. What did he say?—I undestood he would take money.

14798. Did you understand that from him?—I did, your worship.

14799. What did he say to lead you to understand that?—He said he would go with us, if we gave him money. Then we made him reply how we would give it to him if we got the money to give.

Mr. Michael J. Laffan.

Mr. *Michael J. Laffan* presents himself for further examination.

14800. *Witness.*—In Rawlin's case, it occurs to me, you have not any evidence from me on the point.

14801. Mr. WATERS, Q.C.—We will hear you if you wish to say anything?—I simply want to say that I differ in my recollection of the transaction both with Mr. O'Meara and Mr. Thomas Rawlins. My recollection is, that late in the day, and when the election was virtually over, I met Rawlins in John-street, and he began to abuse me, saying how I deprived him of his right to vote, and could he not go and vote then. "It makes very little difference," I said, "whether you vote or not now. Give me back five guineas and vote." He said he could not as his wife had got the money and gone away, and I told him go to O'Meara and get the money in the Main street, and he did. Mr. O'Meara gave it to him on my security. I turned into the shop before Rawlins got the money. When I came into court I saw him on the table. I never got the money from him.

14802. You brought him to O'Meara's for the five guineas to pay you?—Yes, and he got the five guineas and added them to those he had before, and kept them all, and two or three times I applied or sent to him to pay back the money. "Oh," said he, "sure I took that on account."

14803. That substantially supports Rawlins's account?—No. Rawlins says I paid him five guineas additional to go and vote, and that I deny. He admitted in his evidence that he was afterwards applied to by me to pay back the five guineas. I was not aware at the time he got the five pounds from my brother. "What good was it," said he to me, "to give back that five guineas when I got five pounds before?" I want to set it right that I did not give him the five guineas to go and vote.

Robert Cashen.

Robert Cashen, of Hughes's Lot, sworn; examined by Mr. GRIFFIN.

14804. You got £30 at the last election?—I did, sir, at the time of the election.

14805. Where did you get it?—I got it in Cunningham's house.

14806. Who told you to go there?—Pat Cunningham said so, sir.

14807. Was it Pat Cunningham arranged with you that you were to get £30?—It was, sir.

14808. That was for your vote?—I don't know what it was for, sir.

14809. Did you give anything else for it?—No, sir, I didn't.

14810. When did Patrick Cunningham tell you that you would get this £30?—I was sent for that day, sir, out about three-quarters of a mile from town where I live, and he told me to come in, that I was wanting in—the boy that went for me.

14811. Wanting where?—Into Mr. Munster's room at Mrs. Corcoran's.

14812. Did you go to Corcoran's hotel?—I did, sir.

14813. What did you see there?—I see a good deal of people there, sir.

14814. Did you see Mr. Pat Laffan?—I did not, sir.

14815. Was it there that you were told to go to Cunningham's for £30?—It was, sir.

14816. Did you get any token?—No, sir.

14817. Did you get any envelope, or anything of that sort?—No, sir.

14818. Did you vote in '65?—I did, sir.

14819. For whom did you vote then?—For Mr. Lanigan, sir.

14820. Did you get anything for your vote at that election?—No, sir.

14821. Did you get any money at all about the election?—No, sir.

14822. Or was there any promise made to you?—No, sir.

14823. Or any inducement held out to you, or any promise of anything?—No talks, sir. No, sir.

Edmond Foley was called but did not appear.

James Angelo Fahie.

James Angelo Fahie sworn; examined by Mr. WATERS, Q.C.

14824. Are you son of Mr. James Fahie?—Yes, sir.

14825. Were you here during the election of '68?—I was, sir.

14826. Your father voted then for Mr. O'Beirne, I believe?—Yes, sir.

14827. Were you spoken to about his vote by anyone?—Certainly not.

14828. Never at all?—Never.

14829. Do you mean to say that during the whole election nobody asked you to take part with either side?—Well, they might casually ask me.

14830. Can you recollect who did?—No, I cannot recollect anybody that did, particularly.

14831. Did anyone canvass you for your father's vote on behalf of Mr. Munster?—No, not for my father's vote.

14832. For any other vote?—For my own vote they did.

14833. Have you a vote?—Yes.

14834. You voted for Mr. O'Beirne?—Yes.

14835. Who canvassed you for Mr. O'Beirne?—Captain Dudly Byrne and Mr. Munster himself.

14836. I do not think you heard my question?—I beg your pardon, nobody canvassed me for Mr. O'Beirne.

14837. Did you go of your own accord?—Yes, I knew Mr. O'Beirne intimately.

James Angelo Fahie.

14838. Are you the young gentleman whom your father said received some favour from him?—Yes.

14839. Captain Dudly Byrne and Mr. Munster himself canvassed you for your vote?—Yes.

14840. What answer did you give them?—I said I could not vote with them; that I should support Mr. O'Beirne, because I was a friend of his.

14841. Except the gratitude for what Mr. O'Beirne had done for you—which was a perfectly legitimate feeling to influence you—had you any other reason for voting for Mr. O'Beirne?—None at all.

14842. No sort of inducement was held out to you?—No inducement whatever.

14843. How long before the election was it that you received those favours from Mr. O'Beirne?—In July, '64, I got this appointment from Mr. O'Beirne in London.

14844. When did you return to Cashel?—About two years ago I returned to Cashel.

Mr. *John Mullins* was called but did not appear; *Edmond Foley* was called but did not appear.

John Looby recalled; examined by Mr. WATERS, Q.C.

John Looby.

14845. Do you recollect meeting with Mr. Pat Laffan at any time about the election?—I do, sir.

14846. Had you any talk with him about the election?—No, sir.

14847. Never at all?—I had one day, sir, before the election. He came to my place, and I was not there. I was coming from my farm, and I met him on the way. He was talking to me. He said he would get a situation for one of my little boys, and I said that would do. Then I told at home how the thing was, and my eldest son would not take the situation. He said he would be runner in the telegraph office, and I would not leave him go there. I went to his brother, and told his brother I wouldn't accept of it, but I would vote for Mr. Munster.

14848. Did you say anything about money?—Never, sir; sure he is here if I did, sir.

14849. That was all before the election?—It was, sir.

14850. And you swear you never asked him for money?—I never asked a penny—never.

14851. Did you ask for money after the election?—No, sir; I never spoke of money.

14852. You never spoke of money at all?—Never, sir.

14853. Are you John Looby of the Green?—I am, sir.

14854. And you voted for Mr. Munster?—I did, sir.

14855. And do you say that you got no inducement, and never expected anything?—Never.

Mr. *Patrick Laffan* interposes.

Mr. Patrick Laffan.

14856. *Witness.*—I must explain the circumstance under which this voter was talking to me. He is quite correct. It was before the election I called to him, and said I would get the situation. We had no conversation until after the election. Neddy Duggan, or Looby, and John Duggan came to me. I happened to be at Abbeyview, Mr. Munster's residence; it was about eight o'clock in the evening. Duggan spoke to me, and said those people were talking to him, that they were under the impression he had money for them, that they were not going away, and that they wished to be arranged with. I told them then that it was impossible to have the thing done, and some other time we would see about it.

14857. Mr. WATERS, Q.C.—Did this man speak to you?—He did not; but he was there, one of the party, and he is quite correct in saying he didn't ask it.

John Looby's examination resumed by Mr. WATERS, Q.C.

John Looby.

14858. What do you say to that?—I was behind the others, sir.

14859. But you went up there?—I did, with a good many. I was walking down street and they called me.

14860. And Duggan or Looby was the talker for you?—Not for me, sir, but for himself.

14861. Not for himself, for he had no vote?—These were the body-men, sir; they were looking for their money.

14862. Has Duggan a vote?—No, sir.

14863. Do you swear that you did not go there to know if Duggan got money to give you?—I didn't go up for money to him, sir.

14864. That is not my question. Do you swear you did not go up there to find if Duggan got any money to give you?—If Duggan got money he could bring it to me. I didn't go up for money. I never went up for money, nor never looked after money for the like.

14865. What brought you there at all?—I always takes a walk around the town occasionally. I met these men, and they asked me up.

14866. What did they say they were going about?—To walk up to see Mr. Laffan.

14867. What men did you see there?—Denis Heffernan, Maurice Looby, I heard; I think John Duggan, and Neddy Duggan, or Looby. I was speaking to Neddy Duggan this morning, and he will give you an account of it.

Edward Looby (or *Duggan*) recalled; confronted with *John Looby*, and examined by Mr. WATERS, Q.C.

Edward Duggan.

14868. You were sworn before?—Yes, sir.

14869. And you know you are under the same obligation now?—Yes, sir.

14870. Did this man go up with you to Abbeyview?—He did.

14871. Was he talking to you about money?—I never spoke a word to him about anything, but I spoke to Mr. Laffan some days before that; but I heard the money was giving out, and I said the parties that voted for our party have as good a right. We met this man. I said—"Come up to Abbeyview." I rapped at the door, and met Mr. Patrick Laffan. This man kept at one side. I said—"You have a right to settle with these parties that went independent."

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Edward Duggan.

14872. Did not this man know what you were going with him for?—He didn't, nor I never spoke to him, sir; he might understand it in his own mind; but I didn't tell him, nor speak to him about it, nor I didn't let him into the knowledge of what I was asking Mr. Laffan at all about, sir.

14873. Are you any relation of this man?—Not the least, sir, only being of the name.

14874. Mr. Munster wishes to ask you if you got £30 after the election?—I didn't get it; but I was asked to deliver two letters, and I delivered them.

14875. Was that money in a closed envelope?—Yes, sir.

14876. Did you break the seal of any envelope?—I couldn't help it; it was broken in my pocket; I had it all day; I was selling meat all day, and I put it for security into my coat pocket; I took it out of this pocket; it was like one of Her Majesty's envelopes; I put down my hand and drew up a single note.

John Looby.

John Looby's examination resumed by Mr. WATERS, Q.C.

14877. George Looby is your son?—He is, sir.

14878. How was he employed at the election?—I didn't know he was employed at all, sir.

14879. Do you know that there is a claim for £35 for him?—I never knew it till I was here, sir.

James Darmody.

James Darmody sworn; examined by Mr. WATERS, Q.C.

14880. Are you a voter of the borough of Cashel?—Yes, sir.

14881. You voted at the last election, I believe, for Mr. Munster?—Yes, sir.

14882. Had you a vote at any time before the last election?—No, sir.

14883. How much were you paid for your vote?—£30, sir.

14884. Where were you paid that?—In Corcoran's hotel.

14885. With whom did you make the arrangement for £30?—Patsy Cunningham.

14886. Was it he that took you to Corcoran's hotel?—Yes.

14887. And were you shown into a room where a man was?—Yes.

14888. Did you sign a note for him?—No, I refused to do that.

Edward Savage.

Edward Savage sworn; examined by Mr. MOLLOY.

14889. You voted at the last election?—I did, sir.

14890. Had you a vote at any previous election?—No, sir.

14891. Who canvassed you?—Captain Byrne canvassed me first; Mr. O'Beirne canvassed me.

14892. How long before the election did Captain Byrne canvass you?—Well, I couldn't say; a fortnight, I suppose.

14893. What answer did you give him?—I told him I wouldn't promise anyone; Mr. Munster was with him at the time.

14894. Was that before Mr. O'Beirne canvassed you?—It was before it.

14895. When Mr. O'Beirne came what did you say?—I told him I wouldn't promise anyone.

14896. Were you canvassed again?—I was.

14897. By whom?—By Mr. Michael Laffan.

14898. How soon after Captain Byrne had been with you?—He canvassed me a great many times, I couldn't say how often.

14899. How often did he canvass you?—It might be ten times.

14900. What answer did you give him first?—I told him I didn't think I would vote at all; that there were two parties quarrelling and I wouldn't interfere.

14901. What answer did you give on the other occasions?—I gave the same answer all through; I was more or less under a compliment to Mr. Michael Laffan; he did some little business for me. In fact only for him I wouldn't have voted at all.

14902. Were you canvassed by any person else?—No, I don't think I was.

14903. Did you receive any inducement for your vote?—No, I never got a shilling direct or indirect for my vote.

14904. Have you a family?—I have.

14905. Did any member of your family get anything?—No, none whatever.

14906. Or was any promise made to them?—No, not the slightest.

14907. Did you see any cheques?—As I came from the races of Cashel I seen a deposit receipt for £5,000 in Mr. Laffan's hand.

14908. How did you come to see that?—I was standing at the hotel door; Mr. Laffan, Mr. Scallan, and two or three others; I believe Mr. Laffan met Mr. Scallan at the door and was in the act of showing it to Mr. Scallan, and I happened to be there.

14909. Did he say anything when he was showing it?—No, I don't recollect what he said.

14910. Had you been in conversation with him?—No; I just happened to be standing at the door after coming from the races when he took it out of his pocket and I think he showed it to Mr. Scallan. In fact he was talking to him and showed it, and I happened to see the figures.

James Hanley

James Hanley sworn; examined by Mr. GRIFFIN.

14911. Are you the son of Edmond Hanley?—Yes, sir.

14912. Were you employed at the last election?—No, sir.

14913. Do you know that a claim was sent in for you for £55?—I haven't the least knowledge of it.

14914. Did your father tell you that he sent it in?—Never until it was reported the other day.

14915. Did you never hear of it until yesterday?—The other day, sir, when it was reported in court.

14916. Had you many conversations with your father about it?—Never, sir.

14917. Never since?—He told me there was a claim, and that he put it in.

14918. When did he tell you that?—He told me this morning, and he told me when it was reported in court.

Timothy Hogan sworn; examined by Mr. WATERS, Q.C.

Timothy Hogan.

14919. How long are you a voter in Cashel?—About twenty-five years, sir.

14920. For whom did you vote in the election of 1865?—For Mr. O'Beirne.

14921. For whom did you vote in 1859?—For Mr. Lanigan, and I believe in '57, I think.

14922. Did you vote in 1857 for Mr. Lanigan?—I did.

14923. Did you ever get anything for voting for Mr. Lanigan?—I never did a penny.

14924. Did you ever get anything for voting in connexion with the election of 1865?—I did.

14925. What did you get?—I wouldn't have voted for Mr. O'Beirne in '65, but I went to see Mr. Lanigan. A friend in Cashel wanted an appointment for his son. I met Mr. Lanigan in Thurles, and he seemed not to notice me; he spoke very sharply to me; I never would have voted for Mr. O'Beirne only I thought he insulted me very much.

14926. The question I asked you was if you got anything in connexion with the election of 1865?—Yes, I did.

14927 How much?—I set my house to Mr. Johnson for £40?—I got £20 of it.

14928. Who paid you the £20?—Mr. Johnson.

14929. Was any use made of your house at all in 1865?—No, there wasn't much, though I prepared it for him.

14930. Was there any use made of it at all?—Nothing, but only a few men that slept in it the night of the election.

14931. What became of the other £20?—At the time that Mr. O'Beirne came for the last election in 1868 he paid me the other £20; I suppose I never would be paid it only for the election.

14932. When did he pay it to you?—In '68, after coming here.

14933. Did you not think you would be very well paid with £20 for having a few men sleep one night in your house?—I think I would and too well paid, because they didn't trouble me.

14934. Then I suppose you considered the £40 was for something more than the house—it was for your vote as well as for your house?—There is no doubt of that.

14935. How many days before the election were you paid the £20 by Mr. O'Beirne?—I suppose it was nearly a fortnight or so.

14936. At the time he paid it had you made up your mind how to vote?—I had; I never expected that £20.

14937. Would you have voted for Mr. O'Beirne whether you got it or not?—I would. My feeling was entirely for Mr. O'Beirne; I never expected that money.

14938. Did you ask for it?—I went to ask for it and he gave it to me honorably.

14939. Would you let your house to Mr. Munster for £40?—No. My wife was called on about it and she said it would be the cause of her death if I interfered that way.

14940. If you got £40 from Mr. Munster it would be the cause of her death? You went to Mr. O'Beirne to ask for the £20?—I did.

14941. And you thought you had a likelihood of getting it on account of having a vote to give at the last election?—I don't think I would get it were it not for that; that was my opinion.

14942. And that was the reason you asked for it?—Yes.

14943. What did he say when you asked for it?—He said he thought Mr. Johnson paid it.

14944. Did you ask for more than £20?—Indeed I didn't.

14945. Did you get a promise of any more?—Not a single halfpenny.

14946. How were you paid it—was it by cheque or notes?—He gave me a cheque himself.

14947. Was the cheque on the bank here?—On the bank; I got the money myself.

14948. Tell me honestly, if Mr. O'Beirne refused to pay you that £20 that day would you have said to him that you would not vote?—I didn't expect I would vote against Mr. O'Beirne, because the people were delighted with him at the time for his conduct in Parliament.

14949. If Mr. O'Beirne said, "Get out of my room, do you want to rob me? You got £20 for nothing in 1865," would you have voted for him?—Sure if he insulted me I wouldn't vote at all for him.

14950. I was too strong. If he said "Surely it is not in my power to pay you £20, for I consider you have not the least claim upon me," what would you say then?—Well, I didn't expect it.

14951. Well, that is not an answer to my question. Would you walk out and say, "Mr. O'Beirne, I will not vote for you?" Tell me the truth, would you not do that?—Well, now I was sworn on the petition and I swore whether I got the money or no I would vote for Mr. O'Beirne; I am swearing the same now.

14952. And is it only because you swore it at the petition that you swear it now?—Yes.

14953. What?—Yes, I would; I didn't care whether I got it or no. It didn't trouble me much; I wasn't too badly in the want of it.

14954. Mr. GRIFFIN.—You put it down as a bad debt, I suppose?—I didn't; I didn't think I would ever get it.

James Hackett sworn; examined by Mr. MOLLOY.

James Hackett.

14955. How long have you been a voter of Cashel?—About seventeen years, your worship.

14956. How did you vote in 1859?—For Mr. Lanigan.

14957. How did you vote in 1865?—For Mr. O'Beirne.

14958. And at the last election?—For Mr. O'Beirne.

14959. Were you canvassed at the last election?—Mr. O'Beirne came to my place and I wasn't at home. Mr. Laffan came to me, and Mr. Munster himself came to the loan office to me.

14960. When Mr. Laffan went to you what did you tell him?—I told him I wasn't decided and wouldn't give him any decided answer.

14961. What did you tell Mr. O'Beirne when he called?—I wasn't at home.

14962. Had you ever seen him?—Yes.

14963. And spoken to him?—Yes, he sent for me.

14964. When you went to him what did you tell him?—He promised a situation to me some time afterwards since '57. He renewed it after the election of '65. He didn't fulfil his promise, and he was excusing himself to me, and he said inasmuch as he didn't fulfil his word he had no claim to ask me for my vote.

14965. When Mr. Laffan asked you, and you told him you had not made up your mind, did he offer you a retainer?—Not at all.

14966. But on a subsequent occasion?—On a subsequent occasion he did.

14967. How much was the retainer?—Five guineas.

14968. What did you tell him?—I had some hesitation in the beginning, and I was under the impression it was employing me as a kind of agent; I took the retainer, and the day after I believe I gave it to him.

14969. Did you demand any sum from him?—I did. I considered five guineas rather small. I said I wouldn't take a retainer if he didn't make it twenty-five or thirty pounds.

14970. What did he say?—He said in the first that he would; that he would consult some parties, and that he would make it so much.

14971. How long did you keep the money?—Wed-

FIFTEENTH DAY.

October 20.

James Hackett.

nesday, about one o'clock, I got it, and the Thursday or Friday following, I'm not sure which, I gave it to him below at the hotel.

14972. You have some relatives voters?—I have.

14973. Did you receive any money at the last election from any person?—I never got a penny for my vote in anyway.

14974. Did you receive any money?—I did.

14975. How much?—I got £75.

14976. Who gave you the £75?—I got the money from Mr. O'Beirne's valet.

14977. How much of the £75 was for yourself?—Nothing.

14978. None?—None.

14979. For whom was the £75?—It was for my father, my brother, and my brother-in-law.

14980. What is your brother's name?—William Hackett.

14981. And your brother-in-law?—Morris Looby.

14982. And your father's name?—John Hackett.

14983. What did you do with the £75?—When I got it I was in dread to give it to them, and I kept it until the petition would be over.

14984. What did you do with it after the petition?—I kept it.

14985. You kept it?—I kept it. I did this myself unknown to the other parties. I took this £75 for my brother, my father, and my brother-in-law, unknown to them. I would have given it to them but I got in dread, and I kept it until the thing would be over; but I lent my brother from time to time some money, but I never told him it was some of that money.

14986. Have you the £75 still?—Of course I have.

14987. How came you to get the £75 from the valet?—It was an agreement between me and Captain Graham.

14988. Captain who?—Captain Graham.

14989. Where did you make the agreement?—I think the final agreement was made in my own house. He came up one evening, I brought him to my own room, and I think it was there it was concluded.

14990. How much did you ask at first?—He said how much did I think, and I said about £25 each for the three. I told him distinctly before that that I would take no money for my own vote, that I wouldn't take it. Then he agreed to—what he said was to let them handle the money, but this was on account. He said to get their votes passed to him, and to indorse the note to him, and he would give me £75.

14991. Did you get the notes?—I got their notes passed to me, and then I indorsed the note to Captain Graham, and kept the £75.

14992. Were there three notes?—It was all one note—a joint note.

14993. When you were getting the note what did you say?—I told them distinctly it had nothing to do with their votes.

14994. Mr. WATERS, Q.C.—But they knew it had?—It was my intention to convey to them it should not.

14995. Did they not know it was to get money for their votes?—I don't think some of them did.

14996. Which of them was so stupid?—I think my father knew nothing at all about it, nor my brother-in-law either. If any knew it it was my brother.

14997. What did you ask them when you were getting the bill signed?—I told them I wanted to use that money.

14998. You have given your evidence here in a very questionable manner?—I intend to give it the same way.

14999. I ask you now to tell me do you not believe that they knew before the election—before they voted—that an arrangement had been made?—No.

15000. And do you tell me now that they did not believe it?—I believe my brother had some knowledge of it, but the others had not.

15001. Do you believe they did not expect any money?—No, I don't think my father knew anything at all about it.

15002. Did you know they would vote whatever way you told them?—No, I didn't.

15003. Did you ever tell your father he ought to vote for Mr. O'Beirne?—No. I told him nothing at all about voting, the day—the morning he was coming to vote.

15004. At any time?—I had no conversation at all with him, for I knew there was no use.

15005. Did you bring your father to vote?—Yes, he came with me.

15006. And he heard you vote for Mr. O'Beirne?—Yes.

15007. And he followed your example?—Yes.

15008. You say you gave that note to Captain Graham. Where did you give it to him?—I gave it to him in the loan office, where I hold a situation.

15009. Was that in pursuance of the conversation with Captain Graham, wherein you told him that it should be £25 each, but that you would take nothing for yourself?—Yes, distinctly.

15010. Do you know of any other money having been paid?—No.

15011. You never heard anything of the kind?—No, I'm not cognizant of anything else.

15012. Do you know anything of the election of 1865?—I do, that I voted and got nothing for it; nor '59 nor '57 I got nothing for my vote.

15013. Do you know did your father ever get anything for his vote?—No, he never got a penny for his vote unless the last.

15014. Do you know the date of the note?—I do not, sir; some time previous to the election.

15015. Do you know how long previous to the election?—I suppose about ten days; something of that kind.

William Hackett was called but did not appear.

Adjourned.

SIXTEENTH DAY.

October 21.

Mr. John Mullins.

SIXTEENTH DAY.

THURSDAY, OCTOBER 21, 1869.

Mr. *John Mullins* sworn; examined by Mr. WATERS, Q.C.

15016. You are Chairman of the Town Commissioners of Cashel, I believe?—I am.

15017. Were you chairman in 1868?—Yes.

15018. During the election?—Yes.

15019. How long have you been an elector of Cashel?—Since '53; either '52 or '53.

15020. Did you vote in 1865?—I did.

15021. For whom did you then vote?—For Mr. Lanigan.

15022. And in 1859 for whom did you vote?—For Mr. Lanigan, and in '57 for Mr. Lanigan.

15023. Do you know of any money having been expended in bribery in 1865?—I do not, more than I have heard by public report.

15024. You have heard those reports that were current about the town in 1865?—I have.

15025. Do you not know yourself of any votes having been given for corrupt purposes in 1865?—I do not know it of my own knowledge, nor did not then. I did take an active part in favour of Mr. Lanigan in '65, and I know as far as my knowledge went that there was not a shilling spent corruptly on his part.

15026. Do you believe that there was money spent

corruptly on the part of Mr. O'Beirne in 1865?—I heard it so reported.

15027. And do you know what the majority was by which Mr. O'Beirne defeated Mr. Lanigan in 1865?—I do not recollect the number, but I should say thirty, or thereabouts; I should say it was more, but I am not positive.

15028. You voted in 1868 for Mr. Munster, I believe?—I voted for Mr. Munster in '68.

15029. Did you take an active part in the election?—None whatever, more than the recording of my vote.

15030. Did you not canvass any persons at all?—No.

15031. But of course you had many conversations about the town with persons as to the way they would vote?—Well, I don't say: no, I had not; I had no particular conversation, nor did I ask any person what way he would vote or who he would vote for. I may have conversations in general amongst people, but I had no particular conversation with any person.

15032. Did you, during the election, believe that money was spent in corrupt practices?—I heard that it was being spent.

15033. Now, how did you hear it?—Well, indeed, from public report. If you were to ask me who did I hear saying it, I could not name any person in particular, but it was publicly rumoured.

15034. I suppose you are engaged in trade?—I am.

15035. What trade, may I ask?—I am in general business; hardware and ironmongery business, and timber and other matters.

15036. I think your name was mentioned by Mr. Laffan yesterday, as being one of the number with whom he spoke about the £500 for the Christian Brothers?—Yes.

15037. Do you recollect the occasion on which that was first proposed?—I do.

15038. By whom was it proposed do you know?—I heard Mr. Laffan saying something about it some few days before Mr. Munster's arrival in town; that Mr. Munster intended doing something that way. I believe a day or two after Mr. Munster came to town Mr. Laffan called to my office and said, "Mr. Munster is after coming to town, and with reference to the subject I was talking to you about, I think, as Chairman of the Town Commissioners, you ought to wait on him." I said I didn't think the Chairman of the Town Commissioners had anything to do, as such, with anything of the kind, and I refused to go. Mr. Laffan then said that "If it is not worth taking it is not worth asking." I said, "I am not going to have anything to do with it." He said, "If the public suffer on your account it will be a very disagreeable thing;" and immediately after I said, "I will consent to wait on Mr. Munster on two conditions;" and he said, "What conditions are they?" and I said, "First, that my waiting on him must be entirely independent of the result of the future or the coming election or of pledges altogether, and before I go I will require you to wait on Mr. Munster and state so to him; and the second condition is that you will get at least five or six of my neighbours to accompany me. As it is a public question I must decline to go as a private individual."

15039. Have the goodness to explain to me what you mean by saying that your going was not to be considered as having anything to do with the election. Was it that you were not to support Mr. Munster?—Precisely so; that I was to go without subjecting myself to any particular line of conduct as to the future, and I insisted on putting these conditions to Mr. Munster before I would go.

15040. Before you went to Mr. Munster did you know of this arrangement, if I may call it so, that was proposed by Mr. Laffan, that the money was to be returned to Mr. Munster in the event of his not being elected?—No, I did not.

15041. Did you never hear of it?—I heard it afterwards; at Mr. Munster's house I heard it spoken of, but I didn't know it was arranged.

15042. Did you ever hear that Mr. Laffan proposed it with that condition?—I did not; it was Mr. Munster I heard state that in his own house first; Mr. Munster stating that that condition was proposed to him, but that he wouldn't entertain it.

15043. Now, Mr. Laffan told us yesterday that he made this proposal as a good and advisable election move on the part of Mr. Munster?—I couldn't tell you what he thought.

15044. Did you receive it in that way when Mr. Laffan spoke to you?—I took it for granted that if Mr. Munster was not a kind person he would not think of making such a proposal at all.

15045. Do I understand you to say that you had not your mind made up then how to vote?—Certainly not; I had my mind made up that I would not vote for one person then, and that is Mr. O'Beirne.

15046. But you had not made up your mind to vote for Mr. Munster?—Decidedly not.

15047. What afterwards induced you to make up your mind to vote for Mr. Munster?—I voted more against Mr. O'Beirne than for Mr. Munster for this reason. I believe the constituency of Cashel to have been as pure as any in the United Kingdom until Mr. O'Beirne first, and his agent afterwards came to town; and it is under this feeling that I voted against him. In point of fact I may as well say I would have voted for any man professing Liberal opinions against Mr. O'Beirne.

15048. Were you not here in 1857?—I was.

15049. Did you happen to be in court when Mr. Coman gave evidence with regard to 1857?—No, I was not.

15050. Did you hear of an election petition against Sir Timothy O'Brien?—I did.

15051. Now, do you think that Cashel was so very pure in 1857 as you say?—Mr. O'Beirne was in town in '57, and any corruption that was in '57, in my opinion, was forced on by Mr. O'Beirne and his agent, Mr. Johnson.

15052. He did not go to the poll?—Yes, but he was proposed, and on the hustings I heard him declare that he would poll to the last man; and to my knowledge afterwards he came up to Mr. Lanigan and said, "I will resign in your favour now, provided you will pay my expenses."

15053. Were you here in 1852?—I was.

15054. Did you hear of Mr. M'Garrell as a candidate then?—Yes, Hughen was first brought by Johnson.

15055. Was there any corruption in 1852?—I believe there was not; he failed in that; he subsequently brought M'Garrell, and failed in corrupting, except a few, if he had even a few. Mr. Johnson commenced the work in '52; it was only carried out in '65. So the public must know what the electors were when it took fifteen years to corrupt them.

15056. How was it you were in doubt when you went to Mr. Munster as to whether you would vote for him?—Simply because I knew nothing of him.

15057. Did he not profess Liberal principles?—I didn't know anything of him more than what I heard from Mr. Laffan; I don't know if I had read his address at the time.

15058. State what occurred about this money?—Mr. Laffan came back and said Mr. Munster would not receive the deputation on any other conditions than those I proposed. Five or six other gentlemen and myself went to Mr. Munster's house, and Mr. Munster introduced this subject, and in doing so he said it was proposed to him—by whom I don't know—that he should only give the subscription on condition of being returned; but that he would not listen to such a thing, and that he was giving it unconditioned, for the establishment of Christian Brothers' schools in Cashel, adding that he would look on it as the proudest act of his life to have his name connected with it.

15059. Were you long desirous of establishing a Christian Brothers' school in Cashel?—Some five or six years, or more.

15060. Did you know that the Archbishop was de-

SIXTEENTH DAY.

October 21.

Mr. John Mullins.

sirous of it, or aiding you in it, or had any communication with you about it?—The Archbishop was parish priest here some years ago before he was appointed Archbishop.

15061. How long ago?—About ten years, I believe; it is eight or nine years ago, at any rate. I was one of the parishioners who waited upon him with others about it at the time, and ever since we have had it in the consideration of the parishioners.

15062. In pursuance of that offer of £500, you got a cheque, I believe, that day?—It was proposed when Mr. Munster said he asked the amount likely to be required, and I believe one of the gentlemen said there was a calculation made before, and £500 would be required to fit up a house and place for them; and he said "You must not want the money longer, if that is all." He then put the question—"Who will I fill the cheque for?" and some of the gentlemen said, "Fill it in favour of Mr. Mullins;" and I said, "No, but let it be filled in the name of the incoming parish priest." He was then appointed, but I believe not living in Cashel.

15063. Who is that?—Archdeacon Quirke; and then and there Mr. Munster filled it in his favour, and enclosed it in an envelope; I believe it was enclosed to Mr. Leahy, with instructions as to how he was to give it; that is, if the schools were to be opened within a certain time, and that within all human probability the school would be opened before the 27th July, 1869; I believe that was the time; that he was to hand the cheque to the Archdeacon. Mr. Munster read the letter.

15064. That was Mr. Edmond Leahy?—I believe his name was Edmond.

15065. The brother of the Archbishop?—The brother of the Archbishop.

15066. He is a gentleman that was acting for Mr. Munster?—At the interview I speak of Mr. Leahy was not then present.

15067. I presume although you may not have gone to speak to persons, or canvassed persons, that owing to your position as Chairman of the Town Commissioners of this town, a great many electors spoke to you during the election. I want to know did any of them come to you to know if you knew of money being given?—Not one.

15068. You had not the question openly put to you?—I never had.

15069. Or anything signifying it, although not put distinctly?—Nothing at all, for I made up my mind from the commencement not to interfere either one way or the other with either of the parties, and I believe either of the parties had not known up to the time I recorded my vote which I would vote for; at least I did not give them so to understand.

15070. Now, do you think, Mr. Mullins, did this gift of £500 for the Christian Brothers' schools operate on the constituency of Cashel in favour of Mr. Munster?—Well, I wouldn't venture to give an opinion as to that; parties were very much divided about it.

15071. Did you not hear any opinion expressed?—I heard parties say it was a very charitable act of his, and I heard others who were opposed to Mr. Munster repudiate the act.

15072. What do you mean by repudiating the act?—Saying it was given for a corrupt motive, or with a view of forwarding his chance in the election.

15073. Have you heard the people of Cashel speak of it generally?—Well, not to a great extent; but I have heard a diversity of opinion between the supporters of Mr. Munster and Mr. O'Beirne.

15074. Is that your own opinion at all?—Decidedly not.

15075. You told us you did not come to a determination at first to vote for Mr. Munster?—I did not.

15076. And you stipulated that day you should be considered as going there perfectly free and unpledged?—Precisely so.

15077. Were you not influenced, then, by any consideration except your dislike to Mr. O'Beirne and your desire that he should not be again returned?—I swear it.

15078. You are not able to give us any further information regarding the election?—I am not.

[Mr. *Munster* hands in questions.]

15079. Before you waited on Mr. Munster at Abbeyview, was it mentioned that the Fever Hospital would be suitable, and would be let for the purpose at a shilling a year?—We stated that after the 25th March—it was October, I think—we would then have it. We said that the Poor Law Guardians are in possession of the hospital, and we cannot interfere until the 25th March, and the Commissioners of the town will have it then at their disposal, and the will converted for that purpose.

15080. Was Mr. Leahy to ascertain if it was fit for a school?—He was to examine the house, and he did so.

15081. Mr. *Munster*.—I have to ask whether it was on expressing his opinion that it was fit in a week he was to hand the cheque over to the Archdeacon?—Mr. Munster wrote a letter and read it for us, and he read them exact words from the letter; but I did not read the letter myself; I heard the letter read in about a fortnight after at a meeting in the Town Hall, at which Mr. Leahy attended.

15082. Mr. WATERS, Q.C.—Was the report of Mr. Munster's gift that appeared in the *Cashel Gazette* correct, do you recollect?—Well, I don't recollect the report of it, but the giving of the gift, and everything connected with it, so far as I know, is exactly what I have stated to you; I don't know anything else connected with it than what I have mentioned to you.

15083. Mr. *Munster*.—There is one thing on which my recollection differs from Mr. Mullins'. I should like to ask, if it was not proposed that two persons should be associated as payees of the cheque, and whether the Archdeacon was not my own selection?—At the time, Mr. Munster put the question to the gentlemen present. He said, "In whose favour shall I draw this cheque?" I think it is Mr. Cahill or Mr. O'Sullivan said, "Let it be drawn in favour of the Chairman of the Town Commissioners;" and I said, "No, I will have nothing to do with it;" and I suggested that it should be filled in Archdeacon Quirke's name. Mr. Munster then said something as to whether it would not be more prudent to have two, and it was finally decided in favour of the Archdeacon.

15084. Mr. WATERS, Q.C.—I think you said the Archdeacon was not at the time actually in Cashel?—I know he was appointed, but he was not in Cashel that day.

15085. Had he taken charge of the parish?—I think he took charge of the parish the Sunday previous to that day, but he had not settled down

15086. Mr. *Munster*.—Would you ask Mr. Mullins if some other person, not myself, suggested the prudence of having two names?—I am not able to answer that question; but I know it was suggested. I will not swear you did or did not, but I know the second name was suggested.

15087. Mr. WATERS, Q.C.—I have to ask you, at the request of Mr. Munster, was it not said that Mr. Munster was not a Liberal, but a Conservative, and that he was a wolf in sheep's clothing?—I have heard many such statements. I don't recollect any election at which something was not said.

15088. Were you present at a meeting in Abbeyview the Sunday before the election?—I was not; I was never there but on one occasion.

15089. Were you invited to attend?—I was.

15090. But you did not go?—I refused to go.

15091. Were you still undecided?—At that time I was undecided whether I would vote for Mr. Munster or not.

15092. At what period did you hear that money was being improperly spent?—I heard it so remarked from the very commencement of the election.

15093. As to both sides?—Oh, I didn't hear the spending of money attributed; I heard it attributed to both parties.

15094. To both parties?—To both parties.

15095. From the first?—From the very first.

15096. Is Mr. Munster's name associated with the introduction of the Christian Brothers?—It is to the extent that I have mentioned to you.

15097. I just wish to ask, for my own information, who was the parish priest that preceded Archdeacon Quirke?—Archdeacon Laffan.

15098. Did he die?—He died, I believe, in August, 1868; in July or August 1868; yes, in July or August, 1868.

William Hackett sworn; examined by Mr. Molloy.

William Hackett.

15099. What relation are you to James Hackett?—A brother, sir.

15100. How long have you been an elector of Cashel?—I believe since 1857, sir.

15101. How did you vote at the election of 1857?—For Lanigan, sir.

15102. And in 1859?—Yes, sir.

15103. And in 1865?—I voted for Mr. O'Beirne.

15104. And at the last election for Mr. O'Beirne?—I did, sir.

15105. Who canvassed you in 1865?—In '65, well Mr. O'Beirne did, sir.

15106. Did you get any inducement to vote for him in 1865?—In '65, I did, sir; I got £20 from Mr. Johnson.

15107. Who gave you that £20?—Mr. Johnson.

15108. Was it before or after the election?—Well, it was before the election, sir.

15109. That was for your vote?—Well, I am under the impression it was, but when he was giving me the money he told me it was his own money he was lending me.

15110. Did you pass a note?—I did, sir; I am under the impression it was a note; I signed it, but I did not read it, nor he for me.

15111. You were never asked to pay it?—No, sir.

15112. He spoke to you often about this £20?—He didn't, sir.

15113. Now, we have heard about your signing a bill for £75?—Yes, I did, sir.

15114. Your brother brought it to you?—The bill? I went to the house. My brother sent for me, sir, and for my sister's husband, and he told me that he wanted a favour of me and of my sister's husband. "What is that," says I. "I want to borrow some money," says he; "and you will show me a favour by signing to this." We signed to the note then, sir; and he says after we signed the note, "This has nothing to do with your vote; both you and Looby are at liberty to vote as you like.

15115. The note was for £75?—It was, sir.

15116. To whom was the note payable?—I couldn't tell that, sir.

15117. Did he tell you who was giving the money?—He put me into no knowledge but what I explained to-day.

15118. Did you think it was about the election?—I did, sir; I had a suspicion of it.

15119. Had he spoken to you before that?—No, sir; but I see Mr. Laffan come to us after—to him and to me—and his brother came to me, but he knew whatever way he went we would go. I couldn't know what shouldering he had about the election; but we always went together, and did for Lanigan twice, without receiving a shilling for our vote, nor never looked for it.

15120. You say Mr. Laffan came to you before the election?—He did; Mr. Laffan never came to me but once, and his brother another time.

15121. What occurred between you?—Mr. Michael Laffan came to me, and introduced what a good man Mr. Munster was. "Look," says he, "he has eighteen or nineteen hundred pounds given out already." "Oh Lord!" says I, "is it in eight or nine days?" "He has," says he; "he gave five hundred for the Christian Brothers, and he's the only man that ought to be returned for Cashel." "Begor, and sure if he is such a good man he is," says I. "I'm not asking your vote," says he, "but if you make up your mind and vote for Mr. Munster." "I couldn't do it," says I; "I'm under a compliment to Mr. O'Beirne; I passed a note in '65; I don't intend to go against him." "Well now," says he, "if you and your brother," says he, "and your father come to the consideration to vote for Mr. Munster, we'll come to another consideration with ye." "Well, I'll consult them about it," says I. Well, then, the evening or two before the nomination—no, but before the polling day, it was in or about the 16th November, I well recollect it—this man, Mr. Pat Laffan, came to me and called me out of my house, and he introduced to me about my vote, and he introduced about the note. I didn't deny the note. "Well," he says to me, "if I was," he says, "to secure you," he says, "in that note, how much money," says he, "do you want for your vote?"

15122. What night was that?—The night I went to Mr. O'Beirne. "If in case," says he, "we secure you in that note you passed to Mr. O'Beirne, how much do you want for your vote?"—"Thirty pounds," says I. "Come down," says he, "at six o'clock to Corcoran's hotel." "Well," says I, "if in case I take the thirty pounds, couldn't I be put to my oath?" "You could," says he; and says I, "wouldn't that be great hazard either to you or to me?" "No fear," says he, "come down, at any rate." I came in to my family. The three little girls I have said they wouldn't stop in the house, and my son said he would go and 'list if I took any of Munster's bribery. "I will not," says I; "but I will pass him as civil as I could." He came about seven o'clock and tapped at the door. I went out and said, "my family wouldn't agree, and I'll have no further to do with it." That is what passed between us. Look at the inducement held out to voters that don't know what they are doing; to leave people be coming dogging them about day and night! Look at this sort of work! blaming poor people for taking money, and these men going round that way! 'Tis the whole instigation of bribery in Cashel!

15123. Mr. Waters, Q.C.—Did you tell Mr. Laffan about the note?—I did, sir.

15124. Did you tell Mr. Laffan about the note you passed for £75?—Oh, no, sir, I didn't; that note wasn't passed at all at the time.

15125. Did you not tell any of your children?—Not a single word, nor I was never put in possession by my brother what he ever arranged to do for that note.

15126. Although your brother did not tell you about that note, tell me, like an honest man, did you not believe that that note was passed for something in connexion with the election?—I did, sir.

15127. I thought you would tell me the truth?—I did, sir.

15128. You knew that it had reference to your vote?—Well, I knew that my vote was intended, but having no knowledge of it.

15129. You had no knowledge, but you believed it?—Yes, sir.

15130. And you were under the impression when he said he wanted you to do him a favour, that it was only a story?—I believe that it was only some hidden agreement that I was not made aware of.

15131. And that you were not to be made aware of?—And that I was not to be made aware of, or put into possession of.

15132. Does your father live in the house with you, or with the other son?—With James, sir, my brother.

15133. Is that the young man that was examined yesterday?—Yes, sir.

15134. Was your father able to talk about the election?—He was, sir; but then he's a stupid old man.

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October 21.
William Hackett.

15135. And he would do I suppose whatever he was bid?—Whatever he was bid to do he would do; he has no forecast only just what he would hear my brother say; he's silly, sir.

Mr. *Munster*.—I would like to ask whether Margaret Hackett, whom I am accused of wishing to bribe with ten pounds, is not sister-in-law to this man, and wife of James Hackett.

Mr. WATERS, Q.C.—I think you will have an opportunity of hearing that from herself.

Edmond Foley.

Edmond Foley, of Boherclough, sworn; examined by Mr. GRIFFIN.

15136. Whom did you vote for at the last election?—Mr. O'Beirne, your honour.

15137. Did you vote at the election of 1865?—I didn't; I had no vote, sir.

15138. Did you get any money at the last election?—Not a shilling, sir.

15139. Did you not get £35 from anybody?—I did, from Mr. Munster but not from Mr. O'Beirne; I got it from Pat Cunningham at Corcoran's hotel; it isn't he gave it to me, but a man I never knew.

15140. Who had spoken to you about your vote before?—Mr. O'Beirne came twice to my house, and I wasn't there either time, for my vote; I happened to be there when Mr. Munster, and Mr. Leahy, and Mr. Laffan came to my house for my vote.

15141. Which Mr. Laffan?—Mr. Laffan came out of the carriage and introduced me in; I went in. "I come for your vote, Mr. Foley," says Mr. Munster. "You are welcome, sir," says I, "but I'm not going to give it to you. I never pledged nor promised, nor will I to any man in Cashel in any way, until coming on the last day, and whoever I think the best man for the credit of my country, I will give him my vote," in the presence of all that was around me near his carriage.

15142. When did Mr. Patrick Cunningham tell you to go for the £35?—I'll tell you, sir; Pat. Cunningham never offered me a pound or a shilling for my vote. I was passing the house over one day, and the father called me over and bid me good morrow, so he called me in and asked for whom would I vote? "I can't say," says I. "If you vote for Mr. Munster," says he, I think you'll get £40." He didn't say "I'll give it to you." "I don't know how that may be," says I. Very well, that passed on until the night at Corcoran's hotel came around. They sent for me to attend the meeting.

15143. How long before the polling day was that?—Oh, it was, I believe, eight or ten days; I couldn't tell you, for I'm not a scholar, and I don't keep a retention of it, sir. So I attended the meeting that night, and there all the multitude was around about it, and there was speeching and talking, and they had Mr. Munster returned among the whole of them there. So, says some of them, "See what a splendid town we'll have now, when we have Mr. Munster returned for the borough; sure we'll have him entered in the week after, and next year, and the year after." "If you go to return him next week, and the week after, and next year, and the year after," says I, "you may stop there;" getting up from my seat and going away. "Lock the door," says Mr. Laffan. So the door was locked, and he got pen, ink, and paper, and pledged every man to vote for him. When it came to my turn I was asked would I sign to that paper, and I said not; Pat Sullivan, of Boherclough, was with me and he said not; Con. Carroll said not; and Pat Maher said not. The four of us stood up, the door was unlocked, and we went out.

15144. What Pat Maher is that?—The Main-street publican. After that they sent a man of the name of Dudley Burke to my house.

15145. Dudley Burke?—Dudley Burke; he's a labouring man, to have me come down to Corcoran's hotel, that they wanted me. "I'll not," says I; "Do so," says he; "I'll not," says I. I was pitting potatoes in my haggard at the same time when I refused coming, and didn't come. In the evening, Dwyer, the weaver, from the Green, came to me. "They expected you last night," says he. "Didn't I tell the messenger I wouldn't go?" says I. "Will you come to-night?" says he. "I'll not," says I. "If you come to-night," says he, "they're paying from forty to fifty pounds for votes, and you'll get it." "If they are," says I, "get fifty pounds, and keep five for yourself, and bring me the rest." There's the whole truth, and nothing but the truth, before my God. He went off then, and he didn't call near me. Next morning, I was coming up the street for some bran; who should I spy coming out from Corcoran's place, only Dwyer, the weaver, that was with me the evening before. He ran across the street to me; this was the very evening of the nomination. "We expected you last night," says he, "will you come over now, Pat Cunningham is beyond?" "What does he want of me?" says I. "I don't know," says he. "No," says I, "I have engaged my yard to put timber into it for the telegraph poles, and he didn't put it in, and it was only to seduce me for my vote." "Come over," says he; I went over, and Pat. Cunningham was within before me. He bid me good-morrow, and I saluted him. "Well," says he, "what we were saying the other day, are you satisfied?" "I am," says I. He gave me writing to enter a room there to a man that his mouth, and nose, and all were closed up with a handkerchief, and I didn't know him if I was to be hanged for it. He gave me writing to the man; I went in to him. He drew up a bill, and, not being a clerk, I knew nothing about his bill. He asked me, "Will you write?" "No," says I. "Well," says he, "will you put your hand to this." "I won't," says I, and so I walked out. Patsy Cunningham was outside the door. "What did you want to bring me here?" says I. "Don't be angry," says he, turning to the window and writing a few lines on another bit of paper. I knocked at the door. The door was unlocked again. I handed him that paper, and he paid me then £35 in money. I went and gave my vote to Mr. O'Beirne, and there's "the truth, and the whole truth, and nothing but the truth."

15146. You knew the £35 was for your vote?—No, for my yard.

15147. Did you not tell me Pat Cunningham was taking your yard to put poles in, and that he did not do it, and that what he wanted was to seduce you for your vote—did you say that?—I did, sir.

15148. Then did you not know it was for your vote you were getting the £35?—Didn't he give £35 to Carroll for his yard? He told me that he would pay me any money he owed me.

15149. Did not you say that you knew that he offered to take your yard and did not put in the poles; that he wanted to seduce you for your vote?—Yes, I judged that, sir.

15150. When you took the £35 afterwards did you not know that you were selling your vote?—Sure I wasn't selling my vote, for I wouldn't sell my vote for here, because Mr. Laffan—he offered me thirty pounds, and paid twelve shillings horse-hire before that. For my vote! I wouldn't take it.

15151. Did you get anything for voting for Mr. O'Beirne?—I did, sir.

15152. What did you get?—Not a penny.

15153. Did your son Pat?—No, sir; I never got a shilling; I didn't understand it, sir.

15154. Have you got a son—is that boy your son?—Yes, he is. My son is here, sir.

15155. Was he employed?—He was, sir.

15156. By whom?—Mr. O'Beirne.

15157. How was he employed?—I couldn't tell you, sir.

15158. What did he get?—Nothing at all.

15159. Was he promised anything?—I couldn't tell you.

15160. Do you know anything about it?—I do; that he was employed about the street from morning till night with him; there's all.

15161. You never got anything?—I never got a shilling in my house or family from Mr. O'Beirne, or even an agent belonging to him, nor did Mr. O'Beirne offer a shilling for my vote, no more than you, that wasn't there at all.

15162. Were you talking to Captain Graham at all?—No, sir, I wasn't.

15163. Or to Simon Tracey?—No, sir.

15164. Were you promised anything?—No, sir, not a shilling.

15165. Mr. MOLLOY.—Did you vote in 1865?—I didn't, nor I hadn't e'er a vote.

15166. Why did you not vote for Mr. Munster this time?—Because he didn't please me. Of course Mr. O'Beirne being a better man, that there was a trial of him.

15167. Did your son get anything for his employment at the election?—He didn't, sir.

15168. Was he not very badly treated?—He couldn't help it.

15169. Mr. GRIFFIN.—Did you ever see Mr. O'Beirne's valet?—I didn't, sir.

[Mr. *Munster* hands in questions.]

15170. Will you swear that Mr. Munster asked you for your vote?—Sure I'm after telling you what he told me when he came to the door.

15171. Did he himself speak to you?—Himself in person, in his carriage, spoke to me and asked my vote.

15172. Who was by?—Mr. Laffan, and I think Mr. Leahy.

15173. Which Mr. Laffan?—I couldn't exactly tell which of the two, sir; his honour knows it himself. He came out of the carriage and ordered me into it.

15174. Mr. MOLLOY.—Did you intend to keep the £35?—I didn't. If every man gives it up I'll give it up.

15175. Why do you not set them the example and begin yourself first?—How? and where were they giving it to me?

15176. Did you get money from any person else?—Not a shilling, only twelve shillings horse-hire I got from Mr. Laffan when my horse was drawing sand to Mr. Munster's road that he commenced after coming; and it was I billed him for twelve shillings, and he paid me.

15177. Did any of your family get money?—Not a shilling.

15178. Were they promised it?—They were not promised it. I am on my oath now, and I stand before my God, and if I knew it was for my vote he was giving me the money I wouldn't take a shilling of it.

15179. Did you ask any person what was going?—No. How could I ask? Sure they wouldn't tell it to me.

15180. Do you know Mr. John Davis White?—I do.

15181. Did you ever ask him what money was going?—No, nor he never told me what was going.

Mr. *John Davis White* recalled; examined by Mr. MOLLOY.

15182. Do you know this man?—I think he was one of the persons that came to me one night.

Edmond Foley's examination resumed by Mr. MOLLOY.

15183. Do you know that gentleman [*i.e.*, Mr. J. D. White]?—I do these twenty years.

15184. He says you were one of those that came to him one night and asked what money was going?—I don't recollect it, sir.

15185. Do you forget it?—I do, teetotally.

Patrick Foley sworn; examined by Mr. GRIFFIN.

15186. You were employed at the last election?—Yes, sir.

15187. By Mr. O'Beirne?—Yes, sir.

15188. What were you promised?—Nothing.

15189. What do you expect to get?—I billed him for £5.

15190. Who employed you?—Mr. O'Beirne himself.

15191. What were you employed at?—Going up and down the town, and looking about; I didn't do a great deal.

15192. How many days were you employed at this work?—About eleven or twelve days.

15193. You sent in a bill for £5?—Yes, sir.

15194. Have you been paid it?—No, sir.

15195. To whom did you send the bill?—Mr. Grace, sir.

15196. Do you know did any of your family get anything from Mr. O'Beirne, or any of his friends, at the last election?—Not a penny, sir.

15197. Were they promised anything?—No. sir.

Margaret Hackett sworn; examined by Mr. MOLLOY.

15198. You are the wife of James Hackett?—I am, sir.

15199. He was examined yesterday?—Yes sir.

15200. Do you know that money was going at the last election?—I heard so, sir.

15201. Did you go to any person to ask what money was given for votes?—I did not.

15202. You did not go to Mrs. Rochford?—No, indeed, sir.

15203. Did you go and tell Mrs. Rochford if her husband went along with your relatives that she would get money?—No, indeed, sir, I never mentioned nor asked it.

15204. You went to Mr. Munster's, at Abbeyview?—I did, sir.

15205. You got money from him?—Yes, sir.

15206. You brought him a letter?—I did, sir.

15207. Asking him for money?—Ten pounds. The lend of £10.

15208. You went with the letter yourself?—I did, sir

15209. What occurred when you went with the letter?—When I went to the hall I met a young gentleman. I left him the letter. He asked who did I want to see? I said Mr. Munster. He asked me was it anything I wanted for myself, and I said it was. He took the letter from me to Mr. Munster, and I remained in the hall all through.

15210. Did you go in?—Yes, after a while. A couple of persons passed me from the hall to the room where the young man took the letter from me went. I was called afterwards to Mr. Munster's presence.

15211. What did Mr. Munster say?—He had the letter open in his hand, and he said I had no right to write him such a letter about votes; for I said I would try and use my influence with my father, my husband, and my brother-in-law.

15212. You stated that in the letter?—I did, sir, and he said I had no right to write him such a letter.

SIXTEENTH DAY.

October 21.

Margaret Hackett.

15213. What was said after that?—Miss Ade, I think, was in the room when I went in, but I couldn't swear whether it was after or before me she came in, but she was there when I was speaking, and she asked Mr. Munster could she not lend me the money herself, and Mr. Munster said no.

15214. Was there a gentleman in the room?—There was a gentleman standing near the fireplace.

15215. Did Mr. Munster give any reason why Miss Ade could not lend the money?—He didn't, sir; I think he said to the gentleman he could not do so, and the gentleman said, "What do you think if this lady writes to Mademoiselle de mon Cour?" and Mr. Munster said "All we do in this way we do for charity." I was afraid, and still he held the letter; he said all the things they do in this way they do for charitable purposes or charity, I don't know which.

15216. When he said "All these things were done for charity," did you want to have no more to do with it?—I wished to have no more to do with it, sir; I wished he would give me back the letter, but I didn't know whether 'twas better ask it, or not, I was so confused.

15217. Did he keep the letter?—He did, sir.

15218. Did you ask him for it?—I don't think I asked him for it, but I wished to have it.

15219. Did Mr. Munster then leave the room?—He said to me then "You might write to this young lady," turning to Miss Ade, turning to her, "and whatever you want state it," says he. I brought afterwards then another letter to the lady telling her what I wanted, but nothing about votes.

15220. Why did you not speak in the second letter about votes?—Because Mr Munster said he couldn't do anything for me on account of offering to influence votes.

15221. But he advised you to write to Miss Ade?—Yes, sir; he said "Write to this young lady." I thought at the time she was a daughter of Mr. Munster, and he said "Write to this young lady, and tell her what you want." He didn't name Miss Ade, or any other during the time.

15222. Did you go away then?—I did; I brought a letter next evening to Miss Ade, and I addressed her as Madamoiselle Munster; for I didn't know who she was. I sent the letter in to her. She came out in the hall and reached me an envelope with the direction of Madamoiselle de Moncourt on it, and told me to write to that address, and whatever I wanted I would get.

15223. Did you write?—I did, sir.

15224. Did you post the letter yourself?—I did, sir.

15225. Did you get an answer?—I did, sir; I believe it was four days when I got an answer from London. What was in it was, "Dear Madam, on account of being unwell." I think it was—the writing was a little cramped; she said she was not very well, and on account of that didn't answer me sooner, but now she enclosed a cheque for the amount I wanted, and that she required nothing for the cheque but that I would remember her in my prayers; no return for the money, or something to that effect.

15226. What was in the cheque?—It was in the Bank, payable to Mrs. Margaret Hackett, I took it to Abbeyview, and Miss Ade checked it for me.

15227. Why did you not take it to the Bank?—Miss Ade said she would check it for me. I said I didn't wish to have it made public to take it to the Bank or the Post Office, and I am sure that is the reason the lady in London made it payable to me, to Miss Ade, that she would keep it secret better than any person.

15228. You brought the cheque to Miss Ade and she paid you?—She did, sir.

15229. Had you any conversation with Mrs. Rochford before the election?—I used to speak to her whenever I would meet her; I never asked her husband to vote for Mr. O'Beirne, nor never thought of it.

15230. Did she say anything to you about voting?—She said she heard several persons say Mr. O'Beirne was a poor man, that he had nothing, and that her husband would support Mr. Munster.

15231. Do you know that your husband got £75?—I heard it yesterday, sir.

15232. Did you ever hear it before?—No, indeed, sir.

15233. Nothing about it?—Nothing at all about it until yesterday.

15234. Listen to this:—Mrs. Rochford said "Mrs. Hackett came to me and told me would John go with her husband James, I said I was afraid he would not, that he had pledged himself to Mr. Michael Laffan, and was a man not in the habit of going to do anything but what is just," and that you replied "If he comes with James, Mr. O'Beirne is a very clever man, and he will bring him out of any difficulty he may get into." Do you remember saying that?—I never said it, nor couldn't, I hadn't the slightest idea of asking her husband to vote for Mr. O'Beirne.

15235. Mr. GRIFFIN.—Do you remember having some porter with her the night before the election?—I remember taking a bottle of porter with her at Mrs. Dolan's the evening before the election.

15236. Did you tell her about your husband having arranged with Mr. Munster then?—I didn't, sir, for I didn't know it.

15237. You know it now?—I heard it yesterday.

15238. Did you never hear a word of it before?—Never, indeed.

15239. Did you hear that he had engaged with Captain Graham?—Never, indeed, sir. I never heard he had any arrangement with Captain Graham until I heard it here yesterday sworn by himself that he had; when he had it made he kept it secret from me.

15240. Did you ever pay back that ten pounds?—Never, sir.

[Mr. *Munster* hands in questions.]

15241. Mr. WATERS, Q.C.—What time of the day did you come to Abbeyview?—Late in the evening; it was dusk, sir.

15242. What reason did you give for coming there?—That I wanted the lend of ten pounds.

15243. What reason did you give when you were asked at the time why you came there so late?—I wasn't asked what reason I came so late, sir.

15244. When you were asked there, did you give any reason to any person that spoke to you about coming up to Abbeyview?—I told Miss Ade that I came so late that no one might know me, nor know the purport of my coming, that they may not see me coming towards the house at all.

15245. Mr. Munster wishes to know for what purpose did you write the letter?—Why did I write the letter, sir, to him?

15246. Yes?—For to get the money, sir, if I could.

15247. Did you ever hear that Miss Ade, in Mr. Munster's household, was to receive all applications for charity?—I never heard it, sir; I heard it since. I heard herself swear it at the petition, but before that I didn't hear at all, sir.

15248. How did you get paid the money?—She gave me a five-pound Bank of England note and five sovereigns. I went to the teller at the bank, and he gave me a three-pound note and two single notes for the money, and he made me put my name on the back of the Bank of England note.

15249. How did you apply that money?—As I told Mr. Munster in the letter, I paid it to those that I owed it to.

15250. To whom?—I paid some at Mr. Ryan's and some at Mr. Meara's.

15251. You say you expended it all in paying debts?—All to a very little, sir.

15252. Is this the letter that you wrote to Mr. Munster—

"The Green, Cashel, 28th October, 1868.

"DEAR SIR,—I hope you will forgive my intrusion, which I never would have done were not I and those to whom I belong some of your most influential supporters. I introduce myself to you as the wife of James Hackett, whose

father and himself possess a vote, each of which are at the perfect disposal of the former, as also that of his brother William, now, as on all former occasions, will go with the other two. I will only ask you in return of the influence which I will successfully use in your behalf, a lend of ten pounds, and the reason I am obliged to have recourse to your generosity I shall quickly let you know. A few years ago, when I got married, my father promised myself privately twenty pounds, of which my husband knew nothing about, on strength of which promise I foolishly went in debt the sum which I now ask of you to lend me. Should you doubt me, I beg you to refer to Mr. Laffan, and I am confident he will give you a most respectable character of me; or to his Grace the Archbishop, who knew me well at the time I was educating in the Ursuline Convent, Thurles, which he is the patron of. I could refer to several others, but as I wish to keep it a perfect secret, as it would expose me to the ridicule of several were they to know it, but I am confiding in a gentleman, and my trust is, I am sure, in safe keeping.

"I remain, &c.,
"MARGARET HACKETT, Cashel.

"Henry Munster, esq., Green,
"Abbeyview, Cashel."

Is that your letter?—Yes, sir.

15253. Mr. Munster wishes to know was it true that you were in debt ever since your marriage unknown to your husband?—Not ever since, sir. It was later than my marriage I got some of the things, but it was since my marriage I did incur the debt, sir.

15254. Did you write a letter to Miss Ade at Christmas, to thank her for her goodness in getting you this money?—I did, sir, Christmas Eve, asking her in what way would she advise me to give it back, for I was told before the petition that Mr. Munster could take hold of me for asking money at all. I heard Pat Cunningham was reporting it about the street. I wanted to have no more about it. I wrote her the letter on Christmas Eve.

15255. Did you ever see your husband, or William Hackett or their father signing any bills?—Never, sir.

15256. Was there any other lady in the room with Mr. Munster that evening except Miss Ade?—There was, sir, another lady, but she went out before the conversation.

15257. How many ladies were in the room?—There were two, sir, but one went out.

15258. Only two at any time?—I didn't see, sir, only two.

15259. Did you see Miss Sterne?—Yes, Miss Sterne was present when Miss Ade checked the money for me.

15260. Was she present the first evening?—I don't think it was Miss Sterne was present, but another small lady; but I know, sir, Miss Sterne was present when she was paying the money, for Miss Ade had only a five-pound note in her pocket, and it was Miss Sterne gave her the gold.

15261. Was she present when you were talking with Mr. Munster?—I couldn't swear was she present during the conversation, but I'm sure she was present when I went into the room. I couldn't swear was she there during the whole conversation.

15262. Or during any part of it?—I couldn't swear, sir, and I think, to my belief, she went out. I remarked there was a small little dog standing by her side, the other young lady beside Miss Ade.

15263. Mr. *Munster.*—I should like to ask if she recognises the young lady?—[witness looks at the ladies in the gallery]. I do not see her there, sir; I know them all, sir; I think I know the whole of them, but I don't think I remark that young lady, sir.

William Hackett recalled at the request of Mr. Munster; examined by Mr. WATERS, Q.C.

William Hackett.

15264. Who was present when the bill for £75 was signed?—There was James when I signed the note—bill, or note, or whatever it was—there was himself and me and Looby.

15265. Is that Maurice Looby?—Yes, sir.

15266. No one else?—No, sir.

15267. In whose house was it signed?—In James' house, sir.

15268. And you say there was none besides?—No one but the three.

15269. Was it a three months' bill, or what date was it?—I couldn't tell, sir; I didn't read it, nor he didn't read it for me.

James Cody sworn; examined by Mr. GRIFFIN.

James Cody.

15270. You voted for Mr. O'Beirne at the last election?—I did, sir.

15271. How did you vote at the election of '65?—For Mr. O'Beirne, sir.

15272. For whom did you vote in '59?—Fifty-nine? I believe Mr. Hemphill was up at the time; I voted twice for Mr. Hemphill, once for Mr. O'Beirne, and twice for Mr. O'Beirne.

15273. You were a very active supporter of Mr. O'Beirne, I believe?—Well, I canvassed for him.

15274. Do you know Pat Brien of William-street?—I do.

15275. Did you canvass him?—I did.

15276. Did anybody else canvass him for Mr. O'Beirne?—I don't know, sir.

15277. Did Captain Graham canvass him?—I don't know; I wasn't present.

15278. Did he get any consideration for his vote?—I couldn't tell you; I don't know anyone that got a consideration.

15279. You did not hear he was promised?—I heard a great many rumours, but did not see it or know it.

15280. Did you hear there was any promise with reference to that particular man?—I do not, sir.

15281. Do you know James Kennedy, a voter?—I do, sir.

15282. You canvassed him, too?—Well, I spoke to him on an occasion.

15283. Do you know whether he was promised anything?—I don't know, sir.

15284. Or whether he got anything?—I don't think he did; at least he told me he didn't.

15285. Do you know anything about Patrick Maher, Main-street?—I do, sir.

15286. Do you know whether he got anything?—I don't think he did, sir.

15287. Or that he was promised anything?—I don't know.

15288. Were you engaged as agent for Mr. O'Beirne?—I was in '65.

15289. But not this time?—No.

15290. Did you receive any consideration or promise for your vote?—No.

15291. What did you get for your vote in '65?—Twenty pounds from Mr. Johnson before he went away.

15292. Was that all you got in '65?—It was, sir.

15293. When were you paid it?—I got it from Mr. Johnson before he went away; I never made any agreement with him; he sent me that and I kept it.

15294. Were you promised more than the £20?—I didn't make any agreement with him at all.

15295. Was there a balance due to you?—No; I didn't make any agreement at all.

15296. Did you know of any money being paid in '65?—No, sir, I didn't, because I never went near them. I cannot swear on my oath that I knew of any man to get a shilling.

15297. Did you know of any promises being made?—I didn't; I didn't meddle; Mr. Johnson had all the arrangements.

SIXTEENTH DAY.
October 21.
James Cody.

15298. What did you do for the £20?—I was canvassing about the Commons everywhere.

15299. Did you make any promise for the purpose of influencing any voter?—No, sir.

15300. Were you asked to become an agent for Mr. Munster in '68?—I was spoken to by Mr. Laffan, the attorney. He met me and told me there was a certain gentleman coming to town; I told him I wouldn't vote for any person besides Mr. O'Beirne, because I liked him in the House of Commons at the time he was there.

15301. Did the negotiation go on further than that?—No.

15302. Were you confined to your room at the time of the election?—I was at one time, sir, for a while.

15303. Were you ill when you were canvassed?—Well, I don't think I was, sir.

15304. Do you remember any persons coming to canvass you when you were in bed?—I think I do, sir.

15305. Do you remember who they were?—I forget now; I couldn't tell you; I believe I was very ill at the time.

15306. Do you swear that you were offered no inducement of any kind for your vote?—Positively.

15307. At this election?—Positively.

15308. Or any of your family?—Or any of my family.

Mr. John White.

Mr. *John White* of John-street, sworn; examined by Mr. MOLLOY.

15309. How long have you been an elector of Cashel?—I have had a house since '36.

15310. I presume you had a vote at every election since?—Well, I presume I had.

15311. How did you vote at the election of 1859?—Was Mr. Carden up that year? for if he was I voted for him.

15312. That was in 1859?—Well, I don't know who was then.

15313. For whom did you vote in 1857?—I don't think I voted at all unless Mr. Carden was.

15314. He was a candidate only once?—Was it M'Garrell?

15315. That was in 1852?—Well, I don't think I voted in '57.

15316. Did you vote for M'Garrell when he was a candidate?—I did.

15317. For whom did you vote in 1865?—I didn't vote at all in '65.

15318. Did you not vote for Mr. O'Beirne in 1865?—No, I never voted for Mr. O'Beirne.

15319. Were you canvassed at the last election?—I was, sir.

14320. Did Mr. O'Beirne canvass you?—He sent me his address.

15321. Are you certain that you did not vote at the election of 1865?—As well as I recollect I did not. Who were the members, and I can tell you?

15322. Mr. O'Beirne and Mr. Lanigan?—Well, I did not; I did not vote then.

15323. Who canvassed you on Mr. O'Beirne's behalf in 1868, the last election?—I merely got a circular which announced his intention.

15324. No person called on you?—No person called for me that I recollect.

15325. When were you canvassed on Mr. Munster's behalf?—I was canvassed in '68.

15326. What time before the election were you first canvassed?—Well, I should say it was—oh, immediately on his coming here, I think. As well as I recollect Mr. Munster called in his carriage on my house.

15327. What reply did you give?—I was not in, and gave him no reply.

15328. Then you were not canvassed?—I was not in.

15329. When were you first canvassed by any person on Mr. Munster's behalf?—He sent me but one circular that I saw or recollect; I was not canvassed by anyone save getting that circular.

15330. Did not any of Mr. Munster's agents call on you?—No.

15331. Or write to you anything about the approaching election?—Never wrote to me.

15332. Had you any conversation with people about the election?—Oh, in a passing way I had.

15333. Did you say that nothing would induce you to vote for Mr. Munster?—I might have said so, I dare say it is, probable I did.

15334. To whom did you say it?—I merely said that as I dissented in politics with all those who canvassed—that I did not think it was likely I would vote at all; that nothing would induce me unless I changed my mind.

15335. I take it that you expressed that opinion more than once?—Probably I might have done it ten times.

15336. Had you any conversation with Dr. Russell about the election?—Oh, in a passing way only. He might have said to me, "White, who do you purpose voting for?" but merely in a passing way.

15337. And nothing further?—Nothing further whatever.

15338. How long before the election was the last of those conversations when you said that nothing would induce you to vote for Mr. Munster?—I couldn't say.

15339. About how long?—I couldn't say.

15340. What induced you to change your mind?—I was induced by things I heard; that he was possessed of a great deal of wealth, a very enterprising gentleman, and being connected with England I thought he might be the means of establishing manufactories in Cashel which would greatly benefit the town, and employ the youth.

15341. But from the earliest part of Mr. Munster's candidature his wealth was spoken of and all these charities?—It was merely spoken of in a passing way; but I wasn't so well satisfied as to his being a wealthy man as I was after.

15342. How were you satisfied that he was a wealthy man after?—Having heard it from different persons.

15343. Did you not hear that at first?—I heard of his agents giving £500 to the Christian Brothers, and I heard of his munificent acts of charity to great numbers of the poor.

15344. Had the gift of £500 to the Christian Brothers a great effect in changing you?—None whatever, but it established the fact in my mind that he was a very wealthy man.

15345. Did you not hear before he came to the town that there had been £5,000 lodged to his credit in the bank for the election?—I did.

15346. Was not that a substantial proof of his wealth?—Well it was. I didn't hear it before he came to town; I dare say I might have heard it subsequently.

15347. At what period before the election did you make up your mind to vote for Mr. Munster?—Well, I should think ten days or a fortnight before.

15348. Now, Mr. White, did you ever receive any money for having voted at any election in Cashel?—Never.

15349. Never?—Never.

15350. Or were you promised money in any way?—None was promised in any way whatever.

15351. Did Mr. Munster announce his intention of establishing manufactures in Cashel?—Never, to my knowledge; but I thought it was likely from his connexion with England that he would do so from his being a wealthy man; it was merely a supposition of my own.

15352. Had you heard that he had any connexion with any manufactures?—I heard of his being connected extensively with some shoemaking establishment in England where there were several hundred persons employed, and that he derived some very considerable income from it.

Mr. *Munster*.—These things go through the press

to the whole world. I should like to give the most emphatic contradiction to everything said by Mr. White. It is wholly opposed to fact—about the shoemaking and revenue, and all the rest of it.

Thomas Connors of Canopy-street sworn; examined by Mr. GRIFFIN.

Thomas Connors.

15353. You voted for Mr. Munster at the last election?—Yes, sir.

15354. Who canvassed you?—Mr. Laffan, sir.

15355. Which Mr. Laffan?—Mr. Michael Laffan, sir.

15356. How long before the election was it?—It was about a week or a fortnight, sir.

15357. Did you promise him to vote for Mr. Munster?—I did, sir.

15358. Had you ever any conversation with Mr. Pat Laffan about the election?—No.

15359. Or with Patrick Cunningham?—No, sir, not the least.

15360. Do you remember going to Mr. Patrick Laffan to his house after the election was over?—I do, sir.

15361. What did you say to him?—I said nothing at all to him, sir, only I went up there, and there was people going in and out; I said nothing at all to him about money or any thing, only he said he would bear me in mind, sir.

15362. Did you ask him to bear you in mind?—I didn't sir.

15363. What took you up there?—I went up there, sir.

15364. Did you hear there was anything going?—I did, sir.

15365. And you thought you ought to get a share as well as anybody else?—Yes, sir.

15366. And you went to Mr. Patrick Laffan for fear he would forget you?—Yes, sir.

15367. Did he tell you he would bear you in mind?—Yes, sir.

15368. How much did you expect?—I never expected a farthing as I never made an agreement nor never spoke to him about money from the time I gave my vote up to this day.

15369. But you expected your share of what was going?—I did, sir.

15370. What was your share?—I didn't make any inquiry about it.

15371. Did you not hear people were getting £30 or £35?—I did, sir.

15372. Was that what you expected?—I wouldn't take it before the election, whatever I would get.

15373. Did you think you would be put to your oath at the election if you got anything?—I did, sir, and that is the reason I wouldn't take it, whatever I would get.

15374. When you went up to Mr. Patrick Laffan that he should not forget you, did you not expect you would get as much as anybody else?—I didn't, sir, expect anything. How could I expect it? He said he would bear me in mind.

15375. Did you not hear it was going?—I heard it was going.

15376. And you expected as much as anybody else?—Not for my vote, sir; I never expected anything for my vote.

15377. What else did you expect it for?—My son was employed by Mr. Patrick Laffan, sir.

15378. What is your son's name?—Patrick Connors.

15379. How was he employed by him?—He employed him to go to Goold's Cross one evening.

15380. How often did he go?—He didn't go at all, because it was by night Mr. Munster came in.

15381. That was the work he did—that he was willing to go if wanted, but he did not go?—Yes, sir.

15382. Did he put in any claim?—He did, sir.

15383. For how much did he put in the claim?—For ten pounds, sir.

15384. Is that all?—That's all, sir, and Mr. Patrick Laffan gave him three pounds the first day he engaged him to go out against him to Goold's Cross.

15385. Mr. Patrick Laffan gave it to him?—Yes, sir.

15386. When did he give it?—A week or a fortnight before the election—before Mr. Munster came to town at all.

15387. That was for the day he did not go?—He didn't go, because it was by night Mr. Munster came, sir.

15388. He sent in a claim for ten pounds?—Yes, sir.

15389. If thirty or thirty-five pounds was going that would be your share?—I didn't want to put in anything for my vote; whatever I would get for my own vote I wouldn't take it.

15390. You would not have taken it before the election?—No, sir.

15391. But after the election you would?—If it was going the way I would take it as well as everyone else; but I wouldn't before the election.

15392. You thought you would be put to your oath at the election?—I did, sir.

15393. Did you vote in 1865?—No; I had ne'er a vote before until then, sir.

15394. Were you canvassed by Mr. O'Beirne at all?—I was, sir.

15395. Who canvassed you for Mr. O'Beirne?—I was within and Mr. O'Beirne came; I was within, but I turned aside, for I was canvassed by Mr. Laffan for Mr. Munster.

15396. And were you never canvassed by anybody for Mr. O'Beirne?—No; I was never canvassed for anyone, only I pledged myself the first day to Mr. Laffan for Mr. Munster, and I stated so; I never went inside, or near any of them until the day I went up to Mr. Michael Laffan.

15397. Did anybody tell you you would be as well treated as the others after the election?—No, sir; there wasn't a word about it.

15398. Did anybody tell you Mr. Munster was a generous man, and to leave it to him and his agents until after the election?—No, sir, no.

15399. Mr. WATERS, Q.C.—You voted for Mr. Munster?—I did, sir.

15400. After the election if you heard that there was money going on Mr. O'Beirne's side, you would not think of going there to get your share of it?—No, I wouldn't, sir. For what should I go there?

15401. But you did go when you heard there was money going on Mr. Munster's side?—Yes, sir.

15402. If you had voted for Mr. O'Beirne you would go to him if you heard there was money going on his side?—Yes, I would, sir.

Daniel Moloney of the Commons, sworn; examined by Mr. MOLLOY.

Daniel Moloney.

15403. Dan, how long have you been an elector of Cashel?—I think since 1857.

15404. Did you vote in 1857?—I did, sir.

15405. For whom did you vote?—Sir Timothy O'Brien, sir.

15406. For whom did you vote in 1859?—John Lanigan.

15407. For whom in 1865?—Mr. O'Beirne, sir.

15408. And in 1868?—Mr. O'Beirne, sir, also.

15409. Did you get anything on account of your vote in 1865?—No, sir.

15410. Did you pass a bill?—No, sir.

15411. Did you not sign a bill?—I didn't sign a bill, nor see a bill.

15412. Was any money promised to you on account of your vote?—No, sir.

SIXTEENTH DAY.

October 21.

Daniel Moloney.

15413. How came you to vote for Mr. O'Beirne in 1865, instead of the man you voted for in 1859?—Because some of my neighbours wanted some request from Mr. Lanigan, and they told him, and he said he didn't lie under any compliment to any man of the Commons.

15414. You were offended at that?—I was, sir.

15415. Were you canvassed by Mr. Lanigan in 1865?—No, sir; he never asked me for my vote.

15416. Were you canvassed by Mr. O'Beirne?—I was, sir.

15417. Did you promise him at once?—To Mr. O'Beirne, sir?

15418. Yes?—I did, sir.

15419. Were you offered any money, or promised it at any election in Cashel?—I was, sir.

15420. When?—In 1857, sir, and in 1868.

15421. Who offered you the money in 1868?—Mr. Sullivan, sir, Michael Sullivan.

15422. Where does he live?—He lives in the corner of the Main-street.

15423. Mr. O'Sullivan, you say?—Yes, sir; Michael O'Sullivan.

15424. When did he offer you money?—Well, I couldn't exactly say; but a few days before the election. I think it was the Saturday before the election.

15425. Did he come to you, or did you go to him?—He came to me. I was talking on Saturday to Pat Halloran, and Sullivan said he was glad Halloran was retained, that he was prevented from voting. He wanted me to his place. He told me—he asked me.

15426. Did you go to his place?—I did, sir. He asked me what amount of money would please me, and I said £70. He asked me, "Do you think it is a gold leg is under Mr. Munster entirely?" says he. "I don't care a damn what leg is under him if I get the money," says I. "That amount of money is too much," says he; "I don't think you can get it; but call to me at six o'clock this evening, and I'll settle you down."

15427. Did you go back to him?—No, I didn't, sir.

15428. Why did you not go back?—Well, if I got £500 I wouldn't vote for him.

15429. Why did you ask £70?—I wanted to get out of the man, because I didn't know what he wanted me in for.

15430. Why did you not tell him you would have no conversation with him on such a subject?—I didn't want to fall out with the man. I would have taken nothing.

15431. Did he give you a treat?—I couldn't tell you that.

15432. Did any other person promise you money at the last election?—Well, Michael Cahill, and a butcher in Friar-street, I think, Neddy Duggan, and one Butler—I don't know is he a butcher or dealing-man—John Butler.

15433. What did they offer you?—I don't remember, because I took no notice of what they said; only I think they said, "You passed a note in '65 to Mr. O'Beirne, and if there was a certain thing laid down, and if Mr. O'Beirne sued for that note you will be saved, and you will get £25 with that." I listened to the talk, because I was more in dread of them than anything else, and I should please the people.

15434. What did you say when they spoke of the note of 1865?—I said that would do, that it was very good.

15435. Did you pass a note?—I didn't pass a note, but they said I passed a note to Mr. O'Beirne.

15436. And you agreed with them?—I did, sir.

15437. Were any promises of money made to you on Mr. O'Beirne's side at the last election?—Never; never one single shilling; I never received at any election, and I voted four times.

15438. Did you ever receive anything in consideration of your vote?—Never.

15439. Though it was not at election time, did you?—At any time I never got a shilling for a vote.

15440. Did you ever get money at any time on account of having voted?—Never.

15441. Before or after the election, did you?—After or before it.

15442. Mr. WATERS, Q.C.—You said if you got £500 you would not vote for him?—I solemnly swear it.

15443. If you got £1,000?—I wouldn't, nor all he could bring here to Cashel.

15444. You would not take it?—No.

15445. Even if you voted for him?—If I voted for him.

15446. If Mr. O'Beirne was as rich as Mr. Munster, and if he offered you £500 after voting for him, would you take it?—From Mr. O'Beirne?

15447. Yes?—I would so.

15448. I expected to find a *ne plus ultra* of purity in you. Did you ever ask anyone how much they would give the Commoners?—Never; I didn't put one foot before the other to go to anyone.

15449. Do you know Mr. Laffan?—Mr. Laffan?

15450. Do you know Mr. Laffan?—I have a slight knowledge of him.

15451. Turn round. Is that he there?—'Tis, sir [pointing to Mr. Patrick Laffan]. I knew him and his brother.

15452. You are Daniel Moloney, living in the Commons?—I am, sir.

15453. Did you ever go to Mr. Laffan to ask him what he would give the Commoners?—Never.

15454. Did you ever go to him to talk about the election at all?—Never.

15455. I withdraw the word "go." Did you ever talk to him about the election?—I talked to no man; I never spoke a word to him, by himself, to the gentleman; I forget it now. We were going out the road that very Saturday that Sullivan offered me the money. He met, he met me on the road with some gentleman and Mat Dwyer, the weaver, and they never spoke of money to me, nor I to them; but he said, "I suppose you'll stand to your word, and vote for us?" "I don't know what I'll do," says I.

15456. Where did you give your word to vote for him?—I never gave my word to vote for him.

15457. Then that was all a story upon his part?—He said he would think he had a good promise of me.

15458. Why would you not take £500 and vote for Mr. Munster?—I wouldn't do it.

15459. Why would you not do it?—I consider my vote is not my own, but that it belongs to the whole country, and that I had a tried man and that there could be no fault found with him.

15460. Still you would have taken the money from Mr. O'Beirne?—For my vote.

15461. Yes?—No, I wouldn't.

15462. Did you tell me that if Mr. O'Beirne gave you money you would take it?—I told your worship that if he was a rich man and gave me money afterwards, I would take it, but not for my vote.

15463. For what else?—If he was in Parliament now, and sent it as a compliment to me, I would take it.

Mr. Patrick Laffan.

Mr. *Patrick Laffan* recalled; examined by Mr. WATERS, Q.C.

15464. Is this the man whose name you mentioned with Neill the other day?—No, it is not, sir.

15465. What other name was it?—I said I thought it was one of the Neills or Kennedys.

15466. You mentioned Daniel Moloney?—I don't think I did, sir, but I remember the circumstance of meeting him.

15467. What took place?—I and Captain Byrne and Mat Dwyer were on a car, and this man passed down, and we stopped the car and went to speak to him. We merely said we hoped he would be with us.

Daniel Moloney's examination resumed by Mr. WATERS, Q.C. Daniel Moloney.

15468. Moloney, do you believe that any man got money from Mr. O'Beirne in 1868?—I don't know anything about any man but myself.

15469. That is not an answer. Do you believe that any man got money from Mr. O'Beirne in 1868 on the Commons?—I believe they didn't; I never heard.

15470. You believe they did not?—Yes, sir.

15471. Do you believe they got any in 1865?—Well, I think some of them were in confidence so far.

15472. Do you believe they got money in 1865?—I believe they didn't, sir.

15473. But I do not believe you?—Some of them passed notes for it with Mr. Johnson; I don't know who. I had recourse with one, and he told me he never got anything.

15474. Do you say you do not believe that any money was paid for votes on the Commons in 1865?—Sure I know they were summoned to Dublin. Some of them said they passed notes for it.

Patrick Brien sworn; examined by Mr. WATERS, Q.C. Patrick Brien.

15475. Did you vote at the last election?—Yes, sir.

15476. For whom?—For Mr. O'Beirne, sir.

15477. Had you a vote before the last election?—No, your worship.

15478. Who canvassed you on behalf of Mr. O'Beirne?—Mr. O'Beirne himself, and Mr. Cody, and Mr. Michael Hanley. I was working, your worship, at the same time.

15479. What is your business?—A carpenter, your worship.

15480. Were you made any promise of any money or value of any kind at the last election?—No, sir.

15481. You got no promise of money at all?—No, your worship.

15482. You knew that money was being given to voters at the last election?—I couldn't exactly say.

15483. I do not mean to say that you saw it, but you know as well as that you have a head on your shoulders that it was being given. Did any person call upon you from Mr. Munster's side?—Of course they did.

15484. Did Mr. Laffan call on you?—Yes, because I was working for Mr. Munster at the same time, doing carpenter's work at his telegraph office.

15485. Was there anything said about what you would get if you voted for Mr. Munster?—Nothing, sir.

15486. I want to know why you voted for Mr. O'Beirne?—Because I considered he was a proper person for the country.

15487. And no inducement of any kind was held out to you?—From who?

15488. From Mr. O'Beirne?—Not the least, sir.

15489. Was there to anyone for you?—No.

15490. Or to any of the family?—No, not that I was aware of.

15491. Were you offered by Mr. Laffan any inducement to vote for Mr. Munster?—No; Mr. Laffan sent for me before the election, and asked me what did I intend to do. I said I was under a compliment to no man; that I had my hands to work, and could be influenced by no person, and could do what I liked, and on that account he didn't persevere any farther.

15492. Was your mind made up at the time?—Yes, sir.

15493. When did you make up your mind to vote for Mr. O'Beirne?—For who, sir?

15494. For Mr. O'Beirne?—Yes.

15495. Were you working at the telegraph poles?—Not the poles, but the telegraph office.

15496. How long were you working there?—About six weeks.

15497. And receiving Mr. Munster's money for your work?—Yes.

15498. And that did not induce you at all to vote for Mr. Munster?—No, because the reason why, I didn't care about who might employ me. If the man didn't want me he needn't employ me.

15499. Who canvassed you for Mr. O'Beirne?—Mr. O'Beirne, Mr. Cody, and Mr. Michael Hanley, and I working in my own workshop.

15500. And they never made any sort of offer to you?—Not the slightest of any kind.

15501. Or to any of your family?—No.

William Cullen was called but did not appear.

Jeremiah Neill sworn; examined by Mr. GRIFFIN. Jeremiah Neill.

15502. For whom did you vote at the last election?—Mr. O'Beirne, sir.

15503. For whom did you vote in 1865?—Mr. O'Beirne, sir.

15504. Did you pass a note in 1865?—No, sir.

15505. Did you get any money at the election of 1865?—Never, sir; never; nor never asked it.

15506. Did you get any money at the last election?—No, sir.

15507. Do you remember talking to Mr. Laffan in Corcoran's hotel?—I do, sir; I was brought up by Michael Cahill the evening before the polling, up there, sir.

15508. Do you remember telling him that you and a lot of the other men would vote for £100 a head for Mr. Munster?—I didn't, sir, nor speak a word at all for he told me to be off.

15509. Who was with you?—A nephew of mine.

15510. What is his name?—William Neill.

15511. Is he a voter?—He is, sir.

15512. Did you hear him saying that a number of the Commoners would vote for Mr. O'Beirne for £100 a head?—He told me after that that was what he talked.

15513. Did you hear him saying that to Mr. Laffan?—No, I didn't, sir; I didn't hear him say a word to Mr. Laffan, because I was put out.

15514. Were you in any room at that conversation?—No, sir.

15515. Where did you stay?—I went down street at once, because I wasn't determined to go with them at any amount nor in any way; I was pledged to Mr. O'Beirne, and I wouldn't change my mind.

15516. You say that William Neill told you afterwards that he said this to Mr. Laffan. What did you say then?—I said nothing at all, sir; but he told me that Mr. Laffan asked him what money would please him, and that he told him that.

15517. What did you say then?—Nothing, sir.

15518. Were you present at a conversation with Mr. O'Beirne at Dan Foley's?—Yes, sir.

15519. Do you remember any talk there about the old figure?—No, sir, but he asked us were any of us retained by Mr. Laffan, and to know who was to support him there.

15520. Did he say anything about would the old figure do?—He didn't, sir.

SIXTEENTH DAY.

October 21.

Jeremiah Neill.

15521. Did anybody say it?—I didn't hear it to my knowledge.

15522. Have you got a son?—I have, sir.

15523. Did you ever hear he went to Mr. Michael Laffan and told him that if he gave him £100 he would tell how many men you would get on the Commons?—I didn't, sir.

15524. Did you never hear that said?—I never did, sir, nor never knew a word from himself that he got a retainer from Mr. Laffan. He got money, sir, for being an agent to him.

15525. Who did?—My son, sir.

15526. What is your son's name?—William, sir.

15527. Sure he is not a voter?—No, sir.

15528. How much did he get?—I heard he got £10, or £10 10*s.*; I'm not sure which.

15529. Do you know has he a claim in for services?—He did, sir.

15530. For how much?—I don't know, sir; but I knew he went to Tipperary.

15531. Did he process Mr. Munster?—He did, sir.

15532. Mr. MOLLOY.—Have you a son David?—Me, sir?

15533. Yes?—I have not, sir; I have a nephew David.

15534. Does he live with you?—He lives the next house to me, sir.

15535. Mr. GRIFFIN.—What became of that process?—I know it was the first trial that took place; my son came away home and didn't mind it, and my nephew got a decree—I don't know what amount.

15536. Your son was dismissed?—Yes.

15537. Did he get £10?—Well, I don't know indeed.

15538. Do you swear that you got no money, or promise or inducement of any kind for your vote at the last election?—I never did, sir.

15539. Or since?—Nor since, sir.

15540. Do you know Mr. O'Beirne's man, Henry?—No, sir, I don't.

15541. Had you a conversation with Captain Graham about the election?—I never in my life spoke a word to Captain Graham, sir; and Mr. White I am told, spoke of my name here, and I never in my life spoke to that man before or after any election.

(Mr. *John Davis White.*—This is not the man.)

15542. Mr. WATERS, Q.C.—What was your son doing for Mr. Munster that he got £10?—He went canvassing with more men.

15543. Did he canvass you?—He did, sir; he asked me to go up to Pat Hackett.

15544. It is a wonder you would not vote for the candidate your son was canvassing for?—I wouldn't sell my country, sir, for all the money Mr. Munster brought to Cashel. There is not an election took place from the first time Sir Timothy O'Brien was returned but I had a vote and I never asked a penny from any man.

15545. You never asked it?—I never asked it, nor got it.

15546. Mr. GRIFFIN.—If Mr. O'Beirne sent you £50 now as a compliment would you take it?—I would, sir; any man that would give it as a compliment, but to ask it I never did in my life.

William Neill.

William Neill sworn; examined by Mr. GRIFFIN.

15547. Are you a voter?—Yes, sir.

15548. What relation are you of the old man that was examined?—He is an uncle of mine, sir.

15549. It was you he said was with him at Corcoran's?—It was, sir.

15550. You had a conversation with Mr. Laffan there?—I had, sir.

15551. You told him a number of the Commoners would vote for Mr. Munster for £100 each?—Yes, sir, I made that figure to him.

15552. For whom were you speaking beyond yourself?—He asked me were all the Attykett people unpledged and I told him they were in Hill's Lot—at some of Hill's Lot.

15553. What men did you mention in Attykett?—I made no mention of any names.

15554. But you had the names of men in your mind at the time?—Yes, the people of the townland.

15555. You told him they were not pledged?—I knew they were.

15556. Then you were telling an untruth?—I was, sir.

15557. Why did you do that?—Because they brought me in against my will, and I wanted to get out as well as I could.

15558. Who brought you in?—Mickey Cahill, the butcher; he was drunk, sir.

15559. Why did you go in?—He forced me in and caught me by the clothes; I wanted to get out as easy as I could.

15560. Did you get any list yourself?—Not at the time, but another day, before that, sir, about the 4th November.

15561. Did he give you a retainer?—He got it out to send me and I refused to take it.

15562. Was this a five-guinea retainer?—Yes, sir.

15563. Why would you not take it?—Because I wasn't inclined to support him, sir.

15564. What did you mean by saying that £100 would be the figure?—I wanted to get out of it and I expected they wouldn't give that amount.

15565. If he took £25 and put it into your hand what would you say to him?—When I wasn't intended to vote for him for any amount of money I wouldn't take it.

15566. What sum would make you vote for him?—I wasn't inclined to take any sum; there was money proffered to me several times.

15567. Mr. WATERS, Q.C.—By whom?—By Patrick Hackett, sir.

15568. And who else?—And the retainer, sir, that was proffered me.

15569. Mr. GRIFFIN.—What did Pat Hackett offer you?—Thirty-five pounds, sir.

15570. What did you say?—I declined it altogether.

15571. Was there anything offered you on the part of Mr. O'Beirne?—No, sir, I never asked a shilling.

15572. Did you get any promise?—No, sir; never.

15573. Do you know Henry Raven, Mr. O'Beirne's valet?—No, sir; nor had no conversation with him.

15574. Had you any talk with Captain Graham?—Never, sir, not a single word.

15575. Mr. WATERS, Q.C.—I want to know why you refused the money that was offered to you—we know that people on the Commons took money?—Yes, sir.

15576. Why did you refuse the money?—Because I was inclined not to support him, sir.

15577. Now, that is not enough. The two men were equal to you?—They were not, sir; when I see Mr. O'Beirne was a tried man, and I see nothing against him, I was inclined to support him.

15578. And you would not take £35?—No; I refused it from Mr. Hackett, sir.

15579. How much would you take from Mr. Hackett?—I made no mention of any amount.

15580. I did not ask you that. How much would you take?—I wouldn't take anything from him.

15581. Would any sum induce you to vote for Mr. Munster?—I wouldn't vote for him at all.

15582. How much money would you take to induce you to vote for him? Would you have taken any sum at all? Would any sum induce you to vote for Mr. Munster?—I don't know, sir; I don't think it would, sir; I wasn't inclined to support him at any time.

15583. How did those people come to offer you money?—There's not a day I would come to town, but I would be handled by some of the party, and brought to this man, sir.

William Neill.

15584. Did you ever get money before at or after any election?—I never, sir, got a shilling; I never voted before this time.

15585. Did you expect to get any money after voting for Mr. O'Beirne if he succeeded?—No, sir, I didn't, unless it was his own goodness to give it I never did, sir.

15586. Do you believe that the voters of the Commons got money for voting at any time?—I do, sir.

15587. When?—In '65.

15588. Did they in 1868?—I don't know of any money they got in '68.

15589. How much do you believe they got in '65?—I never knew any money they got until the time of the petition I heard of these bills.

15590. If anyone from the Commons came up and said he never heard of money being given to any man there would you believe him?—I wouldn't, sir.

15591. Nor I either.

15592. Mr. Molloy.—Did Michael O'Sullivan canvass you at the last election?—No, sir; I don't think he did. I was often in his house.

15593. Who else besides Pat Hackett offered you money?—I think Michael Cahill, the butcher; no other one, sir.

David Neill sworn; examined by Mr. Griffin.

David Neill.

15594. Are you a voter?—No, sir.

15595. Were you engaged for anybody at the last election?—I was, sir.

15596. For whom were you engaged?—I was retained by Mr. Michael Laffan, sir.

15597. That was for Mr. Munster?—Yes, sir.

15598. What did you get?—I got five guineas the day I was retained.

15599. What were you promised?—I wasn't promised any sum, but I was told I would be well paid afterwards.

15600. What did he tell you to do?—To keep the men of the Commons—to try and keep them unpledged as long as I could, sir.

15601. When did he give you the retainer?—I believe the 9th November, sir.

15602. What relation are you to the last two witnesses?—Brother to the last witness, and nephew to the other man.

15603. When he was offering you the retainer, did he say anything about your having a brother and uncle voters?—I don't think he did, sir.

15604. Did you give him to understand that you could influence their votes in any way?—I didn't, sir.

15605. Whom did you canvass for Mr. Munster?—I didn't canvass anyone at that time, sir; he only told me to tell them not to pledge themselves to anyone for some time.

15606. Was that before Mr. Munster came?—No, but after it, sir.

15607. Would it not be shorter to ask them to pledge themselves for Mr. Munster?—That is what he told me to do, sir.

15608. Do you know of any man in the Commons getting money?—No, sir.

15609. Were you living there in 1865; I was, sir, all my life.

15610. Did you hear of any parties getting money in 1865?—I did not, sir.

15611. Did you hear of any parties passing notes?—No, sir; any more than the time the petition was tried I heard of notes.

15612. Did you never hear of those notes until then?—No, sir.

15613. Mr. Molloy.—When you were employed, and got the retainer, was there anything else said about what you were to get for your services?—There was not, sir; but I was told I would be well paid.

15614. Were you told to look after the voters at the Commons?—I was, sir, afterwards.

15615. What were you told?—I got a letter about the 17th to come in to Mr. Hackett.

15616. Have you that letter?—No, sir; it was kept for the purpose of sending it to all the people.

15617. What were you told to tell the Commoners about the election?—To tell them they would get £40—to send them to Pat Hackett.

15618. At Mrs. Dolan's?—Yes, sir.

15619. And that they would get £40?—Yes, sir.

15620. How many Commoners did you tell that to?—Four or five.

15621. What are their names?—Two Kennedys and Tom Walsh, and Pat Halloran, and my brother.

15622. What did they say?—They told me that they would go to him, sir.

15623. That they would go for the £40?—No, but they would go to see Pat Hackett, sir.

15624. Were they glad to hear they would get £40?—I couldn't say whether they were glad or not, sir.

15625. Did any of them say that that was more than was going the last time?—No, I didn't hear them saying that, sir.

15626. Did you tell them go to Hackett?—I did, sir.

15627. You had a process at the sessions?—I had, sir.

15628. How much did you process for?—Forty pounds, sir.

15629. How much did you recover?—I think 'tis £5.

15630. That is, in addition to the five guineas before?—Yes, sir.

15631. Before you processed did you apply for payment?—I did, sir.

15632. To whom did you apply?—To Mr. Michael Laffan, sir.

15633. What did he say?—He told me I would get my money; but he couldn't tell me how much, or when I would get it.

15634. Did you apply more than once?—I did, sir.

15635. What answer did he give you the second time, or did he give you the same answer each time?—I think he did, sir.

15636. Then you would not leave it to Mr. Laffan?—He told me at one time he had nothing himself to do with it; that he was paying no money; that it was Mr. Biggin was paying money.

15637. Did you go to Mr. Biggin?—No, sir; but I applied to Mr. Richardson after the election.

15638. What did Mr. Richardson say?—He told me that he would pay no bills until after the election.

15639. Did he say petition or election?—No, sir.

15640. Did you apply to Mr. Munster?—No, sir.

15641. Why did you not apply to Mr. Munster?—I was going in one night and I heard Mr. Biggin or Mr. Richardson was there; I wasn't sure which. I went to the yard, and then over the place; and a man in the yard told me to leave the yard. He told me if I didn't leave the yard he'd make me do it quick, sir.

15642. You never had an opportunity of applying to Mr. Munster himself?—No, sir. I got £2 altogether along with what I told you, sir.

15643. Two pounds?—Yes, sir.

15644. From whom did you get the £2?—Mr. Michael Laffan, sir.

15645. When?—On the evening of the nomination.

15646. Did you ask for it?—I did, sir.

15647. How much did you ask for on the eve of the nomination?—I'll tell you, sir. After the evening of the nomination they were there. He told me to go see people and send them where he told me.

15648. Was that Mr. Michael Laffan?—Yes, sir. He told me to see the people and send them in. "I want some money, sir," says I. "Are you afraid," says he, "you won't be paid?" "I'm not," says I, "but I'd like to have some money, sir." So he called me aside and gave me a pound. I said that would'nt go here or there, and he gave me another.

SIXTEENTH DAY.
October 21.
David Neill.

15649. You wanted the money to give them a treat?—Yes, sir.

15650. Do you know of any person getting money at the last election?—I didn't hear, sir. I heard John Moloney and Michael Hally got it, sir.

15651. Mr. GRIFFIN.—Was it into Corcoran's he told you send the people?—'Twas on the last day, sir.

15652. On the evening of the nomination?—I believe no, sir; but it was, I believe, the evening before the election I sent them into Corcoran's.

15653. The evening before the polling day?—Yes, sir, I think.

15654. Did you send anybody in?—No, sir, but I met my uncle and brother, and they going in with Michael Cahill, sir, that evening.

Patrick Kennedy was called but did not appear.

John Keating.

John Keating sworn; examined by Mr. GRIFFIN.

15655. Are you a son of Redmond Keating?—Yes, sir.

15656. How did your father vote in '65?—For Mr. O'Beirne, sir.

15657. He passed a note, I believe, then?—No, sir.

15658. How do you know he did not?—I have reason to know it, sir, because I don't think he'd do it unknown to me.

15659. For whom did he vote at the last election?—Mr. O'Beirne, sir.

15660. Who canvassed him do you know?—Mr. O'Beirne himself, sir.

15661. Did anybody else canvass him?—There was a number of people with him the same day, sir. He walked through the country.

15662. Did he get anything for voting the last time?—No, sir.

15663. Was he promised anything?—No, sir.

15664. Were you yourself tampering at the last election?—No, sir.

15665. You were not acting as agent or canvassing with anybody?—No, sir.

15666. Is your father a very old man?—A very old man, sir.

15667. Were you promised anything for his vote?—Never, sir.

15668. Or any inducement?—No.

15669. You never passed a note?—Never passsd a note.

15670. Mr. MOLLOY.—Did any persons speak to you about how your father was inclined to vote?—I don't think they did.

15671. Do you know Con. Hanley?—I do.

15672. Had you any conversation with him about it?—No, sir.

15673. Or with any person about the way that your father would vote?—No, sir, not a conversation, because he pledged himself on the first day; and then, sir, there was no more talk about it.

15674. Who canvassed him?—Mr. O'Beirne, with a number of other people, and went through the country.

15675. You know nothing about your father having signed a bill in '65?—No, sir.

15676. Mr. GRIFFIN.—Did anybody canvass your father for Mr. Munster?—Yes, sir.

15677. Who?—Mr. Patrick Laffan, I believe, and Captain Dudly Byrne.

15678. Was he offered anything from that side?—I couldn't well say; but I heard Mr. Laffan ask him would anything induce him to change his mind, and he said not.

15679. Then I suppose there was no figure mentioned?—No, sir.

Patrick Connell.

Patrick Connell sworn; examined by Mr. GRIFFIN.

15680. Had you a vote in '65?—I had, sir.

15681. For whom did you vote?—Mr. O'Beirne, sir.

15682. Did you pass a bill?—No, sir.

15683. Did you vote in '68?—Yes, sir.

15684. For whom?—Mr. O'Beirne, sir.

15685. Did your wife get anything for that election?—No, sir.

15686. Did you get anything yourself?—No, indeed, sir.

15687. Were you not promised anything?—No, sir.

15688. Who canvassed you?—Mr. O'Beirne himself.

15689. Was that the day that all the people were with him?—Yes, sir.

15690. Did he never canvass you but that day?—No, sir.

15691. Did Captain Graham or Simon Tracy ever speak to you?—No, sir.

15692. Or Tom Connors?—No, sir.

15693. Did you get anything in '65?—No, sir.

15694. Did you vote before '65 at all?—I had ne'er a vote before '65, sir.

15695. Were you one night at Dan Foley's house?—No, sir.

15696. Had you any meeting at the Commons to consider what you would do?—No, sir.

15697. Did you hear of any meeting?—I didn't, sir.

15698. Mr. MOLLOY.—Did you ever get any money from Mr. Johnson?—No, sir.

15699. Or from Mr. O'Beirne?—I didn't sir.

15700. Did your wife?—No, sir.

15701. Mr. WATERS, Q.C.—Did you ever hear that any men got anything in the Commons?—I did, sir.

15702. Did you ever get anything yourself?—No, sir.

15703. Do you think most of the men on the Commons that voted got money?—I don't know that, sir.

15704. You never got anything, and no one belonging to you ever got anything?—No, sir.

Patrick Kennedy.

Patrick Kennedy sworn; examined by Mr. WATERS, Q.C.

15705. Did you vote at the last election for Mr. O'Beirne?—I did, sir.

15706. Did you vote in '65 for Mr. O'Beirne?—I did, sir.

15707. Had you a vote before '65?—Never, sir.

15708. Did you ever receive anything for voting in '65 or '68?—Never, sir.

15709. Did you never sign a bill, or get any money at all?—No, sir.

15710. From Mr. White or from any one else?—No, sir, nor in the town.

15711. Did you ever get any money after the election?—No, sir.

15712. Did you receive any sort of promise of money at the last election?—No, sir.

15713. Do you know of any arrangement made with anyone about your vote?—No, sir, I don't.

15714. Did you tell anyone to inquire for you what would be given?—No, sir, I never spoke of it.

15715. Do you know of anyone having inquired for you what money would be given after the election for voting?—No, sir.

Patrick Kennedy.

15716. Had you a meeting out in the Commons amongst yourselves as to how you would vote?—No, sir; I never attended a meeting, nor heard of it, sir.

15717. Did you know Mr. Munster's people were giving money?—I did, sir.

15718. Why did you not take it?—I wasn't offered it; I was offered a retainer by Mr. Pat Laffan.

15719. How much was the retainer?—Five pounds or £10 that I heard talk of; I told him I would have nothing to do with it.

15720. Would you take no money for voting for Mr. Munster?—No money.

15721. No money would induce you?—It might after the election, if he gave it to me.

15722. Mr. GRIFFIN.—What is the reason you would not take the £5 or £10; was it that you were afraid of being put to your oath at the election?—Yes, sir.

15723. And only for that you would have taken it from Mr. Munster?—No, sir; unless I got it after the election, as a compliment, that I might take it, but not for my vote.

15724. If you knew you would get employment from Mr. Munster after the election would you have voted for him?—No, sir; I would go with my neighbours; whatever way they would go I would go with them.

William Cullen of Boherclough sworn; examined by Mr. WATERS, Q.C.

William Cullen.

15725. For whom did you vote at the last election?—Mr. O'Beirne, sir.

15726. Had you a vote before the last election?—No, sir.

15727. What did you get from Mr. O'Beirne?—Nothing at all, sir; I couldn't get less.

15728. Or from anyone belonging to him?—I got eighteen shillings from my son, sir; £1 my son got for his services; he gave me eighteen shillings of it.

15729. Who did?—My son James, sir.

15730. How much did he get?—A pound, sir; that's all the money I got by it.

15731. You heard, of course, that there was money going?—Indeed I did, sir, of course. So did everyone.

15732. And would not you do as your neighbours did?—I wouldn't.

15733. Why?—Because I wouldn't vote for Mr. Munster.

15734. Why would you not vote for Mr. Munster?—Begor, I don't know, sir.

15735. How did you know Mr. O'Beirne?—Because I often see him in Cashel.

15736. Why were you so much interested for Mr. O'Beirne?—Because he was the best member.

15737. How did you know that?—Because I see by the papers he was always at his post in the House of Commons.

15738. How did you know but Mr. Munster might be as good?—I didn't know him, or want to know him.

15739. You would have taken money from Mr. Munster?—I would not.

15740. Would you have taken it from Mr. O'Beirne?—Of course, if I got it I would. I could get money at the other side and I wouldn't take it.

15741. Who offered you money at the other side?—Mr. Pat Laffan.

15742. What did he offer you?—A retainer of £10. I wouldn't take it. Then he said £15. I said, "No, I won't have any dealing with you, or anything to do with your money, as I don't want to vote with you.

15743. You would have taken the money from Mr. O'Beirne if he gave it to you. I want to know why you would have taken money from one candidate of the same politics and would not take it from the other?—I would vote for one for nothing sooner than for the other for £50.

15744. And you never voted for Mr. O'Beirne before the last election?—Never; I had no vote and couldn't vote for any man.

15745. Were you ever canvassed by anyone for Mr. O'Beirne?—Mr. O'Beirne himself.

15746. Anybody else?—Captain Graham.

15747. When did Captain Graham canvass you?—Well, a few days before the election, sir.

15748. Was there any promise made to you?—Not a word, sir.

15749. Or were you told that you would get anything?—Not one word about money was ever alluded to by Mr. O'Beirne himself.

15750. You left it to himself?—I did; I left him to do as he thinks proper.

15751. Did you expect money from him if he succeeded?—I didn't write to him.

15752. Did you expect it?—I did, if it was going the way, of course.

15753. Did you say you would leave it to himself?—I promised to support him.

15754. Did you say that you would leave the rest to himself?—Of course I did.

15755. If he was the member you would expect him to do something for you?—Well, I did of course; of course I did. What he would do for the rest of the voters, I would expect he would do the same for me.

Mr. *Patrick Laffan* recalled; examined by Mr. WATERS, Q.C.

Mr. Patrick Laffan.

15756. Mr. Laffan, you were present at your brother's examination yesterday?—I was.

15757. Do you recollect your former evidence that you got £350 from Mr. Leahy?—Yes.

15758. You heard yesterday from your brother, who gave his evidence so well and so carefully, the dates at which he gave Mr. Leahy the £350 that Mr. Leahy gave you?—Yes.

15759. The earliest of those dates was the 11th November?—Yes, sir; that corresponds with mine.

15760. Do you recollect that you got fifty pounds from Mr. Leahy on the first of November?—No, sir. It was marked here in the book what appeared to be fifty pounds, but it is five shillings. It was on the first of November I got it. That was the day we went to Fethard to see the Dean, and I asked Mr. Leahy for some small sum to give the man to have the horse fed at the hotel, and he handed me five shillings.

15761. It does appear on looking at it closely to be five shillings. Do you recollect anything else if any other person paid any money, or have you anything to add to your former evidence?—I have had to do with a great many transactions. If you ask me any particular point I will answer you.

15762. You swore to tell the whole truth, not only in answer to my questions, but everything you know. Do you know of any other man having got money?—I do not, I am quite positive of that.

15763. You are quite positive of that?—I am, sir. You asked me the other day and I was not able to answer, if I had conversations with any persons who afterwards voted for Mr. O'Beirne, and if they led me to believe that they expected money. I had several conversations with them, especially those on the Commons, and they led me to believe that they expected money; but I can't mention any of them.

15764. Are you able to bring any particular one to mind that expected money?—I remember talking to Daniel Foley who gave his evidence about the fifty pounds.

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Mr. Patrick Laffan.

15765. Mr. GRIFFIN.—That was about being retained?—About being retained. Then Mr. Michael Quirke wanted me in the early part of the election to take rooms from his sister.

15766. Is that the printer?—No, he is a clerk; he's down at Lower-gate.

15767. Does he live in the house with his sister?—I believe so.

15768. He voted afterwards for Mr. O'Beirne, I think?—He did.

15769. Did he give you to understand that he would vote for Mr. Munster if you took the rooms?—He didn't say that. They didn't exactly say they will vote if you take their rooms.

15770. But it was understood?—Yes.

15771. Mr. WATERS, Q.C.—You have satisfactorily cleared up the matter with regard to the fifty pounds?—Mr. Griffin discovered a number of figures which I put down roughly at the end of this book which made the amount appear more. It was a mistake I made.

15772. Mr. GRIFFIN.—I saw the account which appeared to me to explain a lump sum?—Quite so. Here is the account I got from Larkin.

15773. I saw a number of pencil figures in your book that I thought accounted for the £8 12*s.* Is that so?—Yes.

15774. Then this other account accounts for the £78. You appear to make out that you have expended more than you got?—Yes, but I have showed you how it occurred.

15775. Mr. WATERS, Q.C.—There is a mistake in this £78 12*s.* Does it not include the £63 you got?—It has nothing to do with the £63. It includes the retainers and some small matters—a cheque I got from Mr. Close as an accommodation. He brought a cheque once, and asked me for the change of £12 10*s.*, and he got £5 from my brother, and asked me for the other £7. I gave it to him and got it back from my brother.

Mr. *Thomas E. Close.*—That cheque was for £12 10*s.* that Mr. Munster gave me for tickets sold for the concert. I met Mr. Laffan, and the bank was closed at the time, and Mr. Laffan gave me cash for it.

Michael O'Sullivan.

Michael O'Sullivan recalled; examined by Mr. WATERS, Q.C.

15776. Did you offer money to any persons for voting for Mr. Munster at the last election?—I did not, sir. If I offered it in a trivial way in conversation, I had no authority.

15777. Did you offer it trivially or otherwise?—I might have said, if you support us you will get something; but one thing is certain I had no authority.

15778. I have not asked you that question at all. In a trivial conversation or otherwise do you recollect offering money to any person for voting for Mr. Munster?—Well, now, on election occasions persons are speaking.

15779. Have the goodness to answer my question. "Yes" or "No?"—I couldn't tell with any certainty whether I did, or not.

15780. Three or four men have sworn that you did, Daniel Moloney says you offered him £70. Did you do that?—I have no recollection; I don't think I did.

15781. Daniel Moloney says that you asked him into your place; that you asked him how much would please him, and that he said £70, and that you told him you would inquire, and to come back again. Did that take place?—I have no recollection of it taking place; it may have taken place, but I have no recollection—at least I had no authority to make such a statement.

15782. I have told you already to answer the question put to you. You think it is of great importance to add that. Allow me to tell you it is not of the slightest importance whether you had authority or not. Did you ever offer money to anybody else, or write down figures to anybody?—I never wrote figures to anyone, because if I had authority to offer money I would have told them the amount.

15783. Did you tell anyone the amount of money you offered?—No, sir.

15784. Do you deny that you offered Moloney money in the way I have told you?—I deny it, sir; I have no recollection of it.

15785. That is all you say?—Yes, sir; I have no recollection of it.

15786. Do you know James Dwyer?—I do, sir.

15787. Was he in with you?—Well he was.

15788. Had you any conversation with him about money?—I don't think I had.

15789. Can you go further and say that you had not?—I can go as far as this, that I believe I said if he supported us, if there was money going and he should get it.

15790. Did you say how much he could get for each person that came with him, and how much for himself?—Never.

15791. Did you ever to that man write down £35?—I did not.

15792. If he swears that you wrote £35, is it not true?—In fact, in my opinion it is. I swear it. I do, sir. Allow me to explain, sir, that if I offered James Dwyer £35 there would be no necessity for writing it down, for if I didn't consider him a reasonable person I wouldn't offer him a penny; if I couldn't make a *bona fide* statement verbally I wouldn't write it down for him.

15793. That is a comment, not evidence. I asked you before if you entered the money that you got, or the goods you supplied Mr. Munster, in any book?—No, sir; I never keep an account of matters of that kind; I wrote them on slips of note paper.

15794. Do you keep regular books?—I do, sir.

15795. And do you enter in these books the sales you make?—I do.

15796. And the moneys you receive?—Well, no; I throw the money I receive into the till, but such value as I give on credit I enter.

15797. If you sell goods on credit, and people come to pay you, do you not enter the money in your books?—I do of course.

15798. Did you enter in any book the money you got from Mr. Munster?—I did not, sir.

15799. Have you any materials from which you made up the bill you furnished Mr. Munster?—I had.

15800. Where are they?—Oh, I haven't them now, sir; but at the time I was giving this value I wrote it on slips of paper, and Mr. Laffan supplied me with a great number of orders. That, with what I gave on my own responsibility amounted to what I received.

15801. Where are the slips of paper?—I destroyed them when they were paid.

15802. Why did you not enter it as an ordinary transaction?—This being a matter that would pass away in a short time I didn't consider it necessary.

15803. Did not ten months elapse?—No, sir, not at all.

15804. How many months?—I began to give drink and value about the 16th October.

15805. When were you paid?—I was paid some time in March, but I was only giving value up to the election—from the 16th October to the 20th November.

15806. You did not make any entry of any of these things?—I didn't consider it necessary. If you allow me to explain I will.

15807. I do not want any explanation from you but to answer my questions?—All the value I gave within that time I wrote on slips of paper, together with Patrick Laffan's orders. I put these at the time into my own desk and kept an account of them. I billed then some time in December. There was a mistake in the letter you handed me the other day I beg to correct. Instead of saying "8th November," I should

Michael O'Sullivan.

have said "8th December." You asked me was there an erasure. There wasn't, sir, nor an alteration.

15808. This is entirely unnecessary for you to allude to. To whom did you give drink? Did you supply those men on the Commons?—I suppose they drank some of it.

15809. You knew they were voters?—I knew some of them were voters, and I did give drink on my own responsibility.

15810. We have heard that several of them came in, and that you supplied them with drink?—I did.

15811. And you canvassed them and exerted your influence?—I didn't canvass; I wasn't authorized to canvass.

15812. Did you not canvass several?—I couldn't call it canvassing. I said Mr. Munster would be the best man.

15813. Do you mean to say that is not canvassing?—If it is canvassing I did, sir.

15814. Did you write to Mr. Munster that you "had a great influx of, recourse to, and influence on a great number of voters, both in the Commons and in the town?"—I did, when I wanted to get paid.

15815. Is that the truth? Did you use your influence as far as you could over the voters?—They were very intimately acquainted at my place and we were speaking.

15816. Did you exert such influence as you had?—O, I said he was the best man to represent Cashel.

15817. Was it true what you said, that you "had a great influx of, recourse to, and influence on, a great number of voters, both in the Commons and in the town?"—I said I had—I didn't say I used it for him.

15818. And did you say that you were his "most warm advocate?"—I was a warm advocate of his; I was; the letter is true.

Mr. *Henry Munster* recalled; examined by Mr. WATERS, Q.C.

Mr. Henry Munster.

15819. You have been already sworn, and of course consider yourself under the obligation of the same oath?—Yes.

15820. Mr. Munster, you were a candidate for the last election?—Yes.

15821. And you came to Ireland, I believe, on the 16th October?—I think it was; I have no doubt; I believe; but I don't swear to it.

15822. It is not material?—I have no doubt it was the 16th.

15823. We may take it as the 16th. Were you ever in Ireland before?—Oh, yes.

15824. Frequently?—I would not say "frequently."

15825. Had you any previous connexion with Cashel?—No. I believe it frequently happens that candidates stand for places they have not seen.

15826. Mr. Leahy, I believe, was the first person who called your attention to Cashel as a likely place for you to represent?—Well, no; it was not quite so, sir. It arose in a slightly different way. Mr. Leahy came over to Ireland for me on a mission which had nothing to do with Cashel or my election whatever, and he also came to look at a place which was to be sold somewhere near Thurles, and near a place called Killenaule, where a land company had got some property for sale; and while he was here he either let me know, or I became aware in some other way, that Mr. O'Beirne was going to stand for Cashel again.

15827. You knew that Mr. O'Beirne represented Cashel in the last Parliament?—I knew that he was elected; I remember well seeing his election when I was on my sick bed at Brighton in '65.

15828. Then it was Mr. Leahy who called your attention by some letter to it?—I am not quite sure whether it was Mr. Leahy, or that I became aware of the fact independently; but I communicated with him concerning it.

15829. You had no previous connexion with Cashel?—I had never seen Cashel in my life.

15830. Before that time had you any intention of becoming a candidate for any Irish constituency?—O yes; in '57 I was very near contesting the county Waterford.

15831. In 1868 had you any intention of becoming a candidate for any place in Ireland?—Not the least.

15832. Then, until Mr. Leahy came here, you had no intention to offer yourself for any constituency in Ireland?—No; nor after he was in Ireland.

15833. May I ask why then you directed your attention to Cashel, and became a candidate here?—Because I heard Mr. O'Beirne was going to be a candidate.

15834. Was it for the purpose of opposing Mr. O'Beirne?—Entirely.

15835. And with the desire of putting him out of the representation of Cashel?—Yes; I may add that I would have opposed him in 1865 if I had been aware of his intention of standing for Cashel or any other place whatever.

15836. It is not necessary to enter into that matter here; it is foreign to our inquiry. It was from private reasons, arising out of the relations that existed between you and Mr. O'Beirne, independent of Cashel?—Scarcely so, sir. They could hardly be called private reasons.

15837. I mean to say they were not political and public?—They were public.

15838. But not in a political sense?—I would hardly go the length of saying that.

15839. Well, it is not necessary to enter into that?—They were not connected with party questions.

15840. That was your object, then, in directing your attention to Cashel?—It was; I had published a statement that appeared previous to my election.

15841. It would be entirely foreign to our inquiry, and it would not do to allow it to be brought into the question. Mr. Richardson of Manchester was your solicitor, I believe?—He was one of my solicitors. I had connexion with Manchester a number of years.

15842. I believe your residence in England at the time was near Sheffield?—No, I live at Brighton; it is my principal domicile in England.

15843. Where?—At Silwood Lodge.

15844. That is the place mentioned in Mr. Leahy's letter the other day?—I think it was.

15845. At the time the negotiation about Cashel was pending, you were residing in Sheffield?—Yes; I went to Sheffield on the 9th July, in consequence of a decision of the Master of the Rolls on the 8th.

15846. You were at Sheffield at the time?—Yes.

15847. Mr. Richardson told us he had a conversation with you, or a communication from you, and that he came over here in consequence of it?—I think I wrote to him, and he came to me to Sheffield, which he very frequently did, and I think that resulted in his coming over here. I think he came over here first of all with Mrs Richardson. I was going to meet her until I saw that a child of theirs fell ill, I think, with measles, at Manchester, and he had to come back. Then I came to Ireland while they were there.

15848. At any rate he came over here some considerable time before you. He told us in his evidence that he got directions from you to purchase at a bazaar going on in Cashel, about the time, £50 worth of goods. Do you recollect that transaction?—I think he did, but it was no unusual transaction with me. He had done the same for me at Manchester on a previous occasion. Mrs. Munster was to have a stall at that bazaar.

15849. At the bazaar here?—She was to have presided.

15850. Was she here?—No, she was not actually here, but was represented by somebody else, I forget whom.

15851. Mr. Richardson and Mrs. Leahy purchased

those things. That purchase was paid for with your money—It was certainly.

15852. I presume that was a payment by a cheque on some bank in England, before you opened an account here?—I would rather think Miss Sterne paid for it.

15853. It is not in any of the cheque-books we have here?—I don't think it would have been paid by me at all. I cannot speak very accurately, but my belief is so.

15854. You got that communication from Mr. Laffan afterwards which was read here?—I beg pardon one minute. I am not sure that they paid for what they purchased. I rather think I paid for everything, their paying was only mine. I rather think, I recollect paying the reverend mother myself in the convent here.

15855. Mr. Richardson says in his evidence that he got the £50 and paid for it?—I really cannot say that I remember how that was.

15856. As you have mentioned that, I will call your attention to subsequent things?—If you allow me to postpone the convent question to to-morrow morning, or any other convenient time, I have got a lot of papers connected with it that will elucidate it. I was coming to the bazaar myself, but circumstances prevented me. I was a long time coming to Ireland without really being able. In fact, I didn't know how I should get on board the steamer. I put my left foot to the ground the first time on the 6th October, after nearly two years and a half. I went on from day to day, meaning to come, and not being able. It was in consequence of not being able to come and buy myself, I commissioned anybody to buy for me.

15857. That cheque of Mr. Richardson's paying for those things was dated 15th October?—I don't know the fact, but I have no doubt it was.

15858. Before you came over here you received letters from Mr. Byrne, I suppose? Were you in communication with Captain Dudly Byrne?—Yes, I think I had some letters from him, but I certainly have seen letters. I saw one a day or two ago from him to Mr. Leahy.

15859. Were you acquainted with Captain Byrne before you came to Ireland?—I never saw him until I met him in Cashel the evening of my arrival.

15860. Then he was introduced to you by Mr. Leahy?—He was.

15861. Mr. Laffan produced a copy of a letter he wrote to Captain Byrne with reference to the Christian Brothers. Do you recollect receiving that letter from Captain Dudley Byrne?—No, I do not think I did. If I got it at all, I got it from Mr. Leahy. Mr. Leahy had been over here and came back to me to Sheffield. I think it is very likely I have the letter here, sir.

15862. We have your letter to Mr. Laffan of the 19th September. At the time you wrote this letter I presume you had Mr. Laffan's letter which he had sent to Captain Byrne?—Yes, my recollection was that it was to me, but I believe I am mistaken upon that point.

15863. Mr. Laffan says he had never written to you up to that time?—I have no doubt he is right.

15864. When you wrote that letter to Mr. Laffan I presume you saw that Mr. Laffan proposed this as a prudent thing to do with the election coming on. Did you understand the letter in that sense?—I did, and I did not like it. I had a conversation about it with Mr. Leahy.

15865. And you saw that Mr. Laffan stipulated the return of the money in case you were not elected?—Yes.

15866. Is that what you allude to here as being a thing that shocked you?—Well, what shocked me was that it showed to me that it was mixing two things; if you give, you give; if you do something else you embark in a different transaction.

15867. But you saw that Mr. Laffan proposed it, and treated it as a prudent thing to do in your interest as the conducting agent of your election?—Yes.

15868. When you came over here you had the interview spoken of by Mr. Laffan and Mr. Mullins. Are they substantially correct, or do you wish to add anything to them?—I do not think they are quite correct.

15869. I will hear anything you have to add or alter in the statements they make?—I don't know what day, but it was all published at the time, a number of gentlemen, previously unknown to me, came up to me to Abbeyview, and the subject of the Christian Brothers' schools was entered on. There was a good deal of desultory conversation about it, and we chiefly talked of the time it would take to bring them to Cashel, and of the place where they would be established. I ought, perhaps, be allowed to premise that when I wrote that letter of the 19th September I did not know that the Christian Brothers were not in Cashel. My belief was that they were in Cashel, but that they wanted a school; and the allusion which I made to the bargain—not a corrupt one—was to be permitted to build them a school, not to give them a sum of money, but to build a school. I made inquiry of Mr. Leahy on that subject, and from him I got the information that they were not in Cashel, but that they were expected to come, and that they had a place ready or very suitable for them. And so the conversation at Abbeyview turned upon the time in which they could be brought, and the place where they could be put, and what Mr. Mullins stated about giving notice to the guardians of the poor for the fever hospital is exactly correct, that passed; and then, I think, the impression was pretty general that I meant to postpone the question; but I somewhat abruptly said that if Mr. Leahy could see the premises, and would within a week certify that they were fit for the purpose, and he saw a reasonable probability of the Christian Brothers' schools being in operation in Cashel in the time mentioned, he should have charge of the money to hand over on being satisfied of that fact. The only difference of recollection I have is that—the account given of it by Mr. Mullins is this that somebody else suggested his name; I don't know whether Mr. Mullins' name was mentioned or not, for I did not know the gentlemen at all, or the position they occupied in the town; but somebody else certainly suggested that it would be more prudent to have two names.

15870. Well, that is a matter of detail?—They alleged what might happen in case of a death. It was I who said I thought the parish priest would be the natural person to take charge of the money; and I accordingly drew a cheque in his favour, put it into an envelope for Mr. Leahy, and about three days afterwards, I believe, it was given to him.

15871. You said they were rather surprised at your doing that. It was not expected you would give the money to them then?—That is the impression I derived from their demeanour at the moment.

15872. And I suppose it gave you some pleasure just to surprise them?—No, I would not say that.

15873. Mr. Leahy was in Cashel at that time?—I am not sure that he was, but he was very shortly after.

15874. Have you known Mr. Leahy long?—Oh, for a long time.

15875. And you knew that he was brother of the Catholic Archbishop of Cashel?—Perfectly well. I sent the Archbishop a book for his cathedral; I knew he was building a cathedral; I sent it to him after my accident.

15876. Were you acquainted with the Archbishop before you came to Ireland?—No, I had never seen his grace before.

15877. You knew he was building a cathedral?—That was some two years before, I must have known that in '67, if not before.

15878. It was then you say, you sent him the book that you spoke of?—I happened to hear Mr. Leahy speaking of a letter he received from him talking of the style in which the cathedral was to be built and speaking of Owen Jones's book. I said, "I have got this book; I don't want it; get it the next time you go to

London and send it." My first acquaintance with Mr. Leahy was somewhere about the year '57 ; I met Lord Cairns in consultation about a claim that he had on the Turkish Government. Mr. Leahy is one of the few men who lent me money ; he lent me money at the time, and he was with me at the time of the accident.

15879. Confine yourself first, if you please, to the period from your arrival in Cashel to the date of the election. Did you distribute a great deal of money in charity in Cashel?—No ; that is according to views. I could say that I gave less money during that period than I did in a proportionate period since the election.

15880. Do I understand you to say that you never gave money in charity in Cashel before you came here?—I should say not.

15881. First, there is a cheque of £50, expended by Mr. Leahy and Mr. Richardson at the bazaar?—Yes ; pardon me. By charity I understand actual gifts made by myself.

15882. I speak of all the moneys you gave in Cashel for other purposes than the expense of your election, or connected with it, or your household expenses?—That, of course, has a much more extended signification.

15883. We will just go through them. You gave, I believe, to a convent here, on the 12th October, a cheque for £5?—On the 12th October.

15884. You say on the 19th another cheque, £79 10*s.* for the same purpose, and on the 19th another cheque £34 for the same purpose?—Those are bazaar purchases.

15885. Quite so. I think we may take it that you spent about £200 on the bazaar?—I am speaking quite vaguely.

15886. I think you must acknowledge £230 at least, for those three sums make £119 ; besides which you gave to the convent here a sum of £25?—I did, and I told them I would give annually what I gave to a convent at Brighton, which is my other domicile.

15887. Did you give the Society of Saint Vincent de Paul £15?—I do not at this moment remember that I did.

15888. I find a cheque here for it?—I cannot say that I recollect it.

15889. I find to the Christian Brothers £500. I find then a great number of items. Mr. Kennedy swore you bought about thirty pounds' worth of clothes from him for the poor?—He is very much more likely to know that than I am ; but I did not buy of Kennedy alone.

15890. Did you buy large quantities from others?—Of course "large" is a relative term.

15891. I consider thirty pounds' worth a considerable quantity, so as to give you some idea of what I mean by it?—I once went to a sale in England and bought a thousand pounds' worth there.

15892. That was not for gifts to the poor?—No.

15893. Would you, after taking some time to consider, be able to say how much you spent in purchases for the poor in Cashel, between your arrival and the date of the election?—I do not think I could, sir.

15894. Could you give any estimate at all?—I think I could, if I were to think it over.

15895. I find Kennedy, £30 ; Meara, £10 14*s.* 2*d.* ; Brenan, £13 18*s.* ; flannels £8, and several other items of the same kind. It would be convenient if you could at all mass them, and say about how much money you spent in your purchases for the poor in that way in Cashel previous to the election?—I dare say if I were to consider it for some time, I might form some approximation, but not a very close one, for I paid for all those things out of loose cash.

15896. I observe in the details of expenditure that you have given, you have divided your expenses in various ways, and that all your household expenditure seems to have been kept in an account by itself, in Miss Sterne's name?—That was not quite such as I wished. My plan, when I came to Ireland, was this—that Mr. Richardson should have an account of his own, with scrip to pay for election expenses ; that Miss Sterne should have an account of her own for household expenses, and that my own account should simply supply those two ; and, in addition, I expected many calls for charitable assistance, and got Miss Ade to take charge of that department altogether.

15897. All the money paid by Miss Ade was paid for charitable purposes, in Cashel?—She had no money of her own.

15898. I find she got cheques from time to time?—I believe for a part of it, she may have got cheques on her own individual account perhaps ; I cannot say, because she answered all my foreign letters, and applications from other quarters, and even from England a great many.

15899. Mr. Laffan explained about the cheque for £200 to the convent of Fethard?—Yes.

15900. That, I believe you gave to Dean Cantwell?—That I know all about now. It so happened, that when I saw the account of that cheque on the trial of the petition, I could not remember what it was for. The case was this—I went to Fethard with Mr Patrick Laffan ; during my inspection of the place, I saw that they had purchased a piece of ground, on which they were going to build a new convent, just outside the old city wall, and an idea came across my mind : I got Mr Laffan to inquire in the convent when I was leaving it, what the price of the ground was. I subsequently asked him so to arrange if possible, that I might be taken as the donor of it ; and then under the impression that he was going to Fethard, I drew a cheque in his favour, asking him to hand it over. It turned out that he was not going to Fethard, so I asked him to indorse it specially to Miss Ade, who afterwards indorsed it to the dean.

15901. You gave that cheque I believe to the dean himself?—No ; I gave it as a gift to the convent. The cheque was passed through the dean's hands ; he probably keeps the convent moneys ; I don't know how it is really.

15902. I believe Dean Cantwell was afterwards a supporter of yours at the election here?—I heard he made a speech, but I didn't hear it. I have no doubt he did.

15903. Did you get any support from the archbishop?—That question I also answered ; in a political sense I believe I had none. I believe the friendship of the archbishop did me rather harm than good. The fact that it was known, that he was a friend of mine ; that I was acquainted with him, in this contest did me more harm than good.

15904. Did you get any assistance from him in an electioneering point of view?—Never.

15905. Do you know of his writing any letters, or supporting or seconding your candidature in any way?—I never heard anything of that kind. There was a question at the election petition, which leads to something of that kind, but I do not know that was the fact at all.

15906. You speak of some relations between the archbishop and some of the clergymen ; is that it?—Yes.

15907. Well, we need not go into that?—I am not speaking of the Reverend John Ryan of New-Inn.

15908. Well, it is hardly necessary to enter into that, Mr. Munster?—Well, as you have asked me the question, I wish to answer it to the best of my power.

15909. I do not want to stop you ; I only want to keep everything within regular limits?—Question 5804 at the petition is "were you yourself afterwards prohibited from taking any part in the election Dr. Ryan?"—The question was not allowed to be put.

15910. That is, the Reverend Daniel Ryan, is it?—It is the Reverend Doctor Ryan.

15911. We have heard of this cheque for £5 drawn in favour of the archbishop, that it was given by Mr. Leahy to Mr. Laffan, and given by Mr. Laffan by Mr. Leahy's directions to the Reverend Mr. Macnamara ; do you know anything about it?—I do not know that it is a cheque on my account. I have no doubt if it is there I can explain it ; but I know of nothing of the kind, and I am entirely at sea about it.

15912. Had you, during the time you were in Cashel or during the election, an account open with bankers in England?—Oh, yes, a great many.

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Mr. Henry Munster.

15913. And I presume you had cheque books upon them?—Not upon all. I had not a cheque-book for my Brighton bank account.

15914. Had you a cheque-book upon any of your English bankers?—Oh, yes.

15915. That may account for the cheque not appearing, for you have not given us in any cheques except those on Irish banks?—I could ascertain it in a moment, because I am quite sure I have never drawn a cheque in my life apparently, without putting the payee's name in it.

15916. You have no recollection of drawing a cheque in favour of the archbishop for £5?—It seems to me very improbable. I did draw a cheque, I think, in favour of the parish priest.

15917. Do you recollect the circumstance of the cheque for £100 to the archbishop?—Perfectly well.

15918. When was it drawn?—I cannot tell you. I drew it immediately after I saw the letter in the *Freeman* published by the Rev. John Ryan of New Inn, and I sent it to the archbishop with the letter which you have. I had a long conversation with the archbishop about it. He rather found fault with me for not being explicit in my evidence, and I pointed out to his grace my not being allowed, that I was not allowed at the petition to tell that story as fully as I wished.

15919. When had you promised to send that cheque to the archbishop? Do you recollect when you first promised it or offered it or said that you would give it to the archbishop?—Your question is not susceptible of a direct answer, for I did not promise it. I sent someone to intimate that I should like to give it. Now, I can tell you the whole of it. The date I cannot give you, but it was the day of the Thurles races. I well remember the circumstance, as you will see presently. I went over to Thurles for some object which at present I do not recollect; I think it was to see the cathedral; and Mr. Richardson happening to be here, and he, having nothing to do, went with me just as a friend. We called on the archbishop and were shown into the cathedral through a back entrance it being then in the hands of masons, and his grace showed us through it, and took us to the Ursuline convent and then left us. I was going to see the college and also the Presentation convent, and it had been my intention as soon as I had come out through the palace and the cathedral to the Ursuline convent where I went, to thank the reverend mother for the reception given to Miss Sterne on her arrival in Ireland; I was going to take a car and drive to the college, which was down the street, I should think a quarter of a mile, and then come back and see the Presentation convent. It so happened that being the day of the Thurles races there was not a car to be had. What stamped the occasion on my mind was that I then took the longest walk I had for a long time taken, up to the college, where I stopped a long time, saw the library, and gave them, I think, £20 towards it. As I was going to the college I found I could not get a car. I saw I could not see the archbishop again, or if I did, it would be only in the presence of several other persons, just to say "Good-bye;" and as Mr. Richardson was going to tell them at the Presentation convent that I would give them an annual subscription, I asked him if he saw his grace alone to mention to him that I should like to give £100 to his cathedral. If I had happened to have a cheque-book with me instead of doing that I should have sent a cheque; but I had not, and it was owing to that accident that I sent Mr. Richardson, who was a very intimate friend of mine, to execute that little commission for me. Afterwards Mr. Richardson intimated to me that his grace seemed to think I had better defer my intention, which I thought a very extraordinary thing.

15920. Did you receive any communication from his grace himself?—I think not.

15921. Did Mr. Richardson tell you why his grace wished the giving of the hundred pounds to be postponed?—I do not think he did.

15922. Did he say that it had reference to the election, and he would rather not receive it while you were a candidate?—No, I do not think it went so far as that. There was something which gave me the idea it had reference to something that might be said, which I thought most extraordinary.

15923. Did it appear to you that the bishop did not wish to receive the cheque at the time, considering you were a candidate, and lest an improper motive might be attributed to giving or taking the cheque?—It had some reference to that in my mind, although it did not amount to that.

15924. You thought it not at all improper for a condidate to make those presents and expend all this money in charity and in giving towards the building of churches, and so on, before the election?—If it was a thing which he would not otherwise have done, I should think that it was improper; if it was his ordinary course, and what he might do, irrespective of any election, I should not think it improper.

15925. Would you say it would be better for him to postpone those things while being a candidate?—No, sir; I would act quite irrespective of it.

15926. Do you think a candidate in a town may expend any amount he pleases in subsidizing local charities, and in distributions amongst the poor of the town, without its having any sort of effect on the electors?—If you speak with regard to the particular instance of Cashel, I should think it had no effect.

15927. I asked you in a general way, if in your opinion a candidate is justified in doing that before an election?—Any amount he pleases?

15928. Yes?—Well, understanding it in the sense of an unusual amount, I should say he was not justified. It would in a great measure depend on what was in his own mind. It is a question of intention, I think.

15929. Do you not think that the effect on those who would receive the money would be quite the same, whatever was the intention in the mind of the man who gave it?—Not always; for instance, I may state that before I gave a farthing for the convent here I was told it would do me damage, that I should get no thanks—that it would prejudice me with other electors. I received a distinct intimation to that effect.

15930. From whom did you receive that intimation?—From Mr. Leahy and Mr. Laffan.

15931. Therefore, it was plainly in their minds, and it is evident they were considering what the effect of your charities would be on the electors of Cashel?—They might have had it in their minds.

15932. And they were the two gentlemen who were conducting your election for you?—If you will allow me to state, this was about a week before the bazaar; having received application for a number of tickets, I replied that I thought Mrs. Munster was then coming to Ireland, and would probably take a stall; that offer was immediately accepted. In the meanwhile I got this intimation, dated 12th October, to which I replied that I was engaged to do it, and I could not presume the things they told me were true. I mention that particularly, because I found the letter containing the caution to-day.

15933. Will you, at your leisure, as soon as you can, give me some approximate estimate of the amount of money you spent in Cashel, exclusive of the sum of £500 for the Christian Brothers, and about £200 at the bazaar, and £25 for the convent; exclusive of that £725, will you, at your convenience, give me an approximate estimate of the amount of money expended by you in charity, in purchasing clothes for the poor, in giving away money to the poor, and in works of that kind, up to the date of the election. You need not mind it at present; to-morrow morning will do?—Part of that will be very difficult.

15934. I presume it will, but I have been trying to arrive at it in some way?—I can give you the names of the persons I made purchases from, and they can probably tell me the amount.

15935. That may be a convenient way to arrive at

it; also, perhaps, by looking at the accounts, you will find the amounts that you had yourself for private disbursement apart from household expenses, up to the date of the election?—Would you include things such as Fethard and the Cathedral at Thurles?

15936. If you put them all down, we can eliminate what does not belong to it?—For I should have to go into Killarney.

15937. You need not mention Killarney, or anything further than Fethard or Thurles. You erected a telegraph from this to Goold's Cross?—The post is to Goold's Cross and the wire to Thurles, I believe.

15938. Did you at any time announce any intention of giving it to the town of Cashel?—Not the least.

15939. You had no intention of doing so?—No.

15940. I do not believe that you entered into it as a commercial speculation to make money of?—I do not think I shall lose much money by it, for the Government will take it. The only benefit to the town will be, I believe, that they should have telegraph communication before other towns.

15941. Was it to benefit the town you erected it?—And myself also; to me it is a great advantage.

15942. Did you announce your intention to benefit the town by the erection of this telegraph?—I do not think I made any announcement at all. I rather think it was begun long before I came to Ireland. All that was conducted for me by Mr. Leahy.

15943. Then it was done before ever you came here?—It was begun, but it was not opened until after I came here.

15944. It was begun before you came here, and was done by Mr. Leahy, you say?—He so far did it that he conducted negotiations for me which I could not conduct myself, for at that time I could not go to see people. Till the time I came to Cashel, except in my own house, I never had Mass, never went inside a church; I never went inside a bank since the year '66.

15945. Do you recollect an expression in a letter you sent with reference to the cheque to the archbishop, "finding you had not a private cheque-book with you." There is that expression in the letter?—That letter I have not seen since I wrote it. [Letter handed to witness.]

15946. You have given substantially the whole letter in your statement made a while ago?—I suggested to his Grace that he should send my letter, or send it to me in a closed envelope inside another. I got it as it is, and opened it, which I could not do without seeing there was no envelope inside.

15947. It is no matter. You will see the expression in the letter?—I do see the expression.

15948. Does that lead you to believe that you had cheques on the National Bank with you?—It does, but I cannot say I have any such recollection.

15949. The reason I call attention to it is, that that £100 cheque is not amongst the cheques of the National Bank?—I remember in the same way there was a great doubt at the time of the trial of the election petition as to whose should be that cheque for £500 for the Christian Brothers' school, and I don't think we found it out at the trial either.

15950. Have you found out since on what bank you gave the cheques for the £100 and £500?—I have, but I have forgotten again; but I can easily find out again—nothing is easier.

15951. That leads me to the consideration that your expenditure in Cashel was not confined to the amount entered in the bank pass-books which you have sent in?—If you call that gift of £100, expended in Cashel.

15952. Were you not in Cashel when you gave that £100?—When I drew the cheque perhaps I was.

15953. I mean to say you were living in Ireland at that time; Cashel was at the time your domicile; and you paid £100 and £500; I call that expenditure here?—Yes, but after the negotiation about the £500 it was published in all the newspapers, and so the £100.

15954. Quite so; but as these sums do not appear in the bank books which you have furnished us as showing your expenditure, that leads me to ask you was not your expenditure greater than appears in those bank books. There is £600 outside them?—I should think it was. I was keeping up a domicile in Brighton; I was putting another story on part of my house in Brighton; I was keeping up another house in Sheffield; I was paying for all that.

15955. For aught we know now there may have been £6,000 spent in addition to what was lodged in the bank in Cashel?—Oh, yes, but not in Cashel.

15956. The necessity for this arises from the fact that you know now since you sat in this court that a great deal of money has been spent in bribery of a very undisguised character; it is our duty to trace it, and of course we cannot leave any source of information unexplored?—Nothing will be easier than for me to give you an account of all my expenses.

15957. To-morrow morning, if you please. You do not know then whether you had a cheque on the Nationl Bank with you at the time you were at Thurles?—I should think I had not. As a rule I never paid anything, anywhere.

15958. The expression private cheque requires some explanation at first sight?—What I mean by that I think is, that a gift for a charitable or pious purpose, I would look upon as a part of the household expenditure, and certainly not an election expense.

15959. And you said you could not see the Archbishop except in the presence of several others. What would prevent you making him this offer, or as you call it "gift," in the presence of others?—Publicity which has never been my practice.

15960. Except that you said a moment ago the £100 was made public?—Afterwards it was owing to the circumstances of the case. I could not conceive his grace's timidity on the subject at all; up to this moment it is perfectly incomprehensible.

15961. You remained I suppose then in Cashel until the election substantially?—I went away to Killarney some days.

15962. We also have it that Mr. Leahy was here, with occasional absenses, until the election. You knew of course that Mr. Leahy was taking a very active part in your election?—Well, sir, that requires some explanation. Of course, I knew Mr. Leahy's absences some of which were on my affairs.

15963. My question is, did you not know that he was taking a very active part in your election?—No, I knew he was talking to my conducting agent and me about it.

15964. Did you hear me read a letter in which you directed your conducting agent to take his advice?—That was before I came.

15965. But after you came was he not here still?—He was here at intervals.

15966. And acting for you in the election?—I could not look on him as an agent.

15967. That is a legal term?—Yes, but he was helping me; he was going with me; I never went on my canvass unaccompanied by somebody. I have a little kind of order of the day that we had; six or eight visits were chalked out for me, and some of those I have accidentally preserved. I was accompanied on these sometimes by Mr. Michael Laffan, sometimes by Mr. Patrick Laffan, sometimes by Mr. Leahy, and sometimes by Captain Byrne.

15968. Did you ever withdraw from Mr. Leahy the authority you gave him to consult with Mr. Laffan as to your election?—I am not aware I ever gave it to him formally.

15969. Did I not read yesterday in your letter to Mr. Michael Laffan a formal direction to Mr. Laffan to consult with Mr. Leahy on everything?—I heard you read a letter of mine of which I caught some part. That letter I wrote in consequence of thinking Mr. Laffan's *démarche* about the Christian Brothers and trustees to return the money imprudent; and it was in consequence of that.

15970. Here are the words of your letter: "I have

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no doubt of your zeal and prudence, but as I believe Mr. Leahy is an older man and of much experience I hope you will take his counsel in all matters." Surely, after that letter you cannot say that Mr. Leahy was not an agent of yours here?—You just now said it was a term of law.

15971. Yes?—What is the date of that letter, sir?

15972. The 23rd September. You heard that Mr. Leahy supplied those sums of £350 and £600, that is £950, to Mr. Patrick Laffan, and you heard the way in which that money was applied. Have you supplied any of that money to Mr. Leahy?—Not any.

15973. Not any?—Not to my knowledge.

15974. The £350 we know was given by Mr. Michael J. Laffan to Mr. Leahy?—Yes.

15975. You heard Mr. Michael Laffan say he got a cheque from you for £300?—Not a cheque, it is a transfer.

15976. I call it a cheque. It was taken from your account and put to his credit?—Yes, but there is this essential difference, that a cheque may be received by any other person if indorsed to him.

15977. That is an unnecessary distinction to draw here. It was at any rate a transfer of £300 of your money to Mr. Laffan?—Yes.

15978. You heard Mr. Laffan say already how he gave that and the £50 additional which he got from you, that is £350 expended in bribery, as you heard from Mr. Patrick Laffan. Did you hear nothing of the £600 Mr. Patrick Laffan got through Mr. Leahy's agency in Thurles?—Hear of it here? Did I hear evidence of it?

15979. Yes?—Yes, I heard evidence of it, and I was really—it surprised me, from Mr. Laffan.

15980. Did you hear of that £600 before?—Never. Your questions, sir, remind me of a question which, with some others, I omitted to put to Mr. Michael Laffan on cross-examination yesterday, which was this, that a statement was made to me some time after my arrival here, that Mr. Michael Laffan had a bill or claim against me, for moneys expended, for £250. The statement was merely to the effect that he was so much out of pocket. He had no bill, no particulars were vouched, and I have always an aversion to settle any bill of which I did not see the items; on the other hand, I did not wish Mr. Michael Laffan to be drawing on his own account for my election purposes; I would put him in funds, and I gave him a sum of £300 on account, which seemed to me very reasonable to give.

15981. Did you know anything of the application of the money at the time?—Not anything.

15982. Did the revelations with regard to bribery given by your agents, come entirely on you by surprise at this commission?—There was something before it that prepared me for them, but some of them came on me entirely by surprise.

15983. When did you first know that some of the money had been spent in bribery?—I think on the occasion of a communication between Mr. Laffan and myself after the trial of the election petition.

15984. Was that the first time that you knew that some of the money had been spent in bribery?—It was the first time. I may say that owing to Mr. Patrick Laffan's absence, I thought things looked ugly; but I have a whole mass of correspondence on that matter, which, if you wish for, I shall be happy to lay before you.

15985. Anything you think material, and desire we should look at, we shall do?—I scarcely desire it, as it is an exceedingly delicate and painful position to be in; I wish to answer everything you ask me.

15986. Have you heard anything since about the £600?—Except what I have heard here.

15987. Have you been in communication with anyone with reference to that £600 since?—Not a word have I heard, or spoken, or asked, or written, or read.

15988. Do you know where Mr. Leahy is at present?—I do not.

15989. When was he last in Cashel?—I should think rather less than a month ago.

15990. Is it the fact that he was here when this Commission sat first, on Monday, the 4th October?—I do not think so.

15991. Was he in Cashel on Monday, the 4th October, or Saturday, the 2nd October?—I really cannot say.

15992. Did he stay in your house when he was here last?—Yes, he did.

15993. Had you at the time he was staying here learned or heard or known anything about Mr. Leahy's agency in the bribery committed by Mr. Laffan?—I had heard this, that between Mr. Leahy and Mr. Michael Laffan and Mr. Patrick Laffan, as you will see by letters that passed between us, there was a violent conflict of facts that I hope to see cleared up by Mr. Leahy's evidence.

15994. Then you knew that Mr. Leahy was a necessary witness here?—So very necessary a witness that I should be excessively sorry if he does not appear here.

15995. Will you have the goodness to tell me tomorrow when Mr. Leahy was last here? I have been informed that he was staying in your house on the 4th October, the day that we commenced our investigation?—I can easily fix it, because Mr. Leahy had been acting in a negotiation for repairing the electric telegraph, interrupted.

15996. Have you given Mr. Leahy any authority to draw cheques in your name, or to obtain any funds in any way from any bank?—No, sir, I have not.

15997. Have you given Mr. Leahy any cheques for himself or for any other purpose during the election, or about the election time?—Oh, yes; I think I have given him several. They appear in the accounts.

15998. I find one cheque, £100, that is the only one I can find?—There is £55 for a horse.

15999. Oh, we have got an explanation of how that money was applied. There is a cheque for £100 on the 29th September, that is the only one we can find. May I ask what that cheque was for?—On what date, sir?

16000. The 29th September?—On what bank, sir?

16001. I should say the National Bank; we have not seen a cheque on any other bank—I could not say that I recollect at this moment. I am obliged to tell you something. I must tell it; it may as well come out at once. Early in last year—not very early, but about the middle of the year—Mr. Leahy told me it was his intention to go out to Australia, and I talked it over with him as a friend, and strongly advised him not to go. He had already been in a hot climate, and the last time it having nearly killed him, my impression was very strong that he ought not to go.

16002. This is not very material?—Well, pardon me.

16003. I mean as to the effects of a hot climate?—You will see in a moment it is very material. Mr. Leahy put it to me that he did not see his way to sufficient employment here, and I told him—I think this is hardly worthy of reporting—I told him ——

16004. We cannot make any selection. If you think it has nothing to say to the inquiry do not state it?—It explains my giving cheques to Mr. Leahy at former times. I asked Mr. Leahy——

16005. If you tell me you gave cheques to Mr. Leahy for his own private purposes, you need not enter into it?—For his own private purposes? I do not speak of this particular cheque; but there were cheques I gave to Mr. Leahy in that way.

16006. I trace in these accounts that have been submitted to us, only one cheque for £100 to Mr. Leahy. I find also given to him £350 by Mr. Michael Laffan. That was handed by Mr. Leahy to Mr. Patrick Laffan. The only other thing I find charged to Mr. Leahy is one cheque, £100, which, as I tell you, was dated 29th September?—That was before I came to Ireland.

16007. Yes. I want to know, after that sum of £350 and that cheque for £100 of the 29th September, did you give cheques to Mr. Leahy?—Yes, I think I have.

16008. Where are they, sir, and where is your entry of them?—Not in reference to my Cashel account

at all. I can tell you thus far, that Mr. Leahy went to Germany.

16009. Confine yourself to the period previous to the 20th November. Up to the 20th November did you give Mr. Leahy cheques?—I can't tell you that without looking at my bank cheques.

16010. Between the 29th September and 20th November; on what bank would they be?—I don't know without looking. I do not say I did or did not.

16011. Without examination you are not able to say?—Yes.

16012. Perhaps you would have the goodness to take a note of it, and to tell me in the morning how many cheques you gave Mr. Leahy, on any bank, also the amount that you spent in charity in the town?—One thing I can tell you, sir, if it is your convenience now: I can give you the list of the bankers I keep banking accounts with.

16013. It is unnecessary; you can tell us in the morning. When were you first introduced to Captain Dudly Byrne?—I never saw him until my arrival in Cashel at night.

16014. You have heard that he supplied £300 expended by Mr. Laffan in bribery on your behalf. Have you heard anything of that before the statement was made here by Mr. Laffan?—Never.

16015. You never heard of it?—Never.

16016. Did you give any cheques to Mr. Byrne while he was here?—Yes.

16017. What did you give him?—I gave him a cheque, which appears in the account there, to pay his travelling expenses.

16018. Twenty-five pounds?—Yes.

16019. Did you give him any other?—On a private account, do you mean?

16020. On any account?—I gave him a cheque.

16021. For what sum?—One thousand pounds.

16022. For what purpose did you give him that?—As a loan.

16023. To himself?—To himself.

16024. At what time did you give him that loan?—On the 16th November, I think.

16025. Was that loan given on a security?—Only personal.

16026. Did you get his note for it?—No. I got an I. O. U. for it. He was writing me something in the shape of a note, but I suggested an I. O. U.

16027. Did he tell you what his necessity for the £1,000 was?—No; he did not.

16028. That was during the course of the election?—It was.

16029. And did you inquire what purpose it was for?—No.

16030. Then, did all that took place between you amount to this, that he came and asked you for money on an I. O. U., and you gave it?—Yes, he asked me rather abruptly.

16031. Where, may I ask you, did this take place?—At Abbeyview.

16032. On the day that you gave it?—On the day that I gave it.

16033. Was that the first time that he ever opened the matter to you?—The very first time.

16034. And did you at once give him a cheque for the £1,000?—I did, after a very few minutes' hesitation.

16035. Was there any arrangement that he was to pay you any interest?—No, not any.

16036. Did you consult anyone as to his ability to repay you that £1,000?—No.

16037. And, without making any inquiry whatever, you paid him £1,000?—I gave him my cheque for it.

16038. On what bank?—On the Sheffield Banking Company.

16039. Have you ever heard since from Captain Dudly Byrne how the money was applied?—I have not.

16040. Do you ever expect to be paid it?—I shall better be able to tell you that at the end of the inquiry.

16041. Do you believe, sir, it is expended in bribery?—I really do not know.

16042. You have heard that he paid £300 to Mr. Patrick Laffan, and there is the sum of £600 which we are unable to account for; they make £900, which comes very near the £1,000?—Pardon me; that £600 was previous to my giving the cheque.

16043. I know it was, on the 15th, but it might easily be obtained on the 15th and repaid on the 16th?—Pardon me, sir, that would suppose I had expressed the intention of lending it.

16044. No, I do not mean that at all; at any rate, after a few minutes you gave this sum of money?—Yes.

16045. Did you suspect at the time that there was any illegitimate or improper means being made use of in connexion with your election?—At that moment I had not the least suspicion that a single shilling was expended improperly on my account.

16046. It was very singular you lent £1,000 to a gentleman whom you had known only a very short time, and to whom you had paid £25 to defray his travelling expenses. It seems singular that you should give him £1,000 without making any inquiry as to what he wanted it for, or what security he would give?—It seems singular, sir, but I am able to explain it.

16047. I am ready to hear you?—For instance, with regard to the £25 for travelling expenses, I did exactly the same in the case of Captain Stuart, an old friend of mine, educated at Trinity College, Cambridge, where I was also, who was a cousin of a cabinet minister. I did not think he derogated in taking that sum for travelling backward and forward on my affairs any more than Captain Dudly Byrne. Although Captain Byrne is not in the commission of the peace, as Captain Stuart is, I knew him to be a country gentleman, and did not think that it derogated. I take this opportunity of stating that Captain Byrne had rendered me exceedingly great service a very short time before—the greatest service almost that one man can render another—wholly unconnected with Cashel, or the election, or anything of that sort.

16048. Do you mean to say that you gave him the £1,000 in consideration of services?—No; but it produced a quick intimacy, very quickly between us.

16049. Then, without understanding what he wanted it for, or making any inquiry as to his ability to repay you, you lent him £1,000?—If a gentleman asked me for a sum of money, I should give it or refuse it. I should never dream of asking was he able to pay it. If I thought he could not, I would not lend it.

16050. You might make inquiry?—I have not been so prudent in my life.

16051. Did you know that Captain Byrne was agent for you, or acting as one of your agents?—My knowledge of that was limited to two things—one was, that he recommended Mr. Michael Laffan; and he went about with me on some occasions in the carriage; because I never went to the voters at all after I came to town; Mr. Patrick Laffan, or somebody, went and warned them that I was coming.

16052. Did you know that Captain Dudly Byrne was almost daily in attendance at Corcoran's hotel?—No; that I did not know.

16053. Did he not stop at Abbeyview with you?—He stopped at several places.

16054. Had you no conversations at Abbeyview as to what he was doing at Corcoran's hotel?—He may have mentioned casually what they were doing at Corcoran's; but I took a dislike to Corcoran's the way I was mobbed in the yard.

16055. You knew that Captain Dudly Byrne was here in Cashel on your election business, and nothing else?—He came very often. He did not stop, as far as my recollection serves me, as long as Mr. Leahy did; but I had a great number of persons here.

16056. We will confine ourselves as to Captain Byrne at present. His business in Cashel was helping your interests at the election, and you knew that. Now, sir, have you heard lately of Captain Dudly

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Byrne since his examination here—do you know is he at home?—The last time I had a letter from Mr. Byrne, I wrote to Captain Byrne, and asked him to come over next day, and I got that answer. [Hands in a letter.] It is not from Captain Byrne, but from his son.

16057. Stating that the father was obliged to go to Dublin; and then he states that he received a letter requiring his attendance here. You do not know more than that?—That is all I know, sir. I do not know if you observe, sir, I wrote on the night of the 18th, asking Captain Byrne to come over, for reasons of my own, apart from this inquiry, and I got this by the mid-day post the next day.

16058. Mr. Munster, did you hear Mr. Laffan say yesterday, "It became known to me, before Mr. Munster was a candidate, that money would be required, and that many would not vote without money; I told that to Mr. Leahy, to Mr. Byrne, and to Mr. Munster when he came to town?"—I do not think I did hear him say that.

[The shorthand-writer reads questions and answers numbered 14433, 14434, 14435, 14436, and 14437.]

16059. *Witness.*—I am not sure I was here, sir.

16060. Do you recollect Mr. Laffan ever saying anything at all to you about it?—He told me the constituency were corrupt, but I do not think he said the words stated now.

16061. He said—"It became known to me, before Mr. Munster was a candidate, that money would be required, and that many would not vote without money; I told that to Mr. Leahy, to Mr. Byrne, and to Mr. Munster when he came to town?"—I do not think he ever said those exact words, or anything very like them.

16062. But he told you that the constituency was a corrupt one?—Yes. He did not tell me so immediately. We had many conversations about it.

16063. Knowing that, and knowing that Captain Byrne was engaged here in furthering your election, you paid that £1,000 to Captain Byrne without question?—I certainly knew it, but I had resisted all attempts at working the election that way; and I may say this generally, that at the time I had not the least idea of winning the election by being returned.

16064. I do not understand what you mean by that?—At the time that I drew that cheque for £1,000.

16065. May I ask why you did not give that cheque upon one of your bankers here? You had more than £1,000 to your credit in the National Bank at the time. How it is I cannot see?—That I account for very naturally, sir. Supposing Captain Byrne wanted it for private affairs I would not think of giving him a cheque here where it would be talked over and known, as it would be disagreeable to him. That sufficiently accounts for it.

16066. You had at that period—November 16th—over £2,000 to your credit in the National Bank. Why did you not then give him a cheque upon your banker here?—If you mean, sir, to ask me whether I did it with any view to concealment, such an idea would strike me as futile, because I could not expect that I would be examined in a matter of this kind without all my books and accounts being produced.

16067. But you see that the only banking accounts you have produced are those here. We have endeavoured, and have found it rather futile, to find out what we have been seeking for in them?—You will see that I had every bank account at the election petition as I have now.

16068. There was nothing asked you at the election petition about Captain Dudly Byrne having got that cheque from you, and you did not say you had given it?—I did not.

16069. At that time you did not believe, you say, that money had been improperly spent?—I did not know it. Now, sir, I do not believe that any part of that £1,000 was improperly spent.

16070. I do not know that; it looks exceedingly like it. I believe Mr. Patrick Laffan's evidence when he says that Captain Dudly Byrne gave him £300 left on a dressing-table for him, and took a note from him for the amount. That was the day after?—If you will allow me, sir, I would like to hand you—of course it is absurd to deny that the moment my attention became awakened to the fact of money having been paid improperly, that fact took great importance in my mind; and I have here, and will produce to you if you like, my Sheffield banking account, which I had here at the time of the election petition; my then Sheffield cheque-book, which I also have here. [Hands in a cheque-book.]

16071. Here is the identical cheque?—Oh, it is turned down there. Oh, the reason it is turned down there is I wrote for the cheque; I wrote for the cheque, and I have got it. I draw a great deal on the Sheffield bank.

16072. I see that on the block of the cheque you have written, "November 16th, '68, payable to Dudly Byrne, loan for three months, £1,000." Did you ever ask for that money at the end of the three months?—I think I made a sort of application for it prematurely. Well, I didn't make exactly an application, because that is contrary to my habits. Anybody that I oblige, if I bind to a day, perhaps I may not oblige; but I made some sort of left-handed inquiry as to whether it would be convenient to repay it before the time, and I got an evasive sort of answer, which, owing to my becoming aware I had made a premature application, did not seem to me so odd.

16073. What was the nature of the answer?—It was vague and undetermined.

16074. Does it appear odd in any way?—It does seem odd in that sense, that it is only susceptible of one explanation.

16075. Mr. WATERS, Q.C.—What actually was the answer?—Something that it would be later—that it was mentioned later.

16076. Mr. GRIFFIN.—Was the answer that he was then unprepared to arrange it?—Oh, that it is not meant to be paid. I wish to add that my reason for opening it was to point out the fact that it is crossed, and to add to my recollection that it was drawn quite late at night.

16077. Mr. WATERS, Q.C.—In the morning you will be able to tell me how much your election has cost you?—I do not think I can.

16078. Mr. GRIFFIN.—Do you know who Mr. H. M. Macken is; there is a special indorsement to him by Mr. Byrne?—I have not the least idea. I know nothing about him.

16079. Mr. WATERS, Q.C.—You will not be able to tell us what your election here cost you?—Not of my own knowledge, I think. I shall have to rely on somebody else for it. Well, anything that depends on me, of course, I can tell; but as to the sums that were disbursed, at this moment claims are still sued for in Tipperary by five agents. I can tell within limits, of course.

(Adjourned.)

SEVENTEENTH DAY.

FRIDAY, OCTOBER 22, 1869.

The Most Rev. *Patrick Leahy*, Roman Catholic Archbishop of Cashel, sworn; examined by Mr. WATERS, Q.C.

16080. Mr. Munster was under examination, but as your Grace wishes to get away we shall be most happy to examine you now?—I hope I do not cause any inconvenience by my request to be examined early.

16081. I believe your Grace is acquainted with the Rev. Mr. M'Namara?—Yes, I know him.

16082. He is a friar in Thurles?—Yes.

16083. It has transpired in evidence here that Mr. Edmund Leahy, who, I believe, is your Grace's brother?—Yes.

16084. Gave to Mr. Patrick Laffan, for the Rev. Mr. M'Namara, a cheque for £5, which was drawn in favour of your Grace?—Yes.

16085. And Mr. M'Namara has told us that on the 16th November, 1868, he carried that cheque to your Grace and got your Grace's indorsement upon it?—Yes.

16086. Do you recollect whose cheque that was?—Well, I cannot say just now, but I presume it was a cheque from Mr. Munster, for I doubt whether it could be from anyone else. I do not know whether it was from Mr. Leahy or Mr. Munster at this distance of time, but I presume it was from one or other of them.

16087. Can you say on what bank the cheque was?—I cannot say on what bank, but I presume it must have been on the National Bank. I think it was. I am not positive. I never thought of the matter since till I saw mention made of it the other day in the *Dublin Evening Mail*, and the evidence given before the Commission here. It never crossed my mind ever since; and therefore it is that at such a distance of time I cannot be positive on what bank the cheque was drawn.

16088. Have you any recollection of the date of the cheque, or whether it bore date about the time?—None whatever.

16089. Are you at all aware under what circumstances the cheque was drawn?—I have not the least knowledge of it. At the time that the cheque was presented to me for my indorsement, I presumed—it was simply presumption—that the amount must have been an offering to Father M'Namara for masses or for charity. It would not become me to ask any clergyman in the circumstances why it was that he got any such offering. Delicacy forbade me to ask him whether it was for masses or for charity. Therefore I said not one word about it, but simply indorsed the cheque. I knew nothing of it beforehand. I never heard of it since, and I have no knowledge whatever why or wherefore it was that he got it.

16090. The Rev. Mr. M'Namara says that his name was not at all on the cheque, and that it was only your Grace's name that was on the cheque as the payee of the cheque?—I dare say the cheque may have been drawn in my favour, otherwise he could not have come to me to ask me to indorse it. I think the cheque was sent to him under cover of a letter—sent to him in a letter. The cheque was drawn in my favour, and therefore he brought it to me to indorse it, but I knew nothing whatever why it was that he got that cheque. I presumed in my own mind that it must have been either as an offering for masses or for charity.

16091. Would it be an unusual circumstance that a clergyman who has a cheque given to him for such purposes as your Grace mentions, to have that cheque, given to him for those purposes, drawn in favour of the Archbishop?—It is a thing that would not often happen, I dare say, but one can see the reason why a cheque would have been so drawn, and no reason whatever presented itself to my mind more than that my signature was well known at the bank, and that perhaps Father M'Namara's signature was not, and that the money might be the more easily obtained by having my signature to it. At least it never entered into my mind then or since that there was anything whatever the least improper about it. I never bestowed a thought about it since, never heard of it before; never heard a word about it since until I saw the report in the paper, and then it was I said it was due to me to ask the Commissioners to give me an opportunity to be examined, that I may explain these matters, and I have to thank the Commissioners for acceding to my request to be examined.

16092. It is only our duty to examine every witness who presents himself, who has any information to give us. Do you recollect at all any of the details of the conversation with the Rev. Mr. M'Namara at the time that he came to present the cheque to your Grace?—As far as I remember I had no conversation whatever with him. I did not like to ask him any question about the matter because I would think it a delicate matter for a bishop to ask a priest, "how is it you got this money?"

16093. The Reverend Mr. M'Namara says that as well as he recollects he did not know that the money was for himself until he went to you, and that you told him it was for him and not for you?—As well as my memory serves me, Father M'Namara got the cheque himself in a letter directed to him, and then brought it to me; but as to the particular circumstance, whether it was directed to me under cover of a letter to him, or that it was addressed to me with an intimation at the same time that the amount was for Father M'Namara, in whichever of the two ways it was that the cheque came into my possession, I am not now positive. Lest I should in the least err from the truth I say I am not certain in which of the two ways it came into my possession.

16094. Have you any recollection of a letter accompanying it?—I have no recollection whatever, but I am quite positive there was. In my mind it was an offering either for masses or charity. It did not enter into my mind to suspect that it could have been in the most remote manner connected with anything else.

16095. The Reverend Mr. M'Namara tells us that at the same time he got that cheque two bags of gold containing £600 were left with him, which we subsequently ascertained to have been distributed in bribery at the election here. Has your Grace any recollection of having had any conversation with Mr. M'Namara, or his having told you anything of that circumstance at all?—Well, I know it is your duty to put the question that you have now put, but I think you may very well anticipate what answer a bishop would give to such a question, and my answer is——

16096. You understand that it is necessary to put the question?—I know it is your duty, sir, to put the question.

16097. Very often questions, the answers to which we anticipate, the putting of which are inexpressibly painful, must be put?—Yes; I feel you must feel it painful to put the question, but I reply unhesitatingly that I never had the least knowledge whatever from Father M'Namara, or any other person, of the fact that you now allude to. I never even heard of it, or heard it alluded to by anybody until the night before last, that some of my own clergy were dining with me, and then for the first time did I hear of any such thing. One of the clergy mentioned in a joke that there was money left on Father M'Namara's table, but until the evening before last, when we were sitting after dinner, I never heard anybody allude to the matter; never knew anything whatever about it.

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The Most Rev. Patrick Leahy.

The clergyman who mentioned the matter mentioned it in rather a jocose way as a thing he had heard alluded to by Father M'Namara at some time or other.

16098. I am obliged to put a further question, arising out of what has transpired before us. Mr. Leahy being your brother, and having been, in the evidence before us, most intimately brought into connexion with the giving of this £600, and it being our duty, in every way in our power, to trace where that money came from; not being able to satisfy our duty until we discover it, I have to ask your Grace if your brother borrowed any money from you about the time of the election?—Not a penny; nor did I know anything whatever about any such matter.

16099. You did not know of any moneys of any kind?—Nothing in the world.

16100. I believe you were the parish priest of Cashel for some time?—Yes, I was.

16101. It is our unfortunate duty to have to go into transactions of ancient date. We cannot, unhappily, limit ourselves to the last election, and we have to go back, as you may have seen, to a comparatively ancient time. I have to give your Grace now a letter which was handed to us by the Rev. Mr. Ryan, produced by him under summons of this Court, requiring him to produce all documents relating to our inquiry. I now hand it to you. At the time it was given to us we did not use the letter or make it public, as we desired an opportunity of considering whether its contents bore on our inquiry here, and whether they were properly to be inquired into; and having given the most anxious and careful consideration, we have come to the conclusion that we would not be performing our duty without putting the letter into your Grace's hands, in order that you may read it, and that we may ask you questions upon it [witness is handed a letter]?—I saw by the evidence of the Rev. John Ryan, reported in the newspapers, that he dwelt at some length on matters as to which I was some way concerned; and I would thank you very much, as I cannot rely on the report I have seen in the papers, and as it is only your report that really has authority, I would thank you to have that portion of his evidence read for me which refers to me, before I refer to the letter.

16102. That is quite right, sir. The only thing is that it may take a little time?—It is only from your notes that I can know with any certainty what it is he really did say.

16103. I say, from recollection, but only from recollection which may be very imperfect and not properly represent what took place, that he did not mention your Grace's name at all?—He spoke of a gentleman connected with the College of Thurles.

16104. Quite so?—And there was no other I knew but myself.

16105. Thereupon I stopped him?—Because I had to suspend him some time ago; and on the day I felt it my painful duty to suspend him, he produced this letter—a copy of it—to me, identical in substance with the letter which I saw was referred to in the report of his evidence in the papers. I could have no doubt then that the gentleman connected with the College of Thurles, to whom he referred, was myself, although he didn't speak of the Archbishop. I have no manner of doubt that it is myself. I suppose it must be.

16106. I am sure that at the time he mentioned that I did not know, nor did my brothers know, that it was your Grace he meant. I stopped him from reading a letter which he produced, for the purpose of preventing either annoyance or anything else being caused to any person, by having his name introduced where it was unnecessary to do so. We then took the letter out of his hands and said that we would consider it, receiving at the same time from Mr. Munster other letters which he said also related to the same matter; we shall, if you wish, have the Reverend Mr. Ryan's evidence read.

[The short-hand writer reads portion of the evidence of the Rev. John Ryan.]

16107. The Rev. Mr. Ryan, in giving his evidence, alluded, as you have heard, to that letter. He did not say at all that the letter contained any suggestion that the writer of it wished to have bribery committed, or approved of it, or sanctioned it. He only spoke of an offer to the charities of the town, having been made on the part of a candidate. You have heard what he said with regard to it. At the conclusion of his examination, repeating to us the sentiment of some of the people of Cashel, he did speak strongly of the impropriety of a candidate giving money in charity, before elections. He said:—"To the best of my recollection, Mr. John Ryan of John-street told me that it was very unbecoming to have promises of money for churches and schools and things of that kind put forward as a ground of preference; that in fact it was a bribe in disguise. He spoke of large sums of money being expended in bringing in the Christian Brothers, and other such things." Upon that he expressed his own concurrence with the opinion of Mr. Ryan. I do not know that he used the exact words, but it conveyed the impression to our minds, that the giving of money for churches, or any other kind of charity, by a candidate, during his candidature, was bribery in disguise. That was the purport of what he said, and an interval of more than half an hour occurred between producing that letter and the statement [the letter is handed to witness and perused by him]?—I would thank you if you would have this letter transcribed into the evidence, in order that the public, seeing there was nothing at all like that improper, unhandsome imputation, would see how far it was grounded or not on the letter, into which, no person could form an opinion without having the letter before him. I just beg to observe in general terms, there is nothing whatever in the letter, as far as I can see, after reading it through, that would furnish a particle of the story, that there was anything at all improper on the part of the writer. I can say——

16108. Perhaps your Grace would have the kindness to read the letter now?—Shall I read it aloud?

16109. If you please?—"Private and confidential. Thurles, 28th of January, 1852." May I ask whether a letter marked "private and confidential," ought to be produced on an inquiry like this, or whether its being marked "private and confidential," does secure to it that privacy that everyone expects when he marks his letter?

16110. No, unfortunately, your Grace, the Act of Parliament under which we sit destroys all privilege, and no privilege whatsoever can be raised before us with regard to the production of any document. When we require persons to produce documents, no sort of privilege can be pleaded; even that which is regarded by the law in ordinary circumstances as the highest privilege, the confidence between a solicitor and his client, is destroyed in this case. We were obliged to order both the attorneys to produce the instructions they gave their counsel. It is a very unpleasant duty, but we must do it of course.

[Witness reads]:—

"Private and Confidential.

"Thurles, 28th January, 1852.

"DEAR JOHN,—It is reported in Dublin and elsewhere, that in consequence of his having opposed T. Reynolds's ministers' money question, the other day, as well as for other reasons, Sir Timothy O'Brien has lost your confidence, with that of the great body of the electors of Cashel. If this be so, and that you will look out for a better man, I presume to suggest to you for choice a Catholic gentleman—not a Cawtholic—residing in London, a thorough-bred Irishman, clever, being a distinguished member of the Bar, wealthy too, and so both willing and able to contribute liberally to the charities of the town. This is perhaps a subject on which I should not presume to offer a suggestion, yet because I know the person to be in every respect a most estimable and independent man, and because I anticipate you are not the person to take offence for my making what may be, and what I believe is, a useful suggestion—therefore I make it. It is unnecessary to speak of names as yet. Meantime I remain, dear John, yours very truly,

"PATRICK LEAHY.

"The Rev. John Ryan, Cashel.

"I am sure this person would give £300 or £400 towards your charities."

Well, I presume that if that letter remained in the Rev. gentleman's *escritoire*, it could have no manner of effect on the subject, unless he thought proper to publish accounts of it himself. And admitting for argument's sake that there was anything in it that could in the slightest interfere with purity of election, I never published the letter, and if the contents were ever made public, and if it did interfere with purity of election, the doing so is his own act, not mine.

16111. It does not appear that that offer was made public?—I wish to say that in the offer made there—when I mentioned it as a collateral and subordinate consideration, when speaking of this gentleman, that he would contribute liberally to the charities of Cashel; I am perfectly sure, as one knowing a little about morals and questions of morals, that there was nothing whatever in that suggestion that could bear the colour of impropriety, and nothing at all in it bordering on corruption, or any interference with purity of election; because I take it that in order to do anything that would interfere with the purity of election, anything that would wear even the colour of bribery, it should be an offer of money or some valuable consideration, as a situation, to an elector, or electors, in reference to their votes—that the hope or prospect of some such thing should be held out. There is no such thing here.

16112. The definition of bribery is wider than that. It is not a question of morals with us, it is a pure question of law?—But law is grounded on morality—question of law and question of morals.

16113. Every person who shall directly or indirectly, by himself or by any other person on his behalf, give, lend, or agree to give or lend, or shall offer, promise, or promise to procure, or to endeavour to procure any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting, or shall corruptly do any such act as aforesaid, on account of such voter having voted or refrained from voting at any election; or who shall, directly or indirectly, by himself or by any other person on his behalf give, or procure or agree to give or procure, or offer, promise, or promise to procure, or to endeavour to procure any office, place, or employment to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting, or shall corruptly do any such act as aforesaid, on account of any voter having voted or refrained from voting at any election, or who shall directly or indirectly, by himself, or by any other person on his behalf, make any such gift, loan, offer, promise, procurement, or agreement as aforesaid, to or for any person, in order to induce such person to procure or endeavour to procure the return of any person to serve in parliament. I do not mean at all to say that I appeal to that. I only just correct your grace, by saying that the definition of bribery is wider than the meaning you gave the word?—I did not confine it to that at all; excuse me.

16114. For instance, if a person gave money corruptly to any person who has influence in the borough, although not a voter, to get that person to use his influence?—With voters?

16115. Yes, that is in law bribery?—You will excuse me if I say that I did not at all limit it so far as you seem to think. I did not confine it to a man who gave money.

16116. So I understood?—I extended it to every valuable consideration, and even to the hope of it.

16117. Where I perhaps misunderstood your Grace, was in confining it to voters?—I did not confine it to voters either.

16118. It is unnecessary to enter into that discussion at present. If you please, I will ask one or two questions. You were connected yourself, as you have told us, with Cashel, as parish priest, for some years?—Yes.

16119. And I believe it is some considerable number of years—ten or fifteen—since you were parish priest of Cashel?—About fourteen years; thirteen or fourteen years—yes, fourteen.

16120. Although it may not be bribery, and do not say it is, you, I presume, do not approve of a candidate expending money largely in charities in a borough where he is candidate, before an election?—Well, I don't see that it is. It will depend on the circumstances in which it would be done. There are circumstances in which it would be suspicious. In another combination of circumstances no fair suspicion could attach to the giving of charity; but when I was parish priest of Cashel myself a gentleman made me an offer of £500 to purchase the ground and place that now belong to the Presentation nuns, and because I believed at the time that his motives were anything but pure, because I believed they were not pure, I refused to accept the offer; in other circumstances—in which circumstances, perhaps, I would accept it—where I was perfectly sure that the gentleman making the offer was influenced by pure, by honourable, by charitable motives, and by none other; so that it is a question that would depend altogether on motives. It would be suspicious in some combinations of circumstances; it would be free from any such aspect in others.

16121. Independently of the motive of the giver of the money, is your Grace of opinion that the giving of money, say £1,000, in charities in such a borough as Cashel during the candidature of a candidate is likely to influence opinion in the borough?—Well, to influence opinion.

16122. Yes; I mean, when I say that, of course, the opinion of voters?—It may influence them, but not influence them corruptly. There is a great difference between influencing opinion and influencing opinion corruptly.

16123. Observe, I do not say corruptly?—No, but I wish to make the distinction. I would—if I said it would have an influence on opinion, anyone reading it undistinguished might take for granted that I was of opinion it would, in all circumstances, have a corrupt influence, whereas I don't mean to convey any such impression.

16124. Your Grace is quite right to make such a distinction, but you are of opinion that the giving of money in that way may influence votes?—It may influence votes, but not corrupt.

16125. Not corruptly?—It may or it may not.

16126. The person who is so influenced may give a vote from the purest motives, but be influenced by the giving of money?—Influenced by it to a subordinate or minor consideration; but the person who would thus give his vote would be by no means guilty of bribery, because he has before him two candidates, either of whom is a fit and proper person to be returned to Parliament. Whichever of the two he returns, he would discharge the conscientious obligation of an honest voter—of giving his vote for the public good. Then he sees that, of the two, one of them might advance the public interests of the locality somehow—that he might promote its material prosperity—that he would support its charities. He sees this, and whilst he would not give his vote for any consideration, as a *quid pro quo*, or equivalent for it, yet it might serve as a subordinate consideration—as a collateral motive, I would say—to induce him to prefer the one to the other. I contend that that is not bribery by any means.

16127. Perhaps you would agree with this, that it is improper of a candidate to select that as a time for distributing charity?—I should not say it in general terms. The generality of the assertion might make it a false one.

16128. A candidate believing that the giving of money in that way at the time will have the effect of influencing votes, as you have said?—As I have said, in one combination of circumstances such a thing might wear a suspicious look, and in another combination it might not. For instance, take the case of a gentleman who all his life before has been a man of profuse charities—profuse in his charities—who everywhere and in all circumstances that he was called upon gave most liberally—suppose a gentleman such as that, and that he is a candidate, and he does only

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The Most Rev. Patrick Leahy.

what he has been always doing before, there would be nothing extraordinary in his contributing to a charity, because it is what he has been always doing during his whole life before. But if a gentleman comes forward, who was known to be of penurious habits, who never contributed to a charity before,—if that man comes and makes an offer of a large sum of money—in this combination of circumstances surely his offer would wear a very suspicious look. Therefore such contributions to public charities might in one set of circumstances wear a suspicious look, and not at all so in another. Such an offer coming from one person in one set of circumstances might wear a very suspicious appearance; they might not, in coming from another.

16129. I am obliged to ask your Grace another question that I would rather avoid. I believe that you got from Mr. Munster a contribution towards the cathedral you were building in Thurles?—Yes; so I did from Mr. O'Beirne too, and an offer from Mr. O'Beirne during his candidature here. He told me he would give me other £50 besides what he had given before, so that what Mr. Munster did is no more than Mr. O'Beirne did.

16130. Did Mr. O'Beirne make that offer during the time he was candidate here in '68?—I fear I do not express myself quite clearly. I was speaking of an offer. I believe I said afterwards he proposed to give it, but he did not make the offer. He told me in Thurles it was his intention to give £50 to the cathedral by-and-by.

16131. Can you specify the date?—No, I cannot; but I am sure it was before the election.

16132. Before the election of '68?—Yes.

16133. And I presume you mean shortly before?—Shortly before. With respect to the £100 that Mr. Munster gave ——

16134. Did you accept that proposal of Mr. O'Beirne?—I said nothing whatever to him. I said "It is very kind of you, Mr. O'Beirne to say—to make—to say you would give so much."

16135. Mr. Munster has described the circumstance of giving to you that £100—that he was at Thurles visiting there, and after he had left you, that he sent a message to you requesting you would be good enough to accept this, as he called it, brick—to permit him to add a brick to the building?—Yes; that is what he said—that he was anxious to add a brick to the building; but the person who proposed to give me the £100, in the first instance, from Mr. Munster, was his agent, Mr. Richardson. Mr. Richardson told me, as well as I remember, either that he was instructed by Mr. Munster to give the £100, or he intimated to me that Mr. Munster wished to give the £100. At any rate I declined—I declined to receive the £100 and upon the ground that, as I wished, during this last election at Cashel to hold myself perfectly neutral, that it was my wish to avoid even the very appearance of departing from that neutrality, therefore I declined to accept the £100.

16136. May I ask if you can tell me the date of this first offer by Mr. Richardson. Did it precede your conversation with Mr. Munster?—Not at all, not at all. It did not.

16137. Was it on the day on which Mr. Munster subsequently sent the message to you?—It was on—I got no other message but that from Mr. Richardson.

16138. Then, this is the message—I misunderstood you?—Mr. Munster and Mr. Richardson chanced to be in Thurles together on a given day. What the day was I cannot now call to mind. Mr. Munster, as well as I remember, went up to visit the College. Mr. Richardson was with me I think seeing the Cathedral, as we were in the neighbourhood of it; and then it was Mr. Richardson said to me, either that he was authorised by Mr. Munster to hand me £100 for the Cathedral, or he intimated to me that Mr. Munster was about to give the £100; which it was, I don't remember just now; but I declined to Mr. Richardson to receive the £100, and I declined it on the ground that I have alluded to, that I wished to avoid even the appearance of departing from the neutrality that I was determined to observe with respect to the election at Cashel. In a few days after that, there appeared a letter in a public paper, from the Rev. John Ryan, charging bishops, and priests, and nuns with bribery, and calling on the people to believe that offerings made to them were bribery, were bribes; and although he did not mention my name in the letter, yet I was described circumstantially. There could be no doubt whatever that he meant myself; and knowing that he had transgressed very seriously in the same way before—that he had made most grievous charges on some of his own parishioners—it pains me to be obliged to say he made the most grievous and unfounded charges against some of his parishioners—for which I had to call him to account.

16139. It is hardly necessary to enter into this. We stopped Mr. Ryan from entering into matters; and, therefore, perhaps, you will have the goodness to confine yourself to this matter of the £100?—It is quite relevant to that matter; and as I considered that he had transgressed very seriously before that, in making such a charge against his bishop, against clergymen, and against nuns, I felt it my duty to call him to account for that letter. That letter was written after I had refused this £100 for the Cathedral. It was written after that. Then, when, I dare say, Mr. Munster saw this letter of Mr. Ryan upon the paper, he wrote to me, requesting, and almost insisting, that I should take the £100. And being conscious of my own integrity, believing that Mr. Munster was actuated by none but the purest motives, I did not think that, on account of that unhandsome attack, both on him and me, that had come from the Reverend Mr. Ryan, I thought I should not be deterred from taking an offering honourably made, and nobly and charitably offered, because the attack was made; and I did take it when, under other circumstances, I would not take it. Mr. Munster enclosed a cheque for £100 to me in his letter, and I then kept the cheque, whereas before I had refused to take the £100; and if the attack had not been made, I think I would not have taken it then.

16140. I am obliged to ask your Grace, more as a matter of form than anything else, if you took any part in the election—if you in any way aided Mr. Munster, as a candidate?—I am very much obliged to you, sir, for giving me the opportunity in this court, and before the people who are here assembled—I am much obliged to you for giving me an opportunity of explaining thus publicly the line of conduct I did pursue with respect to the last election in Cashel. At the very first, I was altogether opposed to Mr. Munster offering himself for Cashel. When my brother, Mr. Edmund Leahy, wrote to me as he did from England, respecting Mr. Munster's candidature, I warned him, in the strongest terms I could use, against having anything to do with the election of Cashel—that he would be getting into a business out of which, perhaps, he could not get, without regretting he had ever got into it; and I warned him repeatedly, notwithstanding my personal regard for Mr. Munster. Then, when Mr. Munster's candidature became a reality, from the first to the last I observed the most strict neutrality. I never, directly or indirectly, sought to influence the vote of any single elector in Cashel. I never had any communication with any of the electors of Cashel, with the exception of two. One of them, a gentleman of high respectability, wrote to me, marking his letter "private," consulting me as to whether he should support Mr. O'Beirne, or not; that was before Mr. Munster's candidature, and I declined to say what he should do; expressing myself, at the same time, favourably concerning Mr. O'Beirne's Parliamentary career—that he had, since his election in 1865, spoken well and voted well in Parliament; but I guarded myself, at the same time, by saying that, abstracted altogether from the ways or the means by which he had procured his return to Parliament in 1865, and of which ways and means I know nothing, except from public report. The only other elector that I had any communication from or with, was a person who wrote to me——

16141. I think it is unnecessary for your Grace to go into this?—If you please, it would be a great satisfaction to me.

16142. As you please?—Because the course of conduct I did pursue was misapprehended; and as my name was introduced in connexion with the election, I would feel obliged if you would allow me to say what I wish on the subject, unless it is taking up too much of your time. I say the only person—other person—I had communication with was a person who also marked his letter "Private," and said he would vote for any person I pleased. I never answered his letter, or took the least notice of it. The only other communication I had at all touching this election, was from Mr. Laffan, the conducting agent of Mr. Munster. Mr. Laffan wrote to me asking me, as Mr. Munster was a stranger, to state in writing what I thought of Mr. Munster, and I returned for answer to him—the answer I gave him was—I could not say what I thought of Mr. Munster, without, at the same time, giving what I thought of the other candidates, Mr. O'Beirne and Mr. Scully; that I could not say anything of one without saying what I thought of the others as otherwise. I should depart from that line of strict neutrality which I had laid out for myself to pursue. I would be obliged to you, sir, if you would allow me to read the letter I then wrote, because it expresses very correctly the course of conduct I pursued, and I am glad of the opportunity also of making known to the constituency of Cashel what it is that I did do, and that I did not do. It appears to be long, but it is not a long letter:—

"Thurles, November, 1868.

"Dear Sir,—Before replying to your letter, permit me to observe that I have hitherto held myself neutral as regards the approaching election for Cashel, and that it is my determination to adhere to that course, at least so long as the present candidates only are before the electors. Were the independence of Cashel in jeopardy I should gladly exert any legitimate influence I might be supposed to possess in endeavouring to uphold its independence; but in a contest between exclusively liberal candidates, whose principles and professions differ in nothing, or only by light or heavy shades, I should wish myself, and would recommend my clergy to take no active part with any side, leaving it to the electors to choose the best man. Especially when feelings run high, as they do in the contested elections of small constituencies, it is desirable that the minister of religion should, in fulfilment of his mission of peace, be the person to compose differences, to allay excitement, to calm down passion, and this he could do with but little effect were he to take his stand with one portion of his people against another. In such cases the clergyman's part—unquestionably the best, the most prudent part for him to take—is to remain neutral. It is so I acted myself when I was parish priest of Cashel; it is so I wish to act."

There was an election when I was parish priest here, and but one, and it was so I acted then.

"It is so I wish to act now in the face of the coming election of your city. Having said so much let me address myself to the immediate subject of your letter. At once I say in answer to your inquiry, that I believe Mr. Henry Munster to be a true Liberal and a gentleman of the highest honour, who under no combination of parties or circumstances, will ever swerve from liberal principles, and who will observe with scrupulous fidelity any professions he puts before the electors of Cashel, in particular those embodied in his address, touching the Church, the land, and the education questions, and with these great questions the present hopes and the future destinies of Ireland are bound up. Mr. Munster's abilities and attainments, his thorough honesty and entire devotedness to Ireland, make him a person capable of rendering splendid service in Parliament, and in every respect worthy to represent the ancient city of the kings. It would not consist with the neutrality I am determined to observe, if, having said so much of Mr. Munster, I should be altogether silent concerning the other candidates. Of Mr. O'Beirne I feel bound to say that he has proved himself an extremely useful, as well as clever member of Parliament, having voted well and spoken well upon every occasion that has fallen under my notice; and I will add, that his whole parliamentary career justifies the confidence that he will acquit himself equally well for the time to come. As past services furnish a warrant for future fidelity, to the tried past, and from it as a test to the untried future, Mr. O'Beirne is entitled to appeal with confidence. To Mr. Vincent Scully's parliamentary antecedents I have not paid the same attention. His time in Parliament was much longer, the speeches delivered by him on various topics were far more numerous, the votes recorded by him could not so easily be summed up, so as to take exact note of them, and estimate their value. Whether it was that his speeches and votes were spread over so long a time, and were withal so multifarious in their nature, or that I failed to pay all the attention that I might and ought to have paid to what was worthy of attention—however it happened I must confess to it, that were I to rely upon my knowledge of Mr. Scully's parliamentary career, I should be unable to offer anything like a correct estimate of his parliamentary character, simply because I have not that knowledge. But of his ability there can be no question, nor any that what he says he will do, that he will steadily adhere to liberal principles, and honourably redeem any pledges he may have given to his constituents. To the three gentlemen in question, perhaps I owe an apology for this, as it may seem, comparative anatomy of their characters, though truth to say, neither comparison which is said to be odious, nor anatomy, which would be worse than odious, is intended by me. A question has been put to me. I could not refuse to answer the question, and answering it I could not say a word of praise concerning Mr. Munster and say nothing of his opponents, without deviating from the line of neutrality that I have prescribed for myself. Therefore have I spoken of all three, and that is my apology for saying anything.

"I remain, dear sir, yours faithfully,

"P. Leahy.

"To Michael J. Laffan, esq.,
Solicitor, Cashel."

I would be obliged if you would have that appear on the evidence.

16143. Every word of it has been taken down. I have to ask your Grace how long you have known Mr. Munster?—I came to know him personally in this October twelve months, I think; but I had known him by letter before, and had communicated with him. I cannot tell how often, but frequently. I had known him but slightly for a while. I have been hearing of him for years.

16144. Your brother it was who consulted with you, or mentioned to you that Mr. Munster was going to be a candidate for Cashel?—Yes.

16145. And you used the expression that you "warned him against it?"—I warned him against it.

16146. Did you do that in conversation?—It was not conversation, it was communication by letter.

16147. Did you in that letter, as you recollect, allude at all to the possibility or the necessity of his using corrupt practices to succeed?—No, I did not.

16148. What I mean to convey is this: was it against that that you warned him?—I did not allude to that at all; but that was what was in my mind, that I had been hearing that bribery had taken place at the election previous. It was only by public report that I knew it, but the report was rife; and hearing that Mr. O'Beirne had made his way into Parliament by and through bribery, and anticipating that what happened before would happen again, I did not wish that any person for whom I had the regard that I have for Mr. Munster should be placed in the circumstance of having to contend with a person who made his way into Parliament by such means.

16149. You say you did not convey it distinctly?—No, I did not.

16150. You only gave a general warning?—I said—"You will get into an ugly business out of which you cannot get without regretting you ever got into it."

16151. Do you think you made it plain enough to be understood by your brother that it was to that you alluded?—I don't think I said anything more than that. He might deduce what inference he pleased from it, but they were very plain words, and he might very well understand what I meant—that I was altogether averse to Mr. Munster's coming to Cashel; and I several times warned him against having anything to do with the business.

16152. I have to ask your Grace if you know anything of a cheque made payable to your Grace for the Christian Brothers of Cashel?—For the Christian Brothers?

16153. Here is the block cheque made payable to your Grace on the 19th September for the Christian Brothers of Cashel?—I believe that there was such a cheque, and that it was placed in my hands.

16154. We find the cheque subsequently given was

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one made payable to the order of your brother of the 27th October for £500?—This is the 19th September, for £400. This is to Mr. Edmund Leahy.

16155. Just so?—The other, I suppose, was for the Christian Brothers. I know nothing whatever of this. I don't know anything whatever about it.

16156. This cheque of the 27th October, I understand, has been handed in by Mr. Munster as a cheque that was given to Mr. Leahy for the Christian Brothers of Cashel? [Mr. *Munster.*—Yes.] Endorsed by the parish priest of Cashel?—Yes.

16157. I ask his Grace if he knows anything of a cheque in favour of his Grace for the Christian Brothers of Cashel, the amount of which is £400, and more than a month antecedent to this?—I presume that that cheque was drawn and put into my hands, but I never used it. I must have endorsed it and given it back again, because I never made use of that sum of money for the Christian Brothers. It was not through me it was paid, so that as that cheque was drawn in my favour I must have endorsed it and given it back again, so as to release that sum of £400.

16158. I want to know if you can call to mind having got that cheque, and anything connected with your returning it?—No; I do not remember anything connected with my returning it; but I am positive I must have returned it. I never made use of the £400 in any way.

16159. We have seen that the sum given to the Christian Brothers was £500?—I repeat that I never used that sum of money, and must have given it back.

16160. But you do not recollect anything of the circumstance?—I don't remember anything.

16161. Or how it came to be given to you?—I knew that for some time Mr. Munster intended to have the Christian Brothers introduced here, and Mr. Laffan proposed to give £400 or £500. I had heard that frequently; but I never used that £400.

16162. If you recollect the date of that cheque—it must have come by letter, if it came to you at all, for it was before Mr. Munster's arrival in Ireland. You do not recollect any of the circumstances?—I don't recollect any of the circumstances; only I know that for some time it was spoken of as being intended.

16163. Then, I understand your Grace to say you do not recollect ever having got this cheque?—I don't recollect having got it; but I am pretty sure that if I did get it—and it is not pretty sure, but perfectly sure—that if I did get the cheque I returned it, and that I endorsed it, so that the sum of money should be released, because I never used that sum of money for any purpose whatever.

16164. Does your Grace know anything of a cheque drawn in favour of your Grace, dated the 19th September, the same date as this of the Christian Brothers'?—The 19th September, '68—what is the amount?

16165. Five pounds, payable to the Most Rev. Patrick Leahy [witness is handed block-cheque]?—I have no distinct recollection of it; but I see marked here in it, I think, masses—that the sum of money was placed in my hands to get a few masses offered up for Mr. Munster.

16166. Do you recollect having received such a cheque?—I recollect that a sum of money, a small sum, was placed in my hands to get a few masses said for Mr. Munster's intentions, which I gave to some clergyman to comply with his intentions.

16167. May I take it then that you recollect, as a fact, getting a £5 cheque?—I have no distinct recollection of it, but I have a vague recollection.

16168. My object in asking those questions is, that I thought that £5 cheque drawn in favour of your Grace on the 19th September, was the £5 cheque you subsequently gave the Rev. Mr. MacNamara?—Oh, no, no. There was a wide interval of time between the two transactions.

16169. I know there was. Therefore, I want to ascertain from your Grace if you did receive that cheque of the 19th September for £5?—I have a vague recollection—I don't say a distinct one, but a vague recollection in my mind—I have so many transactions to do—but I have a vague recollection in my mind that I received that cheque for £5, or some small sum, from Mr. Munster to get a few masses said, which I gave to a clergyman for the purpose.

16170. Mr. Munster has handed me some questions which he wishes to put to your Grace. Has your Grace any recollection of mentioning the offer made through Mr. Richardson, which you say you declined, to any person?—Excuse me if I say that that question is very vague.

16171. I only give it as I got it?—If I have any recollection of having spoken of it. Is the meaning whether during the whole time that has elapsed between that time and this, or is the meaning that I spoke of it then?

16172. I have only just read it as given to me?

Mr. *Munster.*—Previous to the publication of the letter, in, I think, the *Freeman's Journal*?—*Witness*—That letter by the Rev. John Ryan?

16173. Mr. *Munster.*—Yes?—*Witness.*—No. I have no recollection of having spoken of it to anybody.

16174. Mr. WATERS, Q.C.—Is Mr. Munster's letter to your Grace about the £100 contribution substantially accurate?—Yes, it is substantially accurate.

16175. Did Mr. Munster, in his various interviews with your Grace, ever ask for your interference or help in the election in Cashel?—He never did; but I volunteered myself to say to him that notwithstanding the very high regard in which I held him, that I should remain perfectly neutral during the election in Cashel, and that I could not in the least help him.

16176. Mr. Munster desires to ask this question—Does your Grace remember that Mr. Munster sent, in 1866 or 1867, Mr. Owen Jones's illuminated work, on hearing that it would be useful to the designs of the cathedral?—Yes, I have that work in my possession still, and prize it highly, both for its own intrinsic worth, and on account of the giver.

16177. There is another question Mr. Munster desires to have asked—Did your Grace ever suspect that Mr. Munster's gift of £100 to your cathedral was intended to stimulate your Grace to do something which your Grace had hitherto abstained from doing, in his favour?—I am as sure as anybody could be of anything extrinsic to himself, and that lay in the mind of another, that Mr. Munster's motives were as pure as purity could be, and that he did not, in the least think of, or seek to influence me to do anything that I otherwise would not do.

16178. Mr. Munster desires this question to be put to your Grace.—Does your Grace think that it might be a legitimate motive for a candidate who was unwilling to bribe, and was also unwilling to lie under the imputation of meanness, to counteract imputations of it by giving largely to objects, which may not necessarily influence a single vote?—[The paper containing the question is given to the witness and perused by him.] The question as it appears to me is substantially this, although a little long: it is substantially this—whether it is a legitimate motive for a candidate, in order to counteract imputations of meanness, to give largely to objects which may not necessarily influence a single vote. The point of the question, as it appears to me, is whether the counteraction of the imputation of meanness, is a sufficient motive, a legitimate motive, for giving liberally to charities or to anything else. It appears to me that is the point of the question.

16179. I think your Grace omits altogether one element of the question, and that is the unwillingness to bribe?—That leaves the question as I put it. It is assumed there he is unwilling to bribe. The point of the question is whether the counteraction of the imputation of meanness is a praiseworthy or legitimate motive for giving liberally to charities. I think it is. He assumes that he is unwilling to bribe. Upon that assumption, then, bribery is shut out, and the whole question is whether in reference to the counteraction of imputations of meanness—whether he may give liberally to charities. I think it would be a better, higher, and more elevated motive if he was to give to public charities for the sake of the charities themselves, and in order to relieve

poor objects. That would be a higher and more exalted motive. But if a person, to counteract this imputation of meanness asserted against him—if he were to give in charity it would be, I think, although a lower motive, it would be a sufficient one to give.

16180. Mr. GRIFFIN.—The reason, I presume, that the candidate would wish to avoid the imputation of meanness, would be that it might not do him a disservice with the electors, and that obviating it should do him service with them?—That is complicating it with a further circumstance. That circumstance is not at all given in the question as put to me, and therefore it implies a new circumstance that might modify the answer or require a different answer.

16181. Does your Grace not think that the necessity of counteracting the imputation of meanness is assumed in the question?—It is expressed in it.

16182. Is it not a question of the imputation of meanness doing a candidate a disservice, and the counteracting of that imputation doing him a service with the electors?—If you only say that the meanness imputed there is one that would be injurious to him as a candidate, the question is a heterogeneous one. Do you say that that is the meanness imputed—that it is a meanness that would be injurious to the candidate, because that is not on the face of the question.

16183. The question is this, "Does your Grace think that it might be a legitimate motive for a candidate who was unwilling to bribe, and was also unwilling to be under the imputation of meanness, to counteract imputations of it by giving largely to objects which may not necessarily influence a single vote." It is distinctly put with reference to the candidate, and it is assumed that the imputation of meanness would be something injurious to him?—It would be, as I said, a low motive, although not an unworthy one. It would be a low motive, but I think a legitimate one. As I said awhile ago, it would be a more exalted motive if he was to have before his mind simply the relief of the poor.

16184. What does your Grace consider the low motive?—Counteracting the imputation of meanness, if that were his principal motive. It might be a subordinate motive; and the person having that subordinate motive might have for his principal motive at the same time, the relief of the poor, say.

16185. Whether the motive be high or low, the object of the candidate in counteracting the imputation of meanness would be to produce an effect on the electors?—He says through a point of view, in reference to objects that couldn't touch the election.

16186. He says that it may not necessarily influence a single vote?—It would not necessarily influence a single vote.

16187. Mr. WATERS, Q.C.—We have no further questions to ask your Grace. We are glad your Grace has had an opportunity of saying anything you had wished to say with reference to this inquiry. You will understand that, as I have already said, it is our painful duty to put a great many questions that are put only for the purpose of eliciting information, and that imply nothing, but are merely put for the purpose of getting an answer?—I can only say, sir, that the manner in which you have acquitted yourself of your duty—you and your brother Commissioners—has been such as I ought to be quite pleased with, and not only ought to be pleased, but so pleased am I, that I beg to return you and your brother Commissioners my thanks for the great patience that you have exhibited, and the length of time that you have given to me to enable me to make such explanations as I believe I ought to make under the circumstances; and again I beg to thank you.

[The witness afterwards sent in the following communication:—

"Thurles, October 23, 1869.

"DEAR SIR,—I would thank you to get the note-taker if it can be done with the consent of the Commissioners—to have it set down in my evidence that the time since I was parish priest of Cashel is from twelve to thirteen years—not thirteen to fourteen, as I may have said at the moment.

"Dear sir, yours faithfully,

"✠ P. LEAHY.

"John Macsheehy, esq., Cashel."]

The Very Reverend *William Quirke*, Roman Catholic Archdeacon, sworn; examined by Mr. WATERS, Q.C.

16188. I believe you are the parish priest of Cashel?—Yes.

16189. We learned yesterday, or the day before, that you came to take charge of the parish recently, and just before the last election?—Immediately before the election—the 13th October; the canvass had commenced at the time, or rather had gone on a bit.

16190. Did you take any part in the election?—None whatever, sir. I published the fact in a letter before coming here, and when I came here I told in Cashel that I would take no part in it. I may mention one exception. A gentleman who came between the two principal candidates called to my house. He came to consult me on his canvass. He was a person that for twenty years I had been looking after, and that I had various reasons to think would not suit here. I told him plainly that I would oppose his candidature here; but I didn't interfere between the two candidates. In volunteering to give evidence, I came here without the slightest notice; but it was since I came into court that I thought it well to offer myself, as the matter was so frequently talked of. There was a use made of my name that I thought uncalled for, inasmuch as it was said that a gentleman stated publicly that he knew what I said to be false. I say that in that matter I said nothing that I didn't believe to be true. I had to say some harsh things of a gentleman that I knew to be practising a course that was by no means making him a fit candidate for the people of Cashel.

16191. This is outside our inquiry?—Yes; I wish to state to you as briefly as I can my connexion with this £500.

16192. I thought it would be better, if we could, to endeavour to avoid anything except our strict duty here. The field of our inquiry is wide enough. My brother Molloy calls my attention to a matter in which I concur. We think it is right you should have an opportunity of saying what you did. I think you might make it more full now. The person you alluded to was Mr. Scully?—Yes; I was living twenty years on his property.

16193. You need not go further into that. You would have opposed him?—Yes.

16194. But the occasion did not arise?—Yes.

16195. I just want to call your attention to what was said. It is only right that you should have an opportunity of making observations upon it. Mr. Denis J. Scully spoke of this cheque of £500 for the Christian Brothers, and said substantially this: "the first money I knew to be given was £500 for the Christian Brothers; it was given on a Saturday; the following Sunday he (that is your reverence) came out disparaging Vincent Scully." Now, it is right you should have the opportunity of saying whether the giving of that charity influenced you?—In the most positive manner I say that it had no sort of influence. Mr. Vincent Scully spent three hours before that in my house trying to defend himself on my accusations against him on landlordism. I said, "I have no intention to take part between the two candidates; but if you put up, I will stand up and put down your pretensions as much as I can." I had no sort of connexion with the £500.

16196. And beyond any observations that you made with reference to the possibility of Mr. Scully's contesting the election, did you introduce Mr. Munster's name or the name of Mr. O'Beirne?—In no form whatever, sir.

16197. Then I understand you to say that with reference to the two real candidates, from first to last you took no part?—From the first day to this I took no part.

16198. You wish to explain about the £500?—Im-

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mediately that I had come here it was rumoured that Mr. Munster, one of the candidates, who was a very rich man, was going to endow a school for the Christian Brothers. The first thing that gave it shape, as far as I was concerned, was his agent, Mr. Michael Laffan, calling at my house and saying that Mr. Munster was prepared to give a large sum to endow the Christian Brothers' school. I said I thought it was really rather an awkward kind of thing to do. I said I was always opposed to have members of parliament mulcted in large sums of money: that so sure as they bought their way, so sure as they were obliged to buy their constituents they would sell them; that I was always opposed to this mulcting of members of Parliament; and I said I wouldn't have any part in it until after the election. He said "Wouldn't it be well to make sure of it?" I said "I don't think it will be entirely free from some imputation; I will have nothing do with it." I went from home then for a few days and I thought it would end there.

16199. Could you fix the date of your interview with Mr. Laffan?—The date of the cheque I think was the 27th October, and I think it was six or seven days previous to the 27th October, just as I had reached home after two or three days absence, some gentlemen of the town—I know the chairman of the Town Commissioners was one, and some others—Mr. Michael Laffan was one also—came to me to say they had arranged with Mr. Munster to give this sum in charity, and I was appointed to take charge of it. I said "if I do that it will be with the distinct understanding that I won't raise my little finger for Mr. Munster's interest." They said Mr. Munster gave it for the sole object of doing nothing but giving it for charity—that he was in the habit of giving large charities. They came to me I think the day after, saying that Mr. Munster was prepared to hand this money over to me. I took occasion, as there were some persons there—Mr. Leahy, Mr. Byrne, Mr. Laffan, and some of his supporters: while we were talking a crowd of people gathered in, and after the proposal was made to give me the £500, I stood up and asked for a hearing, and stated there distinctly again, that "I will accept this donation for the Christian Brothers, on one condition, which I wish to have just stated, and that is, that I won't raise my voice, nor my little finger for Mr. Munster's political interest;" and that condition I have fulfilled from that day to this. In the meantime they said Mr. Munster wanted nothing of the kind from me—that he was giving this for pure charity. I accepted it and then on the next Sunday, thanked him as a benefactor to the poor of the town, and repeated again the promise I had made of neutrality.

16200. I think it right, with the concurrence of my brother Commissioners to say that from the beginning of this inquiry up to this day, not a syllable has been said that would impute the smallest interference in the election to you?—It could not be said: it is impossible.

16201. This is the cheque I believe that you got for the Christian Brothers [witness is handed a cheque]?—Yes; that is the cheque, sir. I kept it a day or two, and then lodged it in my own name in the National Bank, until—where it remained, until we expended the principal part on the purpose which it was intended for.

16202. How much of it was expended?—I don't exactly remember, but I think the amount that is still lying over, is something about £150.

16203. Then no portion of the proceeds of this cheque was expended for any other purpose?—For no purpose, than in connexion with the Christian Brothers' school.

16204. The remainder is to be given to them?—The remainder is to be given to them, for some repairs they intend making in a future school.

[Mr. Munster hands in questions.]

16205. Mr. Munster asks to have these questions put to you. Do you recollect mentioning in a sermon the prevalence of drunkenness in Cashel, in consequence of the distribution of spirits and drink in the town?—That was one of the things I cautioned the people, for I was guarded during the election, because I had known it to be detrimental to morals in other places. I did caution them, and I found out that it prevailed very much afterwards.

16206. I suppose you had reason to guard your people here against indulging in that vice?—Yes, indeed, I regretted it very much; the noise and confusion were very great, indeed, a portion of the time.

16207. Asking the Rev. Mr Quirke's belief as to the motives of another person, is a question I can hardly put; but I will put it in a form a little different. Did anything occur, Mr. Archdeacon Quirke, to make you believe what the intention of Mr. Munster was in giving the £500?—Well, I never formed any positive opinion. I had no knowledge at all as to his intention. The first day I was prepared to take for granted that he gave it from the purest motives.

16208. Nothing occurred to alter your opinion?—Nothing occurred; I may have my opinion as to a man in his position wishing to stand well with the public in giving money for charities; but I never suspected, or allowed myself to suspect, that Mr. Munster's motive was not a good one. It was not—it would be an injustice to him, for he was very liberal on various occasions besides that.

16209. Do you recollect any conversation between you and Mr. Munster, about the Rev. Mr. Hayes?—It is possible, but I cannot recollect any particular conversation.

16210. About any gift to a convent?—I have some vague recollection of his making some complaint about some books, that were given as a present for the convent, and which Mr. Hayes did not approve of. Books which were given to Father Hayes, for the convent as a present, with which Father Hayes found some fault.

16211. With reference to a gift to a convent made by Mr. O'Beirne?—I do not remember.

16212. You do not recollect any conversation with reference to it?—I do not recollect; it may have happened, but I do not recollect it.

16213. I will read the question as Mr. Munster puts it. Did you ever tell Mr. Munster that it was natural the Rev. Mr. Hayes should have voted for Mr. O'Beirne in gratitude for his gift of £400 to the convent?—I remember it now. He was complaining to me that the clergy here were all more or less unfavourable to him. I said I was not aware of that; that I thought it was quite natural; that one of them had a vote and went against him it was true; but I thought, under the circumstances, considering the character of his opponent and the satisfaction he had given here, and had been a benefactor to this convent of which Mr. Hayes was the chaplain, that I thought he could not complain that that vote would go for Mr. O'Beirne.

16214. Did that conversation take place after the election?—After the election, as far as I remember. It was after the election. I am sure that reference to Father Hayes' vote was after the election, because he had not given it until the election, of course. He may have said something about it before, but I cannot bear it in mind.

16215. Mr. Munster, a correspondence with reference to the election petition, unless it touches our inquiry, does not concern us. If any correspondence took place with regard to corrupt practices at the election, of course it is our duty not only to let it in, but to require that it be brought forward. Had you [to the witness] a correspondence with Mr. Munster with reference to the election?—Yes; he wrote a letter to me which I replied to.

16216. Did that correspondence contain anything relative to corrupt practices at the election?—I do not think it did.

16217. Are you quite sure of that now? Are you certain that it did not contain anything at all that will assist us here in finding out corrupt practices at the election?—The correspondence was consequent on an interview Mr. Munster had with me, in which he requested me to become one of his securities.

16218. If it went beyond that and contained

anything I could make use of in discovering corrupt practice, it would be my duty to get at it; otherwise we do not want to see it?—The only thing I think mentioned in it is, that when Mr. Munster was urging on me to be a security of his, it would be a way that may guarantee to the public that he was free from corruption at the election. I told him, as far as hearsay went, there was money going at both sides, and I was not prepared to take that on me. I think that is the only way in which I alluded to corruption at the election, for which I had nothing at all but hearsay.

16219. Tell me, if you please, if you know of any other money given to the Christian Brothers but the £500?—I know of none other.

Mr. *James Poe Alton* sworn; examined by Mr. WATERS, Q.C.

Mr. James Poe Alton.

16220. Mr. Alton, are you engaged in the National Bank at Thurles?—Yes, my post is teller there.

16221. Were you so engaged in the month of November, 1868?—Yes.

16222. Do you know the Rev. Mr. M'Namara of Thurles?—Quite well; yes.

16223. Do you recollect his bringing a cheque to your bank on or about the 16th November, 1868, and getting it cashed?—I have a pretty distinct recollection. I see in the book it was the 17th November.

16224. Have you your book with you Mr. Alton?—Yes.

16225. You have shown there the payments that you make?—Yes.

16226. On what bank was that cheque?—The Sheffield Banking Company, Sheffield.

16227. For £5 I believe?—Five pounds.

16228. Drawn in favour of the archbishop?—I cannot be certain; our books do not show whether it was drawn in favour of the archbishop or not; but it certainly was endorsed by him; but it may have been made payable to Mr. M'Namara.

16229. Are you able to tell the date of the cheque?—No, but I can tell the date it was presented—17th November, 1868.

16230. You do not know the date of the cheque?—No, we have no record of that.

16231. And your recollection does not go behind the record you have?—No; I have a recollection of the transaction generally—of cashing the cheque.

16232. If it had been a cheque of a date two months before its presentation would you have remarked it?—No.

16233. You do not think the circumstance of its being so would leave any impression on your mind?—No; anything endorsed by Archbishop Leahy I should cash at once.

16234. I suppose you know nothing more about it than that?—Nothing further.

16235. Do you recollect or know of anyone having obtained £600 in gold in the National Bank a short time before that date?—That is a question that I could not positively answer, because a thing of that sort might occur, and I might not notice it. If you ask me who the person was it might refresh my memory.

[The shorthand-writer reads question No. 16235.]

16236. You hear that question; will you answer it better?—No; I recollect nothing.

16237. Do you know anything at all about the transaction?—No.

16238. Nothing whatever?—Nothing whatever.

16239. Did you ever hear of it?—I have heard of it within the past few days.

16240. Did you hear of it before that time?—No; not that I can recollect.

16241. Did you never hear of it before?—No, not I.

Mr. *Patrick Laffan* recalled; examined by Mr. WATERS, Q.C.

Mr. Patrick Laffan.

16242. Mr. Patrick Laffan, have you got the bags in which that money was got by you?—I have, sir.

16243. Where are they?—They are at my house.

16244. Would you have the goodness to send for them?—I shall, sir.

Mr. *James Poe Alton's* examination resumed by Mr. WATERS, Q.C.

Mr. James Poe Alton.

16245. Do you know Mr. Dudly Byrne?—I know him, sir.

16246. Has he an account in the Thurles Bank?—He has.

16247. Do you know of his having drawn any money from the bank at Thurles a little time before that date?—I do not recollect.

16248. Have you books here that will help you to find out?—Well, no; I have only one cash-book. We use one every second day. I have only brought the one with the £5 cheque entry in it. I will see if it is in that.

16249. Before you go into that, I will ask you one question which I should have asked you before. Do you know who was the drawer of that cheque for £5?—Mr. Henry Munster.

[Witness examines his book.]

Mr. *Henry Munster* recalled by Mr. WATERS, Q.C.

Mr. Henry Munster.

16250. Now, Mr. Munster, I must say that I think it would be well to have that cheque of the 19th September, No. D., 1859, produced?—That cheque was cashed on the 19th November.

Mr. *James Poe Alton's* examination resumed by Mr. WATERS, Q.C.

Mr. James Poe Alton.

16251. Have you ascertained it?—I have found nothing.

16252. Have you the cash-book that was used on Saturday, the 17th?—Yes.

16253. Now, see is there anything there that would assist you. Was there any sum of £600 drawn out that day? Was any money drawn that day by Mr. Dudly Byrne?—I cannot find an entry to that effect.

16254. Mr. GRIFFIN.—Or by Mr. Edmund Leahy?—The cash-book would not inform me if a cheque on another branch had been cashed by Mr. Edmund Leahy, unless I had the exact amount, and then I could ascertain in another book I have here—the bankers' book.

16255. Mr. WATERS, Q.C.—Have you any sum of £600 or £700?—There are several large sums here, but none of them either £600 or £700 or anything near it. There is one for £700, but I am quite sure it can have nothing to say to it.

16256. Mr. GRIFFIN.—Does it show who got it?—In some of the accounts it will, but it does not show the last endorsement on the cheque.

16257. Mr. WATERS, Q.C.—Mention the names of some, if you please?—Five hundred pounds, Messrs. Molony.

16258. Are they residents in Thurles?—They are.

16259. Mr. GRIFFIN.—Suppose a person came in with £600 in notes, and asked for gold, would that

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Mr. James Poe Alton.

appear in the bank books?—No; but I may make a note of decrease. I frequently do when a large sum is paid; but it is not compulsory on me.

16260. Mr. WATERS, Q.C.—Have you made any such note?—No; none whatever.

16261. I suppose it would be rather unusual to get £600 in gold together out of the bank?—It is not often done, very seldom, except in case of a Fenian panic or something of that sort.

16262. Have you any recollection of any such thing being done at the Thurles bank at any time in November, 1868?—I have no recollection of any such thing at all.

16263. Has Mr. Edmund Leahy an account in the Thurles bank?—No.

Mr. Henry Munster.

Mr. *Henry Munster* recalled; examined by Mr. WATERS, Q.C.

[The shorthand writer reads questions and answers numbered 14433, 14434, 14435, 14436, and 14437.]

16264. Do you recollect Mr. Laffan having told you after your arrival here that the electors would not vote without money?—Not in those terms. We had a great many conversations on the subject, and undoubtedly he conveyed to me very distinctly the impression that a great portion of the constituency were venal. In fact one of the questions that I put to Mr. Laffan on cross-examination necessarily implies that we had conversations on the subject.

16265. Do you recollect his telling you that he thought you would not succeed at the election unless you had recourse to paying for votes?—I do not think he said that, but the substance of it I gathered from him most unequivocally.

16266. The substance you gathered from him most unequivocally?—I may add that I was generally made aware of the fact before.

16267. How were you generally made aware of it—by whom—by Mr. Leahy, was it?—I think it was by Mr. Leahy, or else by a communication coming from Mr. Laffan. I am desirous of having my answer understood as limited to a general proposition.

16268. By a general proposition that was meant to apply to the election?—Of course, to the election entirely.

16269. Now, I have to ask you, if you please, Mr. Munster, if you can explain this cheque of the 19th September, 1868, for the Christian Brothers' school, to the order of the Most Reverend P. Leahy, Archbishop of Cashel, £400?—I can quite easily explain it. I became aware of that idea, which was communicated to me, which I answered in my letter of the same date with that cheque, that a contribution to the funds of the Christian Brothers, as I then thought for building a school—the Christian Brothers, as I then thought, being already in Cashel—would be very acceptable to many people here; and I believe that I sent that cheque over by Mr. Leahy, he having told me some circumstances. He had been in Cashel previously, I think, having interviews with Mr. Laffan, and I had learned from him circumstances connected with the schools; and not knowing to whom I should make my cheque payable, I made it payable to the archbishop as the diocesan, just as afterwards I made it payable to the parish priest, when I gave five hundred instead of four. I may say that whether it was that I appeared too eager to give, but the demand originally was four hundred pounds, and rose afterwards to five.

16270. That cheque was written on the same day as this letter of yours to Mr. Laffan?—Yes; I have no doubt whatever that it was.

16271. And that was on receipt of Mr. Laffan's letter?—I do not believe I ever purposely misstated any fact. I think Mr. Leahy went backwards and forwards several times. I know he received Miss Sterne when she came over, and I know he had been in Sheffield with me once, if not twice.

16272. Did Mr. Laffan, in his letter to you, state the amount that he proposed you should give in Cashel for the Christian Brothers' schools?—No; I think his letter was not to me; it was to somebody else.

16273. It was to Captain Dudly Byrne?—I think Captain Dudly Byrne sent it to Mr. Leahy, and Mr. Leahy sent it to me.

16274. I think you said you have that letter here?—I think I have.

16275. Would you please get it?—I don't think I can get it now, I have not got the letter itself; I have only a copy of it. I saw it last night, or this morning.

16276. Mr. Laffan's letter to you, or to Captain Dudly Byrne, which was sent to you, was dated 15th September?—I cannot say.

[Mr. Patrick Laffan hands in two bags in which he says he received the £600 in gold.]

Mr. James Poe Alton.

Mr. *James Poe Alton* recalled; examined by Mr. WATERS, Q.C.

16277. Are those bags [the two bags are handed to witness] such as are used in the bank?—No; I never saw any of this model before.

16278. You do not know if they are such bags as are used in the bank?—No.

The Right Honorable Henry Ford Cogan.

The Right Honorable *Henry Ford Cogan* sworn; examined by Mr. WATERS, Q.C.

16279. Mr. Cogan, it appeared in the evidence before Mr. Baron Fitzgerald, on the trial of the election petition here, that a cheque of yours was lodged in the bank here to the credit of Mr. O'Beirne; and we have found it necessary to ask you to give us some account of it, if you please. Did you give a cheque to Mr. O'Beirne?—Yes.

16280. Do you recollect when you gave it?—One, I think, was in October, 1868; the other in November.

16281. What were the amounts?—£200 each.

16282. And you say they were drawn on the Bank of Ireland, Dublin?—Yes; they were my cheques on the bank where I keep my account.

16283. Did you receive a communication from Mr. O'Beirne, in writing or verbally, that led you to give those cheques?—My impression is that Mr. O'Beirne wrote to me to ask me for a loan of the money. I think so. My recollection is that he was here at the time, and that I sent it down.

16284. To ask you for the loan of money from you to him?—From me to him.

16285. Was that the nature of the transaction?—It was.

16286. As I had to say a short time ago to the archbishop, we are sometimes obliged to put a question for the purpose of getting an answer, although we may anticipate the answer, and the question may be anything but pleasant. I am obliged to ask you, did you know anything of the intended application of that money?—I knew it was for the purpose of paying the expenses he would incur at this election.

16287. Beyond that, did you know anything of how he intended to apply the money?—No; I did not.

16288. I must point the question distinctly to the thing. Had you any knowledge at all from his letters that it was to be expended in corruption, or for corrupt purposes?—Certainly not.

16289. And it was a simple loan from you to him as to any other friend?—Yes; he was an old, intimate, and respected friend of mine.

16290. And it was entirely, as you describe it, a private transaction between you?—It was.

[Mr. Munster hands in questions.]

16291. Do you know of any other money having been advanced to Mr. O'Beirne for this election?—I do.

16292. How much?—I sent him also, not of my own money, £500.

16293. What was the £500 from?—It was from a fund that was collected for the purpose of aiding the Liberal candidates at elections in Ireland.

16294. How was that fund made up?—A number of leading members of the Liberal party subscribed previous to the general election, in the same way as the Conservative party do, to create a fund to assist candidates whom they chose to aid in the election.

16295. With reference to that fund, were you aware of how it was to be applied, except that it was for the purpose of the Cashel election?—For the purposes of the election.

16296. Did you consider the sum of £900, which it appears Mr. O'Beirne was assisted with, an unusually large sum for a contested election?—No; I do not think so.

16297. I am obliged to ask questions that are really very unpleasant. Did you know that Mr. O'Beirne himself was not—I will not say in affluent circumstances, but was not well able to contest the election? that he was not able to add anything himself?—I believed it to be useful to him to get assistance—money assistance.

16298. How was the £500 sent to him—was it a cheque?—My impression is, that I sent a letter of credit to him for it, down to Cashel. I may add, that those sums so sent, were sent in the most open manner. The cheques were in my own name——

16299. So it appears, sir?—And directed here to him; so that there was no concealment whatsoever.

16300. The cheques were sent here, and were your cheques, and in your own name?—Yes.

16301. I already, I think, put, as a matter of form, with reference to the £500 cheque, the same question as about the others. Did you know of its being about to be applied in any way for any corrupt practice?—Certainly not.

16302. Do you know of his getting any other money, Mr. Cogan?—I do not.

16303. Did that come by post?—By post; yes.

16304. And the letter, of course, simply informed him that you sent the money?—The letter contained nothing beyond merely stating that the letter of credit was inclosed.

16305. Mr. *Munster*.—Please to ask him whether that letter of credit would enable the person in whose favour it was given to draw cheques on the Bank of Ireland?—*Witness*.—No; it was a letter of credit from the Bank of Ireland to Mr. O'Beirne here, for which, on presenting it, he would get cash. It gave him no power whatever to draw cheques.

16306. Mr. Waters, Q.C.—There were no cheques drawn on your account by Mr. O'Beirne?—Never.

16307. I take this opportunity of stating that Mr. Munster, in open court, requested that Mr. Cogan should be called here as a witness, and having in the matter before us evidence that this money came, we did not consider we could refuse to examine Mr. Cogan; consequently, while believing the matter would be exactly as it is, we have given Mr. Cogan the trouble of coming here. Mr. Munster at the same time mentioned the name of Mr. Lane Joynt. From the beginning of this inquiry up to the present moment we have not seen one particle of evidence bringing in his name, or connecting him in the smallest degree with Cashel or the election. I declined to summon Mr. Joynt as a witness so long as I saw no reason to believe that he had anything to do with the election. I have not yet seen it. I decline to summon him. We must confine ourselves to the sufficiently wide duties that we have—to inquire into corrupt practices at the election; and we must take care that our summons is not made use of for any purpose. I do not consider Mr. Munster means it, but it must not be made use of to cause annoyance to gentlemen, putting them to trouble, and perhaps very great annoyance. Those are the only two witnesses you have asked to have summoned. I have given Mr. Cogan the trouble of coming; Mr. Joynt I will not summon until I see some reason for doing so. It is our duty to get every witness who we think can aid us in this inquiry; but I shall not summon witnesses unless I see some reasonable probability of their giving evidence. Mr. Cogan, I have no more to ask you. I am sorry to have given you the trouble of coming?—Not at all.

Mr. *Patrick Laffan* recalled; examined by Mr. Waters, Q.C.

Mr. Patrick Laffan.

16308. You told us of that cheque you got from Mr. Leahy to give Mr. M'Namara?—Yes.

16309. Was it in an envelope, or was it given to you open?—It was given to me open.

16310. Do you recollect observing the date of the cheque?—No, sir, I do not.

16311. I asked you the other day if you knew or heard who the young man was that brought the £600 in gold?—I never heard.

16312. Do you suspect who he is?—No.

16313. Have you no reason at all to believe who he is?—No.

16314. Or either of those who came with the money?—What do you mean by "either of them?"

16315. Mr. M'Namara told us that two persons came besides the driver of the car?—I think that there is some confusion in his mind about me. I came back on a car.

16316. I asked him very distinctly as to whether there were two when he got the gold?—I never heard there was a second until I heard it from him.

16317. Did you ever hear it from anyone else than Mr. M'Namara?—No.

16318. Mr. Molloy.—You said on a former occasion that the cheque had been refused by the Archbishop?—Yes; I think Mr. Leahy said that. I don't know he used the word "refused," but that it was intended for the Archbishop, which either he wouldn't take or didn't get, and then he utilized it in this way.

Captain *John Graham* recalled; examined by Mr. Waters, Q.C.

Captain John Graham.

16319. Mr. Graham, since your former examination a matter has turned up here, and you wish to be examined again, I believe?—Yes, sir; I saw it in the paper on yesterday morning.

16320. I think that in my former examination of you, I asked you generally, and in as searching a way as I could, if you knew of any moneys having been paid or given for corrupt practices?—Yes, you did.

16321. And you answered me that you did not?—Yes.

16322. Since you were examined, Mr. James Hackett has been examined here, and he swears that he had an arrangement with you, for £25 each for the three votes of his father, his brother, and his brother-in-law, and that he got a note signed by his father, his brother, and his brother-in-law for £75, and that he gave you that note, and that he got £75 from a person named Henry Raven, who was the private servant of Mr. O'Beirne. Is that true or not?—Partly; his getting the money is quite true, and his giving me the note; but if you allow me I will tell you exactly what occurred between us.

16323. Well, sir, what do you say?—Some time previous to the election I called on James Hackett at

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Captain John Graham.

his house, asking him for his vote and for his family's votes, for I knew he voted for Mr. O'Beirne previously. At that interview he stated that his family did support Mr. O'Beirne in '65. I believe he stated that he had no vote then, but that he acted as a kind of agent for Mr. O'Beirne. At all events the purport of his conversation was, that he had a claim of £75 against Mr. O'Beirne, which he wished to have paid. I told him that I would mention the matter to Mr. O'Beirne. The next interview I had with Mr. Hackett was by his own calling; he called to me at my lodgings at Browne's, some week after, or days, and he said, "I came to offer" either "three independent votes," or "independent votes to Mr. O'Beirne;" and I said, "Hackett, I am very glad to hear you say that, and wouldn't it be well that you mentioned it to Mr. O'Beirne himself?" He said "he would," and he left my place for the purpose of going there. Subsequently —some days, or perhaps a week or so after—I saw Hackett at the loan office, and I had then a conversation with him about the money that he talked of previously. I suggested, I believe it was I suggested, to Hackett, that if he wanted this money, that he could get it on a bill from Mr. O'Beirne. I should say first, that when I mentioned the matter to Mr. O'Beirne, he refused positively giving it, and denied the claim *in toto*. That was the first mention. At the second if Hackett agreed to do it. He said he would, and I saw him subsequently. I believe the way I came to meet him subsequently, and that second last time, was attending a race meeting in the room over the loan fund office, that is my impression; and when I mentioned the bill he agreed to it, and I told Mr. O'Beirne of it, and he also agreed to do it. Hackett subsequently gave me a bill as you have stated, with three names on it, payable to himself, and indorsed by himself, which I handed to Mr. O'Beirne.

16324. Did you understand, Mr. Graham, that that bill for £75 was to be three sums of £25 each for John Hackett, William Hackett, and Maurice Looby? —I did not. I understood from the commencement that any claim, or any money he was getting, was solely for what he did in '65.

16325. Did you not say that Mr. O'Beirne repudiated it?—He did.

16326. Did he not deny any liability at all?—He did the moment I said it to him first.

16327. Will you explain then what the nature of the transaction was when Mr. O'Beirne repudiated the claim, and denied that he owed anything to the Hacketts at all? Explain how you came to take a bill for £75 from them and to give it to Mr. O'Beirne? —Mr. O'Beirne subsequently agreed to give them the money.

16328. Was it in discharge of any claim?—An alleged claim.

16329. If it was why then did you take a bill?—It was I suggested a bill.

16330. Why? You do not take a promissory note from a man to whom you are paying an old debt?— One reason I had for asking him to take a bill was, that if he wanted to get cash for it he might raise it; and secondly, that he might have time to look into it.

16331. If it was for the purpose of raising money on it why did you take it out of his hands and give it to Mr. O'Beirne?—I didn't say that I wanted to raise money on it.

16332. You have said to me that you took the bill, either that Hackett might raise money——?—No. My object in Mr. O'Beirne's having the bill was that he, Mr. O'Beirne, might raise it.

16333. That is not what I understood from you?— That is what I intended to convey.

16334. If it was in settlement of a claim I want to know why you took a bill or a promissory note?—Mr. O'Beirne was very glad to get his bill.

16335. That does not explain it still. Did you understand, Mr. Graham, that the votes of those three men depended on the cashing of that bill?—Not after Hackett's second interview with me.

16336. Did you before he got the bill?—Yes, at his first interview I thought he made it a consideration; in fact, I could not misunderstand him at the time.

16337. Now, Hackett swears that you arranged with him; that he named the three voters—John Hackett, William Hackett, and Maurice Looby; that he told you they were to get £25 each, and that then he added—"As for my vote, I will take nothing for it." Now, if Hackett swears that that occurred between you is it true?—It never could have occurred except in the last interview.

16338. Did it occur?—I wouldn't swear that Hackett would tell a lie about it. If he said it it did, but I have no recollection whatever of it; but he positively mentioned the money in connexion with the voting at the first interview.

16339. I pressed you with a great many questions before. Do you tell me that you forgot all about this transaction?—It never occurred to me at the time. I gave Mr. O'Beirne the bill, and saw no more about it.

16340. Do you know who paid Hackett the money? —I have heard it was his servant.

16341. Do you know if you heard it before you heard of his examination here?—I have no recollection of it.

16342. Do you know that Hackett had been actually paid the money in 1865?—I never heard that he had.

16343. He says that the giving of this note was about two days before the election, is that correct?—I don't know, I couldn't tell. Oh, the giving of the note—I really couldn't tell. I believe a few days before. I thought you meant the giving of the money.

16344. Have you seen the note since?—No; I have not.

James Hackett.

James Hackett recalled, confronted with Captain Graham, and examined by Mr. WATERS, Q.C.

16345. Mr. Hackett, will you repeat the conversation that occurred between you and Captain Graham, with reference to the votes of your father, your brother, and your brother-in-law?—Captain Graham sent for me once or twice to Browne's place where he was stopping, and he never said anything about money, or about votes, or anything else; I believe two or three visits. I think Captain Graham was under the impression I took such an active part for Mr. O'Beirne on the former occasion, that there was no necessity of making allusion to anything, nor he didn't. Well, then, in some conversation we had there, I told Captain Graham that I would take no money for my vote, and—but I said I thought that those other parties—that I would like to serve them—that, if they went to the other side, I thought they would get money: why—" and I did a great deal of service in 1865," says I, "for Mr. O'Beirne, and it would be only fair to make some compliment to me," says I. "Oh," says Captain Graham, "I'll give out no money on the part of Mr. O'Beirne, but I would like to serve you and your family," says he. He said something to the effect, he wouldn't compromise himself for Mr. O'Beirne, nor for anyone else. "Well," says I, "I did a great deal for Mr. O'Beirne in 1865, and I never got a penny for it." "I would like to serve these parties, if it could be done lawfully; but," says he, "I would like to serve your family." I believe it was I suggested to have a regular note drawn, stamped, and everything else that way.

16346. Did any conversation occur at that time as to the amount for each person?—Well, it was I who said it.

16347. What did you say?—I said that £75, that if I got it on a note for my services in '65, and all to that, though I expected nothing for myself, I would give it to them.

James Hackett.

16348. Did you name who the parties were?—I didn't name them, sir.

16349. Did you tell him who they were?—No, sir.

16350. Did you speak of them as your father, your brother, and your brother-in-law?—No; I didn't.

16351. Did you mention their number? Did you say how many of them there were?—No; I don't think I did.

16352. When you said "these parties," whom did you mean? Whom did you lead Captain Graham to understand that you meant?—Well, of course, I led Captain Graham—I don't know whether he understood it by my words to be them; I understood it at all events.

16353. Did Captain Graham know that your father, brother, and your brother-in-law, were voters?—I suppose he did.

16354. Did you speak of them?—I did not.

16355. Did he speak of them?—He did not.

16356. At any time?—I don't think he ever mentioned their names.

16357. Did he ask you how they were going to vote?—No; I don't recollect he did.

16358. Did anything further take place about the £75 bill?—Well, Captain Graham said he wouldn't compromise himself, but he would like to serve my family, if it could be done in a lawful way. I said I did a good deal of service for Mr. O'Beirne in '65, and never got a penny, but if I could get a little money in a lawful way, I would like to get it for them. He paused in the first interview; and in the second interview, I said, he could, if there was a lawful document, he could give it on his own account, and not for Mr. O'Beirne. "You're a rich man," says I, "yourself, and you could easily afford it, if you have an interest in Mr. O'Beirne." "Well," says he, "anything that I will lend in that way," says he, "'tis my own money, recollect," says he, "this is my own money, and has no reference to Mr. O'Beirne." Then I drew the note—I drew a note then.

16359. When did you draw the note? Was it on the second occasion?—On the last occasion.

16360. How many meetings had you before you drew the note?—We had, I dare say, three or four meetings, but Captain Graham was under the impression, there was no necessity to speak to me about any such thing, for I was such an ardent supporter, he took it for granted, that I would be a voter in his camp, I dare say.

16361. Did you give the vote to Captain Graham?—Yes.

16362. How soon after giving the vote to Captain Graham did you get the £75?—I think it was a week or ten days.

16363. Did you get the money before the election?—Yes; it was before the election.

16364. Did you get the money about a week after giving the note?—Yes.

16365. Did you get it from Henry Raven?—I don't know his name.

16366. Mr. O'Beirne's valet?—Yes, sir.

16367. Where did he pay you?—He paid me at, I think 'tis—I don't know whether 'tis at Dunn's hotel, or—

16368. Did he say anything when he was giving you the £75?—Not a word.

Captain *John Graham's* examination resumed by Mr. WATERS, Q.C.

Captain John Graham.

16369. Is his account substantially correct, Mr. Graham?—He says a good deal that I do not understand at all, Mr. Waters. I have a perfect recollection of the interviews I told you of.

16370. You knew that his father, brother, and brother-in-law were voters?—He told me substantially there were four, I think, at the first meeting. Would you kindly ask him if he remembers the day he called at Browne's to say he tendered independent votes?

James Hackett recalled; examined by Mr. WATERS, Q.C.

James Hackett.

16371. Do you recollect that?—I do, sir.

16372. *Captain Graham.*—And does he recollect my sending him to call to Mr. O'Beirne himself?—*Hackett*—I do.

Captain *John Graham's* examination resumed by Mr. WATERS, Q.C.

Captain John Graham.

16373. Now, Captain Graham, did the £75 that were given to that man come from you?—No; it did not.

16374. Mr. GRIFFIN.—When Ryan asked you for that money, what occurred? Describe the conversation?—It was Murnane that asked me.

16375. What occurred? Did he simply ask you for the money?—Oh, yes; there was a good deal of conversation about his wants and his necessity for money.

16376. Had you ever discounted or cashed a bill for either of those parties before?—Never; for Murnane, never.

16377. Did you make any difficulty about giving the money?—I did not. I wouldn't hesitate giving it at this moment if he asked it. I asked Mr. Barron to produce my account at the bank, of bills. I accommodated people about Cashel with sums to a large amount, and never lost a shilling by it.

16378. Mr. WATERS, Q.C.—It would be a perfectly innocent transaction only that it was on the eve of an election. [No answer.]

16379. Mr. GRIFFIN.—Ryan swears he did not intend to leave that money due when he intended to vote for Mr. Munster. Did you think Ryan would vote against Mr. O'Beirne as long as that money was due to you on that bill?—I did not intend that money to remain out. I intended that money to be paid.

16380. When was the bill given?—It was given in September, I should think.

16381. It was a three months' bill?—Yes, a three months' bill.

16382. It would not be due until December?—Yes.

16383. Did you think that Ryan, while that bill was in your hands, would vote against Mr. O'Beirne?—I do not think the bill had anything at all to say to it.

16384. Answer my question if you please. Did you think he would?—I am quite sure it would not have any effect on his vote if I made him pay the bill, which I intended to do.

16385. I want you to answer my question. Did you think he would have voted against Mr. O'Beirne while that bill was unpaid? He swears himself that he would not consider it fair?—I don't know.

16386. Did you suspect when he paid the bill six weeks before it became due, that he was going to vote against Mr. O'Beirne?—I did not.

16387. I think you told us that at the time he gave you the bill he had not promised his vote?—I think he said so himself.

16388. Had you any idea at all that he was entering into any negotiation, or was thinking of going against Mr. O'Beirne, when he came and paid you that bill?—

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Captain John Graham.

I had not. I had no reason for believing anything about it.

16389. Did no conversation occur between you when he paid you that bill?—Nothing, but he handed me the money.

16390. Where did he hand it to you?—I believe it was in Browne's—my lodgings; but I am not quite sure.

16391. You gave him back his bill?—I did.

16392. Do you swear that you had no suspicion or idea then that he was going to vote against Mr. O'Beirne?—It never entered my mind.

16393. Do you remember about that £35 bill for John Ryan of the Race-course?—Yes.

16394. Do you remember saying that you did not wish to put your name on the bill if you could avoid it?—Yes, I objected at first to put my name on the bill.

16395. Do you remember using the phrase, "I did not wish to do it"?—Yes, I did not wish to do it. In fact I refused to do it.

16396. You said, "I did not wish to do it if I could avoid it." Had the fact of the election coming on anything to do with your feeling that you could not avoid putting your name on the bill for Ryan?—Nothing whatever.

Mr. *Henry Munster* recalled; examined by Mr WATERS, Q.C.

Mr. Henry Munster.

16397. I had just received from you those letters from Mr. Leahy when we stopped?—Yes, they are copies of letters from Mr. Laffan and Captain Byrne.

16398. The first is a copy of a letter of Mr. Michael Laffan to Captain Byrne, and the next a copy of a letter from Mr. Byrne to Mr. Leahy?—Yes.

16399. And they appear to have been both sent to you?—No, I think they were received by Mr. Leahy while he was in my house in Sheffield.

16400. And seen by you?—Yes.

16401. And read by you, of course?—And read by me then.

16402.

"Cashel, 15th day of September, 1868.

"MY DEAR SIR,—Since you left I have gone through a good many of the electors, and Mr. Munster's candidature has been favourably received. You should have address issued immediately, and let him be prepared to come here the day after the races. Take care to see the address before sending it to any one for publication. I have been talking to some of the Commissioners and telling them that Mr. Munster, if elected, would desire to confer some substantial benefit on the town; and one of them suggested that as they are about getting up Christian Brothers' schools, and as Mr. M. is so wealthy, the best thing he could do to gain a good character at the outset, would be to agree to give, if returned, £400 or £500 to establish these, the money to be given back to him by the trustees if not elected. There is no doubt this would be a judicious investment, that is if he do not mind the expressive nature of it. Mention it to him and see how far he would be inclined to go, that I might be able to state something of the kind. I wish particularly you would come up again, say on Friday morning, in reference to John Lanigan. It would be of advantage to arrange that one of his sons should come up with Mr. Munster. It will be of considerable service to have Mr. M. identified with Tipperary people, and the Lanigans should not hesitate to pay off O'Beirne.

"Faithfully, yours,

"MICHAEL J. LAFFAN.

"Captain Byrne, Sorrel Hill.

"Take care to see that any letters I write to you are sealed with D. L., and the seal unbroken."

Now sir, did you previous to that letter of Mr. Laffan's, intimate to Mr. Laffan that you were "desirous of conferring some substantial benefit on the town?"—I do not think this moment, that I had been in any correspondence directly with Mr. Laffan previous to the 15th September.

16403. But indirectly, through Mr. Leahy or Mr. Byrne, did you convey your "desire to confer some substantial benefit on the town?"—No, I think not; because I may observe this to you, that I believe the date of that letter was the very day or the day before on which I resolved to stand for Cashel.

16404. Then did it arise from the imagination of Mr. Laffan altogether? "I have been talking to some of the Commissioners and telling them that Mr. Munster, if elected, would desire to confer some substantial benefit on the town." You say you have no recollection of having intimated it before?—No, for the reason that I tell you. I may be wrong. It was conversed about some time previously. There was some plan of mine which I had of building model cottages which I think was mentioned and not approved of, and instead of it that suggestion came back.

16405. At the time you sent this cheque afterwards for £400, you had this letter before you?—Yes.

16406. And you saw that this giving of money for the Christian Brothers was considered as Mr. Laffan called it, "a judicious investment?"—I did not consider it so.

16407. And you saw that he proposed it as an election move?—Yes, that I plainly saw.

16408. This is the letter in which Mr. Laffan's letter was inclosed to you:—

"Sorrel Hill, Templemore, 17th September, 1868.

"MY DEAR EDMUND,—I have just received your note of yesterday, and now inclose two letters I have received from Mr. Laffan, who is very hopeful of our success. He suggests, in his first note, to give a subscription, conditionally, to assist in building Christian schools. Now, my opinion is this, that by so doing you would have the votes of every respectable man of the O'Beirne and Lanigan party in the borough, and, as a consequence, care very little for money-hunters of both sides. I mentioned to Mr. Laffan that Mr. O'Beirne was returned as a large creditor by the Messrs. Gurney and Co. Now, he writes to me to procure the schedule of the creditors, and he says he will make good use of it. Let me hear fully from you by Saturday, for nothing like following up the matter with spirit; and I have no doubt of the result that we will see your friend the M.P. for Cashel in the next Parliament. If possible I will run up to Dublin on to-morrow to get John Lanigan to send his son to Cashel to aid us. He cannot refuse to wipe out O'Beirne.

"Return to me the enclosed:—

"Town Commissioners, Cashel,

"John Mullins, Lanigan; Pat Phelan, Lanigan; James Heany, retained; William Corby, Lanigan; Dan Laffan, retained, Lanigan; Michael Dwyer, Lanigan; William Phelan, O'Beirne; Michael O'Sullivan, Lanigan; Andrew Meara, Lanigan; Dan Ferris, Lanigan; Con Carroll, Lanigan; M. Dwyer, Lanigan.

"Ever yours, sincerely,

"DUDLY BYRNE.

"Edmund Leahy, esq."

You had this letter before you also when sending this cheque?—I think I had seen it, but I hadn't it before me as I had Mr. Laffan's.

16409. Have you any doubt that Mr. Leahy showed it to you?—Not the least.

16410. Was Mr. Leahy then living with you or staying with you?—I think he had just come back from Ireland.

16411. And he was then with you at Sheffield?—Yes.

16412. Therefore this letter could not have been received much before the 19th?—I have no doubt it was received on the 19th.

16413. On the 19th I find your cheque for £400 in favour of the Christian Brothers' school, the payee of the cheque being the Most Rev. Dr. Leahy. Have you any doubt that you sent out that cheque for £400 on the very day that you received those two letters?—Not the least in the world, but it was also the same day on which I wrote my reply to Mr. Laffan, and I believe Mr. Leahy brought that cheque with him to Ireland. I think it was returned to me, but where it is I cannot say; I am quite certain it was not paid.

16414. That cheque of £400 was not paid?—Never.

16415. The archbishop was not able to tell us was it given to him. Do you think it was?—I don't think it was.

16416. Then it was returned to you and destroyed?—I have got a secretary, and rarely destroy anything.

16417. You afterwards raised the subscription from £400 to £500?—It was intimated to me on the 27th October, when those gentlemen came to me at Abbeyview, that £500 was the sum they considered necessary to bring the Christian Brothers to Cashel, my own idea previously being that what was wanted, they being at Cashel, was to build a school for them; and I believe Mr. Leahy came over as the "special ambassador" to which I alluded in the postscript of my letter of the 19th, to see with reference to what I call "a bargain, but not a corrupt one," whether I could build a school for them, and have my own name inscribed on it in some way or another.

16418. It was perfectly plain to your mind that whatever was your intention, the intention of Mr. Laffan and of Mr. Byrne was, that this should be an election move, so that, as Mr. Byrne says, you would have "the votes of every respectable man of the O'Beirne and Lanigan party in the borough, and you need care very little for money hunters of both sides?"—That statement I gathered from the words, but whether I took it that it meant money is a very different thing. I think it will be obvious to every person if I kept the money in reserve, it must have a very different effect in corrupting people, to what it might have if I gave it at once.

16419. That is, that if you gave it on the understanding that if you were not returned, it was to be got back, a great many would be anxious for your return, in order not to have it given back?—I think it would savour a great deal more of corruption.

16420. I agree with you?—I may say that Mr. Leahy and myself had a conversation. I had great doubts about keeping Mr. Laffan as my agent, but he represented to me that he was a very young man, and it was in consequence of that that I gave Mr. Laffan the caution.

16421. Did you entertain any doubts of retaining Captain Byrne to aid you, for he puts forward the same as strongly as Mr. Laffan?—No, because Captain Byrne was in a very different way.

16422. But you did not reprove him?—I did not mention the subject to him at all, because he was a mere volunteer. It would be improper of me to reprove him.

16423. He dwelt in your house in Cashel during the election?—It was four weeks after that that I came to Cashel.

16424. After that you entertained him in your house as your friend, and he remained here as your friend at the election?—Oh no; he came backwards and forwards. He very often came, I think, on a Sunday. Ever since I have known Captain Byrne he has very frequently come to spend the Sunday, with or without some member of his family.

16425. Did Mr. Leahy consider that this would be a good election move?—As put by Mr. Laffan?

16426. Yes?—No; he agreed with me that it was a very objectionable way to approach it. It was mixing up two things. That was my view, and I think Mr. Leahy entirely concurred with me. I may add that from the time I was at Sheffield until yesterday I never saw these two letters.

16427. I think you told us yesterday evening, at the close of your examination, about the thousand pounds to Captain Byrne. I must request you now to give us a little more in detail the circumstances under which he asked you for it. You told us that it was late in the evening?—Yes, I am quite sure of that.

16428. About what hour was it?—I should think about eleven o'clock.

16429. At night?—I will tell you how it came to pass. He was alone with me; everybody else had gone. We used to be busy with our letters up to ten o'clock. I have never gone to bed since my accident. I sleep on a little cane stretcher in a room on the ground floor. I never undress either, or dress differently for day and night, and I very frequently have someone talking to me just as I am going what I call to bed. On this occasion I quite well remember Captain Byrne was with me, and from that I have no doubt whatever it was about eleven o'clock.

16430. You were about preparing to go to rest?—I think I was having a cup of tea. I generally take a cup of tea just the last thing.

16431. You said yesterday that Captain Byrne asked you abruptly for the loan of £1,000?—I mean by abruptly, without any of what lawyers would call inducement; nothing led up to it.

16432. And while you were preparing to retire, or taking a cup of tea, he said nothing more than "Mr. Munster, will you lend me £1,000?"—He certainly didn't say "Mr. Munster."

16433. Tell me what he did say?—I think he simply asked me if I would lend him £1,000.

16434. Are you not able to put into words what he said? Did he state no reason?—No kind of reason whatever.

16435. Did you at once get your cheque-book and write him a cheque for £1,000?—No; I should think about a minute elapsed.

16436. At any rate, before you retired to rest you wrote it?—Oh, yes; I thought Captain Byrne appeared a little uneasy for some little time.

16437. You thought there was something on his mind?—I thought there was something on his mind a little.

16438. He did not tell you what was on his mind?—Not at all.

16439. He did not tell you any urgent necessity that he had for the money?—No.

16440. Was there any conversation between you that evening about the election shortly before this abrupt request for £1,000?—I don't think there was. I may say this generally, I never spoke about the election with Captain Byrne the way I did with Mr. Leahy, and my belief is that I had not spoken about the election in any way with Captain Byrne, for some days previously.

16441. Did you wish to avoid speaking with Captain Byrne about the election?—No.

16442. And how was it that you did not speak of it when he was here your friend?—I do not know Captain Byrne so well.

16443. Was he not staying in your house with you?—I do not think he was on that particular occasion. I do not recollect, but I know Mr. and Mrs. Richardson and a sick child were staying in the house, and for that reason I think he was not stopping in the house. I think he was not. It was the next day I had my quarrel with Mrs. Richardson, and that quarrel was about Miss Byrne, who came back to me with her father that day.

16444. That is not material. Some circumstance in your domestic relations fixes the matter in your mind?—Yes. I had only two rooms at the time. Mr. and Mrs. Richardson and the child occupied one, and Miss Ade was in the other; and the question was, where I should put Miss Byrne when she came?

16445. You gave me an answer yesterday. I asked you whether you expected this £1,000 to be repaid by Mr. Byrne, and you said that that depended on the issue of this inquiry?—You asked me at the present time.

16446. I did. I ask you how the repayment of it by Mr. Byrne depends on the issue of this inquiry?—I think the meaning of it is very obvious. If Captain Byrne has expended this money, as he conceived for my advantage, but improperly, it is a question then whether I can and ought to ask him to pay it. I do not say that I ought not. I think it is a very difficult question.

16447. You told us that at the time you asked no security and made no demand of interest from

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Mr. Henry Munster.

Captain Byrne?—Interest I never should think of asking; no, not a farthing in a friendly transaction. I am not a money lender. In a transaction to oblige a friend, if he should choose to pay me anything reasonable, I should leave it to him.

16448. Might I call your attention to the evidence of Doctor Cormack, whom you obliged with a loan of £200? Did you not on that occasion require security from Doctor Cormack?—Doctor Cormack proffered me security on a loan, and it became a part of the transaction; but if a gentleman came to ask me a sum of money——

16449. Did you not also, in the arrangement with Doctor Cormack, get it all reduced to writing by a solicitor?—I think I did.

16450. Did not that document setting forth the agreement with Doctor Cormack, include the payment of five per cent. interest, to be paid at certain periods by him?—I do not know that it did.

16451. Did you hear him swear that it did?—I did, but I do not know it.

16452. Have you any doubt that he is correct in that?—I have no doubt that it included some interest, because no deed would be drawn; but whether it was four or five per cent. I do not know; and as you ask me, I do not believe Doctor Cormack knows.

16453. Doctor Cormack was your neighbour here, I believe?—Yes; but he was also a voter.

16454. Was it because he was a voter you entered into all this arrangement with him, or because there was any difference between the transactions?—The fact of his being a voter would make me deal with him in a much more strictly business point of view than if he was not.

16455. Had you any intention of being paid by Doctor Cormack?—Certainly.

16456. And of enforcing payment of the interest?—Certainly.

16457. We heard of some decree against Dr. Cormack, and of the bailiff going to your place and getting the money?—I believe there is not a word of truth in that. What I believe to be the truth is:—Doctor Cormack came to beg me, on the 30th December—or somebody for him—to help him, as he was going to be arrested. I suggested to avoid that that he should go to Kingstown to meet Mrs. Munster, in order that while he was gone he might take Mr. O'Hagan, my solicitor, there the security he had to offer, release his policy, which was in pledge for a small sum—some £30 odd in Dublin; and I think this was done, though I won't pledge my recollection that it is the case.

16458. It is really unnecessary. If you say Mr. Phelan was wrong in saying he was arrested, as Doctor Cormack has called and denied it, I am satisfied?—I do not say he was wrong; I believe it to be utterly untrue.

16459. It is immaterial to us, and foreign to our inquiry?—I should just like to add this: that a second cheque was given—one to release the policy, another for the balance which was to be advanced to Doctor Cormack, to be cashed by him; and he left another to Mrs. Cormack—a duplicate of the balance—to be cashed in case Doctor Cormack telegraphed. He didn't cash the second, which she did cash, and with which, I believe, she paid the claim against Doctor Cormack.

16460. Did you promise any of those loans to Doctor Cormack before the election?—No. Assuming I was right in saying that I did this on the 29th December, I had never engaged to do it, and never told Doctor Cormack or any person that I would do it.

16461. Mr. GRIFFIN.—I asked Doctor Cormack if he had spoken about getting money lent before the election, and he said he had spoken to Mr. Leahy about getting a loan before the election, and that you guaranteed a bill for him?—There was a bill of his and his brother's, which I got somebody to cash for him.

16462. Was that before the election?—No, I am quite sure it was not before the election.

16463. Mr. WATERS, Q.C.—Did Mr. Leahy mention to you that Doctor Cormack was desirous you should lend him money?—I think it was Doctor Cormack himself.

16464. Mr. GRIFFIN.—Doctor Cormack said that that transaction of guaranteeing the bill, or getting it cashed for him, was before the election?—I really could not say, but I don't think it was. His brother was a gentleman in solvent circumstances. It was not a large sum. It never occurred to me that I was running any risk in doing it. I think I ought to be allowed to state that when I transferred that £5,000 to Cashel, I had probably about £16,000 balance at my bankers.

16465. Did you make inquiry as to the solvency of Doctor Cormack's brother?—No, but somebody told me he was a country gentleman.

16466. I believe you paid Michael O'Sullivan with your own cheque?—Yes.

16467. Had you previously received this letter:—

"Cashel, March 8th, 1869.

"SIR,—From the great pressure of my commercial creditors, I am reluctantly forced to apply to you for the payment of my bill. Sir, before I do so, allow me to say that I was one of your warmest and most zealous advocates, and indeed were it not for the pressure that is placed on me, I would not have applied now or annoyed you so far. For my vote I have never got, nor will I ever take anything; but my bill of treating being legitimate, and the judge in his report not having made any comment on that matter as being extensive, I am of opinion, sir, with all respect to your superior knowledge, that the payment of my bill is legitimate, even pending a Royal Commission of Inquiry. Sir, my bill was supplied by orders from Mr. Pat Laffan, and the understanding from Mr. Michael Laffan that I was to supply drink where I thought it necessary, and having a great influx of, recourse to, and influence on a great number of voters, both on the Commons and in the town, that, coupled with the circumstance of being your most warm advocate, naturally caused my bill to be £98 4*s*. 4*d*. Sir, hoping you won't regard this as being obtrusive or doubtful of your honour's justice,

"I have the honour to be, sir,

"Your devoted and faithful servant,

"MICHAEL O'SULLIVAN.

"Henry Munster, esq., John-street House.

"P.S.—Sir, this is written in the strictest privacy, no living being knowing anything of it save myself, and would never have been written were it not for the circumstance of being pressed myself to pay for a puncheon of whiskey and other drinks, got last October, only three months being the usual time given. Sir, again apologizing, I am, faithfully yours,

"M. O'S."

You had this letter before you paid that money?—Oh, yes; it was because of that letter I paid the money.

16468. You read the letter, of course?—Oh, yes.

16469. And you understood that he based his claim on his having spent money on your account, and on his "having a great influx of, recourse to, and influence on a great number of voters, both on the Commons and in the town?"—Yes.

16470. And reading that letter, and having that present before your mind, you paid that £98 4*s*. 4*d*.?—I did.

16471. Did you see his bill?—I had seen it before with a number of others of that class.

16472. Did you make any inquiries as to whether that was the amount of the goods supplied by Mr. O'Sullivan?—I think, sir, that the fact is this, that that bill was marked for payment in a reduced amount; but when those bills came under my cognizance first—bills of that class that I may call treating bills to non-voters—no material portion of that bill, I believe, being to voters—I am speaking now from recollection; but with regard to bills of that class—treating to non-voters—when it came before me, my own opinion was that it was illegal, and I gave directions that none of them should be paid. Then came the petition here, in consequence of which, as Mr. O'Sullivan very truly states, it seemed to him, as it did to me and to many other people, that such treating as I have described was held legal. Then came the decision in England close

upon that, and then came the provisional decision at Youghal, which was followed by a decision, I think, before the Court of Common Pleas. The result was that Mr. Michael O'Sullivan was exceedingly lucky in having got paid, I having held back and not having paid previous claims. I paid him his bill in full without noting the fact. I believe that it was marked with some reduction.

16473. Did you hear Mr. O'Sullivan sworn here?—I heard some part of his evidence.

16474. Did you hear him swear that he gave drinks to voters, and that voters were constantly in his house?—I do not remember the fact.

16475. You observed in this letter here, that he calls it his "bill for treating," not saying it was to non-voters, and that he talks of the great influx of voters that he had, and having that before your mind you paid the amount?—I think that is scarcely a fair way of putting it. Allow me to look at the letter.

16476. I did most unquestionably connect two parts that are unconnected?—Excuse me for saying, a great deal of that letter I looked on as mere surplusage.

16477. What did you think about that part about his never having got anything for his vote? Is that what you called surplusage?—I have seen a great deal of that sort, but I paid very little attention to it, I assure you.

16478. "Sir, my bill was supplied by orders from Mr. Pat Laffan, and the understanding from Mr. Michael Laffan that I was to supply drink where I thought it necessary; and having a great influx of, recourse to, and influence on a great number of voters both on the Commons and in the town, that, coupled with the circumstance of being your most warm advocate, naturally caused my bill to be £98 4*s.* 4*d.*" Does that limit the giving of the drink to non-voters? Does it not distinctly connect the giving of the drink with voters?—[No answer].

16479. Now, Mr. Munster, you have heard here of the numerous cases that we have called out from time to time from this list of claims, in which voters and voters' sons have put in claims after the election, varying in amount from £55 down to £15. Did you hear Mr. Michael J. Laffan, your conducting agent, saying that he told some of those voters to put in claims?—I did, sir.

16480. And that he told them on this ground, which strikes us as a very remarkable one, that he considered that men who gave an honest independent vote should not be worse off than those that made corrupt bargains, and that therefore after the election he told those men to put in claims for £30 to £35 and £55. You heard Mr. Laffan say that—there are thirty-six claims for voters' sons and relations?—I can assure you, sir, that it struck me as being no less remarkable.

16481. Was it done with your knowledge?—Certainly not.

16482. The gross amount of those claims sent in for voters by their sons or relatives, is over £1,100. Did you know of that being done?—Of the claims being sent in?

16483. Yes?—Oh, I saw many of them.

16484. Did you know of Mr. Laffan having encouraged many of those to send them in?—No.

16485. When you knew they were sent in had you any intention of paying them?—Of voters' sons? not the least in the world.

16486. Did you ever look over this book, or those claims?—I have looked over them, and it was chiefly by my direction it was systematized in that way.

16487. Did you get them arranged in this book and systematized in this manner for the purpose of considering them?—Yes, I insisted my election expense agent should do his duty and report to me what he considered legitimate or not.

16488. Did you consider these legitimate or not?—I considered them as most illegitimate, many of them?—Oh, the £30 claims, and more, even £60—I can assure you when I first heard of them they filled me with indignation; coming as some of them did from people who talked of the most independent support. I believe many of those claims were mere bits of paper sent in as a sort of compliment to my paying powers without any intention of ever being paid.

16489. You do not mean that there was no intention of their being paid on the part of those who sent them in?—I do; I believe many of those who sent them in had no intention of being paid. I should be doing injustice to some of them if I did not say so.

16490. You must not in future limit their powers of demand?—I think I am in as good a position to form an opinion on that subject as most people, sir.

16491. I should think you ought to be. You heard Mr. Michael Laffan examined?—Yes, partly.

16492. Did you hear him say that £100 odd was paid in small bills for drink up and down?—I do not think I heard him say so, but I know vaguely of the fact.

16493. Are you aware there have been sent in claims for drink amounting to £253 12*s.* 5*d.*, including the £98 4*s.* 4*d.* you paid to O'Sullivan?—I do not think I am aware of the amount; I am aware of several claims. Alice O'Donnell has written to me several times to press strongly for the money, but in consequence of the late decision I don't think I could pay.

16494. Have you any doubt that drink was supplied by orders of your agents during the election?—I have no idea on earth.

16495. Did you know while the election was going on that they were getting drink?—I cannot say that I did. You must remember, sir, that at that time I was exceedingly infirm. I went out very little, generally in my carriage; and I may say that I had not at that time the least idea what houses were my houses or not.

16496. I will just call your attention to some of those claims. I find the butchers sent in a claim for services, £66. Are you going to pay that?—I think that was considered and negatived by me, sir.

16497. There is no direction one way or the other written on it?—[No answer.]

16498. Were you aware that Mr. Michael Laffan paid Hourigan for the mob £127 17*s.* 6*d.*?—I was not aware until I saw it in the account, I think.

16499. Did you know that it was about to be done?—No; I knew it was done.

16500. Did you know before the election that it was done?—No, I don't think I knew it until about the time of the election petition. No, I mistook. I got a paper which included all that—that was the source of my chief knowledge on the subject; it was digested for the use of Mr. Richardson. It was sifted by him to some extent, and then came to me those things that he didn't know what to do about. In point of fact, instead of he advising me I had to advise him.

16501. Have you any list of those which are to be paid and those not to be paid?—Not any. All we had to be paid are paid. I heard with surprise that there are claims entered which I thought legitimate.

16502. Are you able to answer the question how much did your election cost?—Not in the least, sir. I can tell you as to all the items.

16503. As to what it has cost you, leaving out all the claims against you. Independent of the £1,500 claims against you, can you tell me what the election has actually cost you?—No, for I should decline to state, as a matter of my own judgment, and, for instance, to count the gift to Fethard convent.

16504. Excluding everything of that kind, and putting down what you paid your conducting agent, your expense agent, and the other payments you made for the election, how much did it cost you?—As to that, I cannot give you a very clear answer, for I depend for my knowledge on other persons. I was under the impression that Mr. Richardson paid only £1,100, and I heard him swear £1,500.

16505. Are you aware that Mr. Michael J. Laffan got £813 in addition to Mr. Richardson's £1,500?—No; I don't think I am aware of that.

16506. Did you not hear Mr. Laffan swear to an account for it?—I don't think I did. All I know at this moment of Mr. Laffan having got is a hundred

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guineas retaining fee from me, and £300 subsequently, that I know of.

16507. He acknowledges having got eight hundred and odd pounds?—If he did, it must be part of Mr. Richardson's money.

16508. Then you say it is included in Mr. Richardson's?—I think so; I do not positively say it is a fact, but I think so. Mr. Biggin knows all that more fully than I do.

16509. I asked you yesterday could you tell me how much you spent in charities in Cashel from the time you first were a candidate until the day of the election?—Well, that I can only approximate. You told me a man named Kennedy had said that I spent £30 in his place on clothes.

16510. Yes?—There is a street of five or six old clothes shops. A woman named Brennan told me I spent £48 there. That I simply give as her statement, which I believe is probably correct. She only gave it as an approximation. Her neighbour, Mrs. Rawlins, says I spent £5 and some odd shillings. I am told Kennedy's statement does not appear to be quite correct. There is one bill of his £11 16*s.* and some odd moneys. My own impression is, it was not £30. I thought it was not; but I should be sorry to contradict the man if he swears so. Then I bought some things at Mr. Cahill's; some I paid for by cheques and some in money.

16511. He only gave us a cheque, and that was £10 14*s.* 2*d.*?—My impression is that I bought more things than that there. Then there was the flannel. I distinctly remember a man opposite, Dwyer—exactly opposite Cahill's; I think there were two rolls of flannel there.

16512. Did you buy large quantities of provisions to distribute them?—No; I do not think I did. I cannot tax my memory at present, I had such a short notice.

16513. Well, I will not trouble you with that?—I had a soup-kitchen at the telegraph office.

16514. We have £200 to the bazaar, and £500 for the Christian Brothers. There were theatricals for the Society of St. Vincent de Paul. Do you recollect what you gave to that?—I see a £15 cheque, but I can recollect nothing about it.

16515. I recollect Mr. Close saying you had given money to those theatrical performances, and that that induced him to apply to you to buy tickets for his concert?—I recollect now some *amateurs* had a performance in the Town Hall, and I took a certain number of tickets from them which I gave away to some friends.

16516. About how much—£10?—More than that.

16517. Fifteen pounds?—More than that.

16518. Twenty pounds?—I saw a cheque of £15. I dare say it is that.

16519. No; that is a different one altogether?—Well, I cannot say.

[Mr. *Denis O'Kearney.*—The first night of the theatricals Mr. Munster gave us £15, and the second night £27, making in all £42 for the benefit of the Society of St. Vincent de Paul.]

16520. I had it down £40; this gentleman says he got £42. We make the amount now distributed in charities ——?—Surely you wouldn't call that charity, sir.

16521. We make the amount of charities, exclusive of those you have since told us——?—Pardon me; I don't wish it to go under my consent that these were charity. These were tickets for a theatrical performance to which many of my family went.

16522. When I use the word charity, I mean money applied to public purposes in a place. I do not mean to use it in an invidious sense to either those who acted or those who went to see the performance. And when I use it as applying to Mr. Close, I do not mean in an invidious sense to him, a professional gentleman, giving a concert, for which you took a hundred tickets from him. We make it up, sir, exclusive of the £100 you have told us, that you expended in charities, including £500 for the Christian Brothers, and £200 to the convent at Fethard, the sum of £1,380 in the interval between your arrival and the 1st of January. Is that correct, on taking my definition of charity?—Yes, but that includes a quantity of money to a bazaar in Dublin in the beginning of December, sir, and some little things that I gave at Killarney.

16523. Well, that is too large a sum so. The Dublin sum should certainly come out of it?—As you are on that subject, I should like to be permitted to state that within a few weeks of my gift to the cathedral at Thurles I gave two similar amounts of £100, or a hundred guineas—one to the church of St. Thomas of Canterbury, at Rome, and one to the church of SS. Peter and Paul, Cork—neither of them connected with Cashel.

16524. I must ask you have you made presents exclusive of those purchases that you made at the bazaar, all of which were given away as presents I believe amongst the people of Cashel. Have you made other presents to the people of Cashel, voters or otherwise, or to their children, wives, or daughters?—Toys. I distributed about £3 worth of toys in a scramble, on the 17th November, in front of Abbeyview.

16525. Anything else besides toys?—No, I don't recollect that I did at this moment—certainly not of any value.

16526. Amongst the items which Mr. Richardson gave us was £10 which he said he got in silver coin for you for the purpose of giving away?—As nearly as I can approximate the thing was this. My first visits were to Corcoran's. Two days after my arrival I had to speech in Corcoran's. There is a yard there where I used to call. A number of beggars used to crowd into the yard, and it was very difficult to get in and out of my carriage; and wisely or not I distributed small amounts to persons, ten shillings, or fifteen shillings or a pound a day. I went on increasing as I saw the misery and avidity of the wretched people. At that time I purposely had done this three times a week perhaps, and by degrees I regularized the objects to which I gave it and got it more into system. But I am speaking of the period subsequent to the election when I could go about amongst the people and learn something about them; but at that time I could learn nothing at all about them. I should think in the thirty days that I was here—rather more than thirty days that I was here—about thirty-four days, I have given about £24 or £25.

16527. I need not repeat what I said to the archbishop. You know that we are obliged to put questions which it is very painful to us to put. I am obliged to ask you did you give away watches to persons in town?—No, sir. That question was put to me on the election petition, and I do not believe there was the smallest ground for it; but what I did not recollect at the time—I believe there were some watches in the things I sent to the bazaar. I could not imagine whence the idea arose.

16528. Were they gold watches, or were they of the same character as the valuable Sheffield watch you told about at the petition?—Oh, that was a very good watch, sir.

16529. I think it only cost twenty-five shillings?—I know of another good watch that cost only the same sum. It is a good price to give for a silver watch.

16530. Are you aware about the mule that was bought from that eccentric old gentleman Thomas Looby?—I heard that that mule was bought to draw the telegraph poles.

16531. The jennet you mean?—Yes, the jennet.

16532. He certainly was promoted for he was put to draw yourself and not the telegraph poles?—I rode the mule once. I became desirous of getting some little exercise. I had only two carriage horses—one bought from Dr. Molony, and the other from Mr. Watkins. I tried to ride one of them and didn't like it, and somebody said I had got a mule or jennet which seemed a very suitable thing for me to try. I rode him on side-saddle and had a side-saddle made on

the wrong side. I tried this animal and rode him about the town. It showed a little symptom of obstinacy, and somebody told me the beast was given to run away—that it was dangerous.

16533. And accordingly you got rid of him?—I don't know what became of him.

16534. Are you aware that the jennet was made a present of to some one who had voted for you?—No, indeed.

16535. Do you know if it was sold?—I heard that it was sold for, I believe, £2 10*s*.

16536. Do you know that it was sold?—No; I was only too glad when I heard the brute's character, not to see it again. "A burned child dreads the fire."

16537. With regard to Doctor Moloney's horse, Doctor Moloney seems to have made a very good bargain. Did you know anything of that before it was bought?—No.

16538. Did you know that Doctor Moloney was paid £55 for him after having paid only £14 for him a few days before?—No.

16539. Did you know that Captain Dudly Byrne was engaged in purchasing that horse for you?—I saw his evidence, that he declined to purchase it.

16540. But he was about purchasing it?—He went to see it.

16541. Did you know that the horse was about being bought for you?—No; I did not.

16542. Had your friends, Captain Byrne, and Mr. Leahy, and Mr. Laffan a *carte blanche* to buy as many horses as they pleased from voters and others?—No, they had not. If you will allow me, I will tell you what happened. When I was in England I sent a man named Rogers over with some things to the bazaar here.

16543. That was before you came?—Before I came; and I happened to see in some of the papers that there were a pair of carriage horses to be sold, I think, by auction—I am not sure. I am obliged to premise that I had parted with all my horses. I wanted some horses for the carriage I brought with me, and I thought it desirable that this man should go and bid for them. I think I arranged with Mr. Leahy to send him fifty or a hundred pounds to go and bid for those horses. I believe he did go, and did not buy them.

16544. Was that in Cashel?—No, I think it was the border of Limerick. From that, a wish of mine, I suppose, to have horses was inferred, and those purchases were made. I always understood it was Mr. Patrick Laffan who bought that horse.

16545. They were both bought from voters. May I ask of what value were the things which you sent over to the bazaar by that man?—The things he brought were of no great value.

16546. About how much value were the things you sent altogether to the bazaar?—That is very difficult to answer, because I picked them up here and there in a week. First I thought my wife would come, but as she didn't I had to pick up from all kinds of shops anything I could.

16547. Were they worth £50?—I should think they were worth more than that.

16548. Were they worth £100?—I dare say.

16549. And besides that you paid about £200 for tickets?—Oh, no; I think only £5 for tickets, I am not sure.

16550. Well you made purchases here?—In point of fact, I bought my own things. I believe that will be a fact.

16551. Were there goods purchased for £100 independent of the cheques that were given here?—Oh, yes.

16552. Because we have several large cheques here; £5 for tickets, £79 10*s*., £34 12*s*., £50?—Pardon me, if I bought back my own things I didn't give it.

16553. Did you send £100 worth of goods from Sheffield, and also give here £50, £5, £79 10*s*. and £34 12*s*. to the bazaar?—I would only give the sum that I gave in cash. Supposing I gave a horse and that I gave £200 for it, I should keep my horse. Many of the things that I brought here I bought back again.

16554. But then you gave those amongst the fair daughters of the town of Cashel?—Oh dear, no, sir. I didn't give one of those things in Cashel. The things that I gave in Cashel were gifts at Christmas. I took a great number of tickets; I got some prizes; I made a large quantity of all sorts of purchases at the bazaar in Dublin, for the orphanage in, I think, North William-street; I telegraphed to the Society of Saint Vincent de Paul here to know if they would like to have them exhibited; and they did, and made a small charge for showing them. I afterwards gave the greater part of them away.

16555. Did you not give them away here in Cashel?—Some in Cashel, but a great many more elsewhere.

16556. You heard of the payment of that £10 to Croagh for sand delivered at Abbeyview, at the way it was paid by a man that sat in a dark room at Corcoran's?—I didn't hear that.

16557. Do you know anything of sand having been sent to Abbeyview?—I saw that the road was in bad order, and heard that it was to be repaired. That is my knowledge about it. I certainly did not know that that £10 had been paid in that way.

16558. You took Mr. Boyton's house. Did you know from whom the house was taken?—Oh, yes, there was a correspondence between us about it, I will produce it if you wish.

16559. Oh no?—There are about twenty letters about it. I thought it was a high price, but I was obliged to have a house. I couldn't stand being in an hospital.

16560. Did you know that Mr. Boyton was an elector of Cashel?—Yes, I did, from one of the letters; I did know it.

16561. And knowing it as you did, had you any idea of securing his vote by taking his house?—Not the least in the world. I may add that I should presume that any person whose house I would engage would probably be a voter.

16562. Do you know anything about what is the value of the house?—Yes, but it is like suiting yourself in size; people make a market of you because they know you must have it.

16563. Was your object in doing that simply that you were compelled, or that you had the desire of giving over the value in order to secure his vote?—I did not give more than I could; but I could not help it. There were two or three houses they could take for me.

16564. Mr. and Mrs. Boyton have, I believe, been residing in your house since?—Mrs. Leahy was first here with me. I had two young ladies who required to embark. Mrs. Leahy came on that emergency. Mrs. Leahy went away as Mrs. Richardson was coming back with her sick child, and there was an interval between the two, and in that interval I got Mrs. Boyton to come and stay for, I believe, two days at Abbeyview. Then she went away, and I heard there were difficulties—that she was very uncomfortable where she was. Later on, when I got a second house taken, that in John-street, she went to live there; and then I made this arrangement when our original term elapsed, that I should pay the rent for the house at Abbeyview; I made this arrangement, that I should pay the rent to the superior owner, and we should go on in that way as long as it was convenient.

16565. Have Mr. and Mrs. Boyton continued ever since living in your house in John-street, as your guests?—Yes, but——

16566. Did they go to live there before the election took place?—No, I think there was nobody in John-street until after the election, or at all events until the night of the nomination, when Mr. Biggin and some others came from Sheffield.

16567. I have to ask you about Mrs. Hackett's having gone to your place. Do you recollect the circumstance?—Oh, perfectly.

16568. She wrote the letter to you which has been already read?—I don't remember the particular letter, but I remember her producing some letter alluding to votes.

16569. You declined to have anything to do with it?

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—I think I told her to get out of the room, or something of that kind. I discovered within the last fortnight that someone in England had been present at that interview, that I had not known on the trial of the election petition, and I sent for them to contradict Mrs. Hackett if necessary.

16570. On what point do you think that evidence would be necessary?—I think her evidence, as far as I recollect it, was wrong as to the persons who were present, and she seemed to think the negotiation had gone on longer in my presence than it actually did.

16571. This is her letter :—

"Green, Cashel, 28th October, '68.

"DEAR SIR,—I hope you will forgive my intrusion, which I never would have done were not I and those to whom I belong some of your most influential supporters. I introduce myself to you as the wife of James Hackett, whose father and himself possess a vote, each of which are at the perfect disposal of the former; as also that of his brother William, now, as on all former occasions, will go with the other two. I will only ask you, in return of the influence which I will successfully use in your behalf, a lend of ten pounds; and the reason I am obliged to have recourse to your generosity I shall quickly let you know. A few years ago, when I got married, my father promised myself privately twenty pounds, of which my husband knew nothing about, on strength of which promise I foolishly went in debt the sum which I now ask of you to lend me. Should you doubt me, I beg you to refer to Mr. Laffan, and I am confident he will give you a most respectable character of me; or to his Grace the Archbishop, who knew me well at the time I was educating in the Ursuline Convent, Thurles, which he is the patron of. I could refer to several others, but as I wish to keep it a perfect secret, as it would expose me to the ridicule of several, were they to know it; but I am confiding in a gentleman, and my trust is, I am sure, in safe keeping.

"I remain, &c.,

"MARGARET HACKETT, Cashel.

"Henry Munster, Esq.,
"Green, Abbeyview, Cashel."

Mrs. Hackett says that you declined to have anything to say to that, but that afterwards, by direction of Miss Ade or some person in your establishment, she wrote to Mdlle. Montcour, and got the ten pounds?—Yes, I know of that fact.

16572. You read that letter the evening she brought it?—No, I don't think I read the whole of it.

16573. You read enough of it to make you reject it?—I really do not remember quite what happened about her, but my impression is, that she came in and said, "sir, I am the person that wrote this letter," and I said, "that is quite enough—you should not have written that; go along with you."

16574. Did you know of her having been referred to Mdlle. Montcour?—I did.

16575. Was she referred to Mdlle. Montcour to get the loan of ten pounds with your assent?—Well, scarcely. I didn't assent; but I disapproved of it.

16576. I suppose the persons in your household were under your control?—To some extent.

16577. Only to some extent?—I told Miss Ade something not very civil about it.

16578. Did you prohibit her from doing anything about it?—No, I did not.

16579. Did you know that Miss Ade was going to refer to Mdlle. Montcour?—I had no doubt she was going to do anything she could.

16580. Did you not prohibit it?—I did not prohibit it.

16581. Did you lead Miss Ade to infer that you would not be displeased?—Oh, she knew I would be displeased, but she was very headstrong on the subject. She believed in Mrs. Hackett to the last, and I believe she believes in her still. Miss Ade consulted Mr. Richardson on the subject.

16582. Did she write with Mr. Richardson's concurrence?—I do not know that she did. I have no doubt she did.

16583. You have no doubt she did?—Not the least.

16584. The result of the application was that she got £10 from Madamoiselle Montcour?—She did. I have no doubt of it.

16585. Are you sure that Miss Ade consulted Mr. Richardson on it?—Perfectly sure.

16586. And that she had his concurrence?—Perfectly sure.

16587. He was your expense agent for the election?—Oh, yes; but I suppose I need not tell you that propriety and wisdom, sir, do not always go hand in hand.

16588. You established the telegraph?—The town has it; I hope the Government will take it off my hands.

16589. Which was it done at your suggestion or at Mr. Leahy's?—No, I think Mr. Leahy told me. Mr. Leahy being in Cashel found we could not communicate by telegraph, and I suppose the idea struck him as being inconvenient for him and me and the town not having it, and in passing through Dublin he arranged the thing.

16590. Did you know that Mr. Patrick Laffan was engaged about the election?—I could not help knowing that he was constantly in and out with his brother.

16591. Did you ever suspect at the time that there was anything improper going on by Mr. Patrick Laffan, or Cunningham, or others?—Never. You speak of before the election?

16592. Yes. You heard Mr. Michael Laffan saying he suspected it, and that he was quite certain there was corruption going on; and Mr. Dudly Byrne was, according to Mr. Patrick Laffan's evidence, deeply mixed up?—Yes.

16593. And so was Mr. Leahy?—So I have heard you state.

16594. Although he supplied £950 you say you knew nothing of the transaction?—I will put in some letters to-morrow morning if you will permit me, between Mr. Michael Laffan and myself on the subject, which will show you how much I knew and how I knew it.

16595. Certainly. At that time you say you did not suspect anything at all?—I did not suspect anything at all.

16596. It was done without your concurrence and against your will?—Most strongly against my will.

16597. Did you hear any proposition discussed as to the £10 retainers?—I do not think I did.

16598. You say that the five guinea retainers were your idea?—I do not think I fixed any sum. The retainer was my idea. I suppose it is plain to the Commissioners that the corruption of this community was often discussed. That was one of the ideas that occurred to me of combating it within the limits of the law. I forgot to ask Mr. Michael Laffan on cross-examination this question, that I affirm now most positively, that my directions to him were not to pick out persons he knew to be opposed to me or adherents of Mr. O'Beirne, but those he thought most likely to go either way on payment of money.

16599. That he was to select those persons and give them retainers for the purpose of preventing the possibility of their voting at either side?—Yes. You asked me for some information on two subjects—one, this cheque of £100 of the 29th September, of which I can recollect nothing.

16600. That was a cheque for Mr. Leahy himself?—Yes, it was; but I can say unquestionably that I had no idea or belief that any part of that money was to be employed improperly.

16601. And if it was employed improperly you did not know at the time you gave it that it would?—It was the 29th September, sir. You also asked me a question about Mr. Leahy which I could not then answer, but now I can say that quite lately Mr. Leahy was engaged in the opening of that telegraph communication for me, came down here afterwards, and went from this to Dublin, and a day or two afterwards he crossed, with my sons, at the end of last month—September, one of them going to Stonyhurst; my youngest son, as I said, crossed with him on the 29th September, he having to be in Stonyhurst on the 1st of October. He picked Mr. Leahy up in Dublin.

16602. Do you know anything of that £5 cheque to the archbishop?—My belief, from what I have seen—

the archbishop thought he got it—is, that his Grace was mistaken.

16603. It appeared to me also that he was under a mistake?—I have telegraphed for it. I cannot quite read my own counterfoil; it is marked, "P.S.A."—*pro salute animæ*.

16604. You do not know anything of the cheque given to Mr. Patrick Laffan to give the Rev. Mr. M'Namara?—Not the least in the world. I believe that cheque was taken over the same time as the cheque for £400.

16605. Mr. GRIFFIN.—I do not know if you were present when Mr. Laffan told us how the retainers were raised from five to ten guineas?—I do not think I was.

16606. You said that the idea of the retainers was your own, but that no particular sum was fixed?—Yes.

16607. Mr. Laffan told us that the five guineas were found ineffectual, and that Mr. Leahy was then anxious to make them £10, and that there was some discussion about it. Were you present at the discussion about raising the amount of the retainers?—I do not think I was; but my own idea about it, I think, was this, that those people who were retained ought to be given some employment, and that we might continue employing them, and if we did that we might pay them more.

SEVENTEENTH DAY. *October* 22. Mr. Henry Munste

16608. Were you present at the discussion about raising the sum?—No, I do not think I was. It is highly improbable any discussion would take place between Mr. Leahy and Mr. Laffan in my presence, for I would discuss the question with Mr. Laffan and not Mr. Leahy.

16609. Do you recollect discussing the raising of the retainers with Mr. Laffan?—No, not raising; but I remember suggesting we might continue to employ those people. I thought something might be given them to do—something more than colourable.

Mr. *Edward Henry Biggin* recalled; examined by Mr. WATERS, Q.C.

Mr. Edward Henry Biggin.

16610. Do you know anything of that cheque for £5 given to Mr. Laffan for the Rev. Mr. M'Namara?—I do not.

16611. Do you know anything of the £600 in gold got by Mr. Patrick Laffan, and where it came from?—I do, sir.

16612. Where did it come from?—I believe from Dublin. I will tell you the conversation told me by a ——

16613. Swear Mr. Biggin again, Mr. MacSheehy.

[Mr. Edward Henry Biggin is again sworn.]

16614. What do you know of this sum of £600?—First of all, if you will allow me, sir, to say a few words to exonerate me from any blame or anything in volunteering this statement. By remaining in court here I thought I was under some punishment, hearing those things mentioned continually. I think it was about Christmas this conversation happened, but I think it was since I made up my book after the petition. I was complaining there was £350 Mr. Patrick Laffan had to account for. Mr. Edmund Leahy and myself were talking after dinner. He said there was more than £350; there is £600 he has to account for. I said that is £950. He said, to show how badly things had been managed, "Two persons have been sent to Dublin for £600"—I understood him two persons—that it was reported to him a conversation had taken place in a hotel in Dublin, that these two persons were boasting they had £600 that was going to Cashel. I understood it was his cheque for the £600. I understood that the two persons were Patrick Laffan and Joseph Richardson.

16615. Who is Joseph Richardson?—Mr. Richardson's son. That is the young boy, I think, that was talked about.

16616. Is that all you know about it?—That is all I know about it, sir.

16617. Mr. *Munster*.—I should like to ask Mr. Biggin if he knows in whose handwriting the promissory notes are?—*Witness*.—I do not know young Mr. Richardson's handwriting. It is a schoolboy hand, I think.

16618. Mr. WATERS, Q.C.—Did you hear on what bank the cheque was?—I did not, sir.

16619. Did you hear whose cheque it was?—I will not say, but I believe it was Mr. Leahy's cheque.

16620. You understood that Mr. Patrick Laffan was one of those who had been sent to Dublin. Did Mr. Leahy say so?—It is so long ago that I can't be positive; I think he did; but things have been so mixed up in my mind remaining here I am rather confused about it; but I think he said it was Patrick Laffan.

Mr. *Patrick Laffan* recalled; examined by Mr. WATERS, Q.C.

Mr. Patrick Laffan.

16621. Did you, Mr. Patrick Laffan, go to Dublin to get this money?—I did not go to get the £600 in Dublin. On the day I brought home the £600 this Mr. Joseph Richardson was at Abbeyview, so he certainly didn't bring it that day to the house.

16622. The evidence is that he brought it the day before?—[No answer.]

(Adjourned.)

EIGHTEENTH DAY.

SATURDAY, OCTOBER 23, 1869.

EIGHTEENTH DAY. *October* 23. Daniel Ferris.

Daniel Ferris sworn; examined by Mr. WATERS, Q.C.

16623. Mr. Ferris, you are a voter, I believe, in Cashel?—Yes, sir.

16624. For whom did you vote at the last election?—For Mr. Munster, sir.

16625. I believe you are in business?—Yes, sir.

16626. In what business?—In the drapery business, sir.

16627. Was your house sold a short time before the election?—No, sir; never sold.

16628. It was not?—No, sir.

16629. Was not yours one of the houses that Mr. Sturdy told us was sold?—The man next door, sir. Oh, yes, my house was sold and I bought it myself. I thought it was the election you meant. Oh, it was, sir.

16630. Your house belonged to Doctor Butler, I believe?—Yes, sir.

16631. How long before the election was it sold?—I believe about a month or something. I think it was in October—about that.

16632. May I ask what amount you paid for it?—£120, sir.

16633. Did you pay that entirely with your own money?—I did, sir.

16634. Did you get any assistance in making up the purchase money?—Well, I did, sir.

16635. From whom?—From a merchant in Dublin; he lent me a part of it.

16636. How much of it did he lend you?—Ninety pounds, sir.

16637. Who was the merchant?—Crowe Wilson, sir, Lower Bridge-street.

16638. Did you get any assistance towards paying the purchase money from anyone in Cashel?—No, sir.

EIGHTEENTH DAY.

October 23.

Daniel Ferris.

16639. Did you get any from Mr. Munster or any of his agents?—Not a penny, sir.

16640. For whom did you vote at the election of 1865?—Mr. Lanigan, sir.

16641. Were you canvassed at the last election by Mr. O'Beirne?—I was, sir.

16642. When?—Some time previous to the election; I can't exactly say when.

16643. What reply did you give him when he asked you for your vote?—I told him I would make no promise to anyone.

16644. That you would make no promise to anyone?—Yes, sir.

16645. Were you undecided then as to how you would vote?—Well, I was, sir.

16646. Did Mr. O'Beirne canvass you more than once?—Only once, sir.

16647. Did any other person canvass you on behalf of Mr. O'Beirne?—No, sir; Doctor Coyle was along with him the same day.

16648. Did anybody come to you on any other occasion?—No, sir; there did not.

16649. Were you canvassed on behalf of Mr. Munster?—Mr. Munster himself came to the door, and another gentleman in the carriage with him.

16650. When did he come to you?—Some time before the election.

16651. Was it before or after you were canvassed by Mr. O'Beirne?—I can't exactly say, sir, was it before or after.

16652. Did you promise Mr. Munster to vote for him when he called first?—I did not, sir.

16653. What did you say to him?—I told him my mind wasn't made up to vote yet.

16654. Who was with Mr. Munster when you were canvassed by him?—I forget now who he was, sir. I can't recollect his name, sir, though I know him; but I can't recollect his name.

16655. Well, then, your mind was not made up at the time how you would vote?—No, sir. I told Mr. Munster, says I, "I won't be against you." I said something to him to that effect, sir.

16656. Was that long before the election?—It was some time previous to the election; I can't say exactly the time, sir.

16657. Are you the father of Mr. Daniel Ferris, junior, who was examined here?—Yes, sir.

16658. Do you keep the same establishment?—No, sir.

16659. You have a place of your own, I suppose?—I have, sir.

16660. Is it the same sort of goods you deal in?—No, sir.

16661. Did you sell goods to Mr. Munster?—I did, sir.

16662. What class of goods were they?—Different sorts of goods in the drapery business.

16663. About what amount did you sell him?—I sold in all, sir, for the year, £54 11*s.* 8*d.*

16664. How much did you sell to him before the election?—Very little, sir.

16665. Was the great body of what you sold him sold since the election?—Since the election, sir.

16666. About how much did you sell to him previous to the election?—I have the book here, and can let you know. [Refers to his account-book, and hands it in.]

16667. About £22 worth before the election?—[No answer.]

16668. Now, Mr. Ferris, tell me, if you please, at once, candidly, what induced you to make up your mind to vote for Mr. Munster?—I considered he would be a good member for the service of the town.

16669. Did you receive any inducement of any kind to vote for him?—Not the least, sir.

16670. From him or from anyone on his behalf?—No promise from him nor no other person, sir. All the goods here, sir, were not bought presently by Mr. Munster.

16671. Did you receive any money to give to anyone else, Mr. Ferris?—Not one penny, sir.

16672. Did any person come to you, asking you to get money for them?—No, sir.

16673. You are aware that your son got £30?—I never heard a word of it until the day he was coming up to be examined.

16674. You had nothing then to say yourself to the election transactions?—No, sir.

16675. And you never asked any person whatsoever for any consideration for your vote?—I did not, sir.

Mr. *Thomas P. O'Connor*, of Laffana, sworn; examined by Mr. MOLLOY.

Mr. Thomas P. O'Connor.

16676. You are not a resident in Cashel?—No, sir; I am outside of it five or six miles.

16677. You are not an elector either?—Not of the borough of Cashel, but I am of the county.

16678. I suppose you took an active part in the election?—I did; I took an active part in the election.

16679. Did you stop in Cashel at that time?—I did.

16680. When did you come to stop for the purpose of the election?—I was very accidentally brought into it. I had no intention whatever of interfering in it, but that I had some business with Mr. Laffan's brother here (*i.e.* Mr. Michael J. Laffan; Mr. Patrick Laffan being present, and Mr. Michael J. Laffan absent) on the part of a friend. However, Captain Graham asked me if I had any objection to be introduced to Mr. O'Beirne. I stated that I had not. He introduced me to Mr. O'Beirne. Mr. O'Beirne wrote to me some evenings after that if I came in the evening to dine with him and address the people—he thought I had influence over the people who knew me in Cashel—that it would be of great service to him. I went in.

16681. How long before the election was that?—It was in October I think. I think it was on the 17th October.

16682. Then you were off and on in Cashel until the end of the election?—Until the end of the election.

16683. You had opportunities of observing what was going on in Cashel during the time that you were here?—Well, of course I had.

16684. Did you observe anything that led you to come to the conclusion that there were corrupt practices pursued here?—Well, yes.

16685. What were those matters that you saw?—Well, I saw what I considered to be a system of wholesale corruption and profligacy practised by the agents of Mr. Munster, which coerced me, from a sense of the duty that I owed to my country and to society, to write a strong leading article in designation of it in anticipation of the election. That I did in the interests of Mr. Munster himself, for I thought it my bounden duty to make him sensible that the only system by which he would be returned would be by a wholesale system of profligacy and corruption.

16686. For what journal did you write it?—For the *Tipperary Independent;* which leading article, I am sorry to say, was cowardly surrendered to Mr. Munster afterwards.

16687. At what time was it published?—It appeared on Saturday, the 24th October.

16688. That was shortly after Mr. Munster's arrival?—Mr. Munster arrived on the 16th October. I am perfectly sensible of that. It was, in fact, a remarkable epoch in my life.

16689. The corruption that you were sensible of must have occurred before the 24th October?—Yes. I looked on the establishment of the telegraph poles,

and the Christian Brothers, to be introduced for the purpose of manifesting the generosity of Mr. Munster. I considered it was a mere electioneering dodge, to give the people an idea of the immense wealth of Mr. Munster. I think it was the first step towards wholesale corruption.

16690. Was there anything else besides the construction of the telegraph and the donation for the Christian Brothers' school that you noticed?—I did. I saw myself abused by poor creatures here in Cashel that I knew had been corrupted—I believe have been corrupted by Mr. Munster's money and by his whiskey. All those things I brought into the leading article. I knew these people would have been grateful; even not to think of the sacrifices I made as a Poor Law Guardian, I lost my time in their interests. Up to that the poor creatures were very grateful; but the moment Mr. Munster came to town every means was resorted to to manifest their hate and hostility, and I knew that could only be secured by corruption and drunkenness. In fact, it was stated that porter and whiskey were flowing in puncheons like pump water in the streets of "the City of the Kings."

16691. Were there any particular persons who were active as the agents or in the interest of Mr. Munster; and did you see anything done by them?—Yes, I did. I saw Captain Byrne—Dudly Byrne, who had brought his influence to bear on me prior to this; and also Mr. Leahy. I saw an English gentleman there too, who, indeed, was a gentleman—Mr. Richardson; he stood out in bold relief to the remainder of the political vampires that preyed on the purse of Mr. Munster.

16692. Mr. WATERS, Q.C.—Mr. O'Connor, it will not do to give us generalities of this kind. If you have anything specific to tell us, you must apply yourself to it?—If you put any questions I will answer them.

16693. Mr. MOLLOY.—What did you observe on the part of Mr. Leahy and Mr. Dudly Byrne that led you to believe they were engaged in corruption?—I saw them going here and there, night and day, which gave me grounds to suspect that they were pursuing an illegitimate course.

16694. Is it from merely seeing that they were actively engaged you would infer they were pursuing corrupt practices?—I had grounds; but the effect of the drink was required. I saw a system of wholesale drunkenness pursued.

16695. With reference to those two gentlemen, have you observed anything in their conduct at the election except that they were actively engaged for Mr. Munster?—Nothing; but I thought you asked me for my suspicions.

16696. You spoke of Mr. Dudly Byrne bringing his influence to bear on you?—Yes. He sent for me to the hotel where I was stopping by a man named Beary, I think. There were two or three gentlemen with me when the messenger told me that Captain Byrne wanted to see me at Corcoran's hotel. Some of the gentlemen had an objection I should go. I said "I will go; don't fancy that Mr. Munster's money will corrupt me." This was late on the evening Mr. Munster came to town. Mr. Dudly Byrne brought all the influence he could to bear on me to go to the side of Mr. Munster.

16697. What sort of influence did he endeavour to exercise?—He said after I refusing several times. I said I couldn't be influenced; that my mind was made up; that I had discussed the merits and demerits of the candidates, and that no influence on his part, or any other, could induce me to sustain Mr. Munster. He called me outside, and said if I did so they would make it worth my while.

16698. Who said that?—Captain Dudly Byrne.

16699. He called you out of the room?—He took me out of the room, and on to the lobby outside. Said he, "You will go on with us?"

16700. That was in Corcoran's hotel?—In Corcoran's hotel. "No," said I, "no influence will induce me." "Well," said he "we will make it worth your while." "All Mr. Munster's money," said I, "would not make it worth my while."

16701. There were persons present in the room when he took you out?—Yes.

16702. But there was no person on the lobby?—No.

16703. You were actively engaged on Mr. O'Beirne's behalf?—I was. He got an unselfish, and what I considered to be a national support from me.

16704. You gave orders for refreshments to be supplied to voters?—I am not aware that I did.

16705. Did you not order a breakfast at Miss O'Dwyer's?—I may have done so, but I don't perfectly recollect it. I recollect the night we were there, which was the night previous to the election. Mr. O'Beirne had gone. He was there in the evening after dinner. There was a subscription dinner. I myself offered to pay five shillings to that man there, and he refused it.

16706. It was a subscription dinner?—A subscription dinner.

16707. There was a breakfast the next morning, I believe?—The men were fatigued after the night, and Mr. O'Beirne gave instructions, I think, to some persons that the men should not be drunk at the poll—to keep them from drinking—that the deputy sheriff might object to their votes, if they came in a state of drunkenness. But the men were fatigued; they remained at the hotel, and somebody was keeping them there, for I saw some of Mr. Munster's agents often come into the room.

16708. Mr. GRIFFIN.—During the night?—During the night; yes.

16709. Mr. MOLLOY.—What about ordering breakfast in the morning?—I didn't order it for the men. If a man wanted his breakfast, I may have ordered it.

16710. Mr. WATERS.—It is not what you may have done we want you to tell us, but did you?—I have some sort of vague idea that I did.

16711. If Miss O'Dwyer swore that you ordered it for all the men, would it be true?—I would believe anything Miss O'Dwyer would swear.

16712. And if you incurred the liability for a number of men?—Ready to discharge it to the whole amount.

16713. Listen to me. If you incurred such liability, is it a thing that would fade away from your recollection?—Yes, because my mind was so harassed and occupied at the time, that really, as it was a minor matter, it didn't impress itself so deeply on my mind.

16714. What harassed your mind at the time?—I was so anxious for Mr. O'Beirne's return, at seeing the tide of corruption that we were all to stem.

16715. Did you see any drinking at Miss O'Dwyer's the night before?—I did not.

16716. You said something about the men going up to the poll drunk?—Yes; that Mr. OBeirne gave instructions they should not be drunk.

16717. Did that arise from the probability that it would be the case?—In a hotel with a spirit store attached to it the men might have attempted to purchase whiskey from Miss O'Dwyer.

16718. Did I not understand you to say that Captain Dudly Byrne called you out, and said he would make it worth your while to join his party?—Did he ask you to do anything illegal?—Oh, no; most certainly not.

16719. He merely wanted to gain your influence as an agent for Mr. Munster?—Quite so.

16720. Do you know anything of any specific act of corruption, because those general statements cannot influence us very much, or be of any use, except to lead to further inquiry? Do you know of any specific act of corruption?—Not more than you do, sir. If there were anything of that sort I would take very good care I shouldn't come into contact with it. Mr. O'Beirne got my support in a friendly way.

16721. Do you know of any money expended by Mr. O'Beirne at all?—No, sir. I couldn't tell you about a single act of Mr. O'Beirne's in that sort of way.

16722. You do not know of a single payment made by Mr. O'Beirne to anyone?—No; I don't know of a single payment made by Mr. O'Beirne to anyone.

EIGHTEENTH DAY.

October 23.

Mr. Thomas P. O'Connor.

16723. Could it happen that you had seen cheques of Mr. O'Beirnes' although you do not know that he gave them?—Well, I saw a cheque-book of Mr. O'Beirne's.

16724. What I asked you was—did you see cheques?—Well, I saw cheques. I did see cheques.

16725. Where did you see them?—I saw them at Mrs. Dunne's with Mr. O'Beirne.

16726. Did you see them with any other person than Mr. O'Beirne?—Well, I saw one man, I think, get a cheque.

16727. What was his name?—I think it was Tracy's cheque.

16728. Anybody else?—No, sir. I distinctly recollect seeing Tracy get a cheque, but I have no recollection of seeing anybody else. I happened to be there at the time.

16729. Did you hear what Tracy got the cheque for?—No. I never interfered in any of their conversations.

16730. A man may hear a thing without interfering in a conversation. A great many persons hear you now although they are not interfering in the conversation at all?—I know, but this is a public court.

16731. I instance it to show that you might, when you were in Dunne's hotel, hear things without interfering in the conversation. Did you hear it or not?—I didn't hear it. I always presumed that persons had private business to settle, and always turned my back to them.

16732. Then the only cheque you saw was that one of Tracy's?—That is the only one. I have no recollection of any other connected with any individual.

16733. Have you an indistinct recollection of seeing others?—I have not even an indistinct recollection.

(Mr. Munster hands in questions.)

16734. Who came into the room, Mr. Munster wishes to know, at Miss O'Dwyer's, as an agent of Mr. Munster?—Well, I don't swear that anyone came into the room at all. I saw a person coming into the room that I was led to believe came to influence one of the voters in the room.

16735. Who was that?—It was the wife of a man named Moloney, I think.

16736. Then it was the wife that came to influence her husband?—So I was told.

16737. You surely do not consider that an improper influence?—I was told it was.

16738. Are you a married man yourself?—I am, but——

16739. Would you allow your wife to influence you in any matter?—I would, certainly. I think it is very proper; but I would not allow my wife to corruptly influence me if I had my mind made up. Besides her interference would be most unjustifiable.

16740. You did not hear this gentleman's wife making any corrupt proposal?—No, but I heard it—it may be a slander on her character.

16741. Are you aware that it was not on some domestic matter she came there to her husband? Perhaps it was to look after him, and to see that he did not drink too much there?—It may be so.

16742. Why did you go to Corcoran's hotel that day that you told us of? Did you not know that it was Mr. Munster's head-quarters?—I was just going in. I went for the purpose of seeing Mr. Laffan's brother on another matter entirely outside the election, and I had not the remotest idea of going in there. That is how I met those gentlemen.

16743. Mr. WATERS, Q.C.—The limits of this inquiry are wide enough without our extending them by going into what you suggest here, Mr. Munster.

Captain *Dudly Byrne* was called but did not appear.

JohnUniacke.

John Uniacke recalled; examined by Mr. WATERS, Q.C.

16744. You went, some days ago, to Mr. Dudly Byrne's residence, and served him, at his own place, with a summons to attend here, where he was amongst his workmen?—I did.

16745. Have you gone there since then?—Yes, I have.

16746. When did you go there the last time?—Ere last night.

16747. Did you then leave a summons there for him?—Yes, I left it to his son.

16748. At his house?—Yes.

16749. Did you serve the summons at his house by leaving it with his son?—Yes.

16750. Mr. WATERS, Q.C.—Captain Dudly Byrne was summoned here, and appeared here, and asked my permission to go away on the ground of some business that required his attention. I gave it to him on the distinct understanding that he would return here when he was written for. I foolishly yielded to a desire to convenience witnesses as far as possible. I regret very much that I did so in Captain Dudly Byrne's case. If he does not appear here on Monday morning, he will learn to his cost that, by permitting him to go, we did not relieve him from his obligation to attend here. I say this on the chance that it may reach him—I do not know whether it will or not—through the press or otherwise.

Mr. *Munster*.—I think I communicated to you a letter I received from Captain Byrne, sir?

16751. Mr. WATERS, Q.C.—You did.

Mr. Henry Munster.

Mr. *Henry Munster* recalled; examined by Mr. WATERS, Q.C.

16752. Now, if you desire to add anything I will hear you.—Part of the matters on which I have to touch will depend, and I think should be preceded by some questions which I desire to put to Mr. Michael Laffan and to Mr. Patrick Laffan. With regard to the other portions of the things that I have to say, I should not like to say them except in the presence of Mr. Michael Laffan, because as they may to a certain extent affect him, I think it is only right and proper that he should hear every syllable I say, with the view of putting such questions as may seem proper. Unfortunately, I believe he is engaged on professional business in Tipperary to-day, but possibly he may be here to-morrow.

16753. Would you wish to reserve anything you have to say until Monday?—On those points. I have a good many matters to enter into.

16754. It would be convenient to do the whole thing together?—No doubt it would.

16755. And if you prefer to reserve what you have to say until Monday we will be happy to facilitate you. We accede entirely, not only to the reasonableness of your request, but also to the prudence of it?—And the fairness of it?

16756. And the fairness of it?—Very difficult questions will lie between me and Mr. Laffan.

16757. We expect to finish this inquiry so far as we can at present. Mr. Leahy's absence will prevent us from finishing it entirely. We shall be obliged to adjourn to such a time as will give Mr. Leahy an opportunity of appearing here. I do not expect Mr. Leahy himself here on Monday. I do not know what to expect about Captain Dudly Byrne. If both of these gentlemen are absent on Monday I think we

shall close the inquiry so far as we can. Unless we hear them on Monday, you must be prepared to go on whether Mr. Laffan is here or not.—I can have no objection. That is to a certain extent in my favour. But I should like Mr. Laffan to have notice. I think it is only right; he ought to have it.

16758. That is very fair and considerate on your part, and as Mr. Laffan's brother is here he can undertake the duty of letting him know the arrangement.—I will let him know. Though we have had storms they are not such as altogether to disturb our relations. I will write and inform him of it myself.

16759. If he attends on Monday we will hear him.—How late do you intend to sit to-day?

16760. Until four o'clock if we have witnesses to go on. We expected that a considerable portion of the day would be taken up by your evidence.—With regard to Mr. Patrick Laffan there are questions I must ask him. If you are short of witnesses I shall prepare them for you.

16761. If you please.—With regard to that matter I think I might at once put in a considerable correspondence between Mr. Michael Laffan and myself.

16762. Very well. You had better give it to us, and we shall read it against Monday morning.—With regard to one matter, I shall have to divide the observations I may be permitted to make into several heads, corresponding to several matters which have come out. For instance, Mr. Boyton's house, Dr. Cormack's loan, the engagement with Mr. Close, and various matters, small and large. Some of those I think will be material—the affair of that woman Hackett. Those heads I have not yet all collected. For instance, with regard to Mr. Boyton.

16763. If it would be convenient to you, Mr. Munster—if you can without trouble do it, let us know upon what different matters you wish to give evidence. Some of these, perhaps, we may save you the trouble of saying anything about?—Of course I can reject nothing *prima facie* that has been said here. [Witness hands in agreement between himself and Mr. Close, Mr. Michael J. Laffan's bill of costs of the petition, and a correspondence between himself and Mr. Michael J. Laffan.] There is one small matter I would wish to correct. You will remember, sir, perhaps, examining me as to the expression "private banker" in my letter to the Archbishop?

16764. Private cheque book?—Private cheque book. Thereupon you asked me the question whether I had another cheque book with me that day at Thurles.

16765. Yes, I recollect?—And I said I did not think I had. But since that I have recollected that that answer of mine was no doubt wrong, because I gave twenty pounds to the library of the college that day, and I have no doubt on my own mind—though not having my accounts—that I gave this cheque probably on the National Bank here. I do not know the fact, but I suspect it to be so. I have neither my pass-book nor my counterfoils. I believe they are all in.

16766. Oh, you can get them?—I only thought of it the day before yesterday.

16767. Now, Mr. Munster, you shall have the books to examine and satisfy yourself on that point, but I really thought it was most likely you had not a cheque book with you, for if you had a cheque book and paid twenty pounds, why would you not have given the cheque for the hundred pounds out of the same cheque book?—I do not see any reason by which I should not give the £100 to the cathedral as well as the £20 to the college.

16768. Quite so?—For they were exactly in the same category. I had no more reason, I say here on my oath, to keep one more secret than the other. There is another matter that I wish to allude to. With regard to the man Thomas O'Donnell, No. 6, Main-street. As to the deed of purchase which I believe was put in—I have not seen it—I wish to state this, that my recollection is that letters have passed between us.

16769. Donnell, not O'Donnell?—O'Donnell, I think.

16770. No; he does not rejoice in the O. I suppose you naturally may consider that every man here ought to have an O?—No; I do not.

16771. Donnell is what he calls himself on the register?—My recollection is that letters have passed between him and me. He came constantly fidgetting about me, apparently fishing for something. I really didn't know his object, but it turned out at last that he seemed anxious not to be evicted. I believe letters passed between him and me that give him a pre-emption of four or five years, and a right to buy it.

16772. So you have stated?—I didn't know that I had stated it; but at all events, whether it is a valid engagement in law or not, I consider myself bound in honour, from what passed between him and me, to give it to him.

William Neill, of Attyket, sworn; examined by Mr. GRIFFIN.

16773. You are not a voter?—No, sir.

16774. What relation are you to William Neill the voter?—First cousin, sir.

16775. Are you son of Jeremiah Neill?—Yes, sir.

16776. Were you once in Corcoran's hotel talking to Mr. Laffan?—I was, sir.

16777. Was it you that came to speak to him on the part of some men about what they would get for voting for Mr. Munster?—No, sir.

16778. Had you any conversation of that kind with him?—I don't recollect, sir.

16779. Were you present at any conversation of that kind?—No, sir.

16780. What took you to Corcoran's when you went there?—In search of some of my neighbours.

16781. Did you go in with anybody?—No, sir.

16782. Whom did you go in search of?—Cousins of mine, sir.

16783. Were you present at a conversation between Mr. Laffan and them about voting for Mr. Munster?—Is it between my cousins and Mr. Laffan?

16784. Yes?—I was not, sir.

16785. Did your cousins tell you anything about their having told Mr. Laffan they would vote for Mr. Munster for £100 a head?—I heard something about it.

16786. What did you hear about it? Mr. Laffan wanted to know what would please them?—He said £100.

16787. Your cousin said that?—Yes.

16788. And he told you that after the conversation?—Yes, sir.

16789. After the conversation he told you that that occurred?—Yes, sir.

16790. They voted afterwards for Mr. O'Beirne?—Yes.

16791. Did you hear whether they got anything from Mr. O'Beirne?—No, sir.

16792. Did you hear that they were promised anything?—No, sir.

16793. Were you employed yourself at the election?—I was, sir.

16794. By whom were you employed?—Mr. Michael Laffan, sir.

16795. What did you get?—Ten guineas, sir.

16796. What did you get it for?—Gor, I could not account for it.

16797. Was it Mr. Michael Laffan that engaged you?—It was, sir.

16798. Where did your engagement take place?—In Corcoran's hotel.

16799. What took you to Corcoran's hotel—did he

EIGHTEENTH DAY.

October 23.

William Neill.

send for you?—No, sir; I went in in search of some of my neighbours.

16800. Was it on that occasion?—Yes, sir.

16801. What did he say when he was engaging you?—He told me to be of some use to him—to be useful to him.

16802. Did he offer you the engagement, or did you ask it?—No, sir; he offered me the engagement.

16803. Did he say anything about your relations having votes?—No, sir.

16804. Did he say you ought to be able to influence your uncle, and persons that had votes?—He didn't.

16805. Did he ask you to canvass them?—He did: to keep themselves together from pledging themselves to Mr. O'Beirne.

16806. To keep them together from pledging themselves?—To keep them disengaged for a considerable time.

16807. Mr. Munster was in Cashel at that time?—He was, sir.

16808. And did he only ask you to keep them disengaged?—That was all, sir.

16809. Were they unpledged at that time?—They were, sir.

16810. They were not promised at that time?—I think not, sir.

16811. When did they make up their minds to vote for Mr. O'Beirne?—I could not say. Some time previous to the election, sir.

16812. Was it after you were engaged?—Yes, sir.

16813. Then they were not promised to Mr. O'Beirne at the time they spoke to Mr. Laffan?—No, sir.

16814. Did Mr. Laffan say whether he would give them anything?—He did not, sir.

16815. They asked for £100?—Yes, sir.

16816. Did they tell you why they voted for Mr. O'Beirne?—Well, they did, sir. They went for him in '65, and supported him, and they said they would support him again.

16817. Did you hear of their getting anything in '65 for supporting him?—I did not.

16818. Did you hear of passing bills?—I hear talk of that, sir.

16819. Which of them did you hear pass bills?—I couldn't say, sir, one above another.

16820. Did you hear that your uncle passed one?—I did not, sir.

16821. Did you hear that some of your own relations passed bills?—No, sir.

16822. You live on the Commons?—Yes, sir.

16823. Did you get ten guineas?—Yes, sir.

16824. Did he tell you you would have much to do when he engaged you?—He did not, sir.

16825. Did he say you would not have much to do?—He did not say either, sir.

16826. Mr. MOLLOY.—When you got the ten guineas was there anything said about your relatives or friends that had votes?—No, indeed, sir, not a word.

Richard Donnell.

Richard Donnell, sworn; examined by Mr. WATERS, Q.C.

16827. Mr. Donnell, I believe you are father-in-law of Mr. James Carroll—he is a voter?—He is, sir.

16828. For whom did he vote at the last election?—Mr. Munster, sir.

16829. Do you know who canvassed him for his vote?—Well, I think he was only canvassed on one occasion.

16830. Who was it that canvassed him then?—I think it was Mr. Michael Laffan; he only spoke to him in passing by.

16831. Were you paid money by Mr. Munster, or any of his agents?—I was, sir.

16832. How much?—Ten Pounds, sir.

16833. Only £10?—Yes, sir.

16834. Who paid you the £10?—Mr. Patrick Laffan, sir.

16835. Where did Mr. Patrick Laffan pay it to you?—At Corcoran's hotel, sir.

16836. When did he pay it to you?—Some time in November, sir.

16837. Did he pay it to you all in one sum?—Yes, sir.

16838. What did he pay it to you for?—For my services.

16839. What were you doing for him?—I was employed at Abbeyview House.

16840. And was it for the work at Abbeyview that you were paid at Corcoran's hotel?—It was, sir.

16841. Who told you to go to Mr. Patrick Laffan, and ask him for money?—No one, but myself, sir.

16842. Why did you not ask Mr. Munster?—I never applied to Mr. Munster.

16843. You say you were employed at Abbeyview at Mr. Munster's residence?—Yes, sir.

16844. What were you doing there?—Previous to Mr. Munster coming there the place was out of order, and the avenue there wanted to be repaired, and I had twelve or thirteen men for a few days, and when the work was done they were reduced down to five or six. Then six men remained on until January.

16845. Well, what were they doing all the time?—Attending the gates—keeping the place free from any person going through. There were two gates to the place—a back gate and a front one.

16846. Did you never get more than £10?—That is all, sir.

16847. Now, are you quite sure of that?—I am positive of it, sir.

16848. Did you, for any purpose, receive more than £10?—Never, sir, a shilling for any purpose.

16849. Do you say it was for work? Now, are you quite sure you never got more than the £10?—I am positive sure of it, sir.

16850. I have already asked you if you have got other money on any account?—On any account, sir, I never asked any money. I asked, and I spoke of being paid.

16851. How long were you employed?—From the 14th October to the 20th January next year, sir.

16852. And you say you never asked?—You asked me if I ever asked for anything. I did not, but I sent in a claim.

16853. What did you send in a claim for?—Forty pounds.

16854. For what did you send in that claim for £40?—For my services at the time, sir.

16855. Were you satisfied with the £10?—I was not, sir.

16856. Had you ever asked for more than the £10?—I asked on one or two occasions. I think I spoke to Mr. Biggin at one time could he tell me when would the bills be paid.

16857. Whom did you ask?—Mr. Biggin, I think, on one occasion.

16858. Did you ask Mr. Munster?—Never.

16859. Did you think this money fairly due to you for your labour?—I did, sir.

16860. Why did you not go to Mr. Munster and say, "You got my labour and I have only got £10. I ought to be paid £40?"—I see no person applying to Mr. Munster.

16861. Do you not think Mr. Munster was paying his baker's and butcher's bills in Cashel?—I do, sir.

16862. Did you not think he was inclined to pay every man that worked for him?—I know he was, sir.

16863. Then why, if this was an honest claim, did you not go to him?—I did not go to him, sir.

16864. I have asked you had you got more than £10 on any occasion?—Never, sir.

Mr. *Patrick Laffan* recalled by Mr. WATERS, Q.C.

16865. I see Donnell's name here. Did you pay him more than £10?—Yes, I paid him more than £10, but the money was not for him.

Richard Donnell's examination resumed by Mr. WATERS, Q.C.

16866. I asked you did you get more money on any account whatever?—I did not understand that, sir.

16867. Do you understand the English language?—I do, sir.

16868. Did you hear me repeat the question three or four different times?—Oh, I got money from Miss Ade to pay the men.

16869. How much?—I got money on two occasions from Mr. Laffan, and then they came to the conclusion that the men should be paid at Abbeyview for the work done there. Then I applied to Miss Sterne from that out, sir.

16870. Had you any conversation with your father-in-law as to his vote?—Never, sir.

16871. You never asked him?—I never asked him.

16872. Do you live in the house with him?—I do, sir.

16873. Do you say you never had a conversation with him?—I may have a conversation with him different times.

16874. Did you speak to him about his vote?—I don't think I ever spoke to him about his vote, sir.

16875. You say you live in the house with your father-in-law?—I do, sir.

16876. And you never had a conversation with him about his vote?—Never, sir.

16877. Is that your evidence—that you never had a conversation with your father-in-law as to how he would vote?—It is, sir. I knew how he would vote.

16878. How did you know it?—He always told me he would vote for Mr. Munster, and give it to Mr. Laffan.

16879. Mr. MOLLOY.—Do you think that, by the employment you had, you earned £40?—I do, sir.

16880. How much do you rate your services at for a year?—I don't know, sir. I am in a dealing business.

16881. How much do you think your employment would be worth for a year?—I couldn't tell you, sir.

16882. How much would you have the conscience to ask Mr. Munster?—I think it was very fair to ask it.

16883. How much for twelve months acting as steward?—I attended late and early, sir.

16884. Well, giving your time for twelve months as a steward?—[No answer.]

16885. Mr. WATERS, Q.C.—Do you say it was for your services at Abbeyview that you claimed the money?—Yes; for nothing else, sir.

16886. Is that your handwriting? [Is handed document.]—It is mine, sir.

16887. Read it now?—"Henry Munster, Esq., to Richard Donnell, for past services at the late election, being engaged at the late election at Abbeyview."

16888. Give it to me. [Witness hands it in.] Now you read "Abbeyview" from this?—Yes, sir.

16889. Are you sure it is here?—I think it is, sir.

16890. "Henry Munster, Esq., to Richard Donnell, for past services at the late election, being engaged since the 14th October last, up to the election time, £30." Now, sir, where is Abbeyview in it?—Well, I might make a mistake.

16891. Are you able to read?—I am, sir; but I might be a little nervous.

16892. Did you swear now that it was for your stewardship at Abbeyview that you were paid the £30?—I did, sir.

16893. Is that true?—At Abbeyview, sir, I had nothing to do with the election at all. It was for services at Abbeyview.

16894. You had nothing at all to do with the election, except that your father-in-law voted for Mr. Munster?—I was at Abbeyview.

16895. Tell me the truth if you can. Was that £30 intended for your father-in-law?—It was not, sir.

[Mr. *Munster*.—May I ask him whether, as a rule, it was not the case that I did not pay anyone? He would ask Miss Sterne, and she would, for instance, send him to Mr. Patrick Laffan. Ask him who engaged him.]

16896. Who engaged you?—Mr. Patrick Laffan, sir.

16897. Had you any conversation with your father in-law about sending in that claim?—I had not, sir.

16898. Mr. GRIFFIN.—Had you with anybody?—No, sir.

16899. Did you ever speak to Mr. Michael Laffan about it?—I told him I would send in a claim.

16900. That you had sent it in?—That I would send it in, sir.

James Carroll sworn; examined by Mr. WATERS, Q.C.

16901. You voted at the last election for Mr. Munster?—I did, your honour.

16902. Do you know that Richard Donnell sent in a claim for £30?—I didn't know he sent it in until after he sent it in, and then I heard that he sent in a claim.

16903. Did he tell you that he had sent in one?—Yes, I heard him say.

16904. For what did he say he had sent it in?—For his services.

16905. For what services?—For services that he had done at Abbeyview.

16906. Did you hear that it was for the election he claimed it?—I didn't.

16907. Had you any conversation with him as to how you were going to vote?—I never told him that I would vote until I came to settle my mind and conscience.

16908. Until you came to settle your mind and conscience?—Until I settled it myself.

16909. How did you settle your conscience then?—I'll tell you, your honour, that the character I received by Mr. Munster coming to the town, and what I had seen done by charity; and also I read in the newspapers occasionally, is another motive that I would not give my vote to Mr. O'Beirne since the time of Lanigan.

16910. Was your conscienee settled before your son-in-law was employed for Mr. Munster?—It was not, sir.

16911. And it was a great soothing to your conscience when you found him employed?—Sure of course I could not say that it would be against me conscience, any man that was employed in being connected with me.

16912. But would it not be against your conscience to vote against the man that employed your son-in-law?—Certainly, if I did go against him.

16913. But you would not go against him?—If he didn't bear the character of a good man, of course I wouldn't.

16914. Would you vote against the man who employed your son-in-law?—I didn't make up my mind to vote for either, until I had settled my conscience.

16915. You told me you would not vote for Mr. O'Beirne at all?—Certainly I would not at any time since Lanigan's business.

EIGHTEENTH DAY.

October 23.

James Carroll.

16916. Was it so hard then to settle your conscience in Mr. Munster's favour?—Of course when I came to settle it no change took place.

16917. Were you canvassed for Mr. Munster?—I was.

16918. Nobody offended you by offering you money?—No, I was never promised a farthing for my vote under any circumstances.

16919. Would you take £30 from Mr. Munster a month after you voted?—No, I might take it after I would vote. I don't at all doubt I would take it, but if I took it before the vote I say it may interfere with my conscience. If it came the way from Mr. Munster himself, I say positively I would take it; but I wouldn't take it in a dark room.

16920. Then nothing would have induced you to see Mr. Larkin in the room where he was sitting?—No; and I discharged myself from everything connected with money.

16921. But after the election you would not be afraid to go into the dark room?—After the election! Oh, of course, sir, I would not go next or nigh this place at all where I would find any corruption or anything that is against the law.

16922. If Richard Donnell got this £30, I dare say you would have got some of it?—I wouldn't take it.

16923. After the election?—Oh, after the election. I thought it was what you meant before it.

16924. Oh no?—I said that positively if it came from Mr. Munster to me, and that it came to his knowledge I would take it. That is the word.

16925. If Richard Donnell was paid that £30 last Monday, would you take some of it?—For his services?

16926. Yes, at the election. No doubt you would have got some of it?—I didn't interfere with him to look for it, because he has business of his own to attend, and I didn't demand it. I have some business of my own. I keep some trifle of a dealing of my own, retailing hay.

16927. Mr. MOLLOY.—What answer did you give Mr. Munster when he canvassed you?—He came to my door, and I disrecollect if he asked the vote of me at all. I went into the carriage to him, and there were words passed I could not recollect.

16928. Were you sitting inside in the carriage?—I did.

16929. What did you tell him?—I didn't tell him nothing about my vote.

16930. Had you settled your conscience at that time?—I didn't. I'll tell you the time I settled my conscience. After Mr. O'Beirne canvassed me, I then said to myself, in a few days, I settled my conscience the way they wouldn't be troubling me, for when I was determined not to take any money I said they may be troubling me and tempting me with it. So that is my clear declaration.

16931. Mr. GRIFFIN.—Is what you mean by "settling your conscience," making up your mind not to take money?—What do that mean?

16932. You mean by "settling your conscience," making up your mind not to take money?—I'll tell you the very reason of it. There should be, you see, I consider, a restitution for taking anything unlawful or against the law, or against the conscience, and I think when 'tis laid on my back in the latter end of my days going. I always lived by industry, and that is the character I suppose that I would get in Cashel, for this forty-one years. Nothing to be laid to my charge. I suppose it didn't turn up against me here.

Mr. John Ryan.

Mr. *John Ryan* of John-street, sworn; examined by Mr. MOLLOY.

16933. How long have you been an elector of Cashel?—I declare I could not tell you. I suppose for the last fifteen or twenty years.

16934. You did not vote at the last election?—I did not.

16935. Did you vote in '65?—Yes, sir, I did.

16936. For whom did you vote then?—For Mr. Lanigan.

16937. And in '59 also?—Yes, I should think so. I know I voted for him on two occasions.

16938. Were you canvassed at the last election?—I was, by Mr. O'Beirne.

16939. How long before the election were you canvassed?—I could not exactly say; some few days. I know the crowd were going around with him at the time, and some people in the crowd remarked, "John Ryan will vote honestly," and my answer to that was, "no doubt, I will vote honestly; I never sold my vote; I never voted for money."

16940. Were you canvassed any other time on Mr. O'Beirne's side?—No, I have no recollection. I suppose I was in '65.

16941. Were you at the last election?—No.

16942. Were you canvassed on Mr. Munster's side?—Never by Mr. Munster, or any person from him.

16943. Or by any of his agents?—Not one, indeed—not one.

16944. Why would you not vote for Mr. O'Beirne?—I will tell you the reason why. I would not vote for Mr. O'Beirne because I think that it was both himself and Mr. Johnson that were the primary cause of bribery in this unfortunate borough, and I could not vote for him for any consideration on that account.

16945. Was the cause of corruption in '65?—Yes.

16946. And why did you not vote for Mr. Munster?—Because I was not asked; and another thing, I would not vote for him.

16947. If he asked you?—Yes.

17948. Why?—There was money, I heard, lodged in the bank. I came to the conclusion that was not lodged there for a pure purpose. That is the opinion I came to, and that I would not be a party to such a thing, and I would not connect myself, directly or indirectly, with anything in the nature of bribery; and therefore I kept away from all their elections.

16949. We were told of a conversation you had with Father John Ryan, in which you expressed your opinion that it was bribery in disguise, to put forward charity as the motive for giving donations for charitable objects by a candidate before any election?—I have no recollection as to the exact words that have passed between the Rev. Mr. Ryan and myself; but I have not the least doubt that Father Ryan's memory may be better than mine. But this is one thing I said: I am of opinion that I thought that the money was lodged for the purpose of the election, and to establish the character of a charitable man, that, therefore, he might have a strong claim on Cashel.

16950. Do you recollect mentioning that the subscription to this charity was put forward as a ground for supporting Mr. Munster?—My answer to that is, that I came to the determination, resolution—conclusion, that this money was lodged to establish a character with Cashel as that of a charitable man, that he might endeavour so to get support.

16951. What money do you refer to?—You are referring to the £500 lodged for the Christian Brothers.

16952. Yes. Is it the same that you are referring to?—Yes; that is the view I took of it. Of course every man is at liberty to form his own opinions.

16953. Besides the money being lodged, was the fact of this donation put forward as a ground for supporting Mr. Munster by any person?—Oh, I should think not. I don't know that it was.

16954. Mr. WATERS, Q.C.—Do you quite understand the question? Did you hear persons say that Mr. Munster ought to be supported because he gave this money?—No, I didn't. That only proves that I didn't think it was right, because there were several persons I met, and matters put forward of men that didn't vote for him or vote at all. I myself remained away and didn't vote at all.

Mr. John Ryan.

16955. Then you did not hear it put forward—I do not mean by Mr. Munster himself, but by anyone?—Why they should support him in consequence of this money?

16956. Yes?—I did not.

Mr. *Munster*.—I should like to ask if his opinion would be modified if he learned that that particular sum was only one, and that it was not an unusual thing to do.

Mr. Waters, Q.C.—We do not ask Mr. Ryan his opinion at all.

Mr. *Munster*.—He gave it to you.

16957. Mr. Waters, Q.C.—We asked Mr. Ryan because it was said that it was put forward as a ground of preference; but we have not been influenced by any person's opinion. However, I will put the question for you. Would your opinion be modified if you knew that the gentleman who gave large donations of that kind was in the habit of giving such charities? Would your opinion as to his motives in giving be modified or altered by knowing that the gentleman was in the habit of giving large donations?—It would not induce me one iota to vote for him—not a bit.

16958. Do you think he ought to withhold those donations at that particular time?—I think it would be vastly better, I think that.

Patrick Hickie.

Patrick Hickie sworn; examined by Mr. Griffin.

16959. Your father is a voter?—Yes, sir.

16960. For whom did he vote at the last election?—For Mr. O'Beirne, sir.

16961. Had he a vote in 1865?—He had, sir.

16962. For whom did he vote then?—Mr. Lanigan, sir.

16963. Do you know did he get any consideration for his vote the last time?—I know he didn't, sir.

16964. Who canvassed him?—I can't know, sir. I'm not living with him.

16965. Were you engaged in anyway, at the last election?—No, sir.

16966. Had you a brother engaged?—No, sir; I have no brother.

16967. Do you know any man of your name that was engaged?—No, sir, I don't

16968. Mr. Waters, Q.C.—Did you ever send in a claim for any money?—Wisha indeed I didn't, sir.

16969. Mr. Molloy.—Or any of your brothers?—I have no brothers, sir.

William Cashen, jun.

William Cashen, junior, sworn; examined by Mr. Molloy.

16970. Were you engaged in anyway at the last election?—I was, sir.

16971. For whom were you engaged?—For Mr. O'Beirne, sir.

16972. How were you engaged for him?—I was engaged going through the Commons. I was employed for I was reared in the place, and I knew the place out there.

16973. When were you engaged?—I didn't take neither day nor date of the time.

16974. How long before the election in Cashel, was it when you were engaged?—I suppose about a few days, sir.

16975. Who engaged you?—Mr. O'Beirne, sir.

16976. Did he send for you?—Well, no sir; I went to him myself, sir.

16977. What brought you to him?—I wanted to get some employment from him, sir.

16978. What did you say to him when you applied to him?—I said I would do all I could for him, in the line of watching Mr. Munster and his party.

16979. Did you tell him that you were William Cashen?—Yes; I did, sir.

16980. And that your father would vote for him?—No, sir.

16981. What did you say to him?—I said that if I could I would make him vote for him.

16982. For whom did your father vote in 1865?—For Mr. O'Beirne, sir.

16983. Did he get anything for voting for him in 1865?—I can't tell you, sir.

16984. Did he sign a bill?—I couldn't tell you that, sir. I heard talks of it. I know no more than that; I don't know about it.

16985. Did you hear your father talking about it?—No; but I hear other people.

16986. How much was the bill for?—I couldn't tell you.

16987. How much were you to get for your services?—I got only £10 or £11. I made no agreement, sir.

16988. Who paid you the £10 or £11?—Mr. O'Beirne gave me £4 or £5, and I think the valet or some person, gave me the remainder.

16989. Mr. Waters, Q.C.—Who do you say gave you the remainder?—The valet, I think, sir.

16990. Mr. Molloy.—How much more were you to get?—I couldn't tell you, sir.

16991. When did your father make up his mind to vote for Mr. O'Beirne at the last election?—By gor, he had his mind made up a long time.

16992. Why did you not tell that to Mr. O'Beirne?—I wouldn't tell him, for if he knew it he wouldn't have me employed.

16993. Did you not tell me that you told Mr. O'Beirne you would make your father vote for him if you could? Did you not say that you would make your father vote for him if you could?—I said that, sir—that is, if I could.

16994. Your father had his mind made up to vote for Mr. O'Beirne then?—He had, sir.

16995. Mr. Waters, Q.C.—Did you tell your father that you were engaged by Mr. O'Beirne?—I did, sir.

16996. Did you tell him how much you expected to get?—I did not, sir.

16997. Tell us how much you were to get?—I don't know that myself, sir.

16998. You had no talk with anyone about how much you were to get?—No, sir.

16999. Which was it, thirty pounds or thirty-five pounds?—I couldn't tell you, sir. I didn't expect to get anything.

17000. Did you expect to get ten pounds?—All I got I took it, sir.

17001. What time was it that you asked Mr. O'Beirne for money, and he gave you the four pounds?—Before the election, sir.

17002. What did you ask him for?—I am a cattle dealer, and I lost about a fortnight of my time, and I wanted to get something for my time.

17003. What did you ask him for?—What I asked him for? I only just asked him, and he just gave it to me.

17004. What did you ask him for?—A few pounds, sir.

17005. And he gave you four pounds?—I think 'tis five, sir.

17006. What did you ask the second time?—That is the second sum I got, sir.

17007. From whom did you get the first sum?—From the valet, sir.

17008. Was it Mr. O'Beirne you asked or the valet?—The valet, sir.

17009. And did he give you the money at once?—Yes, sir, about an hour or two.

17010. What were you doing for that money?—I was about the Commons now and again.

17011. Did you ever call on anyone on the Com-

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October 23.

William Cashen, jun.

mons but your father?—Well, I don't think I did, sir.

17012. Did you ever canvass anyone but your father?—I don't think I did, sir.

17013. You told your father that you got that money?—My father didn't know whether or not I got it.

17014. Did you not tell me that you told him you got it?—I told him I got the ten pounds.

17015. And that you expected more money?—Yes, of course.

17016. Was your father to get any of that money from you?—Not a halfpenny, sir.

17017. Do you know of anyone having got money on account of the election?—Gor, I don't, sir.

17018. You do not know of anyone?—I don't, sir.

17019. Did you ever see any money paid by Mr. O'Beirne or the valet?—Not a shilling.

17020. Or cheques?—No, sir.

17021. Mr. MOLLOY.—Or having cheques. Did you see cheques with any person?—Not a cheque ever I see with one person in the world.

17022. Mr. WATERS, Q.C.—How much did your father expect to get after the election?—I couldn't tell, sir.

17023. Did he never tell you?—No, sir.

17024. And you say you do not know what any other persons were getting, or wanted to get?—No, I didn't, sir.

John Cashen.

John Cashen sworn; examined by Mr. GRIFFIN.

17025. Had you a vote at the last election?—No, sir.

17026. What is your father's name?—Pat Cashen, sir.

17027. What relation are you to Robert Cashen?—I believe I am a second cousin of his, sir.

17028. You have not an uncle a voter?—No, sir.

17029. Where do you live?—In Friar-street, sir.

17030. Did you hear of any money going at the last election?—No, sir.

17031. You did not hear of any money going on the part of Mr. Munster?—No, sir.

17032. Did you hear anybody saying that there was money going at Mr. O'Beirne's side?—I never heard a word at all about it, sir.

17033. Are you at all deaf?—No, sir.

17034. And do you mean to say that you did not hear anybody in Cashel say a word about money being given by either Mr. Munster or Mr. O'Beirne?—I don't be at home, sir. I was travelling.

17035. Were you here at the election?—I was some days away, and some days at home.

17036. Mr. WATERS, Q.C.—Do you know for whom your father voted in 1865?—For Mr. O'Beirne, sir.

17037. Did you ever hear anyone saying that there was money given in 1865 for votes?—I can't say that, sir.

17038. You can say, sir, if you answer the question. Did you ever hear of any money given for votes in 1865?—I know my father never got anything in '65.

17039. Or after 1865?—I never heard a word about it, sir.

17040. Did you ever know of his having passed a bill?—I never heard a word of it, sir.

17041. Did you ever hear of any money having been given in 1868 to any one by any person for the election?—No, sir.

17042. Were you here during the election?—Some days here, some days away.

17043. Did you get any money?—Not a farthing, sir.

17044. Did you send in a claim?—I sent in a claim to Mr. Munster for being here the whole week during the petition.

17045. But for being here during the election did you send in a claim?—No, sir.

17046. Did you ever hear your father say that he expected money from Mr. O'Beirne?—From Mr. O'Beirne, sir.

17047. Yes; did he not vote for Mr. O'Beirne?—He did, sir.

17048. Did you ever hear him say that he expected money from Mr. O'Beirne?—Is it '68, sir.

17049. Any time at all?—The last election he got a cheque, sir.

17050. For how much was the cheque?—For £30, sir.

17051. When did he get it?—He didn't get it until after the election.

17052. Who gave it to him?—Simon Tracy, sir.

17053. Now, do you not think you would have given your evidence more like a truthful man if you told us that at once? When you were asked the questions that have been put to you, do you not think you would look more like a respectable man if you had answered truthfully at once?—I thought it was '65 you meant, sir.

17054. When did he get the cheque from Simon Tracy?—Simon Tracy came in a couple of days before the election, and told him he had the cheque for him for £30, and he said he would not give it to him until after the polling.

17055. Were you there?—I was there at that, sir.

17056. And you heard Simon Tracy tell him that?—Yes, sir.

17057. And he said he would not give it to him until after the polling?—After the polling, sir.

17058. Was that cheque on the bank here in Cashel?—It was, sir; in my name, in my favour.

17059. What is your name?—John Cashen.

17060. Did you get it cashed?—No, sir.

17061. Who got it cashed?—No one, sir.

17062. What became of it?—He told us after that it was no use.

17063. Who told you that?—Simon Tracy—that it wasn't payable in the bank, and then I never went about it.

17064. Did you read the cheque?—No, sir; all I seen was my name.

17065. Have you the cheque?—No, I gave it up.

17066. To whom did you give it?—Tom Connor, sir.

17067. What Tom Connor?—Pat Connor's brother, sir.

17068. Mr. MOLLOY.—How long had you the cheque until you gave it up?—Until about a week before the petition, sir; he came to me.

17069. Mr. WATERS, Q.C.—Your father was present when Simon Tracy said that?—He was, sir.

17070. Is your father at home?—No, sir; he is in London for the last month on business.

17071. When will he be back?—I don't think he will be done his business for another month.

17072. Another month?—Yes, sir; but he may be home sooner.

17073. When did he go away?—Yesterday month, sir, he went.

17074. What business is he in?—Selling goods, sir.

17075. What goods?—Buying cast clothes in London and selling them in Cashel.

17076. Does he spend a month buying them?—Often more, sir, according to the market.

17077. Was he buying clothes at the time of the petition?—He was, sir.

17078. Was your brother present at that transaction?—He knows a little about it, sir; just the same as what I know.

James Cashen sworn; examined by Mr. WATERS, Q.C. James Cashen.

17079. Tell us all about this transaction as you have now sworn to do?—I know Simon Tracy. The morning before the polling met my father and he gave him a cheque for £30.

17080. What did you hear him say?—I heard him say he couldn't claim the cheque until after the election being over. So then my father left it so; and he demanded the cheque from him again and he gave it to him.

17081. When did he present the cheque?—After the election.

17082. How many days after the election?—Well I think it is about a fortnight.

17083. Were you present when he gave the cheque to him the second time?—No, I was at a fair.

17084. Were you present the first time?—I was, sir.

17085. Did you see the cheque the first day?—I did, sir.

17086. Did Simon Tracy give it into your father's hands?—He only kept it in his hand to show it to him.

17087. Did he show it to him?—He did, sir.

17088. Did he tell your father how much the cheque was for?—He did, sir.

17089. For how much?—Thirty pounds, sir.

17090. Had your father got it in his hands?—He only looked at it and handed it back.

17091. Did he get it into his own hands?—He di l, sir.

17092. And was it Tracy that gave it to him?—He did, sir.

17093. Do you know in whose name the cheque was?—It was in my brother's name, sir.

17094. That is your brother John?—Yes, sir.

17095. You were not present on any other occasion?—No, sir.

17096. Did Simon Tracy come of his own accord, or was he sent for?—He came of his own accord. My father was in bed when he came in.

17097. Did he remain in bed while Tracy was there?—No; it was about eight o'clock and he came down, I think.

17098. In what room did Tracy show him the cheque?—In the kitchen, sir.

17099. Then your father got out of bed and came down stairs to Tracy?—Yes, sir.

17100. Had Tracy to wait long until your father came down?—No, sir, he hadn't; it was late in the day.

17101. How was it late in the day? I thought you said that it was eight o'clock?—It was after eight, sir, and it was late then to be lying in bed.

17102. Do you know whose cheque it was?—I think Mr. O'Beirne's cheque, sir.

John Cashen recalled by Mr. WATERS, Q.C. John Cashen.

17103. John Cashen, do you know whose cheque it was?—No, sir, I can't say.

17104. Who was it that drew the cheque? Whose name was written at the bottom of it?—My name, sir.

17105. Ah no. Whose was the signature to it? Whose cheque was it?—It was Simon Tracy gave it to my father for me. I see no name in it, only in Tracy's hand.

17106. Did you get it into your hand?—No, sir; I never handled it until I seen it in my father's hands about a fortnight after.

17107. You cannot say whose name was in the cheque?—I don't, sir; I see no name but my own.

James Cashen's examination resumed by Mr. WATERS, Q.C. James Cashen.

17108. Do you recollect that it was Mr. O'Beirne's name was to the cheque —I think it was Mr. O'Beirne's name, sir, but I quite forget it now.

Patrick Maher of Friar-street was called but did not appear; *John Murphy* was called but did not appear.

John O'Brien sworn; examined by Mr. WATERS, Q.C. John O'Brien.

17109. Do you live in the Main-street, Cashel?—Yes, sir.

17110. You are a voter, I believe?—Yes, sir.

17111. For whom did you vote at the last election?—For Mr. Munster, sir.

17112. For whom did you vote at the election of 1865?—I had no vote then, sir.

17113. Did you get any sort of inducement or consideration for giving your vote for Mr. Munster?—No, sir.

17114. None at all?—None at all, sir.

17115. At either side was money offered to you for your vote?—No, sir.

17116. Were you promised any?—No, sir.

17117. Did you ask for any?—No, sir, I didn't; I spoke on one occasion in general.

17118. To whom did you speak?—To Mr. Leahy; it was a private conversation; there was no person by. I talked to him about the general feeling of the people, and I said—on that occasion we were talking in general about the election—I said I feared there would be no chance of the election if there wasn't money given, and he said if corrupt money took the election for Mr. Munster that he wouldn't give it.

17119. Mr. Leahy said that to you?—Yes.

17120. Did you believe him when he said that to you?—I did, sir—I did indeed, sir.

17121. You said that to him for the purpose of seeing if you would get money yourself?—Well, in fact, I didn't, for Mr. Leahy was a friend of my wife's.

17122. Did you not hear that there was money going?—No, I didn't; I heard there was money paid to a few.

17123. Did you expect that there would be money going at the election?—I did, sir.

17124. Did you think that, if it was going, you would get some of it?—Well, I didn't, sir.

17125. You did not?—No, sir.

17126. What, then, was the object of your speaking to Mr. Leahy as you did?—For Mr. Leahy was a friend of the Mrs., and on that occasion he had my free vote.

17127. On the last occasion?—In being a relative of my Mrs.

17128. Did you get anything in connexion with the election?—No, sir, until the election was over, and I sold a few little things in the shop.

17129. What did you sell?—I got £6 10*s.* for car-hire, and I sold a few little items through the shop, in the hardware.

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John O'Brien.

17130. What class of goods are they that you sold?—Hardware, sir, such as hatpins and small little trifles of that kind.

17131. To what amount of value?—Well, I would say about—I couldn't say exactly, for I only kept a slip and sent the receipts.

17132. Take a limit of £1,000?—I wouldn't say £20, sir, nor £10.

17133. Do you mean to say that in that conversation which you had with Mr. Leahy, you had no intention at all of sounding him, in order to know if there was any money to be got for the election?—No, sir; he came to me himself, Mr. Laffan here, and on that occasion he came to get my house for the telegraph office; so in fact I asked a sum of money for my house.

17134. How much did you ask?—I asked £70, to turn out of my house, and I thought it a small remuneration, thinking I should give the same for another house. Mr. Laffan said it was absurd, and he walked off.

17135. He did not agree with you?—No, sir; he took Mr. Arthur's house on the same day.

17136. Were you to get a rent besides the £70?—No, sir.

17137. You were to give it up at your own rent?—Yes, sir. I have a bill for £7 5*s.* to show you there was no money connected with my part. That was for furniture I supplied as a loan to John-street house, and the furniture didn't come back, and I sent in a bill which Mr. Biggin can explain that. [Hands in his bill.]

17138. Was this for furniture that you supplied to Mr. Munster's house in John-street?—Yes, sir.

17139. And was this sum for the loan of them?—Mr. Patrick Laffan, on the occasion of some parties coming over, they hadn't the house prepared, and he asked me for this furniture for the present time.

17140. You do not sell furniture?—No, sir.

17141. Was it your own furniture and out of your own house?—My own furniture, sir; so then the furniture wasn't forthcoming, and I sent in a bill for the furniture.

17142. Did Mr. Patrick Laffan make any arrangement with you at the time as to what you would be paid?—He didn't, sir. It was the loan he asked me of the furniture. I said he could have the furniture, or anything I had, if it done him any service to oblige him.

17143. Did you say anything to him about being paid for it afterwards?—No, sir; but when I sent for the furniture it didn't come back, and then I sent in a bill.

17144. Have you been paid the bill?—No, sir. I sent the bill to Mr. Biggin before he went away, and he said he would see me paid, and he went away on the same day or the day after, which he is here to prove, your worships.

17145. You do not know anything more?—No, your worship.

17146. There is nothing else, I suppose, that you have to explain?—No, your worship.

John Ryan.

John Ryan of Friar-street, sworn; examined by Mr. MOLLOY.

17147. How long have you been an elector of Cashel?—The last election, sir.

17148. The last election was the first time you had a vote?—Yes, sir, the last election.

17149. Have you a family?—I have, sir.

17150. Have you any sons?—No sir.

17151. You have no sons?—No, sir.

17152. Have you any relative named Thomas?—I have, sir.

17153. What relative is he to you?—He is a nephew of mine, sir.

17154. Does he live in the house with you?—He does, sir.

17155. Who canvassed you at the last election?—Mr. Laffan came to me.

17156. Which of them?—Mr. Michael Laffan. I refused him.

17157. You refused him?—I did.

17158. Were you canvassed on Mr. O'Beirne's side?—No; I wouldn't give him my vote.

17159. And you would not vote for Mr. Munster?—Since I heard the people say that Mr. O'Beirne broke his word.

17160. And you told Mr. Laffan that you would not vote for Mr. Munster?—I did.

17161. When did you change your mind?—I changed it the day he asked it of me.

17162. Did he come to you again?—He didn't, I told him I would help the last man.

17163. "The last man?"—Yes.

17164. Did Mr. Laffan come to you more than once?—He didn't, sir.

17165. What made you change your mind so quickly;—Sure I didn't change my mind.

17166. Did you not tell Mr. Laffan first that you would not vote for Mr. Munster?—No. Yes, I did.

17167. And you told him afterwards that you would support Mr. Munster?—No, but the last man.

17168. Sure Mr. Vincent Scully was "the last man?"—No; I didn't mind him at all.

17169. Why did you change your mind and resolve to vote for Mr. Munster?—I heard he was so charitable. He promised to build high chimneys in the town, and we had a fine member here that was the father of the poor man's children—that is Lanigan.

17170. What trade is Tom?—Shoemaker.

17171. Was he at the election business?—He was; every one was there; every one followed the crowd.

17172. Was he employed at the election?—He wasn't; what employment would he have?

17173. Did he ever tell you that he was employed about the election?—He did not.

17174. Did he ever tell you that he had sent in a bill for £30?—He didn't, nor I didn't send in a bill.

17175. Do you know that his name was put in the list of claims for £30?—I don't; nor he didn't put in e'er a bill to my knowledge, nor I didn't myself.

17176. Had you any conversation with Mr. Michael Laffan about a claim for yourself?—I hadn't, sir; nor never told him to put in a bill; nor no one else; nor I didn't put it in myself.

17177. Would you take money now if you got it?—I would, sir.

17178. For your vote?—I wouldn't care what way I would take it.

17179. Do you expect money for your vote?—No, sir; where would I expect it now—anything that is dead and gone.

17180. Do you expect to get money for your vote?—No.

17181. But you would take it if it was given to you?—I would, decidedly.

17182. If this claim of Thomas for £30 was paid, would you not expect a share of it?—I don't know what I should expect.

17183. Would you expect the whole of it?—I would.

17184. Did you ever hear of this claim of your nephew before?—I heard Mr. Laffan put in a bill for £30.

17185. When did you hear that?—About a fortnight ago.

17186. Who told it to you?—It was reported; the paper told it; it was in the paper.

17187. That Mr. Laffan put in a claim for Tom Ryan?—Yes.

17188. And was that the first time that you heard of it?—That was the first time I heard of it.

17189. Did you speak to your nephew about it?—I did. I asked him did he do any such thing, and he said he didn't, nor neither did I.

17190. Had you any conversation with Patsy Cunningham?—I had, sir, as I was passing. As I was

passing in the street, I asked him was there anything to be got; that is all I asked. I could say the same now.

17191. That was before the election?—It was not; it was about a fortnight or three weeks ago.

17192. Sure he was on his travels then?—It was in the street I met him, when I was going to my work, but I didn't expect anything.

17193. You wanted to know from him when the time for payment would come?—Indeed I didn't.

17194. How much money did you ask; did he tell you any sum?—I asked no money of him.

17195. Did you ask him was there anything going?—I didn't.

17196. You wanted to know something about money from him?—I asked him was there any chance.

17197. Of money?—No, sir, I didn't say anything.

17198. Did you know that the claim was in at that time?—I didn't know it.

17199. What did Cunningham say to you when you asked him?—That I would get as much as anyone.

17200. Did he say you would get it after the "special?"—No; I don't know anything about the special.

17201. Mr. GRIFFIN.—You say that Mr. O'Beirne broke his word?—Yes, as I am told.

17202. What was it that he promised to do and did not perform?—He said he would build high chimneys for the poor people of the town. He promised them oats and gave chaff to them. They have chimneys, but they have nothing under them, sir.

Simon Tracy recalled; examined by Mr. WATERS, Q.C.

Simon Tracy.

17203. Mr. Tracy, you were already examined?—Yes, sir.

17204. Do you recollect that before you went through the form of giving your evidence you took an oath on that book there?—I do, sir.

17205. Do you recollect swearing, "So help you God, that you would tell the truth, the whole truth, and nothing but the truth?"—I do, sir.

17206. I ask you, did you keep that oath?—I forgot mentioning—I didn't keep my oath—in the excitement of the moment I forgot mentioning about Cashen's cheque.

17207. Who told you that Cashen was examined to-day?—No one, sir.

17208. Did anybody tell you?—I hear it coming up street.

17209. Who told you?—A woman told me coming into court.

17210. And, of course, she told you about the cheque?—She did, sir; something of it, sir.

17211. Who was the woman?—I can't tell you; I don't know, sir.

17212. You cannot tell?—I cannot tell, sir.

17213. On Tuesday, the 5th October, you were examined. Did I then ask you this question:—"How much money did you get from Mr. O'Beirne before, during, or after the election?" and did you answer—"I got no money from him, but I got a cheque for £60"?—Yes.

17214. Did I thereupon ask you, "Did you get only one cheque?" and did you answer—"That is all"?—Yes, I answered that. I forgot to mention about Cashen's cheque at the time.

17215. You got one cheque for £60?—Yes.

17216. Perhaps you recollect now for whom you got it?—Myself, sir.

17217. No, the other two men you got it for?—I got no cheque only for myself.

17218. Are you telling me the truth now?—I am, sir.

17219. From whom did you get Cashen's cheque?—I got Cashen's cheque from Mr. O'Beirne.

17220. What was the amount of it?—Thirty pounds. For Cashen's son I got the cheque.

17221. That was for Cashen's vote?—I couldn't tell you what it was for.

17222. On your oath do you swear that you cannot tell what it was for?—On my oath I swear Mr. O'Beirne told me to go down and give this cheque to Cashen's son.

17223. What do you believe it was for?—I believe, of course, it was for his vote, but I can't swear it.

17224. Did you ask Mr. O'Beirne what it was for?—I did not.

17225. Where were you when he gave it to you?—In Dunne's room.

17226. Did you ask him for the cheque?—I didn't.

17227. You spoke about Cashen before he gave it to you?—No.

17228. What was the date of the cheque?—I think it was the morning of the polling he gave me the cheque.

17229. Did you go to Cashen's house with it?—Direct.

17230. And did you show it to Cashen?—I did.

17231. Did you retain it till after the poll?—Mr. O'Beirne told me to tell Cashen not to get it cashed until after the poll.

17232. Did you give it to him about a fortnight after the poll?—I gave it to Cashen in his house at the time, and then he returned it to me, telling me to keep it until after the polling.

17233. You recollect all about the transaction now?—All about Cashen's transaction?

17234. Yes?—Of course I do.

17235. Now, I ask you again, and recollect how you answer the question:—You acknowledged you got one cheque of £60, you now admit that you received Cashen's cheque. Did you get any other cheque?—No.

17236. You are not going to forget now and correct it by-and-by?—I am not going to forget anything particular now.

17237. Had you any other cheque?—No other cheque but my own and that.

17238. Did you ever see any other cheque?—I never see any other cheque with any person, either directly or indirectly, and I intended to come up to tell you that, only I was out all this week and last week about my business——

17239. I am sorry to tell you that we are considering if we shall send for Mr. Ffrench, to take informations for perjury against you?—I am sorry for that, sir; for I didn't intend it.

17240. Mr. MOLLOY.—We cannot believe that you forgot that?—Your honour, I did forget it, really.

17241. I do not believe that?—[No answer].

17242. Mr. GRIFFIN.—Cashen is in the same business as yourself?—Yes, sir.

17243. And was, you say, a voter?—Yes, sir.

17244. Mr. WATERS, Q.C.—We think you could tell us something more still, if you liked?—Well, if I could, I would tell you, my lord; really if I thought of it in the commencement, I would tell you. I was away last week and this week.

17245. Mr. GRIFFIN.—Then you did remember it since?—I did, sir.

17246. When did you first remember it?—Last Tuesday.

17247. What reminded you of it last Tuesday?—I thought of it at the fair at Fethard.

17248. What reminded you of it?—I thought of Cashen's cheque, because I said in my own mind, "I gave Cashen a cheque, and have a right to go up and tell it."

17249. Mr. WATERS, Q.C.—Was that cheque signed by Mr. O'Beirne?—It was.

17250. It was for £30?—For £30.

17251. Do you know who the woman was that told you this had come out?—I don't, sir; I was only just coming into court.

17252. I will make an example of any person I find telling any witness what has been sworn here?—I was

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just coming into the court when a person said, "Cashen's cheque is told;" that is all the woman said to me.

17253. Now, I will give you one more chance, and I will not after it pay the least attention in the world to anything you say about forgetting—I will give you one chance more. I ask you, did you get any money, cheque, or valuable consideration for any voter, except for Cashen?—I never got a halfpenny.

17254. Do you persist in saying that the £60 was for your own individual use?—I do; Mr. O'Beirne gave me that for my own use.

17255. Did you receive any cheque from Mr. O'Beirne, or from anyone on his behalf, or from any person with reference to the election, except those two cheques?—No.

Thomas Connor.

Thomas Connor of Cashel, sworn; examined by Mr. WATERS, Q.C.

17256. I believe you are the brother of Mr. Patrick Connor?—I am.

17257. Has he been communicating with you recently as to evidence given in this court?—No, sir; I have not spoken to him since this morning.

17258. Since what time this morning?—Before the court; about ten o'clock this morning.

17259. Do you know anything about a cheque Cashen got?—I do, sir.

17260. Where is it?—I forwarded it to Mr. O'Beirne.

17261. When did you forward it to him?—I think some time about before the petition was tried here.

17262. Did you take a copy of the letter you then wrote to him?—No, sir.

17263. Are you in the habit of copying any letters you write?—No, sir.

17264. What other cheque did you send with it?—None other.

17265. You sent only one?—Only one, sir.

17266. You are quite sure that you sent only one?—That is all, sir.

17267. Do you recollect what the date of the cheque was?—No; I cannot fix the date.

17268. It was for £30, I believe?—Yes.

17269. That cheque for John Cashen was drawn by Mr. O'Beirne, I believe?—I think it was. I knew his handwriting.

17270. Do you know of any other cheque of Mr. O'Beirne's that was in Cashel about the time of the election?—No, sir.

17271. No other cheque at all?—None other.

17272. Did you ever see any other cheque of Mr. O'Beirne's about the time of the election?—I never see any other but that one.

17273. Do you know of any other cheque but that one?—No; except that I have heard of Tracy and John Hogan.

17274. Who told you that Cashen's cheque was in his hands?—Cashen himself—young Cashen.

17275. What made him come to you about it?—I don't know; I suppose he thinking I was a friend of Mr. O'Beirne's.

17276. Did you take an active part in the election?—I did.

17277. And do you tell me that you do not know of any cheques or money given, except those cheques of Cashen's, Tracy's, and Hogan's?—That is all, sir.

17278. What do you know about Hogan's cheque?—Nothing but what I have heard in court. I never seen it.

17279. I thought you told me you saw it?—No.

17280. Do you know that Mr. O'Beirne gave it?—No.

17281. Did Mr. O'Beirne tell you that he had given any of those cheques?—No.

17282. And you do not know anything at all of any other money or cheque being given?—No.

17283. Recollect yourself. Simon Tracy swore here that he got only one cheque. It appeared that he got another, and he then came up to say he forgot it?—I am very candid with you.

17284. You are quite sure that you saw no other cheque?—I saw no other, sir.

17285. And you saw no payment made by Mr. O'Beirne in any case?—Payment—never.

17286. You know of no promise whatever made by Mr. O'Beirne to anyone?—No, sir.

17287. Do you know of any elector coming to you or to anybody else to ask if money was going at the election?—No. I have always heard the electors speak of Mr. O'Beirne, that they would wish to have him returned.

17288. My question is, do you know of any elector having come to you or to anybody else, to find out if money was to be given for voting at the election?—No; for all the electors I heard speak didn't expect money from Mr. O'Beirne, for they thought he had none to give.

17289. Do you know anything of any money having been given to electors or to the wives or families of any of the electors?—No, sir.

17290. You understand fully that I want you to tell anything you know about any transactions of the kind?—Of course I am well aware of it.

17291. And you do not know of any consideration having been given or promised to any elector for his vote?—No, sir.

17292. Or of any money given to any person for any voter?—No, sir.

17293. Mr. MOLLOY.—What were you saying about Simon Tracy and Hogan's cheque?—I heard it at the petition.

17294. What did you hear?—It was sworn they had cheques for £60 each.

17295. Where did you hear Hogan's name mentioned in connexion with a cheque?—I was here at the trial of the petition.

17296. Did you hear that Simon Tracy showed a cheque to anyone?—Yes; I heard Mrs. Rochford swear; nothing more than that.

17297. Do you know Denis Hogan?—Yes.

17298. Do you know his wife.—Yes.

17299. Do you recollect seeing her speaking to Mr. Coman in the street, and your coming up and taking her away?—I do.

17300. What did you want with her that you should interrupt her conversation with Mr. Coman?—She is a great friend of mine; she deals largely with me.

17301. It must have been some very important business when you interrupted the conversation?—It was not. I don't recollect.

17302. Do you recollect the circumstance?—I do. I waited for her to come up the street.

17303. What was the business that you wanted her for?—I couldn't exactly tell you. I wanted to speak to her on business.

17304. Mr. GRIFFIN.—Do you know John Moloney?—Yes.

17305. Had you ever any conversation at Michael Dwyer's with Moloney about the election?—We were speaking in a general way about the election.

17306. Had you any talk about Moloney, Halley, and Hogan, and £90?—No, sir.

17307. Are you sure of that?—Perfectly sure.

17308. Do you know Pat Walsh?—Where does he live, sir? Oh, yes, I know Pat Walsh of Lady's Well-street.

17309. He voted for Mr. O'Beirne?—Yes.

17310. Did he after the election, some time in last January, follow you in the street, and say you promised him money?—Never; he didn't say I promised him money.

17311. What did he say?—I don't know what he said. He said if he went, I think with Mr. Munster, he could have got a good deal of money. I forget the amount.

17312. Did he say that you had offered him any inducement to persuade him to vote for Mr. O'Beirne?—No, he did not.

17313. Did he complain to you that he was prevented from getting money at Mr. Munster's side, by going with Mr. O'Beirne?—Yes; that he could easily have got money at Mr. Munster's side.

17314. Did he say anything about being promised something at Mr. O'Beirne's side?—Not that I recollect.

17315. Try and recollect?—I cannot recollect.

17316. Did he say he would have gone with Mr. Munster if he had thought he would not get money at Mr. O'Beirne's side?—No such thing.

17317. What did he complain of to you?—I don't know; I think he was drunk.

17318. Did he make no claim upon you for any promise made at Mr. O'Beirne's side?—Not the least claim.

17319. Do you remember going to the Commons one night?—Yes.

17320. Timothy Shea was with you?—Yes.

17321. You went of course into a great many houses that night?—I dare say we did.

17322. How long was that before the election?—I suppose about four or five days, or perhaps more. I am not certain. It was some time before the election—a very short time.

17323. What were you doing in the houses?—I wanted them to sign a paper—to get their signatures.

17324. Was it a printed paper?—No, it was a written paper. I can give you the substance of it.

17325. What was the substance of it?—"We the undersigned voters of the Commons, hereby pledge ourselves to vote for Mr. O'Beirne at the election now about to take place"—something to that effect.

17326. Did you offer any inducement to any of those men to sign that paper?—Not the least.

17327. Do you know of any inducement offered by anybody else?—No.

17328. Or any promise that was made to any of them?—No.

17329. Do you know Mr. White's servant?—Which Mr. White?

17330. Either of them. There are two. Do you know Mr. John Davis White's servant?—I do.

17331. Had you any conversation about Con Hanley?—No.

17332. Was Con Hanley out at the Commons?—Of course he could be there and not I to know it.

17333. Do you not know of his being out at the Commons about the election?—I saw him one day there, I think.

17334. Do you know if he had anything to do with the arrangements made with the Commoners?—No indeed.

17335. Mr. WATERS, Q.C.—Did Mr. Griffin ask you was it a printed paper you had out at the Commons?—No, it was a written paper. It was not in print. It was in print afterwards.

17336. Was it afterwards printed?—It was, in a few days—a day or two afterwards.

17337. Was it printed in Cashel?—I think so.

17338. Do you know who printed it?—I think Mr. Quirke, if I don't mistake.

17339. You said that the electors believed Mr. O'Beirne had no money to give?—Yes.

17340. Was that the opinion of the electors always?—Well, it was the opinion. I think so.

17341. Did you not know that he was giving money to electors?—No.

17342. Did you not know of Cashen's cheque?—Not I; how could I know it. I didn't know it until the petition here.

17343. Were you told by anyone to get Cashen's cheque? Did Mr. O'Beirne write to you to get it?—No.

17344. And you say that Cashen only walked into you himself?—Yes.

17345. Do you swear now that Cashen came to you and that you knew nothing about the cheque until Cashen came to you?—I do swear positively that.

17346. Mr. GRIFFIN.—Were you at the meeting at Daniel Foley's?—No.

17347. Mr. WATERS, Q.C.—Do you know was that paper that you took to get signatures to regarded by the people who signed it as a settlement with them, or that they would be settled with by Mr. O'Beirne, or by anyone on his behalf?—No; I think all those people were intended to vote for him long before, and no inducement could change them.

17348. I ask you was that document looked upon as an agreement or understanding that they would be settled with by Mr. O'Beirne?—Oh, not that they would be settled with, but their determination to vote for him.

Patrick Mansell sworn; examined by Mr. MOLLOY.

Patrick Mansell.

17349. How long have you been an elector of Cashel?—Twenty-eight years or twenty-six years, sir.

17350. For whom did you vote at the last election?—For Mr. O'Beirne.

17351. And, in 1865, did you vote for him?—Yes, sir.

17352. For whom did you vote in 1859?—Mr. O'Beirne in '57, I think, when he came here.

17353. And in 1859?—In '59, I think, Mr. Lanigan, sir; I think so, sir.

17354. Was your house taken in 1865?—It was, sir.

17355. What was the arrangement for your house in 1865?—Thirty pounds, sir.

17356. Who took your house?—Well, they were people connected with Mr. O'Beirne.

17357. Was it Mr. Johnson?—Mr. Johnson did speak to me about it.

17358. Who else spoke to you about it?—It was Pat Cunningham, or Denis Ryan, of the Commons, and then Mr. Johnson spoke to me again, and I told him they were speaking to me about it.

17359. And they arranged that you were to get £30?—Yes.

17360. Was there any use made of your house?—Yes; there was, sir.

17361. What use was made of it?—The morning of the election there were fourteen people took their breakfast there.

17362. Was that all?—The room and shop was taken up.

17363. You gave a breakfast to fourteen persons?—I did, sir.

17364. Were you paid for those breakfasts?—I was, sir.

17365. Who paid you?—Mr. OBeirne, sir.

17366. Was it after the election?—Yes, sir.

17367. When were you paid the £30?—I was paid £20 before the election, I think it was before the election. About half a year after I was paid the remainder. I wrote to Mr. O'Beirne, and was paid it.

17368. Were you canvassed at the last election?—No, sir. Mr. O'Beirne, with Captain Graham, called to my house; I wasn't within. I afterwards met him coming. He shook hands with me; he said he was thankful to me for all the kind words I was saying of him; for I spoke to some of the butchers in Cashel a few days before that, and one or two made me a promise they wouldn't vote against him. Whether he heard that or no, I can't say. He thanked me for the kind words; he didn't ask me for the vote.

17369. Did you tell him that you would vote for him?—He knew it, sir, by the reception I gave him. All I am sorry for is, he isn't the member now, sir.

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October 23.

Patrick Mansell.

17370. Did you look for your house to be taken?—No, sir.

17371. Why?—I wouldn't take any sum, sir, from '65, from being in Dublin.

17372. You were examined on the action in Dublin?—I was, sir.

17373. I suppose you got frightened after being brought to Dublin?—I didn't get frightened, sir, but Judge Martin laughed at me. I was told by Counsellor Monahan not to answer the question. I admitted everything fair.

17374. Did you attempt to get the money for your house?—I did, sir. I told the people to take the house. Mr. Cooper that is dead now, sir—I hope he is happy—he gave me his hand and word to me that day that he wouldn't tell the parties that took it, and he telegraphed for them, and they were up next morning.

17375. Did you receive any inducement for voting at the last election?—No, sir; none whatever.

Patrick Walsh.

Patrick Walsh sworn; examined by Mr. GRIFFIN.

17376. Where do you live?—I live in Lady's-well, sir.

17377. For whom did you vote at the last election?—For Mr. O'Beirne, sir.

17378. Was that the first time that you had a vote?—The very first time, sir.

17379. Who canvassed you?—No one at all then.

17380. Did Thomas Connor not talk to you at all?—Never, sir.

17381. Do you remember meeting Thomas Connor in Cashel last January?—Sure, I see him there every day, sir.

17382. Do you remember talking to him about getting money for your vote from Mr. Munster?—Never, sir.

17383. Do you remember speaking to him on the 6th January, the holiday?—I do, sir.

17384. Do you remember saying anything to him that day about the election? Do you remember saying that only you thought you would get money, you would have voted at Mr. Munster's side?—Never, sir; but I was speaking to him about another affair, and my wife went to the hotel to canvass me out of it. There was no such thing at all, sir. It was all a damnable lie.

17385. Mr. WATERS, Q.C.—You must not use words of that sort. Recollect that you are on a very solemn business?—That was all. I spoke to Connor, for I suspect it was he said it.

17386. Mr. GRIFFIN.—Were you here when Connor was examined?—I was not, sir. It is just now I am after coming in, sir.

17387. Do you swear positively that you were never offered any inducement of any kind to vote for Mr. O'Beirne?—On my word I was not, sir. No one canvassed me for Mr. O'Beirne.

17388. When did you make up your mind to vote for Mr. O'Beirne?—Five or six days previous to the election.

17389. What caused you to make up your mind then?—My mind was made up to vote for Mr. O'Beirne if my landlord choosed. My landlord asked me four or five days before the election.

17390. Who is your landlord?—Mr. Pierce Grace. I said I would give it to him. I have been from home when Mr. O'Beirne first came to canvass; he went to my place, and Dr. Coyle and Mr. Hanley.

17391. Were you canvassed at all by Mr. Munster's side?—Oh, very often, sir.

17392. Who canvassed you for Mr. Munster?—Oh, Mr. Laffan did different times come to the house—this gentleman [pointing to Mr. Patrick Laffan], and his brother.

17393. Did he offer you anything if you would vote for Mr. Munster?—Never, indeed, sir.

17394. Did he say that you would get your share of what would be going with the rest, or that you would be recompensed, or anything of that sort?—He never spoke a word about it, sir, nor any of the brothers.

17395. Did Patsy Cunningham ever say anything like that to you?—Never, sir; Patsy Cunningham never came to me, sir. That is my evidence, sir.

Patrick Maher of Friar-street was called, but did not appear; *John Murphy* of Friar-street was called, but did not appear.

Mr. Patrick Laffan.

Mr. *Patrick Laffan* recalled at the desire of Mr. Munster; examined by Mr. WATERS, Q.C.

[Mr. Munster hands in questions, and applies to have the general questions put at his request to Patrick Cunningham put also to this witness.]

17396. The *Shorthand-writer* [11305].—"Were you not engaged before Mr. Munster's arrival in Cashel"?—*Witness.*—I had been doing some things for Mr. Munster before he came to Cashel.

17397. Mr. WATERS, Q.C.—Had you any positive engagement from anyone?—No, I never had a positive engagement.

17398. I suppose you acted merely in assisting your brother who was conducting agent?—Yes.

17399. Did you take a warm interest in the election, and do everything you could for him?—Yes.

17400. Did you not engage servants, and order all that was necessary for Mr. Munster, at Abbeyview, before his arrival?—Yes.

17401. The *Shorthand-writer* [11306].—"Did you ever tell Mr. Munster that you were connected with, heard of, or that there were any corrupt practices at his side"?—*Witness.*—I never told Mr. Munster, but I wrote a letter to him, I think, after the petition, from which he might infer such.

17402 [11307]. "Did you ever tell Mr. Munster that you were connected with any corrupt practices on his side, or that you had heard of them?"—Never.

17403 [11308]. "Did you ever give him any information of what you were engaged in"?—I never did.

17404. Mr. WATERS, Q.C.—When was the jennet bought of Mr. Looby?—I cannot fix the date, but the receipt I showed you has the date.

17405. Did it not draw the telegraph poles?—No, it did not.

17406. Did you say that it was not got until after the election?—Yes; I left him in charge of Looby until after the election.

17407. Was it used by or for Mr. Munster during the interval between its purchase and your taking it away from Looby?—No.

17408. Do you know if it was used in drawing the telegraph poles?—No, I cannot say.

17409. Was there a requisition sent to Mr. Munster to Sheffield, signed by about sixty electors?—There was a requisition sent to Mr. Munster.

17410. Was it signed by sixty electors?—I cannot tell you. I think there were some non-electors on it.

17411. You saw that requisition?—Yes; I got most of the names put to it, or the majority of them.

17412. If it was represented to Mr. Munster that it was signed by sixty electors, would that be true?—I could not answer that question unless I saw the requisition.

17413. Do you think there were sixty electors'

names signed to it?—It would be a guess if I answered that.

17414. Do you recollect having a conversation with the Rev. Daniel Ryan about the requisition?—I do.

17415. Do you recollect saying anything like this to him:—"Had you put your name to the requisition, I intended asking Mr. Munster for £40 or £50 for the Vincent de Paul Society"?—I do.

17416. Did the Rev. Daniel Ryan say to you—"You could not think that I would do anything that way even for charity"?—I believe he did.

17417. Do you recollect saying then to him—"Holy Mother Church has a very wide mouth"?—I do, but I wish to offer an explanation. I and the Rev. Mr. Ryan were on very intimate terms for some years, and in consequence of that I spoke more familiarly to him than I would to any other clergyman. I went into his room, and in a half joking manner mentioned what I said; and I never anticipated that he would act so ungentlemanly afterwards as to come forward and tell it.

17418. The Rev. Mr. Ryan was sworn to tell the whole truth; and if he were asked about the conversation you could not call it ungentlemanly to answer?—Oh, if he were asked about it——

17419. So he was. Why did you go to Paris on the 6th December?—I went because of Mr. Leahy's letter.

17420. Did you believe that that letter meant you should go out of the way?—I did.

17421. That is the letter I already showed you?—Yes, the letter you showed me.

17422. Do you know when you could have been subpœnaed to give evidence on the petition?—When I could have been subpœnaed? I don't exactly understand the question.

17423. The earliest date at which a subpœna could have been given to you?—A subpœna could have been given to me, I dare say, on the 6th, before I left Dublin, and perhaps on the 7th, before I crossed for France.

17424. Did you know when the petition was presented, or anything about it?—I knew nothing about it but what I saw in the papers.

17425. Do you know anything about a man named John Wood, of Main-street?—Yes, I do.

17426. Do you know of his having said that you gave him a retainer?—Yes; I gave him a retainer.

17427. How did you give him that retainer? Did he say that you gave it in payment for his bill?—I believe he did. I read in the petition report that he said that. It is a mistake.

17428. How did you give it to him?—I will tell you the circumstance. I went to his shop one evening. We had some conversation about general election matters, and he told me he didn't intend to vote at either side. I said to him that from his position as a public man he would have many opportunities of putting before the public—that he might advocate—and I said I would give him a retainer. Then he asked me to come inside into his parlour. I went in. We sat down. After some further conversation I took out a cheque-book. I told him the usual sum which was given when persons were engaged was five guineas, and I filled a cheque and gave it to him.

17429. And was it five guineas that you gave him?—Five guineas. When I was coming out I told him to send me his bill for medicine, and I would have it paid, so there could be no misunderstanding about mentioning that it was a retainer.

17430. Did you ever make any effort to find work for any of the retained agents?—Every agent I retained I gave him instructions according as he lived in the country or town, as to what he was to do, and told him to come to me afterwards to report progress. That is the entire. Some, of course, I had no more to do with. John Dwyer who came back I did give something to. That is the only one I recollect that came back. I gave them all instructions as to what they were to do, but they never returned afterwards. They thought they were caught. John Dwyer, the only one who did return, I gave instructions to.

17431. Did you ever say about the retainers, that if the poor fellows had a chance of getting anything it was a shame to prevent them?—Not at all; did I ever say it?

17432. Yes?—Oh, not at all.

17433. When Coffey sued Mr. Munster for £20, did you arrange that Mr. Munster's servant should not deliver the summons to him?—Well, I think I was in Paris that time. I don't know what date it was.

17434. Do you know anything at all of the service of the summons?—Nothing at all whatsoever.

17435. You never heard anything about it?—No.

17436. Could anybody in your judgment have succeeded in Cashel without bribery?—That is as opposed to O'Beirne.

17437. Yes?—Oh, quite impossible.

17438. To your knowledge was it debated by Mr. Munster to run somebody else besides himself in opposition to Mr. O'Beirne?—Yes; I remember it having been mentioned how Mr. Munster went to some other individuals and inquired whether they might go forward in case of his retiring, and I understood Mr. Munster would have to pay their expenses.

17439. Did Mr. Munster debate whether any other person on being put forward would have a fair chance of ousting Mr. O'Beirne?—Well, as to his debating it I cannot say.

17440. How much do you believe Mr. O'Beirne spent in 1865 to turn out Mr. Lanigan?—That is only a matter of opinion.

17441. Of course?—About £3,000 or £4,000.

17442. If Mr. Munster had spent £3,000 directly in buying votes, would he in your opinion have been returned?—Oh, indeed he would—unquestionably.

17443. Do you think Mr. Munster might have believed that you were an apprentice with your brother?—I think he possibly might have done so. The circumstances favoured his thinking so.

17444. Do you know of any money whatever improperly used on Mr. Munster's side before the 11th November?—Oh, no.

17445. You do not know of any money used improperly on Mr. Munster's side before the 11th November?—No, I do not. I have known of no money improperly spent by Mr. Munster before the 11th November.

17446. Did you ever hear that an authority was brought from England for Mr. Munster to sign, to enable anybody or somebody to draw £3,000 on Mr. Munster's credit?—Really I don't think I did.

17447. Or anything like that?—I don't think I did.

17448. At what time did Captain Byrne tell you he would "make it all right?"—Is it the date.

17449. You said on the evening of the 16th?—I am not quite certain of the date.

17450. As well as you recollect it was on the 17th you got the money?—Yes, but you see whatever day it was——

17451. Do you recollect at what hour of the evening Captain Byrne said he would "make the matter all right with you?"—The evening before I got the £300. I should say it was not more than about nine o'clock. There were a number of persons at Corcoran's at the time, and had it been later I think they would have gone home. I only give it as a matter of belief.

17452. Was it you that urged the spending of money improperly on Captain Byrne, or Captain Byrne on you?—I urged it on Captain Byrne.

17453. Was it you that mentioned it first to Mr. Leahy also?—It was I mentioned it first. Yes: that is, when I say, "mentioned it first," other persons may have mentioned it before me.

17454. You have told us already that you said to Mr. Leahy, "they are bribing at the other side, and we cannot get on," and that he then said, "why don't you begin." Was that the conversation?—Precisely so.

17455. At any time previous to the election did

EIGHTEENTH DAY. *October* 23.

Mr. Patrick Laffan.

you perceive a sensible difference in Mr. Munster's demeanour towards you?—Yes, I did.

17456. When was it?—Well, now, I should think it was, perhaps, a fortnight before the election. It may not have been so long before it. It was a week before it, at all events.

17457. What did you attribute it to?—I am rather at a loss to know.

17458. Did it continue so up to the end of the election?—It did. Oh, yes, and for some days after the election.

17459. I think you told me that young Mr. Richardson was at Abbeyview when you came home with the money from Thurles?—Yes.

17460. Do you know that he was there when you went for it? You went on Sunday?—I saw him there on Saturday or Friday. It has been occurring to me since that he went to Dublin on Friday or Saturday in order to get something printed for Mr. Munster.

17461. Do you know what he went to get printed?—One of the pamphlets against O'Beirne.

Mr. Henry Munster.

Mr. *Henry Munster* recalled by Mr. GRIFFIN.

17462. Can you fix that date, Mr. Munster?—No, I cannot. Mr. Scallan of Dublin can. He got the second part of the pamphlet printed.

Mr. Patrick Laffan.

Mr. *Patrick Laffan's* examination resumed by Mr. WATERS, Q.C.

17463. Do you know anything of that letter of the Archbishop's, directed to your brother, that the Archbishop read here yesterday? Do you know that such a letter was obtained?—Yes, I have the original, I think.

17464. Do you know was it addressed to your brother?—Yes.

17465. Do you know did he make use of it in canvassing?—I can't say. I should think not.

17466. Did you make use of it?—No.

17467. Did you show it to any of the electors?—No.

17468. Do you know if it was ever shown to Mr. Munster?—I don't know.

17469. That long letter that the Archbishop wrote about the candidates is what I refer to?—I never made any use of it, and I don't think my brother did.

Mr. Munster hands in letters that passed between Mr. Laffan and himself, &c.

William Gorman.

William Gormon recalled; examined by Mr. GRIFFIN.

17470. Do you remember having some conversation with John Butler?—I do, sir.

17471. Did he ask you to vote for Mr. Munster?—He asked me to vote for Mr. Munster. There was Connor, Butler, Cahill, and me, altogether. Some one asked Butler to give ten pounds earnest.

17472. Who asked that?—Some of the party asked ten pounds off of Butler, to give earnest—they thought to buy me like a cow or a sheep—that I would get the rest before the election.

17473. Did you take it?—No; I wouldn't accept it. Pat Cunningham came, when Mr. Munster was going to come, to sign a requisition to bring Mr. Munster. I told him I wouldn't sign it for I was going to vote for Mr. O'Beirne.

17474. Did you vote for Mr. O'Beirne in '65?—I hadn't a vote in '65.

17475. Did you get anything for voting for him this time?—No, nor didn't look for it.

17476. They volunteered to give you that money?—They did, sir. They wanted to give me ten pounds, and to be paid before the election.

Mr. William Ryall.

Mr. William Ryall sworn; examined by Mr. WATERS, Q.C.

17477. Mr. Ryall, you are an elector of Cashel, I believe?—Yes.

17478. Were you also an elector previous to the last election?—I was; in '56 I think I was. I voted in the election before this last election.

17479. Did you vote in '65?—No, I don't think I did. I was postmaster and didn't vote.

17480. You did not vote in 1865.—I think not. Well, I think I voted for Mr. O'Beirne in '65. I think I voted in '65 for Mr. O'Beirne.

17481. For whom did you vote in 1868.—For Mr. Munster.

17482. Do you know of any money having been given in 1865 to influence any of the voters of Cashel?—Not a word of it; I never mixed in those things; I never mix in the town about anything. I knew nothing at all about it.

17483. Did you not hear anything of money given to voters?—I might hear it. It was the whole talk through the town and country that there was money given; but I knew nothing about it.

17484. May I ask why you changed your opinion from Mr. O'Beirne, for whom you voted in 1865?—I didn't intend voting at all on any account, and then I voted for Mr. Munster the morning of the election.

17485. Had you refused to vote for any one before?—I had. I delayed all through and would not vote; but there was a nephew of mine looking for a farm from Captain Byrne, and my brother and brother's wife came to me and asked me to vote for Mr. Munster, and I said I would. I had no intention of voting for him up to the morning of the election.

17486. A nephew of yours was to get a farm?—There was a farm convenient to where he lives, and Captain Byrne was the agent for it, and he went and was told by Captain Byrne that if I voted at the election he would get the farm. When my brother and brother's wife came in and told me I told them I would vote. More than that I know nothing at all about it.

17487. Had you any conversation with Captain Byrne about it?—I had. He pays me the rentcharge for that farm. When he came to pay me he said, "There was a nephew of yours looking for the farm—with me for the farm, and when I found he was a nephew of yours, I said I would give him the farm."

17488. Was that conversation before the election?—Before the election.

17489. Did he say anything about your vote?—He said, "I will support you now, and you will support us."

17490. Then he connected the two things—the giving of the farm to your nephew, and the giving of your vote to Mr. Munster?—He did.

17491. And you would not have voted for Mr. Munster but for that?—I would not have voted for anyone, for I didn't like how the parties were going on on both sides. When my brother and brother's wife came to me and asked me I said, "I will serve a friend if I can do it." I then voted.

17492. Mr. Ryall, you have given your evidence very candidly, and I am induced to ask you, from the candour of your answering, had you any idea that you were breaking the law when you gave your vote that way?—No. I thought when I could serve a friend I could do so.

17493. Do you not admit that you gave the vote merely to serve your nephew?—I did.

17494. Did it not occur to you that that was a corrupt vote?—Not a bit of it. "Well," said I, "you ought to give him the farm." "Well," says he, "that would be bribery. You are a gentleman," says he, "and I am another; take my word for it he will get the farm." "Very well," says I.

17495. Was not that giving your vote for Mr. Munster because your nephew was going to get the farm?—I was going to serve a friend. I took no money and got no money, and didn't ask it.

17496. You have frankly told everything we had to ask you?—Yes, sir.

Mr. *Munster*.—I wish to ask him, did his nephew get the farm?

17497. Mr. WATERS, Q.C.—That is perfectiy immaterial?—*Witness*.—He did not get the farm, sir.

NOTICE respecting the GRANTING of CERTIFICATES.

Mr. WATERS, Q.C.—An advertisement appears in this day's *Cashel Gazette* to the effect that the Commissioners will sit on Tuesday next, to consider all applications made to them for the granting of certificates to persons for anything they have done in connexion with the election of 1868. We will sit at ten o'clock on Tuesday morning, to hear applications from all persons as to the granting of certificates. I have already explained more than once, that persons who have been involved in any improper practices can be protected only by the certificate. We will consider whether, under the Act of Parliament, we are to give certificates to any person who asks us. I make this announcement, that on Tuesday we will consider those applications, in order that it may be made known as widely as possible.

[Adjourned.]

NINETEENTH DAY.

MONDAY, OCTOBER 25, 1869.

Doctor *Robert Potter Russell* sworn; examined by Mr. WATERS, Q.C.

17498. Doctor Russell, I believe you are an elector of Cashel?—Yes; I have been for a length of time.

17499. And you voted for Mr. Munster at the last election?—Yes. I have been for over thirty years an elector.

17500. You reside in the town of Cashel?—I live in the town.

17501. Are you able to give us any assistance with reference to the existence of corrupt practices at the last election. First, do you know yourself personally of any?—I do not know myself personally of any corrupt practices. I have heard various rumours, and as you put the question to me, I may state that I heard from one individual, a peculiar case, a particular case.

17502. What is the name of that individual if you please?—William Cashen.

17503. Where does he live?—He lives at Lady's Well. He is not an elector.

17504. Is he the son of William Cashen of Attikett?—He is.

17505. Patrick Cashen, son of William?—Yes, son of William.

17506. What is the name of the man with whom you had the conversation?—William Cashen.

17507. What was the conversation that you had with William Cashen?—I met him in the street. He is a cattle jobber. He asked me about the price of cattle that he was about and that he wanted to buy. I was driving out towards my farm. I said that if he would come with me I would show him the cattle, and sell them to him, which I did. While he was in conversation, driving out, I said to him, as the election business was the general conversation in the town—

17508. Was that soon after the election?—It was after the election; and I think it was after the petition too; and I said to him, "Now Billy," said I—I knew him since he was a child; his father had been a tenant of mine who left my place and went to live on the Commons. I said to him, "Now Billy tell me the truth like an honest fellow; how much did your father get on the Commons since he left my place?" So he said, "I will tell you honestly the truth; he got £80." "How do you make out that?" said I. "Well," said he, "he got £20 from Sir Timothy O'Brien, and he would have got more but he was some way shoved out of some more that was to have been given to him; and he got £30 at the election of '65 from Mr. O'Beirne, and £30 at this election." "Oh," said I, "that is not the case at any rate, for I heard your father swear at the Commission that he didn't get as much as a penny"—as much as would shave him was his expression. "Oh," said he, "he did." "I can hardly believe that," said I. "I know your father is an honest man; are you certain of it?" "I am," said he. "How do you know," said I. "Because I gave it to him myself," said he. "You gave it to him," said I. "Yes," said he. "Where did you get it," said I. "Where would I get it," said he, "but from Mr. O'Beirne." "Is that true," said I, "or are you humbugging?" "It is perfectly true," said he. That was the whole conversation about it.

17509. Did he say, Dr. Russell, how he got the money; by cheques or otherwise?—No; he didn't say.

17510. Did anything more occur?—Nothing more than what I relate now.

17511. Have you seen any cheques of Mr. O'Beirne in anyone's hand?—No, never. I never knew any case except that, if that be a ——

17512. Oh, thank you; it is a case to put us on inquiry?—I heard various rumours, of course, about the town, and my belief is that there was a vast deal of corruption in both this election and the last.

17513. Do you know anything of the election of 1865—any specific facts?—No, I do not. I do not recollect any specific fact; but I verily believe that there was an enormous amount of bribery at that.

17514. Are you connected with the infirmary here?—I am.

17515. Do you know as a matter of fact whether Mr. Munster gave a subscription to the infirmary?—I do.

17516. Was it before the election?—Well, I think it was.

17517. Before the election?—I think it was. I am not certain about it; but I tell you who can tell you exactly the time. Mr. Munster himself can tell, for he has the receipt—or the Dean, who is treasurer. Mr. Munster said, "I should like to be able to send people to this infirmary; what is the legal subscription?" I said, "A guinea a year, or twenty guineas to be a perpetual governor." "Well," said he, "I should like to be a perpetual governor." He did not give me any money, but he gave a cheque to the Dean for the amount. I wouldn't swear whether he gave a cheque in the Dean's name, and passed it to me; but it was to the Dean.

17518. He gave twenty guineas?—Yes; that is the legal subscription; he couldn't be received for less.

17519. Do you think that was before the election?—I think it was. I fancy it was.

NINETEENTH DAY.

October 25.

Mr. *John Davis White* interposes.

Mr, John Davis White.

17520. Mr. *White.*—It was almost immediately on his coming here. He was not here three days when he gave it.

17521. Dr. *R. P. Russell.*—Mr. White is secretary to the infirmary. Do you know whether it was to me or to the Dean he gave it?—Mr. *J. D. White.*—To the Dean.

Dr. Robert Potter Russell.

Dr. *Robert P. Russell's* examination resumed by Mr. GRIFFIN.

17522. There was some reference to a watch. Do you wish to say anything about it. We do not want to ask you anything about it?—I may as well tell you. I was up with Mr. Munster one day seeing his place; I think one of the ladies was ill; at all events I was there seeing the place. I saw a great number of watches hanging up about his room. Said I, "You have got a great number of watches." "Yes," said he, "it is a sort of fancy of mine. I have about three hundred watches of all prices, from twenty-five shillings up to any amount." "I would hardly get a watch for twenty-five shillings," said I to him. "Oh, yes," said he, "a very good one, too." "Well," said I, "I would like very much to get a good one." "Well," says he, "there is no article in which the price differs so much in the manufacturer's hands and the retailer's, as a watch and a gun. You would get a good gun in Birmingham for one-fifth or one-sixth the price, and a watch in the same way. There is a man, by-the-by, in the kitchen," said he, "that came over from Sheffield that sells those watches." So he called him up. I asked him about the watches, and he said he could send me over one, "just the same as this," says he, pulling it out of his pocket. "If you like you can have this one;" so I said I would take it, and I paid him the money for it. I didn't pay twenty-five shillings, but twenty-four; that was all I had in my pocket. I called to Browne's and asked him how much it was worth. "Well," said he, "I can buy those watches at £13 a dozen." I have a son in college and I gave him a present of the watch when he was going up to town. I believe the watch turned out to be a very fast goer.

17523. Did your son ascertain the value of the watch in Dublin?—I believe he wouldn't get sixteen shillings for it.

17524. Then you did not get a great bargain?—I got a stick, I think.

17525. Mr. *Munster.*—I wish to ask Doctor Russell did he see me any time on the day of polling?—*Witness*—On the day of polling. I couldn't say positively; I must have seen him, but I don't recollect any circumstance that would call it to my mind.

17526. I would ask Doctor Russell if any time during the election he saw me in an excited state at all?—*Witness*—Yes, I did.

17527. Mr. WATERS, Q.C.—I suppose you saw some others excited?—Yes; I think they were all excited. I should have no objection to be asked all the questions in the circle.

Mr. *Munster.*—With regard to that watch—the matter about the watch printed in the report of the election petition, is utter nonsense.

17528. Mr. WATERS, Q.C.—I do not want to make it intelligible; it is perfectly immaterial. Mr. Munster wishes, Doctor Russell, to have you asked did Mr. Munster ever say that there should be a petition; that he had rather petition than be petitioned against?—He did frequently, and that he would rather that anything should occur than that he should be, in the slightest degree, tainted with bribery; that it would not suit his book at all to be returned on that score.

Mr. *James Lyster O'Beirne* was called, but did not appear; *Henry Raven* was called, but did not appear.

Mr. *Munster* hands in a copy of the *Irish Times*, and, pointing out an article or paragraph therein, says:—"I have nothing to do with that. I wish to say explicitly that I do not concur in those ideas. It is utter nonsense, and can have no reference to me."

Patrick Condon, of Main-street, was called, but did not appear.

Mr. Michael Coyle.

Mr. *Michael Coyle* sworn; examined by Mr. WATERS, Q.C.

17529. You voted for Mr. O'Beirne, I believe, at the last election?—I did.

17530. I believe you took an active part in support of his canvass before the election?—Yes, I went round with him on a public canvass.

17531. Now, Doctor Coyle, I have to ask you do you know anything of any moneys, cheques, or any other considerations, given by Mr. O'Beirne, or by any agent on his behalf. Tell me if you know of anything at all having been given, or a promise of anything?—In general terms, I might say I do not, sir; but there is one instance I went to him. I was in the habit of going on Sunday mornings to chapel with him, and on one occasion I saw him filling a cheque—for whom I do not know. There were others in the room at the time. I do not know whether that cheque referred to the election or to anything else.

17532. Is that the only instance?—There was one instance of an evening, and I considered that it was a cheque. I could not say if I just saw it; but I believe there was a cheque filled one evening I was there.

17533. For whom?—Owing to circumstances, I think it must have been for the late Michael Hanley, because his name was mentioned at the time. Mr. O'Beirne put the question to his valet why Mr. Hanley didn't come up, and I saw Hanley previous to that as I was passing up to his room. I cannot just say the exact words that the valet said, but I think that what Mr. O'Beirne said to him is "Hanley ought to come up."

17534. Do you know was there at the time any discussion about an account of Mr. Hanley's mother?—Well, I never heard of the discussion, but I was aware that there was some debt—that I heard it spoken about.

17535. Was there anything that then occurred to lead you to believe that the cheque was filled for Michael Hanley himself, or that it was for the account due to his mother?—I don't know, sir; although I was there I didn't take any notice.

17536. Besides those two occasions, do you know anything of any cheque, or money, or promise of money, or promise of a cheque, or any promise whatsoever given on behalf of Mr. O'Beirne?—No; I do not, although I went publicly canvassing with Mr. O'Beirne. He had to send for me twice before I did do so. I went round the town with him, and also went to the Commons on one day.

17537. On the Commons did any person talk to you about money?—No, sir; in fact there were a number of persons going from house to house, and I think I entered about two houses during the canvass.

17538. Did you speak to voters?—At that time I did not.

17539. At any time, did any persons ask you about money? You are not to restrict yourself to the mere words of the question. Did anyone ask you as to whether anything was going, or did you hear that "it would be all right," or any equivalent expression of that kind?—On one occasion I was passing across Eager's-lane from Friar-street to Johnstreet, and I

heard a person coming after me. I turned round, and it was a man of the name of, I think, Murphy. I cannot say what was the first conversation. I put the question to him, "Well, Murphy, you are engaged at Mr. Munster's," and he said, "Yes," but that at the same time he intended to vote for Mr. O'Beirne.

17540. Is that Thomas Murphy?—John Murphy, of Friar-street, I believe. He said that although he was working, and paid well by Mr. Munster, he was inclined, and would vote for Mr. O'Beirne; "but," says he, "I am a very poor man." "With regard to money matters, John," said I, "I don't know anything at all about the matter." He passed into the door of Mr. Munster's, and I left him there.

17541. Was there anything further that occurred?—Nothing further. It was only a few perches we had the conversation, as we were passing along.

17542. Mr. GRIFFIN.—Is John Murphy a voter?—He is, sir.

17543. Mr. WATERS, Q.C.—Do you know how he voted afterwards?—I heard he voted for Mr. Munster.

17544. Was that the only occasion on which you heard any elector of Cashel speak about money?—I do not think I heard any other. On no other occasion I heard anything.

17545. I must ask you did you receive any consideration of any kind yourself?—Never, sir.

17546. Of any kind whatever?—Of any kind whatever.

17547. And you have no expectation?—I have no expectation.

17548. Did you support Mr. O'Beirne in 1865?—I supported him on two occasions. I voted for Lanigan I believe in 1859. I would not have voted for Lanigan on that occasion were it not that, I believe a relative of his own, the Reverend Father Cleary, a great friend of mine, asked me to vote for him, and I did. I was prejudiced, I must say, in favour of Mr. O'Beirne from 1857, for I thought him a very superior man.

17549. You know of no other instances of money or any consideration being given to voters, except those that you have mentioned, and you are not able to give us any further information?—No further information.

17550. Do you say that without any hesitation?—Without any hesitation in the world.

[Mr. Munster hands in questions.]

17551. Did Mr. Munster purchase things in your establishment previous to the last election?—He did, sir, both previous and after.

17552. Mr. Munster desires to ask you, did you ever ask him if his election cost him £7,000?—No; to my recollection I never did. Mr. Munster never asked me for my vote, but Mr. Michael Laffan and Mr. Leahy did come to my establishment; I believe they were canvassing. I said, "I will see Mr. Munster myself." "No," said they, "you need not," for they knew I would not support him. I went out and said to Mr. Munster, "I have already told you that I will not support you." "Oh," said Mr. Munster, "I don't want to speak about your vote;" then we had some other conversation.

Mr. *John Wood* sworn; examined by Mr. WATERS, Q.C.

Mr. John Wood.

17553. You voted I believe at the last election for Mr. O'Beirne?—I did, sir.

17554. Did you take any part in the election besides recording your vote?—No, I did not.

17555. Did you not canvass anyone at all for him?—No; I did not canvass anyone at all for him.

17556. Do you know of any money, cheques, promises, or any sort of inducement or consideration having been given by Mr. O'Beirne to any voter in Cashel?—I do not know anything of that sort unless by rumour. I know nothing of my own knowledge.

17557. With reference to whom did you hear rumours?—I heard it generally. I did not hear of any particular person being bribed. I have no knowledge whatever of it.

17558. You have no specific information with regard to any individual?—I have not.

17559. I think I asked you if you saw any cheques with Mr. O'Beirne?—I did not.

17560. Do you know of any having been given?—I do not.

17561. For whom did you vote in 1865?—Mr. O'Beirne.

17562. Were you canvassed by Mr. O'Beirne soon after his arrival in the town?—I couldn't exactly say. I suppose I was; but I couldn't say which. I don't remember which; but I suppose I was.

17563. Did you promise him at once when he asked you in 1868?—I did not. He came to me on three occasions, and I said that I didn't think I would vote at all. I wasn't disposed to vote.

17564. Why were you not disposed to vote?—I wasn't disposed to vote for Mr. O'Beirne, because he disobliged me. I asked a request of him about ten months after his return for the son of a farmer, and he promised to do so, and he didn't keep his promise, and he called on me three times, and I said I wouldn't vote.

17565. What made you afterwards change your mind and determine to vote for him?—Mr. Morgan O'Connell, Mr. Bianconi's son-in-law, came with him and asked me a few days before the election, and then I promised him.

17566. Was that the only influence that was brought to bear on you?—That was all.

17567. There was no promise of any kind made to you?—No promise. I never received directly or indirectly in any way that could be named by man to the value of a half-penny, nor didn't require it.

17568. There was a retainer offered to you, I believe?—There was.

17569. By whom was it offered to you?—By Mr. Patrick Laffan.

17570. Did you accept it at first?—He came to my house just as we were about closing up the establishment, and he said when he came in—I was very intimate with him—he said, "That bill that you furnished me with I lost." It was a bill for medicines, furnished for Mr. Leahy. I said, "no matter, sure you can have another;" but, said I, "since that bill was furnished, there was another due of Mr. Munster." He asked me the amount, and he had a pen as if he was making up the two sums. Without reflecting, I asked him to come in and sit down in the parlour. I left him and went to see if there was a fire, and there was. He came in and sat with me for some time. On entering the room he handed me this retainer. I took the retainer and threw it into the drawer. In the morning when I went to the drawer, I expressed some surprise at it. I showed it to Mr. Pierce Grace, the attorney, who directed me to return it. I directed it in a note to Mr. Laffan, and used every exertion to have it delivered to him that day, but he could not be found. My son, late that night, offered it to him, and he would not take it. Mr. Grace next day inclosed it in an envelope, directed to Mr. Michael Laffan, and I gave it to my son to deliver it to him. That was on Friday. On Sunday, between ten and eleven, Patrick Laffan was passing my house. He passed by without speaking to me. After passing about fifteen or twenty yards, he returned and said, "You were angry about this." I said, "I am." He said, "well, I have it; I will keep it, provided you don't tell anyone of it."

17571. He said that to you?—He said that to me. Between eleven and twelve o'clock on Sunday, after the retainer was delivered to Mr. Michael Laffan, Mr. Pat Laffan was passing my door; when he passed fifteen or twenty yards he returned. "I know you are annoyed about that," said he. "Of course I am,"

NINETEENTH DAY.

October 25.

Mr. John Wood.

said I, "I didn't expect that treatment." "Well," said he, "I have it and I will keep it; but don't tell anyone; but don't vote against Mr. Munster." That is the whole case about the retainer.

17572. You say that you did not know what it was at the time you got it?—I never read it, sir, neither did he. He said on that day—he said, "I have it, and I will keep it; I thought you read it." "Why," says I, "neither of us could do that, for there was no light in the parlour."

17573. Mr. MOLLOY.—Did he ask you to become an agent?—No, sir; if he asked me to become an agent I would have turned him out that moment.

17574. Were you summoned before the magistrates?—I was, four times.

17575. What were you summoned for?—I could not tell you. This gentleman here might tell you, for he seems to have more information than me.

17576. Were you ever given any instructions to act as agent?—Never, sir; nor I wouldn't act as agent. I think I couldn't degrade myself more.

17577. Was it before or after the election that you were summoned?—It was after the election. It was adjourned three times, a month each time, I think.

17578. Mr. WATERS, Q.C.—Mr. Munster wishes to know why were you angry at getting the retainer, if you did not intend to vote?—I couldn't say. That is the question that was put to me by Mr. Laffan. He said, "You are angry about this."

17579. Were you angry about it?—I was, of course.

17580. Why were you angry?—Because I think it was an imposition put upon me—that it was a bribe.

17581. Mr. Munster wishes to know will you swear that the first bill was not paid at the time?—I cannot positively say. I don't think it was. I think it was two days before the election the bill was paid. To the best of my opinion, Mr. Munster's bill was due. I don't think I was paid any money by either party. It is a long time now, sir, and I can't exactly recollect those things. Of course, if I knew that it was paid, I wouldn't have mentioned it. I don't think it was.

17582. Do you say, Mr. Wood, that you understood that cheque was given to you in payment of the bill?—I do, sir; and, to the best of my belief, the bill was not paid.

17583. You did not see the amount of the cheque?—I did not read it at all.

17584. Mr. GRIFFIN.—Where did Mr. Laffan write the cheque?—I left him in the shop when I went in to see was there a fire in the room.

17585. Was there light in the shop?—There was, sir.

17586. There was no light, you say, in the room where you got it from him?—No light, sir, whatever.

17587. Mr. WATERS, Q.C.—Is that the cheque you got [witness is handed a cheque]?—I could not say, sir; I suppose it is.

17588. Was the amount of the second bill £1 13*s.* 2*d.*?—I could not say exactly, sir, what it was.

17589. Mr. *Munster.*—When did he first see the amount of the cheque?—*Witness.*—The following morning, when I took it to Mr. Grace. Never having seen such a document before, I was eager to know what it was.

17590. Mr. WATERS, Q.C.—Had you at that time promised Mr. O'Connell to vote?—I can't say that; I don't think I had. I think it was two or three days before the election Mr. O'Connell and Mr. O'Beirne came to me.

17591. Was the amount of the first bill £1 8*s.*?—I could not say.

17592. Mr. GRIFFIN.—You say that you had heard nothing about retainers at that time?—I didn't; I didn't understand what it was, and I took it to Mr. Grace to be informed on it.

17593. Is he your professional adviser?—He is.

[Mr. Munster hands in a letter, requesting that the witness should be asked was it his handwriting].

17594. Is this your handwriting, Dr. Wood, [witness is handed the letter]?—It is not, sir; but I got it written.

17595. It was written by your directions?—It was, sir.

17596. Was the whole of it written by your direction?—It was, sir.

17597. Was your attention called to that portion on the back when you said that the whole of it was written by your directions?—I don't know anything about this; I don't think it was ever written by my directions.

Mr. *Munster.*—I should like to ask Mr. Patrick Laffan, if he can explain the difference in writting in the body of this cheque.

Mr. WATERS, Q.C.—The Commissioners are of opinion that this retainer, and the giving of this cheque, and the difference in the handwriting, and all about it, are immaterial. We do not attach any importance to the matter.

Mr. *Munster.*—It was made a great point of in the trial of the election petition.

Patrick Condon.

Patrick Condon sworn; examined by Mr. MOLLOY.

17598. How long have you been an elector of Cashel?—The last time, and another, sir.

77599. That is since 1865?—'65 and the last.

17600. How did you vote in 1865?—For Mr. O'Beirne, sir.

17601. Was your house taken at the election of 1865?—It was, sir.

17602. Who took it?—Mr. Johnson, sir.

17603. Were you canvassed by Mr. Lanigan in 1865?—Not to my knowledge, sir. No, I wasn't canvassed, sir, I think.

17604. What were you to get for your house in 1865?—Twenty pounds, sir.

17605. When did you get it?—Nine months after the election, sir.

17606. Where did you get it?—It came from London to me.

17607. Was it from Mr. O'Beirne it came from London to you?—Yes, or from his clerk. I don't know which of them it came from.

17608. Was there any use made of your house for the election?—There was not, sir, but that £20 was for my bill.

17609. How much were you to get for your house?—Twenty pounds.

17610. How much was the amount of your bill?—Twenty pounds.

17611. Twenty more?—No, sir; £20 I sent over for. The cheque on the bank came. I sent the bill over for £20. I put in my bill to Mr. Johnson in Dublin for £21 15*s.*, and then I sent a letter to London, and a little docket in it for £20, and it came to the bank in Cashel, and I received it.

17612. What was the £1 15*s.* for?—It amounted in my bill for drink. I will tell you how it occurred, sir. When I went down to Mr. Johnson one day there was a number of people there, and my bill was £6 15*s.*, and I got £5 out of it, and the £1 15*s.* is due still.

17613. Then you had a bill for £6 15*s.* for drink, and got £5 on account?—Yes, sir.

17614. What use was made of your house?—There were several people in and out there.

17615. Drinking?—Drinking and talking that way. There were several people going in and out.

17616. You keep a public house?—I do, sir.

17617. By whom were you canvassed at the last election?—By Mr. O'Beirne, when he asked my vote.

17618. What did you tell him?—I told him I would, sir. If I had it now I would give it to him.

Patrick Condon.

17619. Was your house taken?—No, sir; there was nothing about taking houses at this time.

17620. Did you expect your house to be taken in 1868?—No, sir; for I knew very well I would vote for Mr. O'Beirne.

17621. Did you expect your house to be taken?—I didn't, for I pledged myself to Mr. O'Beirne on his arrival in town the first evening.

17622. Were you very active on his behalf?—No, sir.

17623. Did you canvass any person for Mr. O'Beirne?—No, sir.

17624. Did you not canvass any person at all?—No, sir. I may talk.

17625. Were you talking to any person about the election?—I may talk to several parties.

17626. Were you talking to Mrs. Rochford?—I was, sir.

17627. What conversation had you with her?—She came to my house for a glass of whiskey in a bottle and asked me about the election. "I don't know," says I, "but I'll vote for Mr. O'Beirne. I understand," says I, "that there's cheques going about and that it is to prevent your husband or his equals from voting"—that was the rumour to prevent the husbands from voting as they were retained as agents; and she said that Mr. Laffan came with some paper, and she said she didn't know whether he signed the paper or no, and I said I couldn't do anything for her—that I had nothing to do but was supporting Mr. O'Beirne.

17628. Did you tell her that the Captain would give no more than £20?—I didn't mention the Captain's name, nor any person.

17629. Did you tell her that no more than £20 would be given?—I may mention it, but I have no recollection of telling her 20 or 30 or 10 would be the amount.

17630. Did you tell her how much she would get for her house?—I didn't, sir. I told her make whatever bargain she liked.

17631. Did you know that that plan of agreeing for her house was a means of securing her husband's vote?—No, but I thought it was the means of her avoiding having anything wrong to do.

17632. By setting her house?—Yes. Mr. Johnson asked me how many rooms and beds were in my house.

17633. Mr. WATERS, Q.C.—What did you tell her to go to Mr. O'Beirne for, if she wished to set her house? Why did you tell her to go to Mr. O'Beirne?—Fearing anything wrong may occur, sir.

17634. Now that is nonsense?—Very well, sir.

17635. Give me an honest answer?—I will, sir.

17636. Did you not think that if she set her house to Mr. O'Beirne, it would secure her husband's vote for Mr. O'Beirne?—The husband may vote for anyone he liked.

17637. That is not a direct answer. I ask you again did you think if she went to Mr. O'Beirne and set her house to him that that would secure her husband's vote?—I couldn't say, sir.

17638. Did you think it would?—I couldn't say whether I thought it or no, sir.

17639. You swear that?—I do, sir.

17640. Why did you tell her to set her house to Mr. O'Beirne?—On she saying she was a poor woman I said the best way she could get out of anything was to set her house.

17641. Do you swear now on your solemn oath, that you did not think whether it would secure her husband's vote for Mr. O'Beirne or not?—I didn't think it, sir, and I couldn't say it, for I had nothing to do with her husband's vote.

17642. Did you know that the taking of houses was a way of securing votes in Cashel?—I didn't, sir. I knew nothing about the election; but I always thought that a licensed man, if there was a regiment of soldiers passing by, he would get his part of them, and if an election was going on, why not a man licensed be able to set his house and entertain parties as well as another.

17643. There is too much argument in your evidence to please me. That will do?—Very well, sir.

Richard Grace sworn; examined by Mr. WATERS, Q.C.

Richard Grace.

17644. For whom did you vote at the last election?—For Mr. O'Beirne, sir.

17645. Did you vote also in 1865?—I did, sir.

17646. For whom did you vote then?—For Mr. O'Beirne, sir, and in 1859 I was promised to Mr. O'Beirne, and he didn't stand; the election before that.

17647. Was your house taken in 1865?—No, sir, nor in 1868. I am voting since the year 1848 these twenty-one years, and I never set a house, nor got any money, nor anything else by the elections.

17648. You never got anything you say?—Nothing, only a trifle of drink when there would be a contest.

17649. In 1865 had you drink taken in your house?—There was, sir.

17650. About how much?—Oh it exceeded £20. I got an order from Mr. Johnson at the time; for two months he was giving it before the election—half barrels of porter.

17651. Was that drink given to voters?—It was given to the mob party, sir.

17652. Was any of it given to voters?—There were half barrels taken, and they could divide it amongst them. I don't know who took it. They took it out of the house on the order of Mr. Johnson.

17653. Did you supply any drink in 1868?—No, sir; I had no orders in 1868, but Keeffe that was with the mob got some drink from me on his own responsibility.

17654. How much did it amount to?—£2 7*s.* 2*d.* I think it was, and Shea got another trifle of it.

17655. How much?—About fifteen or sixteen shillings.

17656. Was that the entire amount?—Mr. Munster's supporters got some drink from me at the election.

17657. How much drink did you supply for Mr. O'Beirne's side during the election; in round numbers?—I had no order.

17658. Now, can you not answer how much drink did you supply in 1868 to Mr. O'Beirne's side?—I think about four or five pounds worth.

17659. Not more than that?—I don't think I did; I gave drink myself to the mob, a good deal of drink, because they were raising so many fights, and in order to try to keep down that—in fact, I kept no account—I gave some drink to try to put an end to it.

17660. Then because they were riotous you gave drink?—I did, to keep them away from the house.

17661. That is a novel way of introducing peace in a mob?—I used often try to keep them away.

17662. To keep away from your house?—To keep quiet. If I could I would endeavour more to keep down riots.

17663. Were you paid for any drink you gave?—I was not, sir.

17664. Did you send in a bill?—I did not, sir. I had no one to send, but to keep an account. At the election Keeffe used to get drink, and pay for it.

17665. You were a great friend of Mr. O'Beirne's?—Not of Mr. O'Beirne's I wasn't a great friend.

17666. You were going to vote for him in 1859, and you voted for him in 1865?—It wasn't in respect of him that I gave any vote.

17667. Did you canvass for him at all?—I did not.

17668. Did you speak to anyone about him?—I often had a chat with many a one about him.

17669. Did you ask any of them to vote for him?—I don't recollect asking anyone.

17670. Did you not think he would be the right man to represent Cashel?—I think he would.

NINETEENTH DAY.

October 25.

Richard Grace.

17671. And would you not be glad that the people would vote for him?—I may speak to some.

17672. It is not you may, but did you not?—I wouldn't bargain for anyone.

17673. Did you ask them to vote for him?—I might speak to people, and say he was the best member.

17674. Did you see any cheques of Mr. O'Beirne's given to any persons?—I didn't see a cheque ever given about any election.

17675. That is not an answer?—I didn't see any cheques of Mr. O'Beirne's at all, sir.

17676. Did you see any cheques given to any persons in connexion with the election?—No, sir.

17677. Did you see any cheques in any persons hands with reference to the election?—No, sir, I didn't, belonging to Mr. O'Beirne.

17678. Did you, belonging to anyone else?—I saw retainers.

17679. Did you see any others besides retainers?—I did not, sir.

17680. Did you know of any money or cheques being given or promised, or any promise of any kind made to any person for voting at the last election?—I didn't, sir; I wasn't by at anything that way.

17681. A man might have told you what he got. Did you hear anyone say that he got anything?—The only thing I heard rumoured was, that a fellow of the name of Tracy got a cheque from Mr. O'Beirne.

17682. Did you hear of any others?—I think I heard of Ryan and Hogan.

17683. Any others?—I don't recollect anyone else.

17684. Do you recollect any other cheque now, except Tracy's, and Ryan and Hogan's? You need not tell me of Cashen's, for we know that?—I didn't know about Cashen's.

17685. Do you know of any other?—I don't know, sir, for I didn't meddle in the election.

17686. Did you hear any talk about money amongst them?—I hear, sir, that people were getting money.

17687. Who did you hear was getting it?—Almost the whole of them reported they were getting money.

17688. Did any of them ask you if you knew of money being going on Mr. O'Beirne's side? Or did they use any words such as "Will it be all right?" or "Will it be the old figure?"—The only person that spoke to me about it was a man of the name of James Cummins of the Commons. He was speaking to me about was there money going. I didn't hear of any money going.

17689. Is he a voter?—No, sir.

17690. Did anybody else besides James Cummins inquire of you if there was money to be got?—No, I don't recollect anything else. Many persons might be talking in a jocose manner that I don't recollect.

17691. Mr. MOLLOY.—Did you think James Cummins was joking?—He may be joking as well as any man. Many a joke we used to have about money being given.

17692. Mr. WATERS, Q.C.—How soon after the election of 1865 did you get the £20?—About two years.

17693. How long before the election of 1868 did you get it?—About two years more, I believe. It was about half the time between the two.

17694. Was it after Mr. O'Beirne came to town that you got it?—Oh no, sir. For the '68 election, is it?

17695. When were you paid the £20 for the election of 1865?—About two years—about a year after his return, I believe.

17696. How did you get it?—I think from London. I furnished Mr. Johnson with a bill.

17697. Did you get it before Mr. Johnson's death?—I don't know was he dead at the time.

17698. Was it in 1868 you got it?—About twelve months after his return I got it.

17699. Is that the only money that you got in reference to the election?—That is the only money I got, sir.

17700. Did you know Mr. O'Beirne's valet?—I saw him here the last time.

17701. Did you not see him at Dunn's hotel?—I saw him at Dunn's hotel here at the last election.

17702. Do you know of his paying money or cheques to any persons?—I didn't speak to him at Dunn's hotel.

17703. Did you ever know of his having money or cheques, or know of his having given money or cheques to anyone?—No, I did not, indeed.

17704. Or of his having promised them to anyone?—Never.

Thomas Hayden.

Thomas Hayden sworn; examined by Mr. GRIFFIN.

17705. You voted for Mr. O'Beirne at the last election?—Yes, sir; I did.

17706. For whom did you vote in 1865?—For Mr. Lanigan, sir.

17707. Who canvassed you at the last election?—Mr. O'Beirne did, sir.

17708. Mr. O'Beirne himself?—Yes, sir, he called to my place.

17709. Was that long before the election took place?—Well, I believe it was something about a fortnight before it, sir.

17710. Did anybody canvass you besides Mr. O'Beirne himself?—There was another gentleman with him at the time.

17711. Did anybody canvass you in 1865, for Mr. O'Beirne?—He canvassed me himself, but I was promised to Mr. Lanigan, and voted for Mr. Lanigan on two or three occasions.

17712. Do you know of any consideration of any kind given to any voter at the last election?—I don't, sir.

17713. Did you hear of any cheques, or know of any cheques given to any voters?—I know nothing about cheques or anything else.

17714. Did you hear any persons saying that they had seen cheques given, or understood cheques had been given for votes?—I didn't, sir.

17715. Did you get any consideration of any kind yourself for your vote?—No, sir; I was voting for nearly thirty years, and I declare on my solemn oath, that I never got the value of a glass of cold water for any vote I gave for the borough or county. I hope I will vote for the county one of those days.

17716. You did not hear of anybody else getting any promise or any inducement of any kind?—There was talks of a great deal of money given; not at O'Beirne's side, certainly not; I heard people say that he had no money in fact.

17717. Mr. WATERS, Q.C.—You do not know of any money, cheques, promises, or any sort of inducement given or offered to any man, or any money handed over for any other man?—I declare I don't, sir; I didn't much mix myself up.

17718. A man might hear things without mixing himself up with them?—I didn't hear anything of the kind, sir.

17719. Mr. GRIFFIN.—Did you hear anything of that kind with reference to the election of 1865?—I heard that there was money given at the time, sir.

17720. Did you hear who gave it, or who got it?—Several they said got it, but I did not mix myself up.

17721. You have no informatian to give us about any particular case?—No, not one.

Mr. *Munster*.—I should like to ask Mr. Hayden this question. [Hands it in.]

17722. Mr. GRIFFIN.—Mr. Munster is anxious to have you asked whether you ever warned him about the jennet that he was riding, that it was a vicious or dangerous animal?—I told Mr. Munster when I saw him that the jennet was dangerous or vicious. I didn't like indeed that the jennet should kill the gentleman. It is plenty for a man to lose his money, and not to lose his life.

John Murphy of Friar-street, sworn; examined by Mr. WATERS, Q.C. John Murphy.

17723. You voted at the last election for Mr. Munster?—I did, your worship.

17724. Had you ever a vote before?—No, sir.

17725. Did you get anything for voting?—No, sir.

17726. Nothing at all?—Nothing, sir.

17727. Do you know Dr. Coyle?—I do, sir, well.

17728. Did you ever go to Dr. Coyle to talk to him about voting?—No, sir; I did not.

17729. Now recollect yourself. Dr. Coyle told us this morning that you did. Now think of yourself?—In any form, your worship, I don't think that I went to any man. I was in Mr. Munster's employment and wouldn't go to speak to him.

17730. Do you know Eager's-lane?—I do, your worship.

17731. Do you recollect coming up to Dr. Coyle in Eager's-lane, and saying that although you were earning money from Mr. Munster you would be inclined to vote for Mr. O'Beirne, but that you were a poor man? Do you not recollect that?—I can't: if he was here to the fore.

17732. Well, he was here?—There was people asked me besides Dr. Coyle to vote for Mr. O'Beirne.

17733. Who were they?—Mr. Grace asked me wouldn't I go with my landlord. I told him I was employed by Mr. Munster and would never go back.

17734. Did any person offer you money for voting for Mr. O'Beirne?—They didn't sir, but they said I would be well done for. There was no one by.

17735. Who told you that?—Pat Connors, sir. He said that if I voted for Mr. O'Beirne I would be well done for. He offered me no money.

17736. You did not understand by that that you would get money?—No, sir; I didn't understand anything about it.

17737. Now what did you understand when Pat Connors said that if you voted for Mr. O'Beirne you would be well done for?—Well, sir, I understood I suppose I would get something by it.

17738. But did he offer you any money?—No, sir. He didn't; he didn't.

17739. When did he say it to you?—Well, sir, I didn't keep any account. It was just before the election.

17740. Where did the conversation take place?—On the Clonmel road, sir.

17741. Was there anyone present?—No, sir.

17742. Did anybody else say anything like that to you?—No, sir.

17743. Did anyone else say anything at all like that?—No; I can't recollect anyone else.

17744. You are a labouring man you say?—Yes, sir.

17745. Were you employed by Mr. Munster at that time?—Yes, sir, I was.

17746. How long were you employed by him then?—About seven weeks, your worship.

17747. What wages were you paid?—Sixteen shillings a week, sir.

17748. Mr. Patrick Connor desires that you should be asked if you said that you would vote for Mr. O'Beirne if Mr. Connor could get money for you? Did you say that, on the day you were talking with him on the Clonmel road?—No, sir; I didn't, but I told him I was unpledged, and that I was pledged to no man, and that I didn't know what I would do, at that time, your worship.

17749. Then you were ready to receive proposals from either side about your vote?—I told him so, sir; but I was not. The man that I was employed with, it was my intention to vote for.

17750. Did you not tell Mr. Patrick Connor that you were not pledged to any man?—Yes, sir.

17751. Did you talk to him about money?—No, sir, I didn't.

17752. Did you not ask him how much the money would be?—I didn't, sir.

17753. Did you ask him could he get any money for you?—No, sir. There was no talks about money, but that—but what I tell your worship, and I tell you the truth now.

17754. Did you ask Mr. Patrick Connor if he knew whether Mr. O'Beirne was giving money?—I didn't, sir.

17755. Did you ask him could he get any money for you?—No, sir.

17756. Who introduced the subject?—It was he, sir.

17757. You said your wages was 15*s.* a week?—Yes, sir; but I was promised that I would be equalized with the other men.

17758. What were you employed at—in the establishment was it?—Yes, sir.

17759. What were the other men getting?—Four shillings a day, sir, up in Abbeyview. The man with me had 25*s.* a week. I stopped at that.

Patrick Connor sworn; examined by Mr. WATERS, Q.C. Patrick Connor.

17760. Mr. Connor, I believe you were Mr. O'Beirne's expense agent?—Yes, your worship.

17761. Did you furnish this account of your expenses?—I sent it by post to the subsheriff.

17762. The amount of it is £1,341 5*s.*?—Yes, I have a copy of it here. I have the original of it here.

17763. Now, Mr. Connor, have the goodness to inform me how much of that £1,341 5*s.*, you paid?—Only four pounds.

17764. And do you know anything whatever of the items in this bill that you have sent in?—Nothing whatever; all I know about it is, that I got this in Mr. Grace's office in Mr. O'Beirne's handwriting. He sent it from London; I suppose it to be in his handwriting, and I inserted in it the four pounds I paid myself. I know nothing about it whatever, any more than that [hands in document]. That is in Mr. O'Beirne's handwriting, except the £4 that he didn't insert.

17765. Do you know anything whatever of any of the items in this account?—Nothing whatever.

17766. Then all you did was simply to copy the account furnished by Mr. O'Beirne?—That was all. I sent it—posted it to the subsheriff. I put the £4 in. The £4 was £4 I got from Mr. Grace to pay two clerks, in some time after the election.

17767. Was the £4 all you got in reference to the election?—That was all.

17768. On any account?—On any account whatever, and all accounts.

17769. I believe you were not well aware that you were the expense agent?—Well, as to that, your worship, I might have been aware, but I cannot bring to my recollection that I was aware of it, until after the election.

17770. You were not aware of it before the election?—I don't recollect that I was.

17771. You heard Murphy examined just now?—I did.

17772. Had you any conversation with Murphy?—I had.

17773. Where did you meet him?—We were out together on the Clonmel road one Sunday. He was out with me as far as John Dwyer's house. I recollect it well. He told—we were speaking about the election. He told me, "Well," said he, "if you can get any money for me from Mr. O'Beirne, I will vote for Mr. O'Beirne. I don't like that Munster at all. I don't like that Munster at all," said he. "Well, I can do nothing for you that way," said I, "as for Mr. O'Beirne, I believe he is a poor man, and able to pay no man," says I.

NINETEENTH DAY.

October 25.

Patrick Connor.

17774. You know since that Mr. O'Beirne did pay some people?—I don't know more than what I have heard.

17775. But you have heard it?—I have heard of these cheques and things.

17776. You heard all about it?—The cheques—that is all the payments I have heard, and about James Hackett. I have been listening all along since the commencement of the inquiry.

17777. That is the reason I say you have heard of it. At least within this month of October, you have heard of it?—Oh, I heard it before also. I heard it rumoured before that. I heard it at the election petition too, and I heard it rumoured.

17778. Were you a voter in 1865?—I was.

17779. For whom did you vote then?—For Mr. O'Beirne.

17780. I believe it is not putting it too strongly to say, that you had a strong feeling in favour of Mr. O'Beirne?—The fact of it is I had a strong feeling for himself, because no man in this world I dare say, was a warmer supporter of his than I was. I was as anxious he would be elected as he was himself.

17781. Did you not know in 1865 that Mr. O'Beirne was giving money?—I didn't know it, but I heard it.

17782. Were you not as sure of it as of anything you ever saw done?—I heard so.

17783. And you were satisfied it was true?—I believe it to be true. I heard Mr. John Davis White lent money on notes and that Mr. Geary lent money on notes.

17784. And you believed it to be true?—I did, there was no doubt of it.

17785. When Murphy spoke to you I have no doubt you said something like what the man says?—On my solemn oath, I didn't.

17786. You said nothing like what he says?—"If you can get me anything," said he, "I will vote for Mr. O'Beirne. I don't like that Munster at all. I will not vote for Munster unless I am paid;" and as for me, "I know nothing about that," said I, "and that is a thing I will not interfere in."

17787. Is it not the likeliest thing that you said to him, "If you vote for Mr. O'Beirne you will be well done for?"—On my oath I did not.

17788. Or anything like it?—Nothing like it whatever.

17789. Do you mean to tell me that you did not make use of any sort of persuasion or inducement with Murphy?—Positively not.

17790. Did you hear Murphy positively swear that you said if he voted for Mr. O'Beirne he would be well done for?—I heard him swear it and I heard him swear an untruth.

17791. He did not seem to me to be telling an untruth; but might you not forget it?—I do not.

17792. Mr. John Murphy forgot one portion of the conversation, do you not think you might forget another part?—I do not forget it.

17793. You are quite sure you recollect everything that was said?—Well, I do.

17794. Now, Mr. Connor, did you canvass in the Commons for Mr. O'Beirne?—I was with him one day.

17795. Can you not answer me?—Yes, I was with him one day canvassing.

17796. Then you did canvass with him?—Yes.

17797. Do you know of any money promised to persons on the Commons?—None whatever.

17798. Do you know of anything said to persons on the Commons to the effect that it would be all right, or they would have the same as last, or it would be the old figure, or anything at all that way?—No.

17799. You have sworn to tell the entire truth. Tell me anything you know with reference to Mr. O'Beirne's proceedings in the election?—I will.

17800. Tell me, then, anything that you know with reference to it, and do not say afterwards that you forgot something. Tell me anything at all you know, because I might not be able to frame my questions exactly in the way to touch your conscience and bring it out?—I don't know anything about Mr. O'Beirne having given any money, nor any of his agents either having given money. I don't know it: they might have given it without my knowing it.

17801. Have you any information to give the Commissioners here?—I have not but what I heard.

17802. You were a warm partisan of Mr. O'Beirne?—I was actively engaged for him, and would for you, your worship, if I took part with you.

17803. I want you to save me the trouble of putting questions; try to search your memory, and tell us what you know. Have you any information to give the Commissioners here?—Nothing but what I have heard here sworn as to them cheques; that is all I know about it.

17804. I see I am driven to put questions. When I told you to tell me all that you knew, you said you knew nothing——?—I might recollect.

17805. Can you not listen to me, sir?—I will, sir.

17806. You said you knew nothing of Mr. O'Beirne or any of his agents having given any money?—No.

17807. I ask you, on your oath, do you know of any cheques given to anyone?—None but the three cheques I have heard of—Cashen's, Tracy's, and Hogan's.

17808. You never heard of any other cheques than those?—No.

17809. Did you ever know of any promise made by anyone to any elector if he would vote for Mr. O'Beirne?—No.

17810. Did anyone tell you he was promised any money if he would vote for Mr. O'Beirne?—I have no recollection of it.

17811. Did anyone tell you that he was promised any cheque or any valuable consideration whatever—that includes all sorts of things?—I have no recollection whatever of it.

17812. Did you hear of Cashen's case?—I did.

17813. Did you hear it was your own brother that got the cheque?—I did.

17814. Do you mean to tell me that you did not know about that?—Sure I have told you I heard of it.

17815. And Tracy's?—Yes; and Ryan and Hogan's.

17816. Was it William Cashen's you heard of?—No; but the Cashen that swore here—John Cashen.

17817. Did you ever hear of William Cashen?—I didn't know that he got any money until I heard him swear it here on Saturday last.

17818. Do you know anything of Kennedy or Lamb?—No.

17819. Did you ever hear who got the cheque that was for them?—I don't know anything about that cheque.

17820. That is not an answer to my question?—No; I did not.

17821. Did you ever hear there was a cheque for them with anyone?—No, never.

17822. Or did it ever occur to you that there was a cheque for them with anyone until I put the question?—It didn't.

17823. You swear that?—I do.

17824. I am afraid you have a bad memory?—I don't think I have, sir.

17825. Did you read the proceedings at the petition?—I didn't.

17826. Did you not read them from day to day?—I was listening to them here; the fact of it is, I needn't have read them, your worships.

17827. Was it not suggested at the petition that there was a cheque for Kennedy and Lamb?—It might, unknown to me.

17828. Is your evidence that you never heard it suggested that there was a cheque for Kennedy and Lamb?—I have no recollection that I did; I swear that positively.

17829. Did you ever hear for what was the cheque that was given to Ryan and Hogan?—For Hogan himself.

17830. Did you ever hear it was for any others?—No.

17831. Did you ever hear it suggested that it was for Ryan's vote?—I believe there was some suggestion at the petition that it was for Ryan's vote.

17832. Those are not the names mentioned?—I don't recollect any other names, your worship.

17833. You do not recollect any other money, or cheque, or promise of money for anyone?—No; I might have heard many things, but I don't recollect.

Mr. *Munster*.—I wish to ask what were the names of the two clerks?

Mr. WATERS, Q.C.—It is unnecessary; the names are in the return given in.

17834. *Witness*.—Uniacke and Magrath.

Mr. *Edmund R. Conron* sworn; examined by Mr. WATERS, Q.C.

17835. Mr. Conron, did you serve a copy of this subpœna [document handed to witness] at No. 36, Sackville-street, in London?—Yes, I did.

17836. At Mr. O'Beirne's residence, No. 36, Sackville-street, in London?—Yes.

17837. Did you afterwards ascertain that Mr. O'Beirne received it, by getting a letter from him acknowledging the receipt of a copy of this subpœna?—I received this letter from him.

17838. You received that letter at the hotel where you were staying from Mr. O'Beirne?—Yes.

17839. Read that letter?—

"E. R. Conron, esq.

"SIR,—I acknowledge to have received three copies of the summons from the Cashel Commissioners yesterday evening. I have also to acknowledge your letter dated from Ford's hotel, Manchester-square, and in reply to say that I do not require any sum for expenses to Cashel.

"I am, yours obediently,

"J. LYSTER O'BEIRNE.

"2nd October, 1869.

"36, Sackville-street."

17840. You received that letter in London from him?—I did. [Witness hands in the letter.]

17841. Is this the letter that was produced to Mr. Fitzgerald, the subsheriff, who proved it to be Mr. O'Beirne's handwriting?—I believe so. [Mr. *MacSheehy*.—Yes.]

17842. Did you serve a copy of this subpœna [handed to witness] on Monday, the 18th of October, at 36, Sackville-street, Piccadilly, London, for Henry Raven?—Yes.

17843. Did you see Henry Raven there on the occasion of your first visit?—I did; at least I am sure that it was he.

17844. It was a man whom you believe to be Henry Raven?—Yes.

17845. And you left the summons for him?—I did not see him the day I left the summons for him, but the day I left the summons for Mr. O'Beirne I saw him.

17846. You left a copy of this summons for him on the 18th October?—I did.

17847. Did you serve a copy of this summons [document handed to witness] at 21, Cardington-street, on the woman servant of Mr. Edmond Leahy, on the 18th October?—Yes.

Mr. *Edmond Leahy* was called, but did not appear; *Henry Raven* was called, but did not appear; Mr. *James Lyster O'Beirne* was called, but did not appear.

Captain *Dudly Byrne* recalled; examined by Mr. WATERS, Q.C.

17848. Mr. *MacSheehy*.—Do you consider yourself under the obligation of the oath formerly taken, to give evidence before this Commission?—Yes.

17849. Mr. WATERS, Q.C.—You were sworn on this inquiry before?—I was, sir.

17850. Do you recollect my asking these questions of you—"I suppose Mr. Leahy knew this man of yours, Larkin, was here," and your answering, "Not to my knowledge; he didn't to my knowledge;" and my then asking you, "Did you never speak to Mr. Leahy about it," to which your answer was, "Never opened a lip to him on the subject—clear and distinct on that—nor to any other person in Cashel; no, except Patrick Laffan, and that is the truth for you." The two questions which followed I want you to try and recollect. Did I ask you, "Have you any knowledge of where Mr. Patrick Laffan obtained money to give electors," and did you answer, "No, sir?" Do you recollect my asking you that question?—I do not, sir, but I suppose it is all right, sir.

17851. I asked you, "Have you any knowledge of where Mr. Patrick Laffan obtained money to give electors," and your answer was, "No, sir." I also asked you, "Had you any conversation with Mr. Patrick Laffan about how money would be procured to give to electors," and your answer was, "No, sir, I had not; I had no conversation with Mr. Patrick Laffan regarding election matters, except in a general way during the canvassing." [The shorthand writer reads questions and answers numbered 8887 and 8888.] [No answer.]

17852. Did you give Mr. Patrick Laffan £300?—I did, sir.

17853. When?—A day, or perhaps two days or so before the election, sir. I cannot positively state; it was the day or two days before the election.

17854. Have you got the bill he passed to you?—Have I got the bill he passed to me, sir? I haven't it here.

17855. Yes?—No, sir.

17856. Where is it?—I have it at my house.

17857. Why did you not bring it?—I didn't think it was necessary, sir.

17858. Did you hear of the evidence that Mr. Patrick Laffan gave here?—I heard nothing of it except what I saw on the newspapers. I think he stated in that evidence that he had received £300 from me.

17859. Did you look at the note since?—That he passed to me, sir?

17860. Did you?—No, I didn't, sir; not since that, sir; but I have it, sir.

17861. Is it a promissory note to you for £300?—Yes, sir.

17862. What was the note given to you for?—For the £300 I gave him.

17863. What was the £300 given to him for?—Well, I suppose it was given for election purposes.

17864. Did you know at the time you gave it that it was given for election purposes?—As well as I recollect, sir, Mr. Patrick Laffan came to me, perhaps two or three days before the election, and asked me could I procure him money, or that he wanted money. I can't exactly now repeat the words, but the substance was that he wanted money. I applied to Mr. Munster for money. Mr. Laffan did not know, nor did I tell him I was to apply to Mr. Munster. I applied to Mr. Munster for a sum of money. I cannot tell the sum I named to Mr. Munster, but my belief is it was four or five hundred pounds. I said I was in some pecuniary difficulty, and would feel obliged by his letting me have four or five hundred pounds. Mr. Munster very generously stated to me, "I can let you have a thousand." He got a cheque-book; gave me a cheque, and I suppose the whole matter didn't occupy, perhaps, any more than five or six minutes. Now, there's the whole truth, sir, for you.

17865. Did you tell me the whole truth the last day that you were examined?—I think I did, sir. If I understood the questions you put to me, I told you the whole truth; perfectly satisfied of that, sir.

17866. You say you did?—If I understood your questions.

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October 25.

Captain Dudly Byrne.

17867. Did you understand this question—"Have you any knowledge of where Mr. Patrick Laffan obtained money to give electors"?—I understood that question.

17868. Is that a plain question?—It is, sir.

17869. Did you answer to that question "No, sir"?—I suppose I did, if you have it there, sir.

17870. Did you know, at the time you gave that answer, that you had given Mr. Patrick Laffan £300?—I had no recollection of it at that time.

17871. You had no recollection that you had got £1,000 from Mr. Munster?—I had. The money I got from Mr. Munster had no reference to election expenses.

17872. Did you give £300 of it to Mr. Laffan?—I did, sir.

17873. Is your evidence this, that when you were questioned directly as to "any money you got from Mr. Munster, or any person connected with him about the time of the election," you forgot all about borrowing £1,000 from Mr. Munster, and lending £300 to Mr. Laffan?—I must never have recollected it, or I would have told it to you. I concealed nothing whatever from you then, no more than I do now.

17874. Do you recollect having any conversation with Mr. Patrick Laffan, with reference to the necessity of bribing at the election?—I do not, sir.

17875. If Mr. Patrick Laffan swears that he told you that Mr. Munster would have no chance unless they got money to give the electors, would it be true or not?—It may be true or it may not; but I solemnly swear that I have no recollection of Patrick Laffan having made such an observation to me; but, at the same time, I don't contradict it. It may be true or it may not.

17876. Do you recollect Mr. Patrick Laffan and you having a conversation the evening before you gave him the £300?—I cannot recollect the conversation, but he asked me to get the money the day or two, or perhaps three days before the election.

17877. Did you say to Mr. Patrick Laffan that you would "make it all right the next morning"?—I don't recollect that I did, sir.

17878. Did you tell Mr. Patrick Laffan to get a three shilling bill stamp?—Patrick Laffan came to me——

17879. Did you tell him, sir, to get a three shilling bill stamp?—I did, sir. I suppose I did; but you would not allow me to give an explanation of how the matter occurred.

17880. I will allow you to give the fullest explanation you can; and I assure you I consider it very necessary?—Well, perhaps you do, sir.

17881. You must answer my question, sir. You knew that that money was to be applied to pay electors?—I suppose I did.

17882. Give any explanation you think necessary?—Patrick Laffan came to me; I was in bed at Corcoran's hotel. He woke me up, and asked me could I give him the money. I desired him to get a stamp and pass his note for it, and I would give the money. He went out of the bed-room, returned back in half an hour, gave me the note, and I gave him the money. There's the whole truth. Mr. Munster knew as much about it as you did, sir.

17883. When was it that you asked Mr. Munster for the money?—It was at night, sir, at Abbeyview.

17884. What day was it with reference to giving the £300 to Mr. Patrick Laffan?—It was before I gave the money to Mr. Laffan, as a matter of course, that I got the cheque from Mr. Munster; some, perhaps, two or three days.

17885. You told Mr. Munster that you were in a pecuniary difficulty and that you wanted a sum of £400 or £500?—I don't recollect positively. I will not swear the sum, but decidedly it was a cheque.

17886. Did you say it was either £400 or £500?—I think—I am almost positive it was; but the whole matter didn't occupy perhaps five or six or ten minutes.

17887. Upon asking for £400 or £500, you say that Mr. Munster volunteered to give £1,000?—He did in the most generous manner possible. He thought the application was made solely to relieve me from difficulty, and he most generously offered to give me £1,000. However, the pretext for making the application was solely to prevent the possibility of Mr. Munster knowing how the money was to be applied. There is the truth for you and nothing else. I heard Mr. Munster state, so often, and so repeatedly—

17888. Confine yourself, if you please, to answering my question; and you need not repeat so often "there is the truth for you." There should be no necessity of saying that at all. A gentleman on his oath need not say anything but the truth?—Not too old to learn, sir.

17889. You are not without knowing that a person on his oath is to say the truth. It was in consequence of Mr. Patrick Laffan's asking you for money that you asked Mr. Munster?—It was, sir.

17890. You did not, you say, give Mr. Munster to understand in any way whatever, how this money was to be applied?—I did not.

17891. When you got the cheque what did you do with it?—I got it cashed in Dublin.

17892. By whom?—At the Royal Bank.

17893. By whom?—At the Royal Bank, sir, I am telling you.

17894. Did you go up yourself?—I did, sir; I went up to Dublin.

17895. Did you present the cheque yourself?—No, sir; I did not.

17896. Who presented it?—Mr. Macken presented it for me. I indorsed the cheque.

17897. Did you tell Mr. Macken anything about it?—No, not a word, sir.

17898. What day did you go to Dublin to cash the cheque?—I couldn't tell you, sir; but it must have been three or four days, perhaps three days, before the election.

17899. Mr. GRIFFIN.—Was it the day after you got the cheque?—It was, sir. I don't recollect the date of the cheque.

17900. Mr. WATERS, Q.C.—Mr. Munster wishes to have you asked, do you recollect arriving at Abbeyview on the 17th November, the day before the nomination, with Miss Byrne, by the train which brought you in time for dinner, about six o'clock?—I do not, sir; it may have been, sir; it is morally impossible that I could bear those things all in my memory.

17901. Did you pay the £300 to Mr. Patrick Laffan out of the money you got for that cheque?—I did, sir, out of the money I got for Mr. Munster's cheque.

17902. How long did you stay in Dublin?—I think a night, sir, if I don't mistake.

18903. Do you recollect if you went up by the night mail after getting the cheque from Mr. Munster?—No, sir, I didn't; I slept in Thurles, sir.

17904. You slept in Thurles that night?—The night I got the cheque I am almost positive I slept in Thurles.

17905. And went on to Dublin by the first train the next morning?—Yes, sir.

17906. Did you return the same day from Dublin?—I declare I couldn't tell you. I don't recollect which.

17907. What did you do with the balance, £700?—I have it, sir, to hand it over; to settle with Mr. Munster to the last penny.

17908. Did you send £600 of it to Thurles to anyone?—Not a penny piece, sir; not a farthing; not one halfpenny ever left my possession.

17909. Why did you not return the £700 to Mr. Munster?—Because if I did, sir, I should have told him how the £300 was applied.

17910. Could you not have told him an untruth as you did before?—I don't think I told an untruth in anything, sir.

17911. Did you not tell an untruth to Mr. Munster when you said you wanted the money from him to relieve you from a pecuniary embarrassment?—I did, sir.

17912. Could you not tell him some other untruth about the £300?—I think it was quite sufficient to tell one without a second.

17913. Did you get £600 at the Royal Bank in gold?—I didn't get one single sovereign in gold.

17914. You got it in notes?—I got it in notes. I swear to you that I never heard of the £600 until I read it in the newspaper. I never heard one word of it until I read it in the public papers.

17915. Are you quite positive that you did not ask Mr. Munster for £1,000?—My belief is, sir, that I did not.

17916. I ask you are you quite positive of it?—Well, I am positive that I did not ask him for £1,000. As I told you the whole interview with Mr. Munster did not occupy six or seven minutes.

17917. Is that your indorsement on the cheque [Witness is handed a cheque]?—It is, sir.

17918. In retaining this £700 did you expect that you would have to pay off anything else?—Anything else connected with the election, sir?

17919. Yes?—Certainly not, sir. I had not the slightest idea of that; because no person was aware I had got the money from Mr. Munster until Mr. Munster told it, I presume, in this court.

17920. Mr. Munster was the first person who did mention it. You were examined before Mr. Munster. I have that to state to you?—[No answer.]

17921. Mr. GRIFFIN.—Was it arranged between you and Mr. Laffan how much you were to get for him?—No, sir; he never specified any sum.

17922. Even vaguely?—I don't think he ever spoke on the sum to me.

17923. Had you fixed in your mind what sum you would give him?—I did not, sir.

17924. If you had not intended to give more than £300, why did you not ask no more of Mr. Munster?—I think I told Mr. Munster I didn't want more than that, but he gave me a thousand in the most generous manner.

17925. Mr. WATERS, Q.C.—Do you recollect Mr. Munster afterwards asking that money back from you?—No, sir.

17926. Are you sure he did not ask it back?—I am sure he did not, sir.

17927. Did he ask you in any indirect manner to pay it back?—I do not think he did, sir.

17928. Did he ask you any question about it since you got it?—I don't think we had one single syllable of conversation about it.

17929. Will you pledge your oath that you had not?—I will pledge my oath he never asked me to return the £1,000, or to return any money at all.

17930. Mr. GRIFFIN.—Was Mr. Munster under any obligation to you?—Not the least, sir; no more than you, sir.

17931. Have you done any acts of kindness for him?—Well, I couldn't do any kindness to entitle me to receive £1,000 from him.

17932. I mean was he under no obligation to you at all?—Not the least, sir.

17933. Mr. WATERS, Q.C.—Mr. Munster wishes to have you asked, did you tell several electors in his presence, "I will make this bargain with you, whoever you think the best man on the day of polling, will you vote for him"?—It is quite impossible I could recollect every conversation, sir. I may have said that and I may not. I cannot say which.

17934. Mr. Munster wishes to know has he not consulted you in regard to some very delicate affair in which he felt himself much aggrieved?—On my word I don't know what you refer to.

17935. I do not know either?—Oh, yes, I do. That's a matter, sir, I don't want to—oh, I wouldn't have anything at all to say to that, sir. That is a matter, sir, totally distinct from anything connected with the Cashel election. I beg your pardon, sir.

17936. Mr. *Munster.*—I stated to you that I felt myself under considerable obligation to Captain Byrne. Mr. Griffin put it to him, and Captain Byrne did not recollect anything of the kind. I wanted to recall to his mind—I wished to mention no names if possible—this, that there was such a circumstance. I think he will remember.

17937. Mr. WATERS, Q.C.—Do you recollect the circumstance to which he alludes?—I think I do, sir, now.

17938. And his consulting and advising with you upon it?—I think I do, sir.

17939. Mr. *Munster.*—Will you ask him if he recollects settling it for me?

17940. Mr. WATERS, Q.C.—Do you recollect that?—I do, sir.

17941. Mr. GRIFFIN.—Did you do a service to Mr. Munster about it?—I never looked on it at all as a service. I never thought that it was one. I was very happy to oblige Mr. Munster in any way in my power, but more than that I cannot say about it.

17942. Mr. WATERS, Q.C.—Do you know Mr. William Ryall of this town?—I do, sir.

17943. He says that you promised to give a farm to his nephew?—Yes, sir.

17944. In consideration of his vote for Mr. Munster, and that he would have, but for that, declined to vote: that he voted for Mr. Munster, in consideration of his nephew getting a farm on some property of which you were agent?—Yes, sir.

17945. I mention the matter to you in order that you may say anything upon it that you may deem advisable?—I don't think I ever made the promise; but there is another little matter connected with it which I think is completely outside this court of inquiry.

17946. I do not want to go into it. I mentioned it to you so that you may explain the charge made against you?—I could rebut the charge, but in speaking I may say something that would lay me open to an action.

17947. Mr. GRIFFIN.—We are not entering into the question at all; but simply that there was a conversation between you and Mr. Ryall's nephew?—I couldn't at the present moment tell you one word that passed between us. He was his nephew, I think, and not his brother.

17948. If that young man or his family told Mr. Ryall that they had applied to you for a farm, and that you said he would get it if his uncle voted for Mr. Munster, would it be untrue; do you undertake to say that nothing of the kind occurred?—I never stated anything of the kind to Ryall's nephew.

17949. Did you give him to understand anything of the kind?—I don't think I did, sir.

17950. Will you undertake to swear that you did not give it to be understood by any of the nephew's family?—I can't answer that question. If I answered it in the manner you expect me to do, sir, I certainly would lay myself open to an action, and that I won't do.

17951. Mr. WATERS, Q.C.—We do not want you to explain it at all. I only told it to you for this reason, that we are bound to report to the House of Commons those persons who have been guilty of bribery. I mentioned the charge made against you for the purpose of hearing any explanation you have to offer. You have no explanation to give?—I have not the slightest objection to tell you and your brother Commissioners out of this room what the cause was.

17952. Mr. GRIFFIN.—The cause of what?—Of my not giving the farm.

17953. We do not want to know that. We want to know whether you promised it to him for his vote?—No, I did not, sir. May I leave to-night?

17954. Mr. WATERS, Q.C.—You may?—Will I get my expenses?

17955. Certainly not the expense of coming on this occasion. I allowed you to go away on the understanding that you should come back when written for?—I left home last Monday morning. I went to the county Dublin, where I had business to transact. I didn't get your summons until Saturday-night. I got

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Captain Dudly Byrne.

home on Saturday, and it was then I saw your summons and your Secretary's letter.

17956. We know a good deal about your movements?—You do, sir! I hope nothing disreputable, sir.

17957. We had to send over to your house. You left your house, and your son in the condition of being unable to say what your address was. You went away from this having given an undertaking in court to return when wanted. You sent no intimation to us that you were going to Dublin, and you did not say where we would find you in Dublin. We had to serve you again, and I had to give an intimation here on Saturday, that perhaps brought you here. [No answer.]

Patrick Duggan.

Patrick Duggan of Price's Lot, sworn; examined by Mr. MOLLOY.

17958. How long have you been an elector of Cashel?—I suppose, I couldn't tell how long, sir.

17959. Did you vote in 1865?—I did, sir.

17960. For whom did you vote at that election?—For Mr. O'Beirne, sir.

17961. Who canvassed you do you recollect?—I couldn't tell that now, sir.

17962. You forget it?—I do, sir.

17963. Did you get any inducement for having voted in 1865?—I did, sir.

17964. How much money did you get?—Thirty pounds, sir.

17965. Was it before or after the election you got it?—I believe before it, sir.

17966. Who gave you the £30?—One Mr. Johnson, sir.

17967. Did you sign a bill?—I did, sir.

17968. The £30 was given to you for your vote?—I suppose so, sir; I can't say.

17969. Were you canvassed at the last election?—I was, sir.

17970. Who canvassed you at the last election?—Mr. O'Beirne, sir.

17971. What did you tell him?—I told him that I would vote for him, if I voted for any man.

17972. Were you promised anything for your vote at the last election?—No, sir; nor wouldn't take anything.

17973. Why would you not take anything?—No, sir; I'll tell you, that I feared a petition.

17974. You feared a petition?—Yes, sir.

17975. What made you fear it?—Because I wouldn't swear on any man I would take money from.

17976. You did not fear it in 1865, when you took money?—I didn't know the difference.

17977. How did you learn the difference?—Because it was—because I suffered for it, sir. There was men brought to Dublin.

17978. How did you suffer?—I didn't suffer, for I didn't go there.

17979 Did you ever say that you were promised money for the last election?—I didn't, sir; I said I wasn't promised any money, and that I wouldn't take it: I did so. I wasn't promised any money, and wouldn't go in the way of asking for it, nor looking for it.

17980. You would not take any money for your vote at the last election?—No, sir.

17981. Mr. WATERS, Q.C.—Come now, Paddy, on the virtue of your oath, how much did you expect? The same as in 1865, was it not?—I didn't intend anything until the man would write after.

17982. On your oath as an honest man, did you not expect £30, the same as before?—Eh!

17983. Did you not expect the same as before?—No, sir.

17984. Why did you not expect the same sum? Was your vote not as good in 1868 as it was in 1865?—Yes; but when I found the man that I would like, I didn't go about money at all, at all: no.

17985. Tell me as an honest man—you know you must tell the truth, on your oath, did you get money?—No, sir; nor look for it.

17986. But on your oath, did you not expect the money, the same as in 1865?—No, sir; I didn't.

17987. You took £30 in 1865?—I did, sir. I told you before I didn't know the danger.

17988. But you suspected it strongly?—I didn't know the danger, or suspect it at the time.

17989. But you suspected that what you got the money for was for your vote?—I did, sir.

17990. You got £30 in 1865. Did you not think your vote as good in 1868 as in 1865?—I suppose it was, sir.

17991. And worth as much money?—I suppose if I was going to take money it was, sir—if I was going to take it.

17992. Come, now, once more. Did you not expect to get as much for your vote at the last election as you did in 1865?—No, sir; anything that the man would be pleased to give me; I didn't care what it was.

17993. You would have taken it, no matter what it was?—Eh! I would take less, sir.

17994. And if there were no petition do you not think you would have got it?—I think, not, sir. If there wasn't a contest there wouldn't be a halfpenny of it.

17995. No, but a petition?—Oh, by gor, if there wasn't a petition sure you know I would take money, sir, of course.

17996. Mr. GRIFFIN.—Was it at Mr. White's you got the money?—Yes, it was, sir.

17997. Was there anybody with you when you got it?—I can't recollect, sir.

17998. Were none of the neighbours with you?—I couldn't recollect, sir; they may be in and out, sir.

17999. Were there none of the neighbours that went in with you to sign bills too?—No, sir.

18000. Did you know of any of the neighbours going to Mr. White at that time?—I didn't, sir.

18001. They did not tell you that they had been with him?—No, sir, they didn't tell me any such thing. (Mr. *John Davis White.*—They all came together, sir.)

18002. Do you see Mr. White there?—I do, sir.

18003. That gentleman says you all came together when you were to sign the bills?—Perhaps. I don't think he could say such a thing.

18004. He does say so?—Let him swear it if it is true.

18005. He does swear it. Is it untrue if he swears it?—I don't know whether it is or not.

18006. Will you swear that the other men were not with you when you went?—I don't know, sir; I don't; I am not going to swear any such thing. I don't recollect who was with me. I don't say but there was people there, sir, but I couldn't identify who was there.

Richard Kerwick.

Richard Kerwick sworn; examined by Mr. MOLLOY.

18007. You voted at the election of 1865?—Yes, sir.

18008. For whom?—For Mr. O'Beirne, sir.

18009. You passed a note?—Oh, no, sir.

18010. Well, how was it done? What did you get for your vote in 1865?—Nothing at all, sir, to give my vote, and in 1868 as well.

18011. Did you not get any money at all on account of your vote in the election of 1865 any time?—Never, sir.

18012. Did your son get anything?—He did not, sir, nor never went about it. My son never minded such business as that, sir.

18013. For whom did you vote in 1859?—I suppose for Mr. Lanigan, sir.

18014. And you voted for Mr. O'Beirne in 1865?—Yes, sir.

18015. Who canvassed you in 1865?—Mr. O'Beirne himself; and at the last election himself canvassed me.

18016. Did you ever pass a note for money in 1865?—Never, sir.

18017. Did you ever get any money before the election of 1865?—No, nor after it, sir; nor didn't look for it.

18018. Do you know Mr. John Davis White?—I do well, sir. I think he is here.

18019. Did you ever sign any bill before him?—No, sir.

18020. Did you hear that any money was going for votes in 1865?—I didn't, sir; I never heard of it by e'er a voter.

18021. But did you at all hear it?—At the time of the petition there was some talk about it.

18022. At what election did you hear it spoken of?—No, sir; I never went to town, I stopped always at home.

18023. Did you not hear of any case in which money was given to a voter?—No, sir.

18024. And you say that you never heard of money going at the elections until the petition?—No, I didn't, sir.

18025. Mr. WATERS, Q.C.—Do you swear that there was never anything given for your vote to anyone?—Of course, sir. I never heard it, sir.

18026. Did you ever see any of the cheques?—Never, sir, nor anything else; but I heard about the retainers; that is all I heard, sir.

18027. Did you get a retainer?—No, sir, nor wasn't offered one.

18028. Do you mean to tell me that there was nothing given to you for your vote by anyone in 1865?—Yes, sir.

18029. Do you live on the Commons?—I do, sir.

18030. Did you hear that other men on the Commons who voted for Mr. O'Beirne in 1865 got money?—I didn't, sir.

18031. Do you understand my question? Do you tell me that you never heard that any person got money for voting for Mr. O'Beirne in 1865?—I heard something about it; but I couldn't say whether they got it or not.

18032. Do you mean to say you never asked about it?—Never, sir; nor didn't look for any money.

18033. What is your son's name?—Daniel, sir.

18034. What age is he?—He is a man, sir. He is about thirty years.

18035. Is he living with you?—He is, sir.

18036. Did Dan make any bargain at all?—No, sir. He never went to the town meetings for anything.

18037. That is not an answer; because they came out from the town to the Commons; that is no answer?—I will answer as well as I can, sir.

18038. They came out from the Commons to him?—They did, sir; but not about money.

18039. Did any person ever talk to you about your vote?—Not one for Mr. O'Beirne. Mr. Pat Laffan, sir.

18040. Did he ever offer you money?—Not a farthing, sir. He canvassed me at my own house.

Patrick Maher of Friar-street, sworn; examined by Mr. WATERS, Q.C.

Patrick Maher.

18041. For whom did you vote at the last election here?—For Mr. Munster, sir.

18042. Were you an elector in 1865?—I was, sir.

18043. For whom did you vote then?—For Mr. Lanigan, sir.

18044. Have you a son, Mr. Maher?—I have, sir.

18045. What is his name?—John, sir. I have five sons.

18046. Do you know anything of a claim put in for your son John for £30?—No, sir.

18047. Did you never hear of it until this minute?—I heard it spoken of in court.

18048. And have you never heard of it before?—Never, sir.

Edward H. Biggin recalled; examined by Mr. WATERS, Q.C.

Edward H. Biggin.

18049. Give me claim No. 73?—I haven't it, sir.

Patrick Maher's examination resumed by Mr. WATERS, Q.C.

Patrick Maher.

18050. Who put it in?—I asked my son when I came from the country about that bill, and he said he had no knowledge of it.

18051. Who put it in?—I don't know, sir.

18052. Had you ever any conversation with Mr. Laffan about it?—No, sir.

18053. Had you no conversation about it at all?—I never hear about it until I hear of it in court to-day, sir.

18054. Had you any conversation with anyone as to giving anything for votes at the election?—No, sir.

18055. Had you ever any conversation with Mr. Patrick Laffan?—No, sir.

18056. Never?—Never, sir, about any election or any money.

18057. Who canvassed you?—Mr. Munster and Mr. Laffan came, and I told them I wouldn't promise so soon, that the time was long, sir.

18058. Was your mind undecided then as to how you would vote?—My mind was made up to vote for Mr. Munster.

18059. Why did you not tell them so?—Well, I never voted for Mr. O'Beirne, sir.

18060. You are not answering my question. When Mr. Laffan and Mr. Munster came to you, you said to them it was a long way off. I want to know was your mind made up at that time how you would vote?—Exactly on the spot, sir? No, it was not.

18061. What induced you to make up your mind to vote for Mr. Munster?—Well, I'll tell you, sir. I was going on business to the country and I see a parcel of women, and they had something dressed up in red and I going up Boherclough. It had the appearance of a red man, or a doll, or something, and I stood looking at it and they presenting it to his carriage. I said to myself "It is very unbecoming to have any gentleman treated that way." I passed up a little farther, and Mr. Michael Laffan, the attorney, was coming down. "Mr. Laffan," says I, "that is very ugly conduct I see at the lower end of Boherclough; and when you see Mr. Munster tell him I'll vote for him."

18062. And because a girl was holding something dressed in red before Mr. Munster's carriage you determined to vote for him?—Well, that is the dislike I took for it. Mr. O'Beirne never canvassed me, or any one of his agents.

18063. Is that what induced you to make up your

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Patrick Maher.

mind, or as an elector here said, "settled your conscience?"—Well, that is it, sir.

18064. If you got that £36 that your son's claim is in for, are you not sure that you would take it?—Well, I would not, sir.

18065. You would not take it?—No, sir; for I consider it would be for my vote.

18066. And you are sure that you would not take it?—I would not, sir.

18067. Would you let your son take it?—My son says he didn't put in any bill, sir.

18068. Would you let your son take it?—If I considered it was for my vote, sir.

18069. Would you allow your son to take it?—I would not, sir.

18070. Mr. GRIFFIN.—Was your son engaged in the election?—No, sir; he was not.

18071. Mr. *Munster.*—I would like to ask him whether he considered the holding up of the doll was an insult to some of the ladies of my family, as he told you that that is what induced him?—*Witness.*—I did, sir. I was never canvassed by Mr. O'Beirne during the election. He never called to me, but he called to my house, sir. I never got a penny.

Maurice Looby.

Maurice Looby sworn; examined by Mr. GRIFFIN.

18072. You are a brother-in-law of James Hackett I believe?—Yes, sir.

18073. Do you remember a conversation that you had with him a short time before the last election, on which occasion you signed a promissory note for him?—I do, sir.

18074. What was the amount of that promissory note?—I don't know, sir; he never told me, nor I never asked him.

18075. For whom did you vote at the last election?—For Mr. O'Beirne, sir.

18076. Did he say anything to you about your vote before the signing of that note?—No, sir, he did not.

18077. At any time before it?—No, sir.

18078. Did he ever speak to you about how you would vote?—Never, sir.

18079. How did you happen to vote at one side and not at the other?—I promised my vote to Mr. O'Beirne.

18080. When did you promise it to him?—In my own house.

18081. Was it before or after the signing of the note that you promised it?—Before I signed the note, sir.

18082. You were not here when James Hackett gave his evidence?—No, sir; I was not.

18083. Had you no suspicion at all that that note had anything to do with your vote?—Never, sir.

18084. How did you vote at the election of '65?—I voted for Mr. Lanigan, sir.

18085. Did you get anything for your vote at that time?—Never, sir. I never got a shilling for e'er a vote.

18086. What did James Hackett say to you when he wanted you to sign the note?—He said nothing, sir, but he said "sign this note."

18087. Do you remember to whom the note was payable?—No, sir.

18088. Did he tell you what was to be done with the note?—He didn't, sir.

18089. You remember that William Hackett's name was to the note too?—It was, sir.

18090. He told us that he suspected his signing of the note had something to do with his vote. Had you any suspicion of it?—I had ne'er a suspicion at all, sir.

18091. Did you never hear of people signing bills at elections?—Never, sir; nor I never knew at the time, during the election.

18092. You remember the election of '65?—I do, sir.

18093. Do you remember hearing that at that election persons got money for signing notes for Mr. O'Beirne?—I did not, sir.

18094. Did you hear that any persons got money for notes they signed for Mr. White or Mr. Geary?—No, sir. I always stayed at home about my business.

18095. Do you live on the Commons?—No, sir; I live on Mr. Bianconi's estate.

18096. Mr. WATERS, Q.C.—You say your brother-in-law did not tell you what the note was for?—He did not, sir.

18097. And you say that all he said to you about it was "sign this?"—He never told me.

18098. Do you think that any sensible man will believe, that you not knowing anything about the transaction, a man comes to you and says "Here, Maurice, sign this note for £75," and you bind yourself to pay that note without knowing anything at all about it?—I didn't understand, because, sir, I didn't know anything about it.

18099. You did not know that you were signing a note; is that what you say?—I did, sir; but I didn't know what it was for.

18100. And he never told you anything at all?—Never, sir.

18101. Therefore you did not think you were going under any liability?—I did not, sir.

18102. You did not?—No, sir.

18103. Tell me the truth now; surely you would not sign a bill without knowing something about it? Would you sign a note for £100 for him to-morrow, without his telling you anything about it?—Well, I knew nothing about it, sir.

18104. But you guessed something about it?—I didn't guess, sir, nor expect anything for my vote. I never got anything for e'er a vote I ever had, sir.

18105. Mr. GRIFFIN.—How long before the election did you sign the note?—About a fortnight, sir; I can't be exact, sir.

18106. Was it about ten days?—Yes, sir; I think so, sir.

18107. Mr. WATERS, Q.C.—What did you think the note was for?—I didn't think it was for anything.

18108. Mr. GRIFFIN.—Did he say, "sign this and ask no questions"?—He said to sign that, sir. I didn't speak two words in the parlour while he was in it.

John Kissane.

John Kissane sworn; examined by Mr. MOLLOY.

18109. How long have you been an elector of the borough of Cashel?—Only the one turn, sir.

18110. Who canvassed you at the last election?—Mr. Scully, sir.

18111. Mr. Vincent Scully?—Yes, sir.

18112. Did you promise to vote for him?—I did, until he resigned at the nomination.

18113. Were you canvassed by any other candidates?—I was, so far as they came to my house.

18114. On whose behalf did they come to canvass you?—On both their behalfs.

18115. Who came to you on Mr. Munster's behalf?—Mr. Jerome Scully came first. Dr. Cormack came after.

18116. Mr. Jerome Scully came to you first to canvass you for Mr. Munster?—Yes.

18117. What did you tell Mr. Jerome Scully?—I told him that I promised his friend when he asked me first, and that I stuck to him until he gave up, and that I would use my own discretion with my vote then.

18118. How much did you get for exercising your discretion?—Nothing.

18119. Had you your mind made up at that time how you would vote?—I had, sir.

18120. When did you make up your mind after Mr. Vincent Scully resigned?—The very moment he did; and before he resigned I had my mind made up to vote for Mr. O'Beirne if I voted at all.

John Kissane.

18121. Then you did not intend to carry out your promise to Mr. Scully?—I did; but I was very careless whether Mr. Scully would go on or not.

18122. When were you canvassed on Mr. O'Beirne's behalf?—The night after the nomination Tom Connors came to me. I was in bed, I got up and opened the shutters of the window, and he asked me didn't I know him, I knew him then; he asked me wouldn't I go up to Mr. O'Beirne's and I told him I would not.

18123. Did he say anything more?—No more.

18124. Did he leave anything after him at your house that night when he was there?—No.

18125. No cheque or money?—I didn't want his dirty money.

18126. He might leave it there and you not want it. Did he leave a cheque, or money, or notes there?—No.

18127. Did any person in your house get anything after he was there?—No. If he offered money I would kick him out.

18128. Did you ask him what Mr. O'Beirne wanted you for?—I didn't; sure I knew what he wanted me for—to ask my vote of me.

18129. Why did you not tell Tom Connors that you would vote for him?—I wouldn't please him.

18130. Did you receive any inducement or any promise of anything for your vote?—No, nor I wouldn't have it.

18131. Would you take it if you got it?—No; I would take a bribe for no one.

18132. If Mr. O'Beirne sent you £30 after you had voted would you take it?—I wouldn't.

18133. What would you do with a cheque if it was sent to you?—There was no cheque sent to me.

18134. What would you do with it if it was sent to you?—I would send it back to him.

18135. That is quite right, and what a man ought to do.

Daniel O'Dwyer sworn; examined by Mr. GRIFFIN.

Daniel O'Dwyer.

18136. For whom did you vote at the last election?—For Mr. O'Beirne, sir.

18137. For whom did you vote in 1865?—For Mr. O'Beirne.

18138. For whom the election before that?—For Mr. Lanigan.

18139. What did you get for your vote in 1865?—Nothing, sir.

18140. Why did you leave Mr. Lanigan, and vote for Mr. O'Beirne against him?—I'll tell you, sir; for Mr. Lanigan didn't thank the Commons' people at all for supporting him, but the Cashel people.

18141. How many cheques did Mr. O'Beirne give you for voting for him?—No cheques at all, sir.

18142. Did you get anything after the last election?—No, sir.

18143. Or before it?—No, sir.

18144. You did not get a cheque?—I got nothing.

18145. Or a promise of anything?—I didn't get a penny-piece about their elections.

18146. Did your family get anything?—No, sir.

18147. Who was it that canvassed you?—Mr O'Beirne himself.

18148. Did you promise him your vote at once when he asked you?—Yes, sir.

18149. Are you sure that you got nothing about the time of the election of 1865?—Not a halfpenny, sir; never.

18150. You did not sign a bill?—No, sir.

18151. Do you know Mr. White?—I do, sir.

18152. You did not pay him a visit about the election of 1865?—No, sir.

18153. Nor Mr. Geary?—No, sir.

18154. Mr. WATERS, Q.C.—Were you ever offered anything for voting?—Not a penny-piece, sir.

18155. It is very strange how they missed you. How did you keep out of the way?—I didn't hear any of them getting any money.

18156. Are you very hard of hearing?—But those that Mr. White paid, and Geary.

18157. Mr. GRIFFIN.—Who were those that you heard passed bills to Mr. White?—I don't know, sir.

18158. Mr. WATERS, Q.C.—You were not offered any money?—No, sir.

18159. Nor cheques?—No, sir.

18160. Were you told you would be made all right?—No, sir; I wasn't offered one ha'porth.

18161. At any time at all?—No, sir.

Joseph Ryan of Main-street sworn; examined by Mr. MOLLOY.

Joseph Ryan.

18162. Did you vote in 1865?—No, sir.

18163. Had you a vote, then?—No, sir.

18164. When first had you a vote?—'68, sir.

18165. Who canvassed you for your vote?—Mr. O'Beirne, sir.

18166. Are you in business?—I am, sir.

18167. What business are you in?—Spirits and groceries, and drapery.

18168. Mr. O'Beirne himself canvassed you?—Yes, sir.

18169. What did you tell him when he asked you for your vote?—On the first day he called to me I told him I would hold myself unpromised. There was a circular sent about the town a day or two previous to that, and Mr. Munster called on all the electors to meet him at Corcoran's hotel. I was anxious to see the gentleman.

18170. You would not promise Mr. O'Beirne?—No, sir.

18171. Did Mr. Munster canvass you?—He did, sir.

18172. Was that before or after Mr. O'Beirne called on you?—After, sir.

18173. What answer did you give Mr. Munster?—I told him I would vote for Mr. O'Beirne.

18174. What interval was there between Mr. Munster's and Mr. O'Beirne's calling on you?—I couldn't immediately say, sir; but the day following Mr. Munster's arrival at Cashel I went to Captain Graham and tendered him my vote in favour of Mr. O'Beirne.

18175. You had before that refused Mr. O'Beirne?—I didn't refuse him; I said I held myself unpromised. I was determined to vote for him.

18176. Was it the day after Mr. Munster came to Cashel that you went to Captain Graham?—On the day after I tendered my vote to Captain Graham.

18177. Was not Mr. Munster in Cashel before Mr. O'Beirne?—I think not, sir, as far as I can judge. I think not, sir.

18178. How did you come to make up your mind?—I considered Mr. O'Beirne the best person. I didn't like the other man's appearance, or accent, or anything else.

18179. Did you see any cheques in connexion with the election?—Not a shilling, sir.

18180. Not a shilling?—Not a shilling, cheque, gold, silver, or brass.

18181. Did any person offer you money?—Yes, there did, sir.

18182. Who did?—Pat Cunningham and Mr. Michael Laffan.

18183. Did any person else offer you money?—No, but Mr. Munster wanted me into his carriage, and I

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Joseph Ryan.

told him to go on and proceed on his canvass; I wanted no conversation with him; but if I took it from Mr. Munster, I could make a little fortune by it.

18184. Did you supply drink at the last election?—I did, sir.

18185. By whose orders did you supply it?—Michael Keeffe's.

18186. Did you supply it on the orders of anybody else?—No, sir.

18187. Were you paid for it?—I was, sir.

18188. Did you supply any drink at the election of 1865?—No, sir.

18189. Mr. GRIFFIN.—When you were offered money by Patrick Cunningham and Mr. Michael Laffan, what took place?—Pat Cunningham came to me and said a very rich man was coming over, that lodged £5,000 in the bank for election purposes, and if I would agree to give my support, and for my son's services. I said, "I will consider the matter." "What may be the figure?" says he; "I suppose about fifty pounds," says I; "well, that is too high," says he, "say thirty;" "I will consider the matter," says I. He called in a couple of days afterwards, and asked me did I make up my mind. I said not. I was after promising Mr. O'Beirne then.

18190. Your son was employed by Mr. O'Beirne?—He was, sir.

18191. What did you get for that?—Not a halfpenny, sir, gold, silver, or brass.

18192. Did he send in a claim?—He did, sir, for £30, not at the same time expecting it.

18193. To whom did he send the claim?—I think he said, as far as I can judge, that he gave it to Mr. Grace's servant.

18194. You say that Mr. Michael Laffan offered you money?—Yes, sir.

18195. What was that?—There was a deputation of gentlemen coming over here from Tipperary, to meet our present parish priest, the Rev. Mr. Quirke, and in the evening they all were with Mr. O'Beirne, and he was anxious to have his supporters round about him, and he sent Keeffe for me. I was going up. I met Mr. Michael Laffan, and he asked me, "are you going up to Mr. O'Beirne?" "I am," says I. "I think, Joe," says he, "you are taking a very wrong tack; there is plenty of money going, and come down;" so he proffered to give me a £5 retainer. "If I took a retainer," says I, "I couldn't vote." "Oh, we will pass it by," says he; so I wouldn't take the retainer.

18196. He offered you a £5 retainer?—Yes; if he gave me £50 I wouldn't have voted for him. I could have made a couple of hundreds by Mr. Munster.

18197. How long were you considering the offer?—Not five minutes, sir.

18198. Mr. WATERS, Q.C.—Why did you mention £50 to Cunningham?—Well, sir, in close conversation especially, a word may slip out. If he gave me £50, I wouldn't support him.

18199. Did you tell Mr. O'Beirne that you were offered it?—No, indeed, sir, I did not.

18200. Did you tell any friend of his?—No, indeed, sir, not one, for I was determined to support Mr. O'Beirne.

18201. He asked you how much you would require, and you said £50?—Yes, sir.

18202. And he said, "we cannot give that," and then mentioned £30?—Yes, sir.

18203. Did you tell your son anything about it?—Perhaps I may; it is likely that I did, sir.

18204. Are you sure you told him of it?—I think I did.

18205. There is a strange coincidence in the amount of the claim sent in by your son, and the sum that was offered to you by Cunningham?—Though the claim was sent in, sir, he never expected a penny of it.

18206. If he got that money what would become of it?—It is probable either he or I would keep it.

18207. And if the money was given, you would take it?—It is probable I may.

18208. What was your son doing during the election?—He was going about with Mr. Munster's party and giving in reports in the evening, and that way.

18209. You went to Mr. Graham to tender your vote to him for Mr. O'Beirne?—Yes, sir. I went directly from Corcoran's hotel to Mr. Graham, and inquired if he was in. I wanted him to do a little favour for me the same day, which he done.

18210. What was that?—I was applying for a licence, and he took a very good part in my behalf in this business, and he said, "when you go to the Tipperary sessions, I will give you a line to Mr. Massey;" so I went to him, and asked him to write a bit of a note for me; so he did. "Well, Mr. Graham," says I, "when you next see Mr. O'Beirne, tell him he will have my support, for I don't like the appearance of this gentleman."

18211. Was it the favour you received from Captain Graham that induced you to promise your vote for Mr. O'Beirne?—No, sir, but Captain Graham's family and my family are linked together the last fifty years. His father was my father's agent, and I have a great respect for Captain Graham, and for the whole of the Grahams.

18212. I suppose you knew that your son was sending in a claim, and that you talked of it before he sent it in?—It is very probable we did, sir. He just came in one day, and, "Dadda," says he, "all these young men employed by Mr. Munster are sending in claims, and there is a notice up to that effect, and we are better send in a bill." "Very well," says I. He is at present in Manchester.

18213. Mr. GRIFFIN.—Your son is?—Yes, sir.

John Nolan.

John Nolan of Canopy-street sworn; examined by Mr. GRIFFIN.

18214. You voted for Mr. O'Beirne at the last election?—I did, sir.

18215. Did you see any of those cheques that we have heard of going at the election?—I did not, sir.

18216. Did you hear from anybody that he got any of them, or that he had seen any of them?—I heard that Ryan and Hogan got cheques, and about Rochford's wife and Simon Tracey; nothing but what I hear in ordinary conversation.

18217. Do you know anything of any promises made, or any money or cheques given, or any inducement held out to anybody, on account of voting at the election?—No, sir, not more than what I have heard here.

18218. Who canvassed you?—Mr. O'Beirne. Captain Graham canvassed me before Mr. O'Beirne came to town. He asked me, "Nolan, haven't you a vote?"—"I have, sir," said I; "may I expect it for Mr. O'Beirne?" I told him I would vote for Mr. O'Beirne.

18219. Did Captain Graham give you no inducement to vote for Mr. O'Beirne?—No, sir, not more than that. Then Mr. O'Beirne called to my own house and asked me for my support, and I told him there was no one I would wish to be returned more than he would, but at present I was painting the telegraph office for Mr. Munster. "Work away, my good fellow," says he, "and earn your money."

18220. You did not consider yourself entitled to promise to vote for one candidate while you were at work for another?—I would sooner be paid my bill.

18221. Were you paid it?—I got £5 before the election, and had to process Mr. Munster for the rest to Tipperary.

18222. When did you process?—After the election.

18223. Did anybody canvass you on Mr. Munster's side?—Himself. I went to the carriage to him. Himself and Mr. Dudly Byrne were in the carriage together.

18224. Did anybody else canvass you on Mr. Munster's side?—Yes; Mr. Laffan came to my house and never said a word about my vote.

18225. Was it Mr. Michael Laffan or Mr. Patrick Laffan that went to your house?—Pat Laffan and Pat Cunningham.

18226. Did Patrick Cunningham offer you anything?—No, sir.

18227. Did he say that Mr. Munster was a rich man, and it was better for you to vote for him?—Well, he didn't, sir, but he said Mr. Munster was a rich, independent man, and Mr. O'Beirne a poor man.

18228. Did he say that there was £5,000 lodged in the bank by Mr. Munster?—He did, sir.

18229. Did he say that you would get any of that money if you voted for Mr. Munster?—He did not, sir.

18230. Did you vote in the election of 1865?—No, sir, I didn't.

18231. Had you any relatives employed at the election?—No, sir, not one.

18232. Mr. WATERS.—No offer of any kind was ever made to you for your vote?—There was, sir. There was a man of the name of Conway. I sent him with my bill to Mr. Laffan. He wanted me to go down to Mr. Laffan. I said, "get the amount of my bill; I don't want to have anything to do with him." He said there was plenty of money there, and, "if you get £5 a day for twenty-one days for yourself and your men painting the telegraph office, would it pay you?"—I don't know he had any authority for saying it, but he said it.

18233. Would you have taken it?—I would not, sir.

18234. Would you not have taken any money at all?—I would not, sir.

18235. Why would you not have taken it?—I don't think it would be lawful.

18236. You are sincere in telling me that you would not have taken any money at all?—I am, sir,

18237. And you got no money, or promise, or inducement of any kind for your vote?—No money, or promise, or anything at all.

[The following question was put at the desire of Mr. Munster:]

18238. You had some dispute as to the amount of work, and that is the reason you had to sue for it?—Yes, sir.

Michael Dwyer sworn; examined by Mr. WATERS, Q.C.

Michael Dwyer.

18239. I believe you voted for Mr. O'Beirne at the last election?—I did, sir.

18240. You were an ardent supporter of his, I believe?—I was, sir.

18241. I hope you will be able to tell us something?—Nothing in the world more than that I voted independently, sir.

18242. You kept your eyes and your ears open before the election?—I took no part in it, sir.

18243. Did you not converse or speak to anyone? I didn't indeed, sir.

18244. Do you know of any persons having got money in consideration of their votes?—No, sir.

18245. Or any offer of money?—No.

18246. Or any inducement of any kind?—No, only what I heard at the petition, sir.

18247. Nothing more than that?—No, sir.

18248. Have you anything more to say?—Nothing more, sir; but Mr. Laffan made mention of my name in his examination; I wish to have it corrected. He said I asked £50 for my house, but I didn't; there isn't a word of truth in it.

18249. Do you know of anything else?—Not a word, sir, because I wouldn't let my house.

18250. Why would you not let your house?—The only reason I can give is, that I wouldn't give it.

18251. Why would you not give it?—I don't know, sir.

18252. What reason had you for not letting your house—a man does not make up his mind without a reason?—I could have given it if I wished.

18253. And you could have got £50?—It seems, sir, I could; I don't know which; I was never offered a halfpenny.

18254. I want to know why you would not let the house?—Well, I thought well not to do so.

18255. Are you married?—I am, sir.

18256. Perhaps it was Mrs. Dwyer that would not like to have it let?—She didn't interfere at all, sir. I thought more than that of my house.

18257. Did you think that letting the house that way would be bribery?—I am not sure it would, sir, and of course I wouldn't give it.

18258. Was there any offer made to you on Mr. O'Beirne's side?—None in the world, sir.

18259. Were you asked to let it to them?—No, sir, I was not.

18260. There was nothing at all about it?—No, sir.

18261. Were you asked by anyone at Mr. O'Beirne's side to let the house to him?—Captain Graham came in and asked me; and I think he wanted the rooms for his own use. I told him I wouldn't give them. I knew that he had rents to collect, and other matters of his own, and I told him then that at any time he had rents to collect, he might have the use of my rooms, but no arrangement, that is what I said.

18262. Was that about the time of the election?—For his own private use he wanted it.

18263. Was it about the election time?—It was, sir.

18264. How long before the election was it?—About five or six weeks, sir.

18265. Did he say how much he would give you for the rooms?—He did not, because I told him distinctly I wouldn't give my rooms to anyone.

18266. You seem to give your evidence very truthfully and very freely. I ask you now, did you understand Captain Graham to mean anything with reference to your vote?—I intended to vote independently, sir.

18267. Did you understand that he meant anything with reference to your vote?—He is my landlord, sir.

18268. Did you understand Captain Graham's offer to have reference to your vote?—Well, I couldn't say, sir. It may. I couldn't say that, sir.

18269. I did not ask you to tell me what was in Captain Graham's mind. I want to know what was in your own mind at the time. Did you understand that he meant anything about your vote?—It might have been the case, sir, but I couldn't say.

18270. I suppose, then, you mean to tell me that you did think it?—Yes, sir.

18271. You told him, "if you want the use of my rooms for collecting rents, you shall have it for nothing"?—I did, sir, and that whatever way I would vote, it would be independent.

18272. Did you tell him how you would vote?—I think after that, on the same day, I told him he might use my name to Mr. O'Beirne, as a supporter of his.

18273. Would you have refused to let your house to Captain Graham for the same reason that you said you would not accept an offer from Mr. Laffan, that you would have considered it a disguised method of bribery?—No, sir.

18274. And you would have accepted it?—I wouldn't do that at all, sir.

18275. Would you have accepted money for your vote?—No, sir, I would not.

18276. Or for the use of your house?—No, sir.

18277. Was there any other offer of that kind made to you?—No, sir; none in the world.

18278. And you have no further information to give us?—No, sir.

Captain *Graham*.—I wish to ask the witness, did I understand, when I was looking at his house, that it was Mackay's house.

NINETEENTH DAY.

October 25.

Michael Dwyer.

18279. Mr. WATERS, Q.C.—Did Captain Graham think your house was Mackay's house?—I think so, sir.

18280. Was it not in your house that the conversation was with Mr. Mackay?—I think Captain Graham said to me that he didn't know Mr. Mackay, and I told him I would bring him to him if he wished.

18281. Mr. Mackay said he was taken to your house, and had a conversation with Captain Graham in your house. Is that so?—Quite so.

18282. Was the conversation with you about taking your rooms before Mr. Mackey was brought in?—Yes; I had my vote pledged before there was a word said about Mr. Mackay's house.

18283. Did Captain Graham think that Michael Dwyer's house was Patrick Mackay's house?—I don't know; perhaps he may, sir.

18284. Did he know you before?—Well he did, sir.

18285. You said you were his tenant, I think?—Yes, sir.

18286. Are you his tenant for that particular house?—No, sir; but for a garden I hold from him.

18287. But Captain Graham knew you well before—He did, sir.

18288. Are you able to say, from anything that occurred on that occasion, that Captain was under the impression that your house was Mackay's?—Captain Graham would be better able to tell you.

18289. Captain *Graham* wishes to have you asked the question?—I couldn't say, sir.

The Rev. John Ryan.

The Rev. *John Ryan* tenders himself; examined by Mr. WATERS, Q.C.

18290. *Witness*—The Archbishop in giving his evidence the other day, I think, left the court and the public to understand that it was previous to the appearance of my letter, on the 29th October, he was placed under the disagreeable necessity of suspending me. That was a mistake: the date of the necessity, the document suspending me, is November the 2nd, '68. It sets forth, amongst other things for the publication of that letter——

18291. I will not allow you to go into it. You may correct the date. This is a matter of ecclesiastical authority, with which we have nothing to do. I prevented the Archbishop from going into this before. The date you can correct. What is the date?—The 29th October, '68, the date of the letter. The date of the suspension is the 2nd November, the same year. There is also another matter. He stated that though I didn't mention his name, that yet I so described him that no person could mistake that it was himself I meant. This is also inaccurate. I gave no description of him or of anyone else. I told him on the 2nd November, in the presence of fifteen or twenty priests, that I did not mean him, but others whose names I heard of, but refused to give him. In fact, at the time of writing this letter which gave him so much annoyance, I did not know of his having received any money from Mr. Munster, and perhaps if I heard——

18292. Do you say as a matter of fact—you have a right to have this recorded—do you say that at the time you wrote this letter of which the Archbishop spoke, that you actually did not know that he had received any money from Mr. Munster?—From Mr. Munster? nothing in the world; and if I knew it is more than probable that delicacy of feeling——

18293. We will not mind taking down probability.

Mr. *Munster*.—I wish to ask whether the Rev. John Ryan knew of my offering the money.

18294. Mr. WATERS, Q.C.—Did you know that money was offered?—I never heard a word of it with reference to Dr. Leahy.

18295. You did not know anything of that transaction with the Rev. Dr. Leahy?—Never. I never heard a word of it, and as I said before, I think it right I should state that if I heard of it, I would not have referred to it.

18296. You would not have referred to it?—I would not have referred to it.

18297. Unquestionably?—Unquestionably. I would not have used the word "bishops" at all in the letter.

Cornelius Hanley.

Cornelius Hanley sworn: examined by Mr. MOLLOY.

18298. You have no vote Mr. Hanley?—No; I had a vote at the previous election.

18299. For whom did you vote at that election?—For Mr. O'Beirne, and for Mr. Hemphill the election before it.

18300. You were an ardent supporter of Mr. O'Beirne's I presume?—Very.

18301. Were you acting as agent for him?—No.

18302. You gave mere voluntary service?—Yes.

18303. What voluntary service did you give him?—In any way I thought I could influence a person to vote for him, I asked and did it.

18304. In any way you thought you could influence them you did?—Not in that sense; politically speaking.

18305. Did you canvass them?—I don't say I did canvass. I went away on the election carts, and if I chanced to meet a voter, I asked them to vote for Mr. O'Beirne.

18306. Did you hold out any inducement to any of them?—None.

18307. Did you see any cheques of Mr. O'Berine's?—Never.

18308. Did you know of any money having been offered to voters?—No.

18309. Did any person ask you for money?—No; never.

18310. Did anyone speak to you about money?—Never.

18311. You confined yourself simply to asking them to vote for Mr. O'Beirne?—I know the whole of the voters, and I asked them. I thought they had no right to vote against Mr. O'Beirne.

18312. You went out to the Commons?—Yes; I went twice there.

18313. Did you ever go there at night?—Never.

18314. Or in the evening?—We have a farm there; I may have gone there in the evening.

18315. You went twice there?—Yes.

18316. Whom did you canvass?—Every one in the Commons.

18317. Did any of them speak about money?—None of them; at least in my hearing.

18318. Did you go the second time to canvass the same people?—Yes, I think so. We had heard that Mr. Munster went out there, and we went out for fear he might make any influence on the Commons people in any way.

18319. How did it happen that you had the farm in 1865, and not at the last election?—I had a farm of land, and it went to my brother after that.

18320. Did you receive any inducement from Mr. O'Beirne in 1865?—Never, nor any of my family; nor wouldn't take it.

18321. Were you ever offered any inducement?—Never. I want to make a remark, on Judge Morris: he said £16 was an inducement to my brother; I could tell Mr. Morris £1,000 wouldn't be an inducement to him.

18322. Had it anything to do with the Cashel election?—It had on the petition. Judge Fitzgerald—

18323. What is it you say about your brother getting £16?—Some car-hire that was due to my mother. I believe it was paid before he knew about it. I believe Mr. Grace paid it before my brother knew it.

18324. Mr. WATERS Q.C.—Your brother is dead since the last election?—Yes.

18325. Mr. MOLLOY.—Do you know of any money or cheques being given to any person?—I never heard to my knowledge.

18326. Mr. WATERS, Q.C.—And you have no further information to give the Commissioners with reference to anything connected with the election?—Not a ha'porth.

18327. Mr. GRIFFIN.—You were a voter in 1865?—I was.

18328. Do you know anything about the election of 1865? We have it in evidence that at Mr. O'Beirne's side the election cost over £2,500?—I have heard that voters on the Commons got money.

18329. Did any of the electors of the Commons ever tell you anything to that effect?—Never.

18330. You can give us no assistance?—I cannot.

Patrick Russell sworn; examined by Mr. GRIFFIN.

Patrick Russell.

18331. For whom did you vote at the last election?—For Mr. O'Beirne, sir.

18332. Did you take any message to Mr. John Ryan Going at the last election, or about the time of the last election?—No, sir.

18333. Did you hear anything about his having a message for Coffey, who, I believe, is gone to America?—No, sir.

18334. Do you swear that you know nothing about it?—Nothing at all, sir.

18335. Had you any conversation with Mr. Patrick Laffan about the election?—Oh, yes, sir, different occasions.

18336. He was canvassing you, I suppose, to vote for Mr. Munster?—Yes, sir.

18337. Did he offer you any inducement to vote for Mr. Munster?—He did, sir. He came one day to the workhouse—I am an officer of the workhouse—and he offered me a retainer; but at the same time I didn't know the contents of the retainer.

18338. Did he ever offer you anything but that?—No, sir; he told me to go down to the committee-room.

18339. Did you ever tell him to speak to your wife about your vote?—If I did it was out of a joke.

18340. You will not deny that he did go to your wife about it?—I can't say.

18341. Do you know that he had any conversation with your wife about it?—I don't know really. I never heard he had.

18342. Did you refer anybody else to your wife about the election?—No, sir.

18343. Who canvassed you on Mr. O'Beirne's side?—Mr. Grace; that is all, sir.

18344. Did anybody else on Mr. O'Beirne's side canvass you except Mr. Grace?—No, sir, with the exception of all his friends; they asked me would I vote for him, and I had my mind made up from the first to vote for Mr. O'Beirne.

18345. If you had your mind made up from the first to vote for Mr. O'Beirne, why did you tell Mr. Patrick Laffan to go to your wife about it?—Because he was pressing me with a retainer. "I don't like to put you off," says he, "with a five guinea retainer." I told him I would have nothing to do with it, and I would go for the best, and I considered Mr. O'Beirne the best man.

18346. Did you hear about the £60 cheque given by Mr. O'Beirne to Hogan?—I did, sir.

18347. Did you hear that you were to get anything out of it?—No, sir.

18348. Did you think you were to get anything out of it?—No, sir, nor never expected it.

18349. Are you quite sure that you never took any message to Mr. Ryan Going about the time of the election from anybody?—Quite sure, sir.

18350. Mr. WATERS, Q.C.—Is the last the first election at which you had a vote?—Yes, sir.

18351. Did you ever hear of anybody taking money in Cashel for votes?—It was a common report, sir.

18352. Did you hear of anybody that took it?—It was a common report, sir.

18353. You would not take it yourself, I suppose?—I would not, sir; I would not sell my vote.

18354. I did not ask you would you sell your vote, or anything like that?—If he wished to make me a present of money I wouldn't say against it.

18355. Who was it that made the arrangement with you?—The arrangement, sir?

18356. Yes; who was it—now, tell me?—There was no arrangement, sir; no one, sir.

18357. You were to get £30, were you not?—No, sir.

18358. Do you swear that you were not?—I do, sir; positively.

18359. You never heard anything about it?—No, sir.

18360. And you did not expect it?—No, sir.

18361. And you would not take it, if it was offered to you?—I would take it; I wouldn't refuse the money.

18362. There was plenty of Mr. Munster's money going, and there was money got on the other side also. You admit that you would take money. Now, tell me what you did about getting it?—On the first occasion I was canvassed by Mr. O'Beirne's party by two gentlemen I was under a great compliment to, and they bestowed a favour on me when I was looking for that situation above, and they asked me would I go along with them. I told them I would, for Mr. O'Beirne.

18363. Who were they?—Mr. Grace and Mr. O'Connor; because they done a great deal for me when I wanted it—for that very reason I went with them.

18364. You have not explained to me yet how you came to make up your mind. You said you would take money if it was going. You know that money was going on both sides. I want you to tell me how was it that you came to make up your mind as you did?—Because I considered I was under a compliment to them, sir, in the first place. On the other hand, I refused money and wouldn't take it at the other side.

18365. You would have taken money from Mr. O'Beirne?—I wasn't offered it, sir.

18366. But you would have taken it?—I might, if he gave it to me after the election, as a compliment.

18367. Did you never hear that any money was left with anyone for you—did your wife ever tell you about it?—Never, sir; it is very seldom I am down in town.

18368. Mr. GRIFFIN.—How long before the election did you get the place at the workhouse?—It is over twelve months since; before the election, sir.

18369. Over twelve months since?—Before the election, sir.

18370. Do you know anything at all about money offered, promises made, or cheques given to anybody at the last election?—No, sir; any more than what I told you, sir.

John Ryan (known as *John Ryan "Going"*) sworn; examined by Mr. WATERS, Q.C.

John Ryan.

18371. You are employed in an establishment in this town?—Yes, sir; at Messrs. Going and Smith's.

18372. Michael Coffey was employed in that place, was he not?—Yes, he was; as foreman baker at the time.

18373. Do you know of money having been paid to Coffey, or given to anyone for him?—No; but I heard he had let his house to one of the candidates.

18374. How was he paid?—I could not say, sir.

18375. Was there a cheque left with anyone for him?—I couldn't say.

NINETEENTH DAY.

October 25.

John Ryan.

18376. Did he tell you that he had been paid?—No, sir; he did not.

18377. Did you hear him swear here that he was paid?—No; but I could form an opinion that he was paid, for he had money with him going about the streets, and he got drunk at the time.

18378. Did you not know that that was for his house?—No, sir; because I was not looking at it.

18379. But a man may know a thing without looking at it. Was he with you?—He was, at night.

18380. Had you many opportunities of speaking to him?—I had, sir; every night.

18381. Therefore is it not a very likely thing that you talked to him about it?—But after the election he never worked with me since, sir. The fact of the matter is, if he got the money, it knocked him about, and it was more injury to him than anything else, sir.

18382. How did you vote at the election?—I voted for Mr. O'Beirne, sir.

18383. Had you a vote in 1865?—No, sir; I had not.

18384. What influence brought you to vote for Mr. O'Beirne—did you know him before?—No, sir; I didn't know him; I didn't know him, I only heard of his being member for the borough.

18385. What influenced you to vote for him?—His parliamentary career, sir. I wouldn't swop him for any strange candidate.

18386. Were you canvassed to vote for Mr. Munster?—No, sir; there was an attempt made to canvass me, but I told them I was pledged.

18387. When were you pledged to vote for Mr. O'Beirne?—I suppose three weeks or a month before the election; the day he made his first canvass.

18388. Who canvassed you for Mr. O'Beirne?—Himself, sir.

18389. Who was with him when he canvassed you?—There were several—a whole crowd of people with him.

18390. Do you know of any money, any promises of money, or any sort of valuable consideration, such as a cheque or anything of that kind, given to anyone for voting at the last election?—No, sir; I don't. It was not my business.

18391. I did not ask you was it your business. Do you or do you not know of any such thing?—No, I don't.

18392. Did you ever hear any man say that he got a cheque, or promissory note, or promise of money?—I did not, sir, because that is the last thing he would tell me. I suppose he would keep it secret if he obtained or got it.

18393. Do you say that there was no cheque or anything else left with you for Coffey?—No, sir, there was not.

18394. Do you mean to say that Coffey never admitted to you that he got that money for himself?—No, sir, but I knew previously he had his house let to Mr. O'Beirne, from himself.

18395. From himself?—From himself.

18396. What did he tell you?—That he let his house for a committee-room for.

18397. For how much?—For £20.

18398. You understood that that included his vote?—No, but I heard from my men in the bakehouse, some three months before that, that he pledged himself to Mr. O'Beirne.

Thomas Williams.

Thomas Williams sworn; examined by Mr. MOLLOY.

18399. Had you a vote before the last election?—No, sir.

18400. Who canvassed you at the last election?—Mr. O'Beirne and Captain Graham on Mr. O'Beirne's behalf.

18401. Were you canvassed on Mr. Munster's behalf?—I was, sir.

18402. Did either of the Messrs. Laffan speak to you?—Yes, but not until the night before the polling day.

18403. You were previously canvassed on Mr. Munster's behalf?—Mr. Munster came around in his carriage.

18404. What did you tell him?—He did not ask me for my vote.

18405. Did you ever promise to vote for Mr. Munster?—No, sir.

18406. Did you ever tell any person that you would vote for Mr. Munster?—Never.

18407. Were you not canvassed on Mr. Munster's behalf until the night before the nomination?—No, sir, unless by Mr. Munster in his carriage.

18408. What answer did you give Mr. Munster when he came to you?—He didn't ask me for my vote, he was only explaining his address.

18409. Did you intend to vote for him at that time?—Never. Young Mr. Laffan called to me and asked me would I go to Mr. Munster to his carriage as he was in a feeble state of health—would I treat him with civility; I said of course I would.

18410. When did you make up your mind to vote for Mr. O'Beirne?—Weeks previous. The promise I gave Captain Graham, if no Conservative came applicable to my principles, I would vote for Mr. O'Beirne through him, as a compliment to Captain Graham.

18411. Did you receive any inducement for your vote?—No, sir.

18412. Was there no inducement held out to you?—No, sir.

Patrick Sullivan.

Patrick Sullivan of Boherclough sworn; examined by Mr. GRIFFIN.

18413. For whom did you vote at the last election?—For Mr. O'Beirne, sir.

18414. And for Mr. Lanigan in 1865?—Yes, sir.

18415. Did you get any promise from anybody that you would get anything for your vote at the last election?—No, sir.

18416. Did you get a promise of a situation or anything of that kind?—No, sir.

18417. For any of your friends or relations?—No; I spoke to no man for a situation.

18418. Did anybody speak to you?—No, not a man.

18419. Who canvassed you to vote for Mr. O'Beirne?—I went myself and gave my vote to him.

18420. You voted against him in 1865?—I did, sir.

18421. What made you so anxious for him at the last election?—By his parliamentary duties I knew him to be a proper man for Cashel.

18422. Have you a son?—No, but I have a daughter.

18423. You have not got a nephew?—I have now.

18424. What is his age?—Oh, I beg your pardon, I have a son-in-law though.

18425. Was he promised a place by anybody?—No, indeed.

18426. Or was it suggested that he might get a place through Mr. O'Beirne's interest?—Not to my knowledge.

18427. Were you not looking for a place for him?—No; I looked for nothing. I gave my honest vote.

18428. You did not get any cheque?—No.

18429. Did you hear about any cheques having been given to any voters?—I heard rumours, but I

didn't mind. I never lost a minute of my time about it.

18430. It did not occur to you to look for any of them?—No, it never did. I always gave my vote independent, and will while I live.

18431. In 1865 did you hear of any people getting money for their votes?—There were rumours of it.

18432. You do not know of any particular instance in which anything was given to a voter?—Indeed I don't, sir.

William Cashen, jun., recalled; examined by Mr. WATERS, Q.C.

18433. You were sworn already to tell the truth on this inquiry?—I was, sir.

18434. I suppose you have heard all about what you were wanted for here now?—I didn't know a word until the man went to the potato garden for me.

18435. Doctor Russell swore on his oath here to-day that he met you a short time after the petition was heard, and said to you—"Tell me now, Billy, what did your father get since he left me?' and that you told him your father got £80. Is that true?—Gor, I told him so, sir.

18436. You told him that your father got £20 from Sir Timothy O'Brien?—I did, sir.

18437. Is that true?—I told him that one day.

18438. And that he got £30 in 1865 from Mr. O'Beirne?—From Mr. O'Beirne. I don't think of that, sir.

18439. And £30 at the last election—1868. And Doctor Russell says that he then said to you—"That cannot be true, for I heard your father swear he didn't get as much as would shave him"?—That is right, sir.

18440. Did you then say to Doctor Russell—"He did get it. I gave it to him myself"?—I did, sir.

18441. Did you say so?—I did, sir; but I am on my oath now, and I wasn't then.

18442. Mr. GRIFFIN.—Did you ever give any money to your father for any election?—I didn't, sir, not a shilling.

18443. Mr. WATERS, Q.C.—Did you ever give him £30?—I did not, sir. I could say what I liked to the doctor; he was always humbugging me.

18444. You would tell lies of your father?—The doctor and myself are always humbugging one another, sir.

18445. Mr. GRIFFIN.—Did you ever try to humbug anyone besides the doctor?—I would humbug anyone that I would get a shilling by, sir. I am often dealing with the doctor.

18446. Mr. WATERS, Q.C.—Your answer now is that when you said those things you told lies to the doctor?—I did, sir.

18447. And that you are telling the truth now?—I am indeed, sir.

18448. Therefore, according to your own account, you were a liar either one time or the other?—No, sir.

18449. Do you not say that you did not give £30 to your father?—I did not, sir.

18450. Did you tell the doctor that you did give it?—I did, sir.

18451. Do you say now that you did not give it?—Sure I am sworn now, sir.

18452. Do you say that you did not give it to your father?—Sure I didn't give him a shilling.

18453. Therefore you were a liar either then or now. Are you sure that it is not now?—I am too sure of that, sir. Will I get my expenses, sir?

18454. Expenses for what?—For coming here to-day, sir, from my business.

18455. Try and humbug the doctor out of them when you meet him next.

Mr. *Martin Ryan* sworn; examined by Mr. WATERS, Q.C.

18456. For whom did you vote at the last election?—For Mr. O'Beirne, sir.

18457. Had you a vote in 1865?—No.

18458. Do I understand that the last election was the first at which you had a vote?—It is in '67, I think, I was put on the list.

18459. Did you take an active part in the election?—No indeed.

18460. Did you get anything at all for voting for Mr. O'Beirne?—Nothing that I am aware of.

18461. Did you canvass anyone or speak to anyone to vote?—Never.

18462. Are you able to give us any information with reference to what was done with any voters at the last election?—Except the general rumours in the town.

18463. Did you see any cheques in Mr. O'Beirne's name?—Never; I was particularly cautious not to have anything to do with the election. I was never inside one of their rooms—what they call "committee-rooms"—except on one occasion, and that was the night before the election, at Mr. O'Beirne's. I went in at the request of a friend of mine that wanted to see Mr. O'Beirne. I stopped there half an hour or three-quarters of an hour; and that is all that ever I had to do or say to them in that way; and I had been canvassed on both sides, in fact by three parties—several parties. I always said I would not vote—that I didn't think it would be my place—that I was a public officer, and did not mean to vote.

18464. What is your public office?—Clerk of the Union and Superintendent Registrar of Births, Deaths, and Marriages. The day of the nomination I came here, I was outside here, and I found that in order to get admission I should get a ticket from some of the candidates. That being the case, I said I would not go under a compliment to them. I was determined if I voted at all to vote independently. The very courteous sub-inspector, Evans, met me as I was going away, and he asked me to come with him, and I did so. I then stopped here until I heard, as well as I could, with all the confusion and noise, the different speeches being made; and amongst the rest I heard Mr. Munster, standing up and reiterating those charges he had already made against Mr. O'Beirne in a printed form, and I heard Mr. O'Beirne stand up and call for any proof. "Now, you have been preparing those charges for the last three months against me. I call on you now to give any proof of the truth of what you have stated." I listened with great attention for anything in reply. Mr. Munster stooped down his head, as if to think or consult with some person, and he lifted it after some time, and he said, "I just now haven't got the documents about me; but we have got the wires now, and by Friday morning I will show you and all here that what I have stated is true."

18465. We have nothing to do with that?—I resolved then, sir, if he didn't prove it, to vote for Mr. O'Beirne.

18466. You do not know of any cheque, or money, or inducement of any kind given to any person for his vote?—Never; I would be the last person that would interfere in such a matter.

18467. We are obliged to inquire every way we can?—Of course, sir.

18468. Coming here strangers, and not knowing anything about the matter, we have to inquire every way we can?—I am in a public position myself, and mixed up between parties. I wish to state my reasons.

18469. I quite understand that you took no part in the election at either side?—I said, if God gave me life,

NINETEENTH DAY.

October 25.

Mr. Martin Ryan.

I would vote for Mr. O'Beirne if those things were not proved against Mr. O'Beirne before Friday morning. I stated that to several parties. In page 2 of the book of evidence of the election petition there is a matter that affects me, at No. 53. A question is put to Richard Witheroe as to who were the parties dining and sleeping at Miss O'Dwyer's the night before the election; and he stops most remarkably at my name, as if it was intended, I suppose, to bring me out conspicuously. I find in No. 61, sir, he is asked did these persons dine and sleep at Miss O'Dwyer's, and he says "yes." I wish to say emphatically that that is a falsehood. I went in there, and was about three-quarters of an hour at the farthest there with a friend.

18470. Do you wish to say that you did not dine and sleep there?—Not I. A complimentary dinner was got up there, and afterwards there was some amusement. I merely took a ticket which I gave to another. I did not go to the dinner.

Denis Heany.

Denis Heany sworn; examined by Mr. MOLLOY.

18471. How long have you been an elector of Cashel?—A good while, sir.

18472. For whom did you vote at the last election?—For Mr. O'Beirne, sir.

18473. And in 1865?—For Mr. O'Beirne, sir.

18474. What did you get for voting?—I got nothing, sir.

18475. Did you sign a bill?—No, sir, nor go the way of signing.

18476. For whom did you vote in 1859?—For Mr. Lanigan.

18477. How came you to vote against him in 1865?—The most respectable part of the voters had some sort of decision at that time.

18478. Who canvassed you on Mr. O'Beirne's behalf?—Mr. O'Beirne himself. I went myself the last time.

18479. Who canvassed you in 1865?—He canvassed me himself.

18480. Was he the first that canvassed you at that election?—Yes, sir.

18481. What answer did you give him when he asked you to vote for him?—I told him I would support him.

18482. Did you hear there was money going in 1865?—I heard of money, but of course I didn't hear it from anyone that voted.

18483. Did you know Mr. Johnson?—I never saw the man, nor spoke to him; never, sir.

18484. Was there any inducement held out to you to vote in 1865?—No, sir.

18485. Did you get any promise of money?—No. I never got a promise for my vote. I didn't meddle or interfere with any person.

18486. Did you get any money at the election of 1865?—No, sir.

18487. Did you get any money after the election of 1865?—No, sir.

18488. Did you get any money before the election of 1865?—No, sir.

18489. You are sure that you got none?—None.

18490. Did you sign a bill any time in 1865?—No, sir. I heard they were signing them, but not by any of the electors. The people of Cashel had it in their mouths that all the Commons' people were signing them, but I never went in the way of signing.

18491. Did any member of your family receive any money on account of the election?—No, sir.

18492. Were you promised money at the last election?—No.

18493. Did you vote for Mr. O'Beirne without being offered any consideration for your vote?—I did, and would vote again for him from the bottom of my heart.

Thomas Cooney.

Thomas Cooney sworn; examined by Mr. GRIFFIN.

18494. Cooney, had you a vote in 1865?—Yes, sir.

18495. For whom did you vote at the election of 1865?—For Mr. O'Beirne, sir.

18496. You did not vote at the last election, I believe?—No, sir.

18497. Were you canvassed?—Yes.

18498. Who canvassed you to vote for Mr. O'Beirne?—Himself, sir.

18499. What did you get for your vote in 1865?—Nothing.

18500. Did you sign a bill in 1865?—No, sir.

18501. You did not to go Mr. White?—No.

18502. Did you go to Mr. Geary about signing a bill?—No.

18503. Did you get anything for your vote in 1865?—No, sir.

18504. Was that the reason that you did not vote in 1868?—No, sir.

18505. Why did you not vote at the last election?—I was retained, sir.

18506. By whom were you retained?—Mr. Laffan, sir.

18507. Which Mr. Laffan?—Here he is here, sir. [Identifies Mr. Patrick Laffan.]

18508. What was the amount of the retainer that you got?—Five guineas.

18509. Where did he give it to you?—In Corcoran's hotel.

18510. What took you there on that occasion?—He sent a messenger for me.

18511. Had you been spoken to about your vote on Mr. Munster's side before that time?—I had, sir. Mr. Munster called me to his carriage at the meeting to inquire if I liked what he said; he asked me would I vote for him, and I said if I considered him the best man that I would.

18512. Did Mr. Patrick Laffan come to you after that?—I don't recollect he did, sir.

18513. What was the message that you got to go to Corcoran's hotel?—A verbal message. I was doing business at a saddler's house in Friar-street.

18514. How long was that before the election?—It was a week or more, sir.

18515. Was it a fortnight?—Yes, and if I would say more.

18516. When you went to Corcoran's hotel, what conversation had you with Mr. Patrick Laffan?—He took me into a private room and pulled a check-book out of his pocket, and said he would give me an order for five guineas, and I said I wouldn't take it if it had any interference with my vote. He said it would not; and I accordingly took it then, sir. If he intended it as a bribe I thought it no difference to take it, because I didn't intend to vote for Mr. Munster.

18517. You did not know that it would prevent you from voting?—No, sir, at that time. I put the question to him if it would interfere with my voting, and he said not, sir.

18518. Did he offer you any more money at any time?—His brother Michael sent for me and said he would give me £15, and as much more as I wished. He said £15, and any sum I wished he would give me, sir.

18519. When was that?—After the retainer, sir.

18520. Did you complain that your vote had been interfered with?—I did, sir.

18521. When he offered you the £15 did you know that you could not vote?—I did, sir.

18522. Why did you not complain to him then?—For I turned over in my mind when Mr. Grace published that any man that took a retainer couldn't vote—I turned over in my mind then that I wouldn't vote then.

18523. Did Mr. Grace's announcement come after Mr. Laffan offered you the £15?—Yes, sir.

18524. Why did you not complain of being prevented from voting, when Mr. Michael Laffan offered you £15?—I didn't know it, sir.

18525. Had you not seen Mr. Grace's placard?—I had, sir.

18526. When you saw Mr. Grace's placard, and understood that you could not vote in consequence of having taken a retainer, why did you not complain?—When I understood from the placard I couldn't vote, I said I wouldn't vote at all. They also sent Mr. Dolan to buy a mare from me, and he offered me £100 before ever I said a word.

18527. Is that the son of Mrs. Dolan, where Mr. Patrick Hackett is?—Yes, sir.

18528. What was the mare worth?—I refused £35 for her after being offered this money by Mr. Dolan.

18529. How much money did he offer you?—One hundred pounds if she would go single and double harness. I said I wouldn't engage her. He said she was for one of the candidates of Cashel.

18530. What did you say to him when he told you that?—I said that any rascal going the way would pay that for her.

18531. Did you understand that Mr. Dolan wanted your vote, and not your mare?—I perfectly understood it was for the vote and not the mare, though she was perfectly good value.

18532. But you did not expect to get £100 for her in Cashel?—I did not, sir, but the first fair I took her to I refused £35 for her.

18533. What did you say to Mr. Laffan when he offered you £15, and as much more as you would like?—I said I would come in again, sir.

18534. Why did you not send back the retainer as other men did?—Because I had it cashed in the bank, sir.

18535. Mr. WATERS, Q.C.—Would you not have taken money for your vote? Would you refuse money if it was offered to you?—Sir!

18536. Surely you have heard me. Would you have refused money if it was offered to you? For whom did you vote at the previous election?—Mr. O'Beirne.

18537. Why did you vote for him?—On account of his parliamentary career being good.

18538. If he offered you money after you voted would you take it?—I would, sir.

18539. If you expected money for your vote would you be very anxious to vote?—Any man that offered me money after the election, I would vote for him. A man intending to give me a bribe I would vote against him, sir.

18540. Would not taking money after the election be taking a bribe, as well as before it?—I wouldn't consider it so, sir.

18541. When you got the £5 did you tell anyone of Mr. O'Beirne's friends that you had got it?—I did, sir.

18542. To whom did you tell it?—To Mr. O'Beirne himself.

18543. What did he say to you when you told him that?—He said he couldn't give me a decided answer whether I could vote or no, but he sent Mr. Sergeant to Dublin to have advice on it, and I never got any account from Mr. Sergeant or Mr. O'Beirne since.

18544. Did you speak about any money to Mr. O'Beirne then?—Not a penny piece.

18545. Did he speak about money to you?—No, sir.

18546. Did he speak about engaging your vote, or anything that way?—No, sir.

[Mr. Munster hands in questions.]

18547. What did Mr. Michael Laffan offer you the £15 for? Was it for your vote or services?—He didn't name it, sir.

18548. Will you swear that Mr. Munster asked you to vote for him?—I will, sir.

18549. Who was present?—Mr. Cahill below here, and Mr. Cahill asked me—put the question to me, "Have you any questions to ask?" and I said, "No."

18550. Was there anyone else present besides Mr. Cahill?—Not one, sir.

Mr. *Patrick Laffan* recalled at the request of Mr. *Munster*; examined by Mr. WATERS, Q.C.

Mr. *Munster*.—I wanted to ask if you would allow me to ask him a question with regard to the expression in his evidence, "that we were going back every day."

18551. Do you recollect that in giving your evidence you used the expression "that we were going back every day," or something like that? Do you recollect the use of that expression in your evidence here?—Well, I think I did. I remember saying something of the kind in reference to Mr. Leahy.

18552. Mr. Munster wishes to know what you meant by that?—Well, the only explanation I can give at the present moment is, that some persons that I had anticipated would have voted for us, on account of the delay had gone to the other side.

18553. The delay of what?—That the money was not forthcoming.

18554. You never communicated that, I understand, to Mr. Munster?—Oh, not to Mr. Munster. I never had any communication of the kind at all with Mr. Munster.

[Mr. *Munster*.—I think the first payment of money corruptly spoken of on my side by anybody was the 11th November. I would wish to ask Mr. Laffan, if at that date he had reason to believe that money had already been corruptly expended on the other side?]

18555. When did you become aware or believe that money was spent corruptly on the other side?—I cannot say I became aware.

18556. When first did you believe it? Was it before the 11th November, or before any money was expended corruptly on Mr. Munster's side?—Well, I don't believe that it had been expended, I think, until about the 14th November. I don't think I knew they had been bribed. I believe it was done at the other side before we did it.

18557. You say that the first time you believe money to have been spent on Mr. O'Beirne's side was the 14th November?—No; that was the first time I believed they had actually done it at the other side.

18558. To whom did you believe that they had paid it on that day?—Well, I can't say.

18559. Do you know of any money paid to any one by Mr. O'Beirne, except what we have heard of here?—No, I do not.

18560. Did you know of any of those payments? Did you hear in any way, so as to believe that it was true that money had been paid in any of those cases that we have ascertained?—I cannot say that I did.

18561. Did you ever hear or believe of any case in which money was spent at Mr. O'Beirne's side?—I didn't hear it in a positive way.

18562. Mr. GRIFFIN.—Had you heard that he had been put in funds about that time?—When he came here first he went away after a little time, and then he came back, and the report was current that he had got funds in the meantime.

18563. When did he come back the second time?—I can't say; I think he went away for a week or so.

18564. What fixes the 14th November in your mind?—I think that was the day we began to take Ryan and Murnane's house.

18565. Mr. WATERS, Q.C.—Do you know the date on which the election was held?—No, I do not.

18566. Did you ever hear that a man named Morrissy said he had seen more notes before Mr. O'Beirne than he had ever seen in the bank?—No, I never heard it.

18567. Do you know a man named Morrissy?—I do.

18568. Who is he?—There is a man of the name living between Fethard and Cashel; about a mile or so from the town.

18569. Did you ever hear him say anything to lead you to suppose that he knows anything about what we are inquiring into?—No, I did not.

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Mr. Patrick Laffan.

18570. You never heard him make any such observation?—Not that I recollect.

18571. Is he a first cousin of Mr. and Mrs. Dunn?—I know he is a connexion of theirs, but I don't know of what degree.

18572. Mr. *Munster*.—I should wish to ask Mr. Laffan why he urged Captain Byrne and Mr. Leahy to spend money corruptly if he did not know it was so spent on the other side?—*Witness*—I thought I answered that question in another form, sir, the other day.

18573. Mr. WATERS, Q.C.—There is not exact evidence that it was spent corruptly on your side on the 11th. It is a matter of indifference to me on which side it was spent corruptly first?—Larkin, I think, came here on the 15th.

18574. Was there money spent before Larkin came?—The only money spent before he came, I think, was taking Ryan and Murnane's house.

18575. Was that the first transaction before Larkin came?—Yes, another was attempted and did not succeed.

18576. Who was that?—A man named Cummins.

18577. Looby's case was after the election. You gave the money to Heffernan and Duggan after the election?—Yes, after the election.

18578. Was there any money spent in bribery before Larkin came?—Except Ryan and Murnane's house, I don't think there was any money spent corruptly before Larkin came. Nobody at all gave money corruptly except Larkin.

18579. Mr. *Munster*.—Mr. Laffan said about Coffey's process that he was in Paris at the time. I want to know if he had heard of it or not?—*Witness*—I know nothing at all about the process.

Mr. Henry Munster.

Mr. *Henry Munster* recalled; examined by Mr. WATERS, Q.C.

18580. *Witness*.—I have more to add to my evidence. There are a great many different heads under which the explanations I would wish to offer would arrange themselves. In the first place, perhaps, in the order of time, I might take the case of the taking of the house of Mr. Boyton, because that was perhaps first in the order of time.

18581. We are of opinion that with regard to taking Mr. Boyton's house, so far as it affects you yourself or any intention you had, you need not make any observation on it at all?—Then there is the question of an offer purporting to be made on my behalf by Mrs. Boyton to John Ryan in the Rock hotel.

18582. I suppose you mean to say you never authorized Mrs. Boyton to make any such offer?—I mean to say a great deal more than that.

18583. If you tell us that, we will be perfectly satisfied?—Very well, sir, I shall consent to that.

18584. You do say it then?—I do; and more than that, I hardly knew Mrs. Boyton at the time.

18585. And you never gave her £1,250?—I have the box in which it was alleged the money was placed, and if you saw the box it would answer the question.

18586. You say that you never gave her the money?—Nor any other whatsoever.

18587. And that you never heard of it until the election petition?—Never heard of it at all.

18588. What I have said applies to those things so far only as they affect yourself. We are offering no opinion on other phases of the case?—Oh certainly. I am answering these so far as they affect me. The next thing, I think, in the order of time is the question regarding Mr. Considine and his son's claim.

18589. What do you wish to say on that?—On that, sir, I wish to say this, that one of the early incidents of my career in Cashel was, that Mr. Considine's son was brought to me to Corcoran's hotel, by either Mr. Michael Laffan or his brother, or both, and it was intimated to me that Mr. Considine would be very glad to have some situation found for his son; and understanding, as I then did, that Mr. Considine was a voter, I thought it rather a singular thing; but the reply that I gave was, that I had occupied myself in similar things before, and that the fitness of a person for any situation should be ascertained. I proceeded to ascertain that fitness, and I must tell you that I understood at the time that Mr. Michael Considine—I think the son's name is—had a promise of a nomination to some vacancy in the Civil Service by Lord Hawarden.

18590. Are you sure you are using the right name in saying Considine?—Perfectly certain. I saw Mr. Considine once or twice. He was a teacher in a National school; and I expressed myself to him unfavourably as to his chance of passing the examination of the Civil Service in case he got the nomination and presented himself.

18591. Why, Mr. Munster, I have not, and neither of my brothers has, a word in the evidence of Considine that in the smallest degree affects or concerns you.

18592. Mr. GRIFFIN.—The only thing I have that in any way affects Mr. Munster is, that young Considine stated that in the event of his procuring a situation by Mr. Munster's influence the claim would be withdrawn?—Besides, I have heard the doctrine propounded, which I own is new to me, that although not summoned or examined on a certain head, that one is bound if here to give information on it.

18593. Mr. WATERS, Q.C.—I had a great deal of trouble in extracting evidence from some witnesses, and I only said what I did to impart to them a little candour?—I offered at the time—the offer was not accepted then—to send Mr. Considine, seeing deficiencies in him generally, but an aptitude for mathematical knowledge—to send him to a training-school at Hammersmith; and I subsequently offered to send him to some training-school near Dublin, and repeated that offer. I believe Mr. Considine's case was of a class which I shall subsequently have to refer to, made more to be in a fashion than falling under the others. I shall distinguish them into some that were made once, and others that were repeated and insisted upon. The next in order of time I think, sir, is the gift of £500 for the Christian Brothers' school. With regard to that I wish to say, that although I suggested a question for cross-examination as to a mixed motive for doing so, that is to counteract the appearance of meanness, my real motive was the peculiar views I have on education—that it was a benefit, if it ever happened to me to associate my name permanently with some good to Cashel. I may here state, that coming to stand for Cashel was connected in my own mind with a permanent change in my domicile in the United Kingdom. That was the turning point in my mind. I had for some years been endeavouring to fix myself in some part of England, and I had resolved in my own mind to come to Ireland; and I believe there was evidence that that peculiar gift lost me one vote; and I may say generally, it was not in my mind to gain any advantage in the way of votes, and from what unfortunately I knew of Cashel I had no reason to believe that such was the case.

18594. What do you mean by that?—This was in my mind, that any consideration of a money character, to be applied usefully in getting a vote, would have to be applied in the simplest and most naked form of corruption; that any other would utterly fail. Then with regard to the Society of St. Vincent de Paul, of which I heard statements made here, but not anything which I believe to be correct, that I gave £30 or £40, or more; a certain number of members of that brotherhood called upon me, no very long time after my arrival—and some twenty years before I had myself been an active member and knew a good deal about them; and knowing what the objects were, and having recently become a governor of the county infirmary here—which in England, where I was similarly a

governor of such an institution, would entitle one to a certain number of tickets, I told them that I would put those tickets at their disposal, and I found my offer did not meet with anything like acceptance or even civility, and I arranged to give a direct money contribution then; but upon its being intimated to me that they would be very glad of some books, I told them I should be happy if they had a lending library to give them some books, and I undertook at some undefined time to give them some books—a promise which is not wholly carried out yet. I have given a few from time to time, but I have not yet fulfilled that promise, because I have not got to Brighton where I have a store of things. With regard to the tickets there that I distributed, I think it is fair to say that it is not so much a contribution to the funds of the society as a sort of little gift of civility to various people who had been civil to me, the great majority of whom were not voters; and one instance I particularly call to mind, of my next door neighbour in John-street, who, as it happened, on my offering a number of tickets for his family, which was a considerable number, and being informed he was not a voter, I said, "I am very glad of it." The next thing that I have to say anything about is the electric telegraph, about which, I think, I need say no more than that in doing it I had no idea it should influence, by any possibility, any single voter. I think I have already denied any intention to make a present of it to the town. The only benefit I thought I was conferring on the town was anticipating the period when, in the natural order of things, they would have it established. I also found—from the period Mr. Leahy first came to Cashel I found the want of a telegraphic communication as a very great inconvenience and hindrance.

18595. Was I wrong in gathering from the evidence that Mr. Leahy constructed it before you came here?—I think the negotiations began, but I do not think the making of it began. One of my difficulties is that I have not been able to fix a good many dates.

18596. Well, it is quite immaterial?—The line was opened I know most certainly before the election, and it was not opened when I came here. I think it was opened about the first of November. I think I may say it was opened sooner, for when I was in Killarney I tried to send a message here in which I failed, so that I think Mr. Leahy must have commenced it before I came here. The next question in the order of time is the question of Mrs. Hackett. With regard to Mrs. Hackett, my simple opinion was expressed at the time, which, I think, is verified, that it was a plot. Others thought differently, and at the time I was very weak. I said, "Don't do it;" but they resisted most strenuously, and so far overpowered me that I ceased to oppose them. But I repeat what I said at the trial of the petition—it was independent of me; I never intended, and it was never thought I should repay it to the person who advanced it. Then with regard to the house in the Main-street that I purchased from Mr. Donnell, I do not know that I need add anything to what I have said about it. I may say generally, it was not at all done corruptly. I thought really the man was afraid of being turned out of his house. I had been in previous negotiation for the purchase here of a considerable property—perhaps fifty or sixty houses in Lady's Well-street, which went off because I was told the gentleman at Limerick who had them wanted too good a price; and I may also add that having once gone to Dublin to buy something in the Incumbered Estates Court in the island of—I forget the name of it—off the coast of Connemara, I offered to purchase the mayoralty house at Galway, simply because there was a man there who complained it was going to be sacrificed under the value. It was eventually sold, I believe, for £420, and was going to be sold at £200. On the owner complaining I offered to purchase it, and let him have the chance of keeping it. I may say, finally, on that subject, that the money value, which must be small, which would arise to Mr. Donnell from the pre-emption he got from me, could not have any influence whatever on his vote.

18597. Mr. GRIFFIN.—At what time were you in negotiation for the purchase of the houses in Lady's Well-street?—The houses in Lady's Well-street included St. Benedict's abbey, which belonged to a gentleman in Limerick. It arose from a letter I received almost immediately after my arrival here. A gentleman wrote to me to say he thought my candidature would be benefited if I was owner of a considerable property in the town. Irrespective of that I entered into a treaty with him which was left off on being advised by Mr. Laffan that the price was too great.

18598. There were some voters living in those houses?—I do not know. I believe Mr. White was one of the persons. But I refused to entertain any additional value on that score. With regard, sir, to the gift to the cathedral at Thurles—

18599. Mr. WATERS, Q.C.—I think you have given us evidence very fully on that already. Can you add anything to what you have told us? You have gone through the whole occurrence very carefully?—I have nothing to add to it, for instance, than that the expression of adding a brick to the building which I used was a quotation from a previous expression of my own when the gift——

18600. Mr. WATERS, Q.C. — It is perfectly intelligible?—Was exactly the same amount to finish the gate of the church of St. Mary's at Sheffield. To that I may say specifically that I had not the least idea it indirectly should stimulate his grace to any exertion on my behalf, or that by any possibility should it ever have any, even minimum, effect on any voter in Cashel; nor did I contemplate that it could become known. Nothing surprised me more than that it had become known. I thought it confined to my breast, Mr. Richardson's and the Archbishop's; if it got known I cannot conceive how it was. With regard to the gift to the convent at Fethard, of £200, I have simply to say with regard to that, that I was not influenced by any consideration connected with Cashel at all. I was influenced by two considerations—one entirely personal to myself, and one relating to another person neither connected with Cashel nor anything relating to it in any way. With regard to the cheque——

18601. Before you leave that, allow me to ask you, is it not the fact that Dean Cantwell did come here and make a speech on your behalf at the hustings?—Unquestionably he made a speech in this very place, sir. I was not present, but I heard he did.

18602. And also wrote letters in your favour here, which were used on your behalf?—That I never knew until the election petition, when some evidence pointed to the fact that he had done so.

18603. You did not know it of your own knowledge?—No, nor had I the least knowledge that this result would ensue when I made the gift, and I believe the result was influenced by circumstances quite extraneous to the gift, and that it was simply through accident. I didn't happen to know the name of the reverend mother at the convent at Fethard to whom in reality the gift was made; and through not knowing her name I drew the cheque in Dean Cantwell's name. It passed through Mr. Patrick Laffan's hands. I may say that Miss Ade met with excessive kindness at Fethard, both from the Dean and the reverend ladies at the convent, and that she very nearly became a novice there. Then with regard to the £300 transferred by me to the account of Mr. Michael Laffan, my conducting agent, I think on the 10th November, I would like to look at the books that I put in.

18604. I think you are right that it was the 10th November. There is no date given here, but I think you are right, sir?—I have put in some letters of Mr. Laffan before I came here, in which I think he was then soliciting an advance of three or four hundred pounds, which I rather held back from making in consequence of that very offer relative to the Christian Brothers, which looked to me a little hazardous and risky and equivocal. It was owing to that that I made the reference in my letter to Mr. Leahy as being an older man and experienced; and because Mr. Laffan was represented

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Mr. Henry Munster.

to me as comparatively a young man, I believed him to be still younger than I found him. With regard to that I have merely this to say, that I believed that a perfectly natural and legitimate payment—the amount not in itself suspicious; and I apprehend as contrasted with the amount proved yesterday, which I did not know, but suspected—£500 sent here to aid Mr. O'Beirne's election—that the amount of £300 which I believe is the only amount paid on my account to an agent previous to the election, other than as retaining fee, is such an amount as not to excite any suspicion.

18605. Mr. GRIFFIN.—Mr. Laffan said that the way in which that money was procured was, that upon his speaking to Mr. Leahy, Mr. Leahy spoke to you, and afterwards you came and offered it to him. Do you remember the conversation between you and Mr. Leahy?—My impression was, that the statement made to me was in writing. I am perhaps wrong in that, but it came to me as a thing direct from Mr. Laffan and not through Mr. Leahy at all. Anyhow, whatever way it came, the statement to me was that Mr. Laffan had expended £250 on my account, and I am quite clear that whether Mr. Leahy told it to me or I heard it directly, I had a conversation on that point with Mr. Leahy most certainly; and I remarked to him that not seeing the bill for the amount I didn't like to do anything which would have any appearance afterwards of a settlement of the account; but that on the other hand I didn't wish Mr. Laffan should be out of pocket in the way of advancing moneys for me, and so I would, generally, transfer a sum of £300, which I was not asked for, to be accounted for by him at some future time in his bill. I think I have nothing more to say on that £300.

18606. Mr. WATERS, Q.C.—Except to say did you know, or had you any suspicion that that money was asked in order to be used for any improper purpose?—I had no knowledge, no suspicion even—a strong word—that a single shilling had been improperly expended on my side.

18607. I wanted to have your answer down specifically?—I do not know, sir, whether it will have struck you, but I took the precaution as we banked at the same bank of giving the money not by cheque, which may be made payable to anybody, but by transfer. When I sent the cheque for a hundred guineas retaining fee I didn't know that Mr. Michael Laffan had an account at the same bank, so I naturally sent him a cheque. When I was aware he had an account at the same bank the natural and legitimate way was a transfer. I do not know, sir, whether I shall have an opportunity of postponing some explanations I have to make for a future time, for some of them I should prefer making if possible when Mr. Laffan is present.

18608. Mr. Laffan has been informed of your intention to do it, and he says he does not see any necessity for his being here; so that you had better I think proceed. Mr. Laffan gave all his own evidence?—I scarcely know how late the court will sit to-day. I do not think I can possibly close the explanations I have to give, at least before another hour, but I have some neutral subjects not touching Mr. Laffan.

18609. We will sit for an hour if you like. We are at your convenience; whatever you wish; if you feel tired we shall accommodate you?—I do not feel tired at all.

18610. Consult your own convenience?—Then I will go on in the order of time. The next subject I should naturally go to in the order of time is the retainers. I am keeping as far as I can in the order of time. With regard to the retainers I may say that nothing so surprised me as on the trial of the petition hearing it suggested that they were payments open to the charge of colourable bribery. I had taken counsel's opinion on them, and had discussed the subject in England with some of my friends of great experience and skill in law; and although I am perfectly aware that it is a dangerous thing and apt perhaps to be perverted, still if done *bona fide* and the way I intended it to be done, it seems to me as I stated on the trial that so far from being corrupt it was calculated to defeat corruption.

18611. Was that, *bona fide*, the object with which you commenced it?—It was, sir.

18612. Do you say to us now, that you had no intention whatever of making use of the power of retainer for a corrupt motive, and that on the contrary, it was to stop corruption, that you did it—do you say that?—I do repeat it. I should just wish to add that my instructions to Mr. Laffan—and this is one of the things I should wish him here to confirm—my instructions to him were:—not to pick out any person he thought likely to go against me, but those persons—he having made a division for me—who were most likely to take money on either side. And, of course, the idea of deception charged against my agents, is horrible and abhorrent to any man having the feelings of a gentleman. The idea of deceiving a man by a retainer, when he thought he was taking something else, was against my instructions. On the other hand, I do not think there was any necessity for telling a man, "if you take this, you will not be able to vote." I take it for granted, that he ought to know that if he took money, he could not vote. However, I shall not drift into argument. In the order of time, the next subject I see here is Mr. Close. I say with regard to Mr. Close's concert, what I said of the Society of St. Vincent de Paul, and as I said of my neighbour in John-street. I say generally of it, that I had no idea of influencing Mr. Close's vote, or anybody else's vote. With regard to the engagement of his son, that comes in the order of time afterwards, and so I will leave it. And now I come to what seems to me really the only——

18613. Before you pass from that subject, I suppose you say in the same way, that the engagement of Mr. Close's son was made *bona fide*. You may as well dispose of it now. Do you say that the engagement of Mr. Close's son was made *bona fide* for the purpose of having his services?—It was made after the election, in pursuance of no contract, and simply because I wanted to serve him.

18614. And not for the purpose of giving a reward to his father for his vote?—Certainly. I think I had very good value for my money, and on that point, I should like to call Mr. Biggin.

18615. So far as you are concerned, you need not go beyond that?—Now, with regard to the most important matter that concerns me, which I admit when you put it to me was highly suspicious, that cheque for £1,000 given to Captain Byrne, that transaction will oblige me, if I am permitted to go into some very large considerations, and into the whole history of my candidature here, because ——

18616. Now one moment: is that for the purpose of arriving at the conclusion that Mr. Byrne had acted for you in a friendly way, so that you felt yourself under an obligation to him?—No, sir, simply with regard to the point of ascertaining—that as far as possible you may ascertain what my intention and belief were. I do not think it is possible to ascertain that, unless I endeavour, as well as I can, to put those who have got to judge of it, into the position in which I was myself.

18617. Well, then, you shall have the fullest opportunity of saying what you like with regard to it. You will, of course, confine yourself to such things as you consider material to this particular matter?—Yes, sir. With regard to that, sir, I have first of all to say this—I can not only assert it, but I can afford many strong collateral proofs that it is so—that my candidature here was perfectly exceptional—that to a certain extent, I had no personal aim—I had not the aim which persons, who ordinarily put themselves forward have, the laudable ambition of doing service to their country in the House of Commons. It is a fact which I think admits of proof of the strongest nature, that my object here was what I might call negative; it was not to get a seat myself, but to unseat Mr. O'Beirne. As a proof of that collaterally I can show, if required, that previous to the election—I may say long previous to the election—I debated the possibility of getting another person to stand in my stead, but at my expense. In particular, I suggested to Mr. George Henry Moore that he might have run double in Ireland, as Mr. Gladstone

was doing in England, which you will perhaps remember; while he was standing for South Lancashire, he also was a candidate for the borough of Greenwich.

18618. We are quite satisfied if you say that that was your object?—I have evidence.

18619. We are quite satisfied when you say that that was your object, and you need not accumulate proofs?—I could accumulate proofs of it so strong, for justifying my object, and collateral proofs of my desire.

18620. You have already told us that, and we entirely understand and believe that that was your object?—Then on that subject I have a great deal to say. First of all I feel some difficulty at saying that sort of thing on oath, but I can. With regard to a question I put to Mr. Laffan with whom I discussed the matter, as with most persons, with regard to what I may call "the theory of bribery," I entirely disclaim having or holding on that point a stricter morality than the greater portion of my fellow-countrymen; but this I certainly do hold, that bribery in itself is inadmissible and dishonorable; that even when used defensively it is doubtful; and I say this particularly, that assuming that I could be satisfied in an ordinary case that it was allowable to use bribery in antagonism to bribery against one; that is to say, in a case—supposing one could ascertain that apart from bribery one would be elected, that bribery was clearly used against you, and that it was justifiable to use bribery to defeat bribery; as to that my mind would inform me this that having taken up in this particular place a position as—if I may so call it—"the champion or defender of commercial and political morality and purity," I felt that even supposing that legally and in ordinary cases one might do these things, in this case I was precluded. I wish further to say this that if I had been of opinion that I might lawfully—if not lawfully I mean honourably—resort to corrupt means to insure my return, it so happened that I was in a position the most favourable for doing it; because, I suppose I need not say what is most generally done in such cases.

18621. Surely it is not necessary to tell us that. You mean to tell us that you would not and did not do it?—I mean to say something stronger than that. What is generally done is, that some kind friend does the thing for you, and then you supply him somehow, or sometime or other. In my case the fact was, and I assert it on oath, that if £4,000 or £5,000 had been necessary to carry my election, and I had given an intimation that corrupt means had been used against me, that sum could I believe and would have been used in my favour really instead of colourably by a third person, without the least possibility or idea of—in fact without its afterwards being ever asked of me, or my ever intending to give it back. Then, apart from that, I also wish to say this, that if not having had those facilities—and here I am speaking, not in defence of my morality but of my intelligence—if I had wished to resort to corrupt means, I had sufficient channels and sufficient experience in the world, and I hope sufficient intelligence not to have done it in a clumsy way.

18622. I do not wish to interrupt you, but for your own sake recollect that this evidence will go before the House of Commons, and that we ought to keep it, so far as we can on relevant and proper topics. You understand the way in which I make the suggestion to you. You understand that it is not in the least degree through a desire to shorten your observations, or through any impatience. On the contrary, I only just call your attention to that for both our sakes?—I think that having got the opinion of the House of Commons, and this audience, and the Commissioners, at heart, I cannot neglect any topic which might possibly weigh in their minds; and if they reflect on what I said on oath, more than probability—that I have a very large command of money, a very large circle of friends, many connexions out of the United Kingdom, and a great many ways by which I could have attained the end if I wished it—it is a material circumstance, and it will weigh in contrast with other probabilities, which I must say I must feel it my duty to characterize as almost absurd. In that point of view, sir, I should rely on my advocacy of the retainers as a proof that I really meant what I said; that when I talked against bribery I was not guilty of increased hypocrisy and of a mere cloak; because I was told and I believed, that those retainers would have the effect of making me eminently unpopular, as the result proved. In fact for that and other reasons I think I have been looked upon here as a sort of common robber, who deprived people of their legitimate birthright.

18623. Do you mean by that, and do you give it as your evidence now, that having stopped people in that way from getting money, you are looked upon as having done them an injury?—A positive injury, as if I had taken something legitimately theirs.

18624. Do you mean by that that bribery was so prevalent here, that it was considered a man's birthright at election times?—No; I say that, with regard to some of those persons whom it was attempted to neutralize through the retainers. I may say, sir, with regard to that, some questions of yours a day or two ago, seemed to connect me with the knowledge of perverse—of corrupt practice, and on that I wish to correct my evidence. I say that before I came here I had heard of Cashel, before '68.

18625. As being a corrupt place?—Somewhat. At all events it is somewhat immaterial, for I knew a great deal of the place and especially the history of the election of '65.

18626. Did Mr. Leahy convey to you the archbishop's advice not to meddle in this borough?—Oh, certainly.

18627. And you understood the sense in which the archbishop gave that advice?—Oh, yes; but the archbishop did not know what my motives were exactly.

18628. But you understood his advice to be that you would have to get into a system of bribing here, and into what you would regret?—What I think his grace meant was that either I should have to do that for my return, or meet with a defeat. With reference to that, I had seen a letter of Captain Byrne to Mr. Leahy, in which he wished me to try the Queen's county, or some place of that kind. With regard to my previous declaration, I think Mr. Laffan has adverted, or a question of mine brought out, that I reminded him that both he and I would have to be examined on oath. He also remembers—I don't wish to detail this conversation more than is necessary; and when he was telling me that we were too late, that a promise might get them up, I distinctly remember saying, we would not so much as wink at them. I think I have already said that I had no suspicion any time, and I didn't, I may say, not until this commission—oh yes, I am wrong there; I heard it soon after the petition, about the improper spending of the £300 my transfer, and £50 added to it; and thereupon I think you will see alluded to in some letters that passed between me and Mr. Laffan, on which there was a dispute; in fact, I refused to be a party to settling that.

18629. It is unnecessary for you to go into that. We have read all those letters. I need not tell you that those letters would not be proper evidence; but we were not bound by rules of evidence, as you may have seen. Of course, we would receive from you, on oath, the effect of those letters, but it is not necessary to go into them?—They show that when they were written, certain positions were taken up on either side.

18630. Just so. When Captain Byrne asked that money of you, had you any suspicion that money had been or was about to be improperly expended?—You bring me to a very important fact, and one which makes me regret the absence of Mr. Leahy, which I cannot understand, if designedly. I did not intend to mention names, but—as he has been connected with the matter of that £600, and as I received his permission, which I have in my pocket to hand you, if you desire it—I may say this, that on some previous day in the month of November, which I cannot quite fix at present, but I should think was about the eighth or

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ninth. Mr. Leahy, who had taken Mrs. Leahy and son back to London, and was kindly employed in a Chancery proceeding of mine there, and all that sort of thing, came back from London—I think he arrived late at night—and he produced me an authority to some bank in England which, I suppose, I need not name, because nothing was done with it, to honour bills and cheques; as far as I recollect, upon which his name would appear, to the amount of £3,000. I just took that document, I looked at it, I took the poker and made a little hole in the fire and immediately put it in.

18631. Mr. GRIFFIN.—That was an authority to be signed by you?—To be signed by me.

18632. Mr. WATERS, Q.C.—You say it was about the eighth or ninth November?—It was thereabout.

18633. Did you dispose of it in the manner you have told us, because you suspected that it was wanted for improper purposes?—I had not the least doubt of it.

18634. You had no doubt that it was wanted for improper purposes?—Oh, yes; I had not the least doubt upon that.

18635. You had not the least doubt that Mr. Leahy wanted to use that money for improper purposes?—I didn't say Mr. Leahy, but that he wanted it for somebody that did.

18636. That he wanted it for improper purposes connected with the election, and therefore you burned it?—I did; and all that passed between us, as nearly as I can recollect, was this:—"I would not have anything to do with it on any account; and, above all, I would not have anything to do with it through you." I think it right to add that, although—it is the whole of the *res gesta*—although I am quite sensible it may in a certain sense tell against me. I may be wrong two or three days perhaps in the date, but I think that is about it. I could ascertain it exactly, because I have since communicated with the actual hand which wrote that authority, if it were necessary.

18637. I do not think it is. On or about the 8th, or 9th, or 10th will answer our purposes, I think?—Now, sir, I have got to come to another question which bears on the question of what my mind and consequently my intention was on the night of the 16th November; and it is this:—In spite of what I knew of Cashel I cannot help going into extraneous matters here, because it is of the essence of the thing. I think I have already said that I left my domicile, where I had been on a couch for a long period of time, on the 9th July, in consequence of a decision of the Master of the Rolls in the matter of Overend, Gurney and Company. I spent some hours in London in a cab on my way to Sheffield, and there I settled an affidavit in that matter—or rather arranged to settle it—and I learned, *apropos* of Mr. O'Beirne, that he was so insolvent as not to be able to pay——

18638. Oh really?—It is essential, sir, because it has this bearing: in the first place I can say nothing of Mr. O'Beirne that I have not already said and published and been sued for, so that really there is no possible——

18639. I quite understand. I know perfectly well that you do not want to make use of your examination here to be the means of saying things which you have not said already, or which you would be afraid to write or to say otherwise. I do not attribute that to you for one moment, and it is unnecessary for you to repudiate that idea. The only thing that induces me to interfere is that, for my own sake, when these notes come to be looked at hereafter it may not be said, "I wonder the Commissioner allowed this examination to go on so very wildly and so wide of the mark." For that reason I would ask you to keep within reasonable limits?—I am obliged to address to you a number of things, for it is a question of intention.

18640. Say what your intention was? Tell me that on your oath and we will receive it with the greatest pleasure?—That is another affair, sir. You will recollect you will have to weigh mine. You have extracted from me the admission, which is a fact, that I knew the circumstances of Cashel; and I submit it is my right to place before you the things in my mind, which, notwithstanding what was in my mind, made me look to such a result as not improbable.

18641. Do not understand me as wanting to limit in the smallest degree any explanation you wish to make. The only thing I would ask you to do is to keep it within the proper bounds and limits of the subject matter?—I had this knowledge here, and learned the fact positively in passing through London.

18642. You believed he was in the condition you have stated?—And quite unable to bribe if here. Then when Mr. Leahy came over to me from Ireland I had not the remotest intention of standing for Cashel and *a fortiori* for no other place; and I had a letter—I do not know if I have it now—in which I was told, about the date September 12th, that Mr. O'Beirne would not stand; that was, I thought, in consequence of standing myself; and I was further told that Mr. Vincent Scully, junior, would stand, and then his father was talked of. I say, on my oath, that if either of those gentlemen had stood for Cashel, and not Mr. O'Beirne, I should have no more thought of coming here than I would of going to the Queen's county.

18643. We understand that?—Well, then, sir, I have got this further to say, that I wished to announce by various placards before I ever came here my peculiar position and views with reference not only to Mr. O'Beirne, but to somebody else whom I attacked in connexion with him. Contrary to my instructions that was not done, and when I came here I had to prepare for some small personal attack on myself, which introduced two pamphlets from which I expected much greater effects on the public mind. Then I further wish to say, though I don't think it perhaps very material except so far as I shall require the Commissioners to direct their attention in a certain direction, I have this to say, that up to a certain point I was informed and believe the fact was, that there was a great scarcity of money on the other side—I will put it in the gentlest terms I can—and that afterwards that state was changed. But be that as it may, I say this—and perhaps as you wish me to confine myself taking a certain intimation from you, which I will do—that about a fortnight or so before the election I had given up as a probability attaining my result by the direct means of being returned myself, and discussed with my agent the propriety of that course, which I suppose the law would point out to you in its simplicity—waiting for a time, seeking for evidence, and succeeding by way of petition; that as I was informed by him, there would be great difficulty in getting any evidence; still I state positively that I meant to proceed in that way and no other. And with regard to a placard offering £500 reward, which I think is in evidence was put up about the 6th November, I have this to say, that when I heard that we were going back, and things of that kind, I suggested at a much earlier period that a placard of that nature should be issued, offering not only a reward of £500, but a hundred acres of land in America or California, and a free passage to any person who would give sufficient information of bribery. And I did so at a period when we didn't think that bribery could have been committed.

18644. But for the purpose of deterring?—Yes, and making him think there would be a hundred eyes on the watch to secure so great a prize. Taking that vaguely about a fortnight before the election I had no idea of success except through the channel of a petition. I conveyed my impression that as a petition was certain to ensue, I had much rather petition than be petitioned against. I stated that to several by whom I can prove it.

18645. It is unnecesary. You had come to that conclusion?—I had come to that conclusion in my own mind. There came a time, sir, everybody is liable to change, when I rather modified that opinion, and that was towards the end of the week preceding the election, when we had, I think, three meetings running at Corcoran's, which, I think, you heard

described as inconveniently crowded. There is one thing which I omitted to state, which was the requisition signed by sixty electors and sent over to me in England.

18646. That is not necessary?—Well at one of those meetings I was told seventy electors, I think, were present.

18647. And you say that that modified the opinion you had before?—Then I was going to say, sir, I think, at the second of those meetings, at one of them at all events, I made some additional verbal statement to this I had already printed—statements which I had subsequently printed. At the second of those meetings there were two things I believe to be done, at least so I understood it; and one of them certainly was done. One was the formation of a committee of some persons of influence who would act as a committee, and which has never yet been done. It was talked of then openly; and the other was a declaration of confidence —of satisfaction with my views and statement, which was at last signed, with a great deal of difficulty, by some of those electors. Then that placard about twenty-nine commoners after I required it to be published, and when it came to the point, I found that it could not or would not be done.

18648. You found they would not have their names published?—I found it was not and could not be done. A part I attribute to—to not being able to get the large mass——

18649. You need not go into the details of it?—It is so vital to me, sir, that I wish to show you my mind exactly at that point of time. You would not allow me to put that question to Mr. Quirke as to my difficulty of publishing here at all. I had to go to Dublin to get it done. One of the reasons why I was cognizant, partly, of the first taking of Ryan's house—that house and especially Carroll's house—was, I was told that we might have a number of people in the yard, where there would be no disturbance, and have more in a room, and I could speak out of a window, so that they could hear me.

18650. I presume that at that time you did not know the plan of bribing in Cashel by taking houses? —I did not.

18651. It was entirely unknown to you?—Entirely unknown to me. I was only on my guard against direct bribery, and voters' sons, and that sort of thing which I knew previously. As you mention the point, I beg to point out to you that with regard to Ryan and Murnane's house, and with regard to Carroll's house, that at the petition, I took the responsibility of these, and that the Judge has been of opinion that it was no corruption.

18652. You have this moment told us that this was never adopted as a means of bribery?—I may have learned it concurrently, but then I put it to my agent, "Do you really want it? Is it like Mr. Boyton's house that the man is making a market of it?"—Then I was told about some circulars which were sent out about having a meeting there, which I believe is true. In addition to that this happened; the last of those meetings was on that Sunday which, I think, was the very day that we were disappointed in Carroll's house—I am not quite sure of that; but, at all events, in consequence of it there was to be a meeting of what I wished to be formed as a committee. I was told Mr. Mullins would attend this. On the Sunday at my house, at Abbeyview, there was a meeting; Mr. Mullins did not come, and other circumstances passed which eminently disgusted me with the whole proceeding, and from that moment forward, I entirely gave up any idea of being returned and attaining my object that way. I ought perhaps to have said, that having heard at that time the whole story of Sir Timothy O'Brien's election, and having before my mind the possibility of being returned, with the alternative of being unseated for bribery, which would defeat my object in coming here; from that time forward I gave up every idea of attaining my object, except by petition—from that Sunday, which was about the 15th November. Then, sir, although undoubtedly previous to my coming here, both Mr. Leahy and Captain Byrne took a very important part in aiding me in finding me agents and all sorts of things, from my coming here, so far as I know their services were limited to going about with me, which both of them did, to tell me who the people were and that sort of thing, and help me in my weak state; and Mr. Leahy especially was of the most material use in assisting me to do what I myself or Miss Sterne could not do—she being a young lady not very sagacious in life—in staying the extraordinary attempts at extortion which came at every side for car-drivers; because no transaction in life was gone into, in which five or six times the market value was not attempted to be charged, and Mr. Leahy's services in that matter were incalculable. At this moment I have a tariff stuck up in my house, in John-street, of the fees to be given to car-drivers, who used to charge twice as much before. Then, sir, with regard to talking over the election, I never discussed it with Captain Byrne, anything like the way I did with Mr. Leahy; and, although it so happened that he has been instrumental in rendering me a very considerable service, it so happened that he never had been in communication with me; from the very first, Mr. Leahy was the channel of bringing me over, and talking in England of the various arrangements preliminary to my candidature here, and to Mr. Leahy I always looked when I had conversations with my conducting agents, for information on points where it was necessary to interfere. I may say this generally, that never after in any conversation with Mr. Leahy did anything take place which would imply on my part any after concurrence in any arrangement of the sort. On the contrary. Now, I think, with regard to the incident of that evening of the 16th November, my recollection is perfectly unshaken by what I have heard to-day.

18653. That is, that you were asked for £1,000?—I have no doubt whatever that I was asked for exactly the sum that I gave.

18654. Well, Captain Byrne's memory, according to his own account, is not very tenacious, and if so, is not very reliable; and you say, you are sure that if you were asked for £500, it is not likely you would give twice as much; that is not your habit?—I might do such a thing, but not without a motive; and my recollection is also distinct that there was something that would bear out what he says that he did express some need of money, but it was either very vague, and perhaps for reasons he had himself, he put it in a very lame and halting way. My impression is that whatever he said, he said abruptly, and not at all definitely. He simply gave me to understand that the loan of it for a short time would be very acceptable to him, and at that moment it did not strike me that by any possibility it would be wanted for corrupt practices, or indeed for the election at all. I just want to add one thing to that. I knew Captain Byrne—I cannot say that it weighed with me more than a grain—I knew this, that he was a collector, not only to private estates, but also of public cess. I had heard him talk of amounts he had to collect, large and small, from eight pence up to £50, and it did just for a second of time occur to me that, owing to the time given to my affairs in helping me here, he had perhaps fallen in arrear in some payments he had to make at a given date. But the simple truth is, I was very tired, and didn't pay any attention to the matter. With the belief I had at the moment, it was not a matter of concern to me; I didn't entertain any suspicion of Captain Byrne's ability to repay it, supposing it was a genuine transaction; and, I might say, with regard to a suggestion you immediately made to me when I told you the transaction—I might have borrowed money at the bank—I should probably have an opportunity of forming one of his guarantees, which would justify my lending the sum. With regard to interest, of which you spoke, I have this explanation to make, sir. To the best of my recollection he was writing something which involved a promise to pay, but, of course such a promise would make a thing

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not on a stamp void; it is so in England; whether it is so in Ireland I do not know. Thereupon I wrote for him, to be signed, or for him to copy, a form of a common I O U, in which no interest could be mentioned—I think in that I am also right. I just wish to finish that branch.

18655. Are you quite certain that he actually asked you for £1,000, and not for £400 or £500?—As far as my memory serves me I am perfectly sure.

18656. You do not entertain any doubt of it?—Not the slightest.

18657. Do you say that at that time no thought came across your mind that that money was to be used for corrupt purposes?—Not the least. If I had had the slightest suspicion of it, I would sooner put it in the fire. And I don't think if I had intended I would have been so insane as to draw a cheque payable to Captain Byrne, or order, and cross it so as to make its detection certain.

18658. You, as I said before to Mr. Byrne, were the person yourself who gave us the information about this cheque. If you did not wish to be entirely candid, you might not have told us about it. We had no means of knowing it then. Mr. Byrne did certainly on that occasion put you into a very false and awkward position in bringing you into a transaction which at first sight would look exceedingly questionable. You feel that yourself?—Perfectly so, sir; and from the moment that I heard that there was any question of Captain Byrne's being mixed up in this transaction, I at once felt that this was a matter that would have to be sifted in the fullest way. I had nothing more to do to it. I never for a moment entertained the idea or possibility of concealing the facts on which judgment will have to be formed.

18659. I may say to you, Mr. Munster, that the opinion of my brother Commissioners—my own, without any doubt—at present, is, that you have given a complete and correct version of the transaction. You were brought into the matter suddenly, perhaps without reflecting on what you were about, and without any improper intention?—I should like to be allowed to add, that in my point of view, even now, nothing could be more prejudicial to my interests.

18660. Pray do not go into that; it is only argument?—In a matter so vital, one may be excused for going a little out of the——

18661. There is another small matter in which you are in conflict with Mr. Byrne; he denies that you asked the money back?—I think there he is right, and I am right besides. He is quite right in saying I never asked him.

18662. Not specifically?—No, nor precisely. I was away in the county Mayo about two months after the transaction. I caused, through some third person, a sort of inquiry to be made, on which I got a delaying answer—not exactly an evasive answer—which, when I came to look at my account, seemed to be perfectly natural; and then came the thought. Then, sir, the next thing I have is the transaction with Doctor Cormack. That, I think, I have——

18663. You have given us your evidence on that very fully already?—At all events I should like to repeat generally that I had no notion that anything I did for Doctor Cormack was for any corrupt bargain, or to reward him for his vote. I looked on him simply as a man who was oppressed, and whom I regarded as a friend of mine. The absence of Mr. Richardson, my expense agent, at the petition, I don't think I need advert to.

18664. No, I do not think you need. Mr. Richardson seems to have given his evidence like a gentleman?—I have had differences with Mr. Richardson. I do not think he was very wise in other things. At the very opening of the proceedings there was an order to subpœna him; my belief was he would have come on that or else I would have brought him myself. Then, sir, there is a matter I only knew quite lately. A man was examined here named Martin Phelan. You may perhaps recollect that I addressed a question on cross-examination to him as to whether he had lost a cow lately?

18665. He got a five guinea retainer?—Yes, but there is something else, sir, which, though a trifling matter, as far as I know of it, I wish to mention. I lately got an intimation.

18666. He got two guineas from some lady in your establishment?—I didn't know that you knew that. Yes, he did in March, I am told on an I O U.

18667. You need not trouble yourself about that?—I am told that I gave personal directions that she should have it. If I did I had no idea that she was the wife of a voter, or she should not have had it. Then, sir, I have got a long story about the second petition, which, owing to the opinion you have been good enough to express on the transaction of the £1,000 cheque I need not go into; because it amounted to this that I lodged and proceeded on that second petition first, to gather the opinion of the other side as to what they knew of me; which I did in this way—I will make it very short—I purposely put four of the worst securities I could imagine with this object—if they knew anything touching, in my mind they would be glad to let the petition stand as a counter attack, and would not question the securities; but they did question the securities, and as they did, I came to the conclusion that they knew nothing.

18668. Mr. GRIFFIN.—You solicited the Archdeacon to become your security?—The Archbishop here was to a certain extent my friend. Just before the election a letter from Cardinal Cullen was brought down——

18669. Well, now really we cannot go into that.

18670. Mr. WATERS, Q.C.—Did you proceed with the second petition *bonâ fide*?—I did, sir, because I heard they were inquiring against me, and Mr. Butt suggested on consultation in Dublin that I should drop it. I only adduce it as a strong proof of my own conviction that I was clear of everything.

18671. Up to that time did you believe that you were clear of everything?—Yes, sir, most certainly. I insisted on proceeding with it in order to have an opportunity of knowing everything. There is one question I wish to draw your attention to in the petition—one answer rather of mine on that subject, which was answer number 7341. That question is not accurately reported. The question that I was asked and that I answered was "Did you supply Captain Dudly Byrne with any money for any improper purpose?" to which I answered, "Not any," and if you look at the next question you will see that it must have been so, because in the next breath I admit having given him £25.

18672. Was that £1,000 present to your mind at the time, Mr. Munster?—Oh, perfectly, but I didn't conceive, sir, under that form of question supposing it was a loan—supposing it was not, *cadet quæstio*; but supposing it was a loan, I did not think I was bound to publish that fact which might have been inconvenient to that gentleman.

18673. At that time did you know anything of Captain Dudly Byrne's having supplied money that had been improperly spent?—Oh, no, on the contrary I saw his name here as a witness, and I thought that he was eager to come here. I had heard things rumoured but could not believe in them.

18674. You had heard that Captain Byrne was anxious to be put up as a witness?—I had heard so.

18675. If he came and told as little as he did to us the first day, he would not have damaged himself or anybody much.

18676. Mr. GRIFFIN.—At what time did Mr. Richardson's son come to you?—The bill which is put in will show that. I had so many persons visiting me, they interchanged so often, that it is excessively difficult to fix anything. I had three sons of Mr. Richardson with me at different times.

18677. Mr. WATERS, Q.C.—Are you able to give us any clue to the name of the person who supplied the £600?—I have not the slightest suspicion. To-day I expected to hear Captain Byrne explain the whole thing.

18678. But you have heard that Mr. Leahy was the person who sent Mr. Patrick Laffan for it?—Yes. I have heard that.

18679. But we have not heard from Mr. Leahy on that?—On that subject you have not.

18680. Have you supplied Mr. Leahy any money by which he could recoup himself that £600?—No.

18681. Before or since?—At no time. All the moneys I have supplied Mr. Leahy have been in pursuance of an understanding between us when he contemplated going to Australia in September, 1868. He has had moneys of mine for purposes of my own.

18682. Mr. GRIFFIN.—Was he credited in any bank for you in England that would have given him the command of such a sum?—Oh, no; he could get no moneys on my account but what I gave him.

18683. Mr. WATERS, Q.C.—I think you said something about Mr. Leahy's not finding sufficient occupation without going to Australia. Are you aware of his having an account in the Bank of Ireland?—No; I am nearly certain. I am as certain as anybody can be without speaking positively.

18684. Do you think Mr. Leahy's position was such at the time that he could readily get £600?—I should say not; but he had been a member of a very large family which would be in a position in this part of Ireland. His father was a county surveyor, I believe. I know he himself laid out the Cork and Bandon railway many years ago. The only topic I have not touched on, sir, is the jennet.

18685. You do not know what became of the animal?—No, I do not, indeed; but I find I did not know that it was bought and sold after the election, both. With respect to the purchases, there was something made of my tailor.

18686. I do not think you need go into that?—I can give you a very full explanation of it.

18687. You must understand that, as I said more than once, it caused us very great pain to have to put several of the questions we found necessary. We are learning things by degrees. We are obliged to go very wide often in our questions?—I cannot for a moment be either surprised or complain of that, sir. Of course your object here is to find out the truth. I ought perhaps to say in justice to Captain Byrne that I would like to put in that letter [hands in a letter] lest you may think his coming here to-day was in consequence of something that took place on Saturday. I received that letter on Sunday morning. All I did thereupon was to answer. His being here at the opening of the court this morning and not coming at twelve o'clock, as he did come on a previous occasion, might require explanation.

Adjourned.

TWENTIETH DAY.

TUESDAY, OCTOBER 26, 1869.

Patrick Connor presents himself; examined by Mr. WATERS, Q.C.

18688. You wish to make some further statement?—Yes, Mr. Commissioner, if you please. I have a distinct recollection of the exact words which passed between me and Murphy. One Sunday he and I spoke. He and I were going out the Clonmel road. He said to me—"You are aware I am a poor man who is earning my hire, and have nothing to depend on but a day's work; and if you can get £10 for me," says he, "from Mr. O'Beirne I'll vote for Mr. O'Beirne;" and he further added, "I'll not vote for Munster at all." I said—"I believe Mr. O'Beirne has no money to give any person at all." These are the exact words that passed between him and me, your worship.

18689. Do you recollect when the conversation took place?—I do, your worship, it was before the election.

18690. How long before the election?—I suppose four or five weeks.

18691. Was Mr. O'Beirne in town at the time?—He was, your worship.

18692. I suppose you told that to Mr. O'Beirne?—I did not.

18693. You told it to some person?—I don't recollect that I told it to anyone. I might have told it to some one.

18694. Do you recollect to whom?—I can't recollect.

18695. Did you say that Mr. O'Beirne was giving money?—I didn't know that he was giving any money.

18696. Did you lead Murphy to understand that you would inquire about it?—I didn't. What I said was I believed Mr. O'Beirne had no money to give any person.

18697. Did you make inquiries? You would not like to lose a vote?—I was so closely associated with Mr. O'Beirne I did believe he wouldn't give money to any person.

18698. Did you mention that incident to Mr. O'Beirne?—I wouldn't say I did.

18699. Is it not very likely that you did—that you would try to keep a vote for Mr. O'Beirne?—I don't think I did mention it to Mr. O'Beirne at all. My distinct recollection—so far as I can recollect—I believe that I did not mention it to Mr. O'Beirne.

18700. Mr. GRIFFIN.—Did you mention it to Captain Graham?—Oh, no.

18701. Or to Simon Tracy?—No. Mr. O'Beirne was as free with myself, as with Tracy, or Captain Graham, or any of them.

18702. Mr. WATERS, Q.C.—It seems very plain to me that you would try and keep a vote for Mr. O'Beirne?—I would, if I could.

18703. Therefore it is probable that you mentioned that occurrence to some person?—I don't think I did, your worship.

18704. Did you take no further notice of it?—Well, yes—I don't recollect I did.

18705. Did you endeavour to ascertain if any money could be got for him—we all know it was given, and you knew it was given in '65?—Well, I believe, it was.

18706. If you tell us the entire truth, no harm can come to you?—I don't recollect that I ever mentioned it to any person.

18707. Your evidence is, that you received this proposition from this man, and talked with him about it; that in law amounts to nearly the same as offering the money out of your hands. If you tell us truly about it, you will be free from all consequences?—I have no knowledge of Mr. O'Beirne having given money to any person, but I believe that he was giving money. Murphy is a man that I wouldn't recommend him to give money to, because he is a talkative little fellow; I wouldn't let him give any money to him, even five shillings to him. That is the honest truth to you; I wouldn't let Mr. O'Beirne give him anything, even if he was to give money, or had money to give.

18708. You really are not improving your position by telling us that?—Well, the fact is, even if he were, I say, to give it.

18709. Then if Murphy were a discreet man, you would recommend him?—Well, I partly guessed he wasn't giving money.

18710. Were there any discreet men to whom you recommended him to give money?—No; there is a great deal of corrupt men in Cashel, to tell the honest truth—a great deal of corrupt men, beyond any doubt, and you know that yourself.

TWENTIETH DAY.

October 26.

Mr. John Boyton.

Mr. *John Boyton* sworn; examined by Mr. WATERS, Q.C.

18711. Mr. Boyton, you are aware of the evidence that has been given here by a man named John Ryan, of the Racecourse?—I am, sir.

18712. He referred to a conversation between you and him and Mrs. Boyton in the Rock hotel. It will be our duty in framing our report, to make out a list of names. We give you now the opportunity, and ask you to state what occurred on that occasion, and anything you have to say upon it. Although there may not have been any offer of money, or anything of that kind, you may be implicated. You understand, of course, that if you tell us, as I have no doubt you will, frankly and fully, everything that occurred, it will be not only our duty, but it will afford us pleasure, to free you from all responsibility, and it is with that object, that we now call you up?—I am aware of that, sir. He called to ask me to get a horse purchased by Mr. Munster for him, and in the course of conversation, he said that he could get the Commoners to vote for £30 each. I told him that I would do everything I could towards getting the horse purchased, but I didn't entertain the other thing at all—I didn't mind it.

18713. Was the price of the horse mentioned?—He said about £70; he said that he would also vote, if the horse was purchased.

18714. And you understood then, of course, that he made that proposition respecting the purchase of the horse for £70, as a way of inducing him to vote?—Yes, he did, sir.

18715. And you received it in that way?—I did, sir.

18716. That he would vote for Mr. Munster if the horse was purchased?—Yes.

18717. Did anything further occur between you, do you recollect?—I think he said that he would. He was to have been in with me the day before—I think it was Saturday—he had an appointment with me to speak about the insurance of his life, and he also promised to bring an uncle, or some relative with him, and there was some conversation about the insurance, and he told me if he made well by the election, he would insure his life.

18718. The meaning of "making well by the election," of course, is, if he got money for his vote?—Yes.

18719. He says you gave him a letter to Mr. Leahy?—I did, sir.

18720. That was, I suppose, recommending Mr. Leahy to purchase the horse?—Yes.

18721. I suppose you told Mr. Leahy that he was a voter?—I did.

18722. Do you wish to add anything now with reference to what Ryan says about Mrs. Boyton having said something about money—did any such thing occur at all?—I am almost sure there did not.

18723. I believe Ryan and Mrs. Boyton left the room where you were sitting?—I am not aware of it; I never noticed it.

18724. Then nothing at all occurred in your presence with reference to any sum of money—£1,200 or anything of that sort?—Not a word.

18725. Mr. GRIFFIN.—You did not hear that sum mentioned?—Not a word about it; only that if he got £30 for each of the Commoners he would get them to vote.

18726. You cannot recollect whether you went out with him or not?—I think I went out with him.

18727. You have no positive recollection?—No, I have not.

18728. Well, that is all you recollect about it?—That is all I recollect about it. The following Friday evening he called up to Abbeyview, and he asked me to see—that he wanted to see Mr. Leahy. I said Mr. Leahy was not there, and he then told me he would give the horse and his vote for £35, and that he would bring his brother-in-law—I think Patrick Maher, to vote.

18729. Who was Patrick Maher?—A brother-in-law of his.

18730. Where does he live?—In the Main-street.

18731. Is that the grocer in the Main-street?—Yes; and he at the same time said the Commoners should get something on this occasion. I told him from myself—I was so annoyed with him coming continually about the horse—"Well," said I "they won't buy your horse. Can't you borrow that money, or call to some person else?"

18732. Did you canvass any person for Mr. Munster?—Well, I did not.

18733. No one at all?—No one at all. I just merely voted for Mr. Munster and did nothing more.

18734. You let the house that you had to Mr. Munster?—Yes.

18735. Who was it that took it from you?—I think it was Mr. Patrick Laffan.

18736. Tell me in the same spirit of fairness in which you have given the rest of your evidence, if in the letting of your house to Mr. Munster you had in view that your vote was secured to him?—I assure you I had not. I would have voted for Mr. Munster if he never took my house.

18737. You were not acquainted with him before?—I was not, but I knew he was a friend of Archbishop Leahy whose friendship I have, and that was the inducement to me to vote for Mr. Munster.

18738. That is, the Archbishop's friendship?—Yes.

18739. Did any conversation occur between you and Mr. Patrick Laffan when you were letting your house?—Not the slightest allusion.

18740. Did Mr. Laffan know that you were a friend of Mr. Munster's, and that you would vote for him?—I don't know that he knew I was a friend of Mr. Munster's at the time.

18741. When I say "a friend of Mr. Munster's" I do not mean in the strict sense of the word, but that you entertained friendly feelings towards him and would support him?—Well, I think he did.

(Mr. Munster hands in questions.)

18742. I put these question at Mr. Munster's request. Has he ever given you any money except in payment of his rent?—Oh, he never gave me any, sir.

18743. Had you ever any conversation relative to the National Bank with Mr. Munster, except in reference to his own account?—I never had.

APPLICATIONS for CERTIFICATES.

Mr. WATERS, Q.C.—We will now receive applications for certificates.

William Ryan (Big Billy) of Lawlor's Lot applies.

18744. The Commissioners have power to grant certificates to all persons who make a true disclosure touching the matters they have been examined in. We believe you have made a true disclosure and we shall give you a certificate.

(Certificate given.)

18745. I have a letter from Mr. Michael Laffan in which he says that if we are of opinion he has done anything that requires a certificate or amounts to bribery, he will ask for a certificate. We have not made up our minds as yet as to whether Mr. Michael Laffan's name should appear in one of those unpleasant lists; but if it does he has given his evidence with the greatest possible frankness, and is entitled to the certificate.

John Ryan of the Racecourse applies.

18746. We shall consider your case. We have not made up our minds yet with regard to it. Mr. MacSheehy will send it to you by post if we consider you entitled to it.

John Duggan of Loughnafina applies.

18747. We are of opinion that Mr. Duggan gave his evidence truthfully.

(Certificate given.)

18748. *Johanna Duggan* is granted a certificate.

Patrick Sullivan applies.

18749. I will give it to any man that admits to me that he did anything wrong?—*Patrick Duggan.*—Oh I didn't do anything wrong. (No certificate.)

Mr. George Squires.—I was going to ask your worship the same question.

18750. Mr. WATERS, Q.C.—I do not recollect at present anything that would cause you to want it. But my brothers and myself are of opinion that you gave your evidence truthfully, and if we put you in any list we will send you a certificate.

Mr. *Squires.*—For Mr. Kingsbury, sir?

18751. Mr. WATERS, Q.C.—Mr. Kingsbury's case we reserve.

Richard Cummins of Lawlor's Lot applies.

18752. Mr. WATERS, Q.C.—Do you acknowledge to us that you got any money?—I couldn't acknowledge it for I didn't get it. I acknowledged my son got some money.

18753. You do not acknowledge that you got any money?—No, I got no money myself in any kind of way.

18754. Well, I cannot say that we are satisfied with your evidence?—Well, I can't help that same. I got no money.—(No certificate.)

John Dwyer of Price's Lot, rated as *John* and *Michael Dwyer*, applies.

18755. What was it that you got?—I got a retainer, sir.

18756. For £5?—Yes, sir.

18757. We believe you told us the truth, and we will give you a certificate.—(Certificate given.)

Michael Quirke applies.

18758. When I say that we are going to reserve your case for consideration, I do not mean to imply what I have said already to some, and shall have to say to others, that we are not satisfied with your evidence. What I wish to be understood is, that we have not yet made up our minds as to whether we shall put you in any list or not. If we do put you in any list, you will get a certificate from Mr. MacSheehy.

Denis Dwyer of Friar-street applies.

18759. What was it you did?—Thirty pounds, sir.

18760. I believe you got the money and told us the truth. We will give you a certificate.—(Certificate given.)

Denis Geary applies.

18761. We will consider your case, and Mr. MacSheehy will write to you.

Mr. *John Davis White.*—My case is the same as Mr. Geary's.

18762. Mr. WATERS, Q.C.—You are not to understand us as concurring in the observation you made there. I will not say further than that. We believe that you gave your evidence truthfully, and we will give you a certificate. You are not to take us as admitting your observation that your case and Geary's are the same?—I only meant, sir, both witnessing bills.—(Certificate given.)

18763. *John Moloney* of Carron applies.—(Certificate given.)

18764. *Michael Halley* applies.—(Certificate given.)

Patrick Duggan applies.

18765. What did you do?—'65, sir.

18766. What did you do in 1868 though?—Nothing, sir; there is nothing for '68; nor wouldn't, sir.

18767. We will consider your case?—Thank you, sir; it was not my intention, sir.

Patrick Cunningham applies.

18768. Mr. Cunningham gave his evidence truthfully, I believe. We give him a certificate.—(Certificate given.)

18769. *Michael Ryan* of Main-street applies.—(Certificate given.)

18770. *Michael Murnane* of Main-street applies.—(Certificate given.)

James Browne applies.

18771. Why do you expect it, Mr. Browne?—I think it necessary.

18772. You do?—I do.

18773. Did you admit anything to us?—I did.

18774. What did you admit?—That Captain Graham paid me £20 for my rooms.

18775. Was it for your vote?—No.

18776. We cannot give a certificate to a gentleman that says there was nothing wrong in a transaction. It would be an entirely different thing if you admitted that it was given for the purpose of securing your vote. If you admitted that it would be a reason for giving it, but you entirely denied that. It is for us to consider whether we shall put your name in any list or not. But we certainly cannot give you a certificate when you say there was nothing improper in the transaction. (No certificate.)

18777. *Patrick Fitzgerald* of Lawlor's lot applies.—(Certificate given.)

18778. *Simon Tracy.*—I wish to say a few words, your worship. At the commencement of this inquiry, the people of Cashel were rather excited. I was the first witness called up. I was the first witness called up.

18779. Mr. WATERS, Q.C.—Do you understand that you are giving evidence on oath now?—Yes, sir.

18780. What do you wish to say?—Of course, sir, I acknowledge giving that cheque.

18781. What cheque?—Cashen's.

18782. Well?—There was many cases tried here that forgot afterwards as well as me.

18783. You need not mind referring us to any persons, for each case will stand on its own merits?—I was going to mention there was another case of Mr. Munster's, I think you forgot last night.

18784. You have nothing to say to Mr. Munster. I do not like to use any harsh language, but I must tell you that you have nothing at all to say to Mr. Munster?—Only just to say that he might forget a thing as well as myself.

18785. You have nothing whatever to say to Mr. Munster?—I haven't anything particular to say so, but to ask a certificate, if you allow me to receive it. In regard to the £60 cheque, you can refer to Mr. O'Beirne's evidence at the petition.

18786. Mr. O'Beirne's evidence is not for you at all. You are to disburthen your conscience by your own evidence, not by Mr. O'Beirne's?—I refer it to the court, sir.

18787. The Commissioners are unanimously, and without the slightest doubt, of opinion, that you are not entitled to a certificate. (No certificate.)

Thomas Donnell, of Main-street, applies.

18788. We have some doubt about your case, as to your admitting what your intentions and desires were; but, acting on a well-known principle of law, we will give you the benefit of the doubt, and give you a certificate—(certificate given).

18789. Mr. *James Phelan*, of Main-street, applies—(certificate given).

18790. *Denis Ryan*, of Cooper's Lot, applies—(certificate given).

18791. *James Cashen*, of Friar-street, applies—(certificate given).

18792. *John Cashen*, of Friar-street, applies—(certificate given).

Edmund Hanley applies.

18793. If you say you got no money I cannot give you a certificate?—I asserted it on oath, sir.

18794. If you admit that you did anything wrong, we can give you a certificate?—I don't admit it, sir. (No certificate.)

John O'Brien applies.

18795. If you have done nothing wrong, you have no necessity for a certificate. (No certificate.)

John Hanley, of Hughes' Lot, applies.

18796. What is it that you admitted to have done?—Nothing wrong, sir.

18797. Did you answer any questions tending to criminate you?—No, sir.

18798. Then you do not want a certificate. (No certificate.)

18799. *Daniel Ferris*, junior, of Main-street, applies—(certificate given).

TWENTIETH DAY.

October 26.

18800. *Andrew Meara*, of Main-street, applies—(certificate given).

18801. *Thomas Connors*, of Canopy-street, applies—(certificate given).

18802. *Thomas Rawlins*, of Friar-street, applies—(certificate given).

18803. *John Feehan*, of the Green, Cashel, applies—(certificate given).

18804. *William Quinlan*, of Lady's-well-street, applies—(certificate given).

18805. *Edmund Stapleton*, of Price's Lot, the Commons, applies—(certificate given).

Mr. *Patrick Laffan* applies.

18806. Mr. WATERS, Q.C.—I regret very much that we are not able to finish the inquiry to-day. If Mr. Leahy were here we would be able to finish it this day. We cannot, Mr. Laffan, at present give it to you. But let no one misunderstand me. So far as you have given your evidence at present, we are all of opinion that you gave it truthfully, and concealed nothing; and, if we were finishing the inquiry to-day, we would give you a certificate. Although we reserve your case, it is not because we entertain any doubt; but, as a matter of form, we are obliged to reserve it until we finally close. We are perfectly satisfied that when you at last did come to us, that you told us everything. I only reserve it as a matter of form, not entertaining any doubt that you are fully entitled to it?—Shall I have to come again?

18807. You must leave your address with your brother?—Yes, I shall leave my address with my brother.

18808. If you are in Dublin or anywhere near you can come if required. We will not require you unless it be absolutely necessary. You need not come unless you are required. If you leave your address with Mr. MacSheehy he will forward you the certificate. There is a matter not cleared up yet that I wish we could finish to-day?—Yes, I understand.

18809. Mr. *Munster* [mentions Larkin's case, and asks]—"Is personal application necessary?"

18810. Mr. WATERS, Q.C.—No.—Mr. *Munster*.—I also wished to mention the case of Captain Byrne. It so happened that I asked him to-day to accompany Miss Sterne. I was not reflecting when I did.

18811. His absence does not affect his case at all. I say nothing with reference to the last case except that his absence does not affect the case one way or the other.

[The certificate for Larkin is issued, and upon Mr. Munster's declining to take charge of it, the secretary undertakes to send it by post.]

18812. *Edmund Hogan*, jun., applies—(certificate given.)

18813. *John Reilly*, of Lady's-well-street, applies—(certificate given).

18814. *Timothy Hogan*, of Main-street, applies—(certificate given).

18815. *James Darmody*, of the Green, applies—(certificate given).

18816. *Martin Phelan*, of Lawlor's Lot applies—(certificate given).

18817. *Thomas Murphy*, of Lower Gate applies—(certificate given).

James Lyster O'Beirne, *Henry Raven*, and *Edmund Leahy* were respectively called to attend on their summonses, but none of them appeared.

Mr. *John Davis White* presents himself.

18818. Mr. *White*.—I have been asked on behalf of the citizens of Cashel to state to you that Cashel was erected into a borough by Donat O'Lonergan the Third, about the year 1216; and also to state that Cashel sent no member to Parliament from the time of the Reformation to 1585, although other places did much earlier—Fethard, for example. Before that time the members, called barons, were chosen by the bishops and regular clergy. I also hand in a list of the members of Parliament for Cashel from 1585 down to 1865, as far as could be ascertained. [Hands in a paper.]

Mr. WATERS, Q.C.—In consequence of the absence of Mr. O'Beirne, who has been served with a subpœna, also in consequence of the absence of Henry Raven, who also has been served, and of Mr. Leahy, we are unable at present to close this inquiry. We regret very much to be obliged to adjourn it, but we must give Mr. O'Beirne, from whom we have received letters saying he is prevented by illness from attending, an opportunity of coming here. Unfortunately, under the Act of Parliament, we have not power to adjourn for a longer period than a week. We now adjourn this Commission until ten o'clock on Monday morning next, the 1st of November. In the meantime we shall endeavour to get permission from the Under-Secretary for the Home Department to adjourn for a longer time if it becomes necessary. Several persons who require certificates have not applied to us. If they are here at ten o'clock on Monday next we will consider their applications.

TWENTY-FIRST DAY.

November 1

TWENTY-FIRST DAY.

MONDAY, NOVEMBER 1, 1869.

Mr. *James Lyster O'Beirne* was called, but did not appear; *Henry Raven* was called, but did not appear; Mr. *Edmund Leahy* was called, but did not appear.

Mr. *MacSheehy*.—Are there any persons present desirous of making applications for certificates?

Mr. Henry Munster.

Mr. *Henry Munster* comes forward.

18819. Mr. *Munster*.—I have been requested, and I wish to apply to the Commissioners on behalf of Captain Byrne for a certificate. In doing so, I am quite aware that my doing so will lay me open to many misconceptions; but I am influenced in doing so—first of all by the fact that I distinguish between the indiscretion—the lamentable indiscretion—of an unpaid agent, as distinguished from a paid one; and also from what I know of Captain Byrne, from his military habits and his very hot and hasty temper, in spite of his great age, he being I believe a man of seventy—all but seventy; I think that I shall be able to put before the Commissioners the facts relating to Captain Byrne in a better way, and one which will enable them to deal with his case more satisfactorily than he could do himself.

18820. Mr. WATERS, Q.C.—On what question do you wish, with reference to Captain Byrne, to address us?—On the certificate. There are two things which I think open to observation; one was his absence.

18821. With reference to his absence we have nothing to say at all?—There really is the most complete and satisfactory explanation of his absence that can be conceived.

18822. His absence does not affect the granting or giving of the certificate in the smallest possible degree. I cannot say his absence has any effect whatever on it?—It may have an effect on your minds; it may have an effect on your minds, taken in connexion with what happened at another time, as to which I am not so well informed, for I was not present, and I

Mr. Henry Munster.

have seen nothing but what I have seen in the newspapers about it.

18823. His absence on that occasion will not affect our minds in the smallest degree. I would not make another observation than I made to Mr. Byrne, that he went from this on the undertaking that he would come back, and he went away without communicating with us. I take it for granted now that Captain Byrne went away from his home on legitimate business; I will even admit now that it was business of a pressing character?—I have in my hands evidence I think no one could look at and doubt that it was so.

18824. That point need not be laboured any further?—It struck me myself as a curious thing. There is no use in disguising the fact that there have been many curious circumstances connected with the inquiry; and I may say for myself that the moment I heard Mr. Patrick Laffan examined, I was most anxious that Captain Byrne should be here, and that accounts for a letter of mine of the 18th, alluding to him, which I believe he did not get until his return home. Well, then, sir, as to the other matter, which I feel more difficulty in dealing with because I am not so precisely informed on what took place, but I take it that a question was asked of Captain Byrne on his first examination which I am told——

18825. We are most loth not to hear you, but really we cannot hear an argument on Mr. Byrne's demeanour as a witness; that is entirely for ourselves to judge. The words of the Act of Parliament are very strict and very peculiar, and it lies altogether on the way of his giving his evidence, and whether in our minds we are conscientiously of opinion that when he was examined he told the entire truth. Now, really that is what we have to decide, and we are very anxious to hear anything that you or Captain Byrne have to say, but we cannot hear any argument on that point. Any fact that you can give us that you think at all material, we shall be most happy to hear?—The fact to which I wished to direct your attention was this, that something I am told had made Captain Byrne lose his temper, and that he was not in a state to discriminate very nicely what was asked of him, and the only other fact in connexion with that which I would wish to put before you is this—that I think on consideration it is difficult to conceive any improper object or motive which he could have; and I myself, I do this because I really blame myself a little for what took place, because owing to my excessive desire to avoid anything like a collusion or the concocting of a story, I avoided Captain Byrne and everybody else whose evidence I thought might be material, in order that their stories might come out independently and separately. I might—which would have been open to not the least objection—I might have let Captain Byrne know what I was prepared to state; I knew it must come out. I think it is perfectly clear he could have been under no possible temptation to palter with a question which he might possibly think he could.

18826. We have not decided one way or the other. I am not able to say what my own mind is on the subject, much less what the minds of my brother Commissioners are?—That other accidental circumstance of his being absent might affect it.

18827. It will not affect me certainly, and I have the authority of my brother Commissioners for saying that it will not affect them either. As to the first matter I have not made up my mind at all; I have not considered the thing yet. As we come to deal with the report and the portion of the case with which he is concerned, we must then make up our minds, and I assure you we shall give it our most anxious consideration. So far as I speak for myself I look for every opportunity of giving a certificate to every man that I can. I shut out no man unless I think he deserves to be excluded from protection.

Mr. *Henry Munster* and Mr. *John Davis White* examined by Mr. GRIFFIN.

Mr. Henry Munster.

18828. Referring to the evidence given by you about Mr. John Davis White and the transaction with him, there is one matter I wish to have explained. Was there only one cheque, or were there two given?—Mr. *Munster.*—Not to my knowledge, sir, I gave him that one cheque myself. Mr. *John Davis White.*—Only one, sir.

18829. At what time was that cheque given?—Mr. *Munster.*—On the date it was drawn. Mr. *White.*—The 22nd February, I think.

18830. Was the giving of that cheque on the same occasion as the general conversation in which the rescinding of the contract that had been made by Mr. Laffan took place?—Mr. *Munster.*—Yes, it was all done together. I went to him and said, "I am paying everything; I cannot pay this." Mr. *White.*—In my memory it was a month or six weeks after, sir. I refused to take the money at first. Mr. *Munster.*—I think it is possible Mr. White is so far right, that he may have heard of my decision, but not from me.

18831. But the personal conversation between you and Mr. White, in which you rescinded the contract was on the same occasion?—Mr. *Munster.*—Yes; I think it took place in my carriage, at his door. That is my recollection. Mr. *White.*—I think the conversation was with Mr. Munster before that, to the best of my memory.

Mr. *John Davis White* examined by Mr. GRIFFIN.

Mr. John Davis White.

18832. Do you mean the personal conversation?—Yes, the personal conversation. He paid me the money.

18833. Was the conversation when he was paying you the money?—It was when he was paying me the money, sir.

18834. Do you mean to say that there was no mention of anything of the kind before that? Was there no mention of his paying you that £50 before the conversation about the antiquities?—No; the whole business was rescinded two months before.

18835. Was it rescinded by your interview with Mr. Munster, and was it to you yourself that Mr. Munster expressed his intention?—It was two months before the payment I should say, that he refused to pay it.

18836. Did he at that time refuse it to yourself?—Personally to myself, to the best of my memory; then afterwards in February he called and paid me. I had not demanded or asked it at all. He said he would give it on those terms, and I am ready to fulfil the contract with him.

Mr. *Henry Munster* examined by Mr. WATERS, Q.C.

Mr. Henry Munster.

18837. Mr. *Munster.*—When I was under examination on the 21st I was directed the next morning to furnish those statements; one referring to my English banks, the other as to charities. [Hands in documents.]

18838. Mr. WATERS, Q.C.—Do I understand you then to say that the only cheques you gave Mr. Leahy were two cheques of £100 each?—No, I don't think I say that, sir; because at the time I made up that return I perhaps knew that the book from which I made it up is in your possession.

18839. There is nothing in this book with reference to Mr. Leahy?—I do not mean the book of claims, but my pass-book.

18840. Give Mr. Munster all his cheque-books and pass-books, and everything of that sort, also Miss Sterne's [Mr. MacSheehy delivers several books, &c., to

TWENTY-FIRST DAY.

November 1.

Mr. Henry Munster.

Mr. Munster]?—I wish to make an explanation as to one of those accounts. I didn't draw the cheques myself.

18841. The only thing we want to ascertain is, what money Mr. Leahy got?—With regard to that £5 cheque, sir, in favour of the Archbishop of Cashel, have you the counterfoil?

18842. Mr. *MacSheehy.*—No; it was returned to you the last day.

18843. Mr. WATERS, Q.C.—It was on the Sheffield Banking Company?—I know it was. With regard to my own evidence connected with the case of Mrs. Hackett there was one point I wish to explain, as I have seen it reported. I said something about being weak when I sent Mrs. Hackett away, saying I thought she was a "plant," in fact. Mr. Richardson and Miss Ade were of a contrary opinion, and, thereupon, being pressed by questions, I said I did not positively object because I was weak. I meant by that, not that I was weak-minded and could not keep my opinion, but I was physically weak, and could not go on battling with them. With regard to the charities I wish to put in as far as regards my gifts to the bazaar here, to read this letter, or part of it, from Mr. Leahy to myself, dated 12th October, '68. On the Saturday week before that I received two letters, saying they would be very glad if Mrs. Munster would take a stall at the bazaar; and in the course of that week, about two days before I actually came, or three days, I received this letter:—

"MY DEAR MR. MUNSTER.—Strange as it may appear yet it is a fact that any active patronage of the Convent bazaar would lose you many votes; and therefore we have no alternative but to prevent Mrs. Munster from using the intended stall. I have forwarded a telegram to Mrs. Munster to London, and also to my wife, desiring—[a word omitted]—not to come. I will give the black box with its contents [containing some of my gifts to the bazaar] to the nuns here, and at same time tell them Mrs. Munster will not be able to be present as intended. Under the circumstances I do not see what better could be done. I am expecting Mr. Richardson to-morrow or the day after. Please let me know your further wishes. But it would be useless and injurious just at present to do much for those nuns and their convent. The black box will do quite well, and be entirely satisfactory to the convent."

On that I wish to say that I urged Mrs. Munster to come nevertheless; that her not coming had no reference to this direction, but simply the state of her health. I replied thereupon that I felt it right to do certain things I had promised, whether or not.

18844. Mr. GRIFFIN.—With respect to the interview between you and Mr. Leahy, in which he produced to you for your signature, an authority to one of your English bankers to honour his cheques or drafts, in introducing that subject, you said you had his permission in your pocket to hand in?—I think I have it now; and I also said at the time that I did not wish to name the bank, because *non sequitur* they knew anything about it; but I can if necessary call the clerk, in whose handwriting that authority was. I may add, I had spoken to Mr. Leahy on the subject previously.

18845. Mr. WATERS, Q.C.—Are you aware by letter or otherwise, when Mr. Leahy left London to go abroad?—The date of that letter, sir?

18846. It is not dated?—I know, sir; I can fix it, because I got another letter from Mr. Leahy the same day, and the letter written last reached me first. That letter as I gather, you will see by the post office mark, was posted after post hour on——

18847. Mr. GRIFFIN.—The Cashel post mark is October 7th?—My recollection is that that letter I got first, was to my mind written last.

18848. Do you remember which of them you got first?—I got this first—[Identifies one.]

18849. That is exactly as I thought.

18850. Mr. WATERS, Q.C.—Are you able to say at what time Mr. Leahy left London?—Not positively, sir.

18851. Did you get any letter from him later than that you handed in?—Oh, yes.

18852. A later letter?—Oh, yes.

18853. What is the date of it?—I think I showed it to the Commissioners.

18854. From London?—From Vienna. Oh, not from London, oh no.

18855. We got a letter from Mr. Leahy from Vienna also. He says he would wait there to get an answer from us; he waited a number of days, in which he must have known an answer could not have gone back, and then he left. Do you know where Mr. Leahy is gone?—I know no more on that subject than you do, sir. I have had a letter, which I think enclosed the duplicate of the letter written to you.

18856. We have got another since that, in which he says he waited until the date of the letter. It was impossible for an answer to have reached to his first letter. He went away before he could possibly get that answer?—The last conversation on business I had with Mr. Leahy, was about a scheme which had connexion with the construction of a patent omnibus of his, about tramways in Dublin. I next heard he had gone to Brussells to look at a tramway laid down there.

18857. Mr. GRIFFIN.—Was the letter in which he enclosed the duplicate of the letter to us, the letter in which he expressed his intention of going on to Constantinople?—I think it is.

18858. Have you got that letter?—I have either got it, or got it close by in my carriage.

18859. If you have got the letter which enclosed copy of the letter addressed to us; kindly give us the letter you got from Mr. Leahy?—I will go for it to my carriage. With regard, sir, to that £5 cheque, an explanation did offer itself to my mind, but I offer it with diffidence, because I think it is connected in my mind with the cheque for £400, I gave the same day. That cheque I distinctly recollect being told was not used; I saw it, and I have a sort of impression that this cheque also, I was told was not used.

18860. Those two cheques were dated in September?—The 19th September.

18861. When you gave that £400 cheque to Mr. Leahy, did you give him the £5 also? Did you give him the two cheques?—Yes; I am quite certain of it. I am perfectly certain of it. But I think—I am still unable to read my own counterfoil—I wanted the money divided, and I think not being able to divide the cheque, he divided the cash and kept the cheque.

Mr. Edward Henry Biggin.

Mr. *Edward Henry Biggin* recalled; examined by Mr. WATERS, Q.C.

[*Witness* hands in "a statement of all the cheques given to Mr. Leahy by Mr. Munster."]

18862. On any bank, Mr. Biggin, are those the only cheques? Look through them if you please. What is the date of the £500 cheque?—The 29th October. That was the Christian Brothers', sir.

18863. What is the date of the £130?—Below, sir, you will find it; on the Sheffield bank.

18864. In this book that you called a ledger, I find in Mr. Leahy's account "Debtor to cash from M. J. Laffan, £350: by cash to P. M. Laffan, £350?"—Yes.

18865. How did you come to make those entries?—I got the £350, debtor to Mr. Leahy, from Mr. Laffan's account. I said to Mr. Leahy, "You stand in my book debtor £350; will you give me an account of it?" He said no more than that he gave it to Mr. Patrick Laffan.

18866. He told you that he gave it to Mr. Patrick Laffan?—He told me that he gave it to Mr. Patrick Laffan.

18867. Had you ever any conversation with him about the £600?—With Mr. Leahy?

18868. Yes?—No more than I told you the other day.

18869. I forget what it was?—He told me that two

persons—as I understood Patrick Laffan and Joseph Richardson—were boasting in a coffee-room in Dublin that they had £600, and that he gave it to them, I think; he supplied a cheque, I think.

18870. Did he tell you that he gave them a cheque?—I believe so, that is, to the best of my knowledge now, and that they went to Dublin to cash the cheque in Dublin, and brought gold down here.

TWENTY-FIRST DAY.

November 1.

Mr. Edward Henry Biggin.

Mr. *Henry Munster* presents himself; examined by Mr. WATERS, Q.C.

Mr. Henry Munster.

18871. *Witness.*—That, sir, is the last letter. It contained no other enclosure. [Hands in a letter.]

18872. Mr. WATERS.—Do you say that this came without anything with it?—Without anything with it whatever.

18873. We want to ascertain, if possible, where Mr. Leahy has gone, in order that we may communicate with him. In that letter he does not state where he has gone?—The previous letter spoke of Constantinople. I think I must have left it in Abbeyview.

18874. Mr. GRIFFIN.—Do you remember the hotel he mentioned?—I think it was *L'hotel d'Angleterre*, that is my recollection; but I have no doubt I have got the letter if you wish for it. With regard to the cheque of £500, I can speak of that most positively. I can speak of that most positively—it was the cheque to the Archdeacon.

Mr. WATERS.—We are unfortunately now unable to conclude this inquiry as we desired to do. We shall have to adjourn it again, very much to our own inconvenience, to afford Mr. Leahy, if he wishes to do so, an opportunity of attending, as well as Mr. O'Beirne and Mr. Raven. The day we purpose adjourning to is next Saturday fortnight, in order to give Mr. Leahy ample opportunity to come here. He admits that he got the summons. He ought to be here long ago. He could have been here if he wished. He admits having got the summons; he has not come, and he has gone away from Vienna without letting us know where he has gone to. We are obliged now to make this further adjournment, which, I trust, is the last.

Jeremiah Connolly, of Main-street, receives certificates for himself, *John Connolly*, and *Peter Connolly*.

Adjourned to Saturday, 20th November.

TWENTY-SECOND DAY.

TWENTY-SECOND DAY.

November 20.

SATURDAY, NOVEMBER 20, 1869.

Mr. *Edmund Leahy* was called, but did not appear; Mr. *James Lyster O'Beirne* was called, but did not appear; *Henry Raven* was called, but did not appear.

Mr. *Pierce Grace.*—I have an application to make. On the last day Simon Tracy applied to you for a certificate, and I believe you did not finally decide what to do. Since then a circumstance occurred which, I think, might perhaps lead you to give him a certificate. A summons has been issued against him, at the suit of Mr. Munster, for bribery. Now, in all that came out here on the inquiry no case of bribery was made out against Tracy, except, perhaps, one; and I think that the ends of justice would not be satisfied if this man, against whom one single case of bribery was made out, should be punished, whilst others who practised wholesale bribery at the other side should escape altogether. Under these circumstances, considering that when Simon Tracy came up here he was a good deal confused, and that in the answers he gave he might appear to equivocate, and not give his evidence very freely, but that it might be said of him, I think, without mentioning names, that there are other parties much more involved and likely to escape——

Mr. WATERS, Q.C.—This case stands on its merits.

Mr. *Grace.*—Yes. I merely mention this much for your consideration.

Mr. WATERS, Q.C.—I see nothing new about Simon Tracy's case. We said the last day that we would not give it then. I wish to say one thing with reference to your remark, that the ends of justice would not be satisfied if only one person was selected out of the number. I am obliged to say, Mr. Grace, that cannot form any consideration with us in granting or withholding the certificate. Our duty under the Act of Parliament is, if a person has satisfactorily answered the questions put to him, to give him a certificate. We cannot take anything into our consideration except just the one thing provided by the Act of Parliament.

Mr. *Grace.*—Perhaps you would consider that having held him in suspense for such a length of time from the beginning you might now relieve him.

Mr. WATERS, Q.C.—Mr. Grace, just one word. Let it be correctly understood that the fact of a summons having been issued cannot weigh with us in the slightest possible degree, because the very object of our refusing the certificate is to enable persons to institute criminal proceedings against the man to whom we refuse a certificate.

Mr. *Grace.*—I merely produced the summons to show the urgency of the application.

Mr. WATERS, Q.C.—I was going to say on that, that we do not give any decision on it immediately. We will consider the case this day before we leave town, and Mr. MacSheehy will communicate our determination to you.

Patrick Connor.—Your worships, I have also to make application for a certificate. Mr. Munster has been trying so many experiments in Cashel since he came here with all his money ——

Mr. WATERS, Q.C.—Is there any urgency in your case such as there is in Tracy's?

Patrick Connor.—No, your worship; but I was so closely connected with Mr. O'Beirne, and my brother also, and such intimate supporters of Mr. O'Beirne, that Mr. Munster, it appears, is proceeding against me, and on that ground I apply for a certificate.

Mr. WATERS, Q.C.—I think on the last occasion when you applied ——

Patrick Connor.—I didn't apply at all, your worship.

Mr. WATERS, Q.C.—Whether a man applies or not, if we consider it necessary he shall have a certificate. We will consider each case. We have not yet been able to go through all the cases. We have considered them as far as we have got the evidence printed, and when it is finished we shall consider each case. Whether a witness applies or not, if we feel we can give him a certificate we shall send it to him.

Patrick Connor.—I would not apply at all, your worship, but for fear he would proceed against me.

Mr. WATERS, Q.C.—It is quite right. If any urgent case arises—if proceedings are taken as in the case of Simon Tracy—any person placed in such a position may communicate with Mr. MacSheehy who will then hasten the consideration of his case. There is no urgency at present in your case, and therefore when we come to the evidence that affects you we will consider your case, and if we are perfectly satisfied we shall send you the certificate.

TWENTY-SECOND DAY.

November 20.

Patrick Connor.—He has summoned me, your worship. [Witness hands in his summons, which was for perjury.]

Mr. WATERS, Q.C.—I asked you was there any urgency in your case. The certificate will not help you in that in the least degree. Anyone that wants to get Mr. MacSheehy's address will learn it by applying to Mr. O'Kearney, the court-keeper, if there be any necessity for an immediate application for a certificate. As those witnesses for whom we adjourned the Commission on the last day, in order to give them an opportunity of appearing here to-day, have not come, we have no further need of prolonging the investigation, so far as staying here in Cashel is concerned, and we will now adjourn the court, without the necessity of coming back here again. As we are now adjourning I take the opportunity of saying that the Commissioners have to express their thanks for the attention they have received from the Sub-Inspector of constabulary in charge of the court. Mr. O'Kearney, the court-keeper is also entitled to our thanks for the very great attention he has shown, and the care he has taken of our interests.

DUBLIN: Printed by ALEXANDER THOM, 87 & 88, Abbey-street,
For Her Majesty's Stationery Office.

REPORT

OF THE

COMMISSIONERS OF INQUIRY,

1869,

INTO THE

RIOTS AND DISTURBANCES

IN THE

CITY OF LONDONDERRY,

WITH

MINUTES OF EVIDENCE AND APPENDIX.

Presented to both Houses of Parliament by Command of Her Majesty.

DUBLIN:
PRINTED BY ALEXANDER THOM, 87 & 88, ABBEY-STREET,
FOR HER MAJESTY'S STATIONERY OFFICE.

1869.

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LONDONDERRY RIOTS INQUIRY COMMISSION, 1869.

REPORT.

TO HIS EXCELLENCY JOHN POYNTZ, EARL SPENCER, K.G.,
LORD LIEUTENANT-GENERAL AND GENERAL GOVERNOR OF IRELAND.

MAY IT PLEASE YOUR EXCELLENCY,

On the 11th of August, 1869, your Excellency was pleased to issue your warrant to us, whereby, having recited that certain riots and disturbances, of a serious character, had on recent occasions taken place in the city of Londonderry, and that your Excellency deemed it expedient that inquiry should be made in respect of the several matters set forth in your Excellency's warrant, in order that such measures should be adopted as may be found necessary for securing the future tranquillity of the city, your Excellency authorized and directed us "to hold a Court of Inquiry at Londonderry aforesaid, on Tuesday the 17th day of August, 1869, and following days, and to inquire into the circumstances of the said riots and disturbances; the existing local arrangements for the preservation of the peace of the city of Londonderry; the magisterial jurisdiction exercised within it; and the amount, and constitution, and efficiency of the police force usually available there; the proceedings taken by the magistrates and other local authorities towards the prevention or suppression of the said riots and disturbances; and whether those authorities and the existing police force are adequate to the future maintenance of order within the city; and whether any and what steps ought to be taken, and whether any and what changes ought to be made, in the local magisterial and police jurisdiction, arrangements, and establishment, with a view to the preservation of the public peace, and the prevention or prompt suppression of riot and disorder."

In obedience to your Excellency's warrant, we opened the Inquiry, so directed, in the Record Court-house, Londonderry, on Tuesday the 17th of August last, at the hour of 12 o'clock. The warrant under which we sat was read by the Secretary to the Commission; and the Senior Commissioner briefly stated the general scope and purport of the investigation to be entered on, intimating likewise the manner in which we proposed to carry it out. He invited the attendance and co-operation of all who could give evidence with respect to any of the matters stated in the warrant, at the same time informing those present that no power was conferred by it of compelling anyone to attend or be examined; but that means would be taken to procure the attendance and evidence of all persons under the control of the Executive, whose names should be given as persons likely to aid in elucidating the facts, from which correct conclusions could be arrived at. It was our intention to adjourn the proceedings to the next morning, when these announcements had been made; but, at the instance of professional gentlemen, representing different parties in Londonderry, who appeared before us, and requested a longer adjournment, we consented to fix the next day but one, at 11 o'clock, A.M., for the commencement of the Inquiry, an arrangement that seemed to satisfy all parties, and that, we have no doubt, was sufficient for all purposes connected with the legitimate objects of the investigation.

Minutes of Evidence, p. 25.

Pursuant to the adjournment thus made, on Thursday the 19th of August, at 11 o'clock, we again sat, and, after some preliminary discussion, as to the mode of proceeding, between the professional gentlemen, representing what they regarded as opposing interests, we declared the course we would pursue, and entered on the examination of the witnesses. That examination we continued daily, with the exception of Sunday the 22nd of August, till the conclusion of our Inquiry, on the 27th of the same month. During the time thus occupied, we examined forty-six witnesses, with very few exceptions inhabitants of Londonderry, and representing the various classes and sections of the population; commercial and professional; Protestant, Roman Catholic, and Presbyterian. The

Ibid., p. 28.

The Mayor's evidence, 5586.
Sir E. Reid, 4213.

Mayor of the city, though labouring under indisposition, kindly attended to give evidence to which, especially when it is considered that it is the sixth occasion of his filling the post of Chief Magistrate, we attach no little importance. The gentleman who filled the same office, during the years 1867 and 1868, was likewise examined before us, as were several local magistrates and other gentlemen of position in the borough. Several traders and shopkeepers also, whose business brought them into close and intimate relation with the humbler classes of the population; who were, on all hands, admitted to have the best means of knowing the sentiments and opinions of these classes; and whose personal veracity was not only unimpeached, but was frankly and cheerfully attested, by those whose own views were least in harmony with theirs, gave us the full benefit of the information possessed by them, and supplied us with, perhaps, the most valuable evidence which we have had to consider. At the outset, we had some apprehension that the witnesses produced, or tendering themselves for examination, might come too exclusively from one political party; but, before our Inquiry closed, we found that any such idea was erroneous, and that Conservatives as well as Liberals, Tories as well as Whigs, were amply represented in the witness-chair. It gave us great satisfaction, too, having regard to some of the questions most urgently demanding to be considered, under the terms of your Excellency's warrant, to have the voluntary and very frank evidence, as it certainly appeared to us, of the governor and other office-bearers of the Apprentice Boys, and of a gentleman holding the position of a Deputy Grand Master of the Orangemen of Ireland. Though, amongst such a body of witnesses, it was only natural to expect a good deal of diversity of opinion, on almost any question, and not the least on those that formed the subjects of our Inquiry, it gives us much gratification to say that the suggestions and recommendations which we now feel it our duty to submit to your Excellency would, we are convinced, be approved of by the great majority of the inhabitants of Londonderry, whether Protestant or Catholic, Conservative or Liberal.

To one class of witnesses that appeared before us we have not yet referred, namely, the officers and men of the Royal Irish Constabulary force, from time to time on duty in Londonderry. Their evidence, on the points as to which they were examined, was clear and satisfactory, and was of the greatest importance, in connexion with portions of the investigation intrusted to us.

We shall now submit to your Excellency the results of our Inquiry, doing so, as far as possible, in the order in which each subject has been referred to us for consideration; but, to avoid needless repetition, we shall group together the facts bearing on the "existing local arrangements for the preservation of the peace of the city of Londonderry; the magisterial jurisdiction exercised within it; and the amount and constitution and efficiency of the police force usually available there." It would hardly be possible to take these subjects separately into consideration; doing so would only cause inconvenience and confusion.

Vide Map, p. 22.

The city of Londonderry stands mainly on the left or western bank of the River Foyle, which at this point is a broad and noble stream, being spanned by an iron bridge 1,200 feet in length. The old walled-in city, of historic celebrity, stands entirely on the left bank, built on a hill crowned by the Protestant Cathedral, and is in circumference about an English mile; the wall being pierced by six gateways, but without gates. This portion, with its adjacent sub-mural extensions, is connected by the bridge just mentioned with another portion, on the right bank, known as Waterside. The parliamentary and municipal boundaries of Londonderry are now the same, and extend, on both sides of the Foyle, to a considerable distance outside the districts as yet built on; but of late years the streets and houses, within the boundary, seem to have been pretty steadily on the increase. The city contains several flour-mills, two distilleries, three breweries, two foundries, five tan-yards, and several extensive shirt factories, and shows decided indications of commercial prosperity. The Coleraine and Derry Railway, running northward, by the eastern shore of Lough Foyle, connects it with the north-eastern railway system; the Derry and Enniskillen line unites it with the central railways of Ireland. As the connexions thus formed have no unimportant bearing on matters which it became our duty to inquire into, we think it well to notice the fact, for your Excellency's information.

Stat 31 & 32 Vict., cap. 49, s. 9.

While touching on the topographical position of Londonderry, we think it important to direct your Excellency's attention to a circumstance to which the evidence, given in our Appendix, in several places refers. The portion of the city and liberties comprising, as we have pointed out, by far the principal part, on the left bank of the Foyle, would seem properly to belong to the county of Donegal, the river being the natural boundary between that county and the county of Londonderry. Now, Donegal is, with the exception of Cavan, the most Catholic of the nine Ulster counties, while Londonderry is one of the most Protestant; the proportion of Catholics to Protestants in Donegal at

Census 1861.

the Census of 1861, having been 3 to 1 (178,182 Catholics to 59,190 Protestants), while in Londonderry at the same date the Protestants were as 5 to 4 (100,782 Protestants to 83,402 Catholics). In the city itself the relative numbers were 12,036 Catholics to 8,839 Protestants of all denominations, those of the Episcopalian Church being only 3,657. It is painful to feel that questions of creed should here, as in so many other instances, thus force themselves on the consideration of those whose duty it is to investigate the causes of social disturbance in Ireland. But as, unhappily, such questions have necessarily engaged our attention, in connexion with the riots in Londonderry, we must give the facts connected with them in our Report to your Excellency.

Census, 1861, and see evidence of Dr. M'Knight, 5358–5361.

The total population of the city of Londonderry is now estimated at nearly 30,000.

Mr. Gregg, 4716.

It is a corporate borough, the corporation consisting of a mayor, recorder, six aldermen, and eighteen town councillors. Its magisterial arrangements are distinct from those of the county, and the city magisterial bench consists of twelve gentlemen, with whom has been associated for a short time past a resident magistrate.

The city is possessed of a local police force, embodied under the provisions of the Londonderry Improvement Act, 1848, with which was incorporated the Towns' Police Clauses Act, 1847. The total number of this force is thirty-eight men, including officers. Besides these a portion of the Royal Irish Constabulary force, allocated to the county, is stationed in the borough, about twenty men in all, including four at Waterside.

11 & 12 Vict. cap. cxli.; 10 & 11 Vict., c. 89.

Inspector Stafford, 1599, 1611.

The inefficiency of the local police for the suppression of riots was so clearly established, by the evidence given before us, as to leave no doubt on our minds respecting it. It was a point as to which witnesses of all classes, parties, and creeds, agreed. For years no second opinion has been entertained about it in Londonderry, and the extracts supplied to us by the town clerk, from a correspondence carried on by him, as the officer of the corporation, which nominated and controlled the force, with the authorities in Dublin Castle—a correspondence commenced in 1851, and coming down to nearly the date of our Inquiry—shows that the municipal representatives of the city throughout the whole period felt the inadequacy of the police in question for the duties that such a body should properly discharge, and were anxious to substitute for it a more efficient force. In drill, organization, and equipments, the men were, on all hands, admitted to be entirely wanting. It is only due to them at the same time to state, that their attention to the ordinary duties of a watch and ward, street patrolling, and the like, was not called in question by any witness, and that the general testimony in their favour, as well-conducted and respectable, was very strong indeed.

Mr. O'Neill, 1485; Mr. M'Cafferty, 1588–9; Mr. Doherty, 2124–2129; Sir E. Reid, 4264, 4265, 4275; Mr. M'Carter, 4809.

App. A, Nos. 9, 11, also Resolution, Ev. 4265.

P. M'Monagle, 4081–82. Mr. Bradley, 5414.

One charge—a very serious one certainly—was made by several witnesses, that of political, or politico-religious partisanship, on those occasions on which anything occurred likely to excite such a feeling. Moreover, persons of unquestionable veracity, with peculiar means of knowing the sentiments of the humbler ranks of the Catholic population, expressed the belief that amongst them this opinion as to the partizanship of the force was nearly universal. Having investigated the circumstances, we must, however, say that nothing was presented to us which we could regard as satisfactory proof of its justice. The recommendations which we shall have the honour to submit to your Excellency, at the close of our Report, make it unnecessary that we should say more on this subject.

J. Hempton, 34, 35; Dr. White, 3549–50.

Infra., p. 10, and references there.

We now pass to the next part of our Inquiry, namely, "the proceedings taken by the magistrates and other local authorities towards the prevention or suppression of the said riots and disturbances," which necessarily involves the "circumstances" of the riots themselves, and the consideration of these, though first alluded to in your Excellency's warrant, we have, for greater convenience and perspicuity, consequently postponed till now.

We have appended to our Report a map, prepared by the Ordnance Survey Department, of the city of Londonderry and the adjoining district, with the aid of which we hope to make sufficiently clear to your Excellency the local circumstances connected with the riots, and thus to render their general character more intelligible. A reference to it will show that the Corporation Hall stands nearly in the centre of the old city—that is the portion within the walls. It is at a considerable elevation, being ninety feet above the river; the hill on which the city is built rising still higher towards the cathedral, which, as we have already mentioned is its crowning point. Ship-quay street, leading in a south-westerly direction from the river to the Hall, is a steep acclivity, its prolongation, Bishop-street, having also a slight rise. Ascending the former, Butcher-street runs on the right hand from the Diamond, in which the Corporation Hall stands, to Butcher's Gate, which leads into the Cow-bog, or Bog-side quarter. In the opposite direction, from the left side of the Diamond, Ferry-quay-street leads through Ferry-quay Gate, towards the bridge across the Foyle. We may observe that the Bog-side quarter, as its name would suggest, lies very low, the city wall overlooking it at a considerable elevation, from

App. p. 22.

No. 1 on Map.

No. 3.

No. 2.

No. 9 on Map. Butcher's Gate to its highest point, viz., the bastion to the south-west of the Walker monument.

The population of Londonderry, in all quarters, is, as regards religious profession, a mixed one, Protestants and Catholics alike inhabiting every district. Within the walls, however, the great majority of the inhabitants are of the former creed; while the Bog-side, which is occupied by the humbler classes, may be regarded as peculiarly a Catholic quarter.

Having stated so much as to local circumstances for your Excellency's information, we now pass to the consideration of the riots which took place, as detailed to us in the evidence of the several witnesses.

The first disturbance to which our attention was called—and nothing in the evidence given on the Inquiry led us to think that any advantage would have been derived from going further back in our investigation—took place on the 20th of July, 1868; and was generally dealt with in the course of the proceedings as the Corporation Hall riot. The history of it is briefly this:—

Parliament was on the eve of dissolution, and Lord Claude Hamilton, and Mr. (now Sergeant) Dowse were seeking the representation of Londonderry, in anticipation of the general election, the former in the Conservative, the latter in the Liberal interest. With a view to expounding his political principles, and securing support from the section of the electors who might sympathise with them, Mr. Dowse decided on delivering a lecture in the town, and with that object obtained the use of the Corporation Hall, which it was

Mr. Bond, 859; Mr. Hogg, 1009. customary to engage for similar purposes. The intention was not to allow the public indiscriminately to attend the lecture, but to regulate the admission by tickets, so as to prevent disturbance and to secure for the candidate a fair and uninterrupted hearing. The lecture was announced for the evening of the 20th of July, and in the course of that

Mr. Hogg, 1010–1019. Same witness, 1025, *et seq.* Mr. W. Young, 2990. Sir E. Reid, 4281. day information reached Mr. Dowse's friends which led them to apprehend that an attack would be made on the Hall, whereupon they communicated with the Mayor, and requested him to take the necessary steps for its protection. They, at the same time, made arrangements to introduce some fifty unarmed men of the working class into the lobby of the Hall, and the passages, as an additional security. In compliance with the request made to him, the Mayor caused a portion both of the local police and the constabulary to be in attendance about the hour named for the lecture, the local men, about

Mr. Hogg, 1065–71. eight in number, being posted close to the entrance, at either side, and the constabulary stationed through the Diamond and Bishop-street, to assist if required. The lecture was commenced at the appointed hour, but shortly before, about a quarter to 8 o'clock,

Mr. Hempton, 32–34; Mr. Hogg, 1057–1105; Sub-Constable Sorraghan, 2717–40. Constable Kennedy, 3042–3. P.M., a body of young men, about forty or fifty, left London-street, where the Apprentice Boys had their club-room, in procession, marched down towards the door of the Hall, and as they approached broke into a run and dashed forward. As they did so they drew from under their coats short sticks and bludgeons, with which to force an entrance. The few city police were powerless to resist them, and gave way; but the gentleman taking tickets at the door, Mr. Hogg, a member of a leading firm in the city and a very powerful young man, stoutly opposed the entrance of the attacking party, endeavouring to close the door against them. In doing so he received a severe blow on the head,

Evidence, 1103. from a bludgeon, which cut open his face; but the protective body of workmen stationed within the building, rushed to his aid, some of them having extemporised weapons by tearing down the banisters of the staircase, with which they struck at the intruders. The result was that they effectually repelled the attack.

Mr. Bond, 899–914; Mr. O'Neill, 1360; Mr. Stafford, 1633–43. Simultaneously with this attempt to force an entrance into the Corporation Hall, it was attacked externally by a crowd flinging stones and brickbats at the windows. Mr. Bond, J.P., Chairman of the meeting, narrowly escaped being hurt; but the window-shutters being hastily closed, no injury, of any consequence at least, was sustained by any of the auditory.

Mr. O'Neill, 1360–61. When this attack on the Hall commenced, one of Mr. Dowse's friends, Mr. John O'Neill, J.P., a Roman Catholic gentleman, who was inside, at once left the Hall, and hastened to an ante-room (spoken of in the evidence as the Round-room), the windows of which open on Bishop-street, over the entrance-door which it was attempted to force. Hurrying to the window, Mr. O'Neill was struck with a stone. Apprehending from what he saw, that serious rioting was likely to occur, he wrote on a slip of paper an order for 100 soldiers, to the officer commanding the garrison; being, at the time, under the impression that the Mayor, who resided in the country, was out of town. His Worship, however, was, in fact, present in the Diamond, where Mr. O'Neill met him shortly after. The military soon appeared; Mr. O'Neill took them in charge, and proceeded with them to the Diamond, where their presence seemed to restore order, at least no further rioting took place that night.

Mr. Young, 2993. That this attempt to force the Corporation Hall was pre-arranged, and that those

engaged in it were, to say the least, most culpably reckless of what might have proved very serious, if not fatal consequences, it is impossible to doubt. A number of the bludgeons carried by them, were not only seen in their hands, and described by witnesses as desperate weapons, but were seized by the constabulary and identified before the magistrates as belonging to the party. One of these, we should hope about the worst specimen, was produced to us, and could hardly be characterized otherwise than as a murderous weapon. It was of about the dimensions of the ordinary police bâton; but triangular instead of round, the angles notched or toothed like a saw. And being made of oak, a blow on the head from it, aimed with any force, could not fail to inflict a desperate wound. The men who would attempt to force their way, by means of such deadly weapons, into a peaceful meeting of their fellow-citizens cannot be too strongly censured, nor could any punishment, legally inflicted on them, be too severe.

Mr. Hogg, 1089–1094.

It was sought to throw the entire responsibility of this outrageous proceeding on the society known as the Apprentice Boys—a well-known organization, the rules of which we have thought it well to give in the Appendix to our Report; and the presence, amongst the rioters, of the governor of that body, together with the alleged fact, that members of it belonged to the party who made the attack, was stated by some of the witnesses, with this object. We could not, on the evidence given before us, attach such a stigma to the Apprentice Boys, as a body; while as regards their governor, Mr. Ferguson, the facts proved go to exonerate him from responsibility for it, and show that he sought to stop the rioters. It being summer, Mr. Ferguson usually passed the night at Moville, a watering-place on Lough Foyle, a few miles from the city, to which it was his habit to go by a steamer that left Londonderry at 5 P.M. He was about doing so on the day in question; but Mr. Stafford, then the Sub-Inspector in charge of the constabulary in Londonderry, having received information that disturbance was likely to occur, requested him not to go, but to remain in town, and, should the occasion require it, use his influence with the Apprentice Boys to preserve order. To this Mr. Ferguson assented, and that he did endeavour, though, as it would seem, with no great success, to deter his own party from violence was certainly proved.

Mr. Hempton, 28-33.

App. 12, p. 205.

Inspector Stafford, 1648–1653.

Constable Kennedy, 3043.

Mr. Ferguson's own account of the transaction, and his part in it, was as follows:— He said that he was in the room whence the rioters proceeded; which, though the place of meeting of the Apprentice Boys, was crowded at the time by many strangers also; that they told him they were going to get into the Town Hall; that he tried to dissuade them, but without effect; that they then passed out before him, and he had no more to do with the affair. He did not, he said, see any bludgeons with them, as they went out; but they might have had them. He believed he saw two or three light sticks. Amongst them were "some very prominent members of the Apprentice Boys' Society," but he thought "at least two-thirds of them were parties unknown to him." We should add that he disclaimed all knowledge of the making of the bludgeons, and, indeed, all participation in the proceedings, save for the preservation of order.

Mr. Ferguson, 5108 to 5130.

This very serious disturbance of the peace, on the 20th of July, we may here observe, does not seem to have originated in any cause of what we might designate a chronic character; save to the extent that standing religious or party animosities may be so called. The heat and excitement of a parliamentary election contest, taking place in circumstances involving more than common elements of local and political feeling, no doubt evoked much, if not the chief part, of the violence exhibited; and it would be difficult to attribute it to any deep-laid scheme of party organization. As we shall have much to say on the evils resulting from this latter cause, we consider it only just to make this observation.

The foregoing account of this riot, or disturbance, of the 20th of July, 1868, in itself explains "the steps taken by the magistrates or other local authorities towards the prevention or suppression" of it. Though some electioneering excitement had previously prevailed in the city, no unusual importance was attached to it; additional constabulary had not been brought in, and till the day of the lecture no one seems to have apprehended any disorder. When the Mayor was then informed that violence was apprehended, he made arrangements to have such members of both the constabulary and the local police force as could be spared for such duty, posted in and about the Diamond, so as to preserve the peace. He himself instead of going to the country, where he used to sleep, remained in town, and was present in the neighbourhood of the hall, when the turbulence began. We may presume that if Mr. O'Neill, happening to be in the building when the attack on it was made, had not, under the impression that the Mayor had gone to the country, so promptly ordered the military to the spot, his worship would have done so; and that step, which appears to have been quite an effectual one, was, in fact, the only precaution that anyone in authority could have taken.

Mr. Stafford, 1608 9; Sir E. Reid, 4282.

Supra, p. 8.

Mr. Magerr, 2432-3.

No witness accused the members of the constabulary force, present at this attack, of any failure to do their duty; but those of the local police, placed to guard the doorway, were alleged not to have properly discharged theirs. Considering, however, that they were only a handful of men, who had none of the advantages resulting from drill and discipline, and that the attacking party were five or six times as numerous, armed with very dangerous bludgeons, and backed by a turbulent crowd of sympathisers in the street, we can very easily understand their giving way. The Mayor seemed to attach no blame to them; and some of the constabulary, whose position gave them the best opportunity for observation of what occurred, and whose experience, perhaps, qualified them better than even intelligent civilians to judge of what men so circumstanced might be fairly expected to do, gave evidence of a very favourable character regarding their conduct on that occasion.

Sir E. Reid, 4290; Constable Kennedy, 3049 to 3064; Ex-Head Constable W. Bailey, 3489.

From this disturbance of the 20th of July, which, however angry in its character, was fortunately unattended by any very serious consequences, but which several witnesses regarded as the cause of much bad feeling, and subsequent outrage, we now pass to the consideration of the next event in the chain of circumstances which, unfortunately, led at last to the sacrifice of human life.

Dr. White, 3560. Dr. M'Knight, 5387.

This event followed very closely on the riot described, being the celebration of the memorable opening of the Gates of Derry, on the 12th of August; a historic commemoration, stated to have first taken place on the centenary anniversary of the day, and, since that period, we believe, regularly celebrated in the city, as has also been the anniversary of the closing of the gates on the 18th of December.

Mr. Hempton, 66 to 70.

Mr. Stafford, 1657 to 1666.

The usual celebration took place on the 12th of August, 1868, viz., a procession of the Apprentice Boys, with banners, chiefly if not exclusively crimson—the city colour—and the cannon belonging to the city clubs, accompanied by the Apprentice Boys', or as it is commonly called the Britannia band, consisting of fifes and drums. An important part of the celebration consists in discharging a grand salvo of artillery from the city wall, the point from which the salute is fired being a bastion close to the Walker Testimonial, overlooking the Bogside, which we have already intimated to your Excellency, may be considered a peculiarly Catholic quarter of Londonderry. The celebration was not interfered with, and happily passed off without any unpleasant occurrence.

Mr. Hempton, 74.

The nomination of candidates for the city representation took place on the 20th of November, the polling on the 22nd, and the declaration of the poll on the 23rd. In the earlier part of our Inquiry our attention was hardly called to anything connected with these days; but County Inspector Stafford, of the Royal Irish Constabulary, when under examination, mentioned that on the night, as well as he remembered, of Mr. Dowse's return, he was informed that the Apprentice Boys had cannon in their gun-room, loaded, as he understood, with broken crockery, or some such material, which it was proposed to bring out, and place in position, with a view to fire on the opposite party. We need not tell your Excellency how shocked we were to hear such a statement, from a gentleman whose position at the time made it likely that he had good information, and who certainly acted on the belief of its truth. We had, indeed, some misgivings as to the fact, especially as Mr. Stafford had not ascertained for himself, by examination of them, whether or not the guns were loaded. It gratifies us to be able to state that the idea was an erroneous one, and that no such murderous design was entertained by the Apprentice Boy party. We see no reason to question the account of the matter, given by the governor of that body when he appeared before us. His statement was that, on the evening of the day in question (the polling day), at about 4 P.M., when Lord Claude Hamilton's prospects of success had altogether vanished, he went, at his lordship's desire, to get his supporters of the working class, out of the town, to prevent disturbance. Lord Claude's committee-rooms were at the Imperial Hotel, in Bishop-street, and the gun-room, an old coach factory, was to the rere of the hotel. Mr. Ferguson got some 400 or 500 men, of the class alluded to, to accompany him to the place, where he dismissed them, with special injunctions to return quietly to their homes. On the way, he met a crowd of the opposite party, with tar-barrels, and a stone, flung from the crowd, struck him. This, he said, much excited the men with him; but he and some other gentlemen succeeded in getting them peaceably away, and he returned to his house, where he was sitting with his family, when the panels of his hall-door were smashed, and a lighted tar-barrel was thrown into the hall. He then went out, and found on returning to the gun-room, that it had been attacked, and a great deal of glass broken by stones, and also that much excitement prevailed there, in the belief that an attempt would be made to carry off the guns. He was himself excited and finding drunken men in the room, "some of the tag-rag that always follow in the wake of an election, wanting money and drink;" he was disgusted, and "took

Mr. Stafford, 1849 to 1898, and also p. 76, opening par. 5th day's proceedings, and 1946-7.

Mr. Ferguson, 5221 to 5227.

some of them by the neck, and flung them out of the room." Some quiet people present said they apprehended a recurrence of the attack, and he represented to Captain Stafford that a force of police should be put on the place, and he would have it cleared out. This was done. He was quite prepared to say the guns were not loaded, for he himself tested, with a ram-rod, those of them that were mounted—three or four—there being fourteen or fifteen altogether in the room, for which there was barely space. He saw a number of brickbats, gathered up with a view to repel attack, in which they had more faith than in the guns.

On the next (Saturday) night, Mr. Ferguson says that the gun-room was again attacked—it was the night of the day on which the poll was declared—and that he got some people of "moderation" and "intelligence" "to remain there and take what precautions were necessary for the defence of the place." He added—"As to whether they loaded the guns or not, I cannot say, but I say that there were seven or eight people of a quiet, determined disposition, that could be depended on, placed there in the possession of the rooms, during the night, with instructions from me to allow no fellows in there who were drunk." Mr. Ferguson, 5221 to 5227. 5226.

A third attack, according to this witness, was made on Sunday night, but there were none of his party in the room at the time. The constabulary, under Mr. Stafford, resisted this attack, and seized the ringleader, who received two months' imprisonment for it subsequently. Ibid.

The result of our inquiry into these transactions was to satisfy us that sufficient precautions were taken by the authorities, that the guns should not be carried off by any attacking party and that no dangerous use should be made of them by those in whose possession they were. We must, however, express, in the most emphatic manner, to your Excellency, our sense of the grave impropriety and danger of permitting cannon, of whatever calibre, to be thus left in the custody of a body of civilians, associated too for a purpose which, however legitimate, has a decided party character, in the heart of a populous city, liable to very sudden accessions of party feeling. Under the influence of such feeling, either their ordinary custodians, or those of the opposite political opinions, if they contrived to get possession of them, might commit fearful havoc, at any moment, with weapons of so formidable a character. Indeed, it is hard to imagine anything more likely to be a cause of public insecurity. Vide ev. Sub-Const. M'Donnell, 3653-4.

A couple of days after this, on the 25th of November, Alderman Miller, the present Mayor, was re-elected as Alderman, and one or two tar-barrels were burned, within the walls, by the Conservative section of the people, to signalize his success. Inspector Stafford, 1674-6.

On the 1st of December, Dr. Babington (now deceased), a gentleman of strong Conservative opinions, was nominated Mayor for 1869, and a similar demonstration was made by his friends. Those carrying the tar-barrels, it was stated, groaned before the houses of prominent members of the opposite party. Mr. Hempton, 78-95; Inspector Stafford, 1678.

The anniversary of the closing of the City Gates was celebrated on the 18th of December, with the usual accompaniments of banners, music, and salvoes of artillery from the city wall. At this time the constabulary force in Londonderry had been increased to about 100 men. Mr. Hempton, 102 to 110.

The authorities did not in any way interfere with these different celebrations, which, however, passed off without any riotous consequences.

The 26th of December, St. Stephen's Day, appears to be celebrated, by the Londonderry people, by firing at butts, for amusement; as a natural result, the disposition to use fire-arms becoming general. As one of the witnesses said, "Every person who can muster arms on that day carries them." On the day in question, the Catholic party, actuated perhaps by a desire to make a counter-demonstration to those in which their opponents had been indulging, got up a procession, with a band, carrying a flag, about which a good deal was said during our inquiry, and which was produced in court, for our inspection. It was of white silk, with a deep blue fringe, and bore a harp without a crown, with a wreath of shamrocks, and the inscription "Hibernia Flute Band." The processionists forcibly crossed the toll-bridge, to the Waterside, the toll-takers being unable to prevent them. Sub-Inspector Stafford then, for the first time, heard from one of the city police of their doings, and followed them. He found them at Waterside, and tried to get the flag from them, or to have it left at a public-house where they had stopped. Some were disposed to give it, but others would not. They, however, at his request, furled the flag, recrossed the bridge, and, accompanied by Mr. Stafford, passed through Waterloo-place, and Shipquay-place, into William-street, and on to Abbey-street, where he saw it put up. Four or five shots —apparently pistol shots—were fired by some of the crowd on the bridge; and one man was arrested with a pistol, in William-street, where he fired it, within a very short distance of the Sub-Inspector. Inspector Stafford, 1957, 1999-2000. 2009. Constable Kennedy, 3087. Mr. Stafford, 1953-19. 5.

Constable Kennedy 3091, 3107.

The band accompanying this procession was stated to have played a known party tune—"The Wearing of the Green"—but beyond forcing their way across the bridge, without payment of the toll, for which latter offence some of them were brought before the magistrates and fined, the processionists committed no violence.

Mr. Stafford, 1686–8.

On the 1st of January, 1869, on the inauguration of Dr. Babington, as Mayor, some of his partizans again burned tar-barrels, and indulged in groaning their political opponents.

Mr. Stafford, 1689–90; Mr. Hempton, 181, *et seq.*

On the 9th of February, Mr. Dowse, who had been petitioned against, was declared duly elected, by the judge who tried the petition, and a large procession was organized, of his adherents, who likewise provided themselves with a band and torches, to celebrate the learned gentleman's success. Some risk of disturbance being apprehended from this demonstration, a meeting of magistrates was called, to adopt measures for the preservation of the public peace. At this meeting it was resolved to prevent those holding the procession from passing inside the city walls; and Mr. Plummer, the County Inspector, received instructions, through Captain Peel, R.M. (who acted with the local magistrates), to post a number of the constabulary under his command—140 men besides officers—at the gateways, and a couple of adjoining points, with this object. Of the force thus posted, 20 men, in charge of an officer, were stationed at Butcher's-gate (leading to the Bogside), where, failing to obtain admittance otherwise, the crowd soon attempted to force an entrance. Inspector Plummer, who, with the resident magistrate, Captain Peel, was in Bishop-street, heard a shot fired in the direction of the gate, and both hurried to the spot, where they found a violent commotion. The Inspector was told that the people outside had rolled up hand-carts, to force their way through the constabulary, but he could not see through the gateway, through which the stones were coming "like a shower of hailstones," some of very large dimensions. Mr. Plummer did not hear any order given to the constabulary to fire. He, however, saw two of the force raise their carbines to do so, and struck down the weapons to prevent them. The men received very rough usage; one had his teeth broken, and another had his eye knocked out. More were cut severely. Eventually the crowd broke through, "in twos and threes," and paraded the town with music.

Capt. Plummer, Co. Inspector, 2299, 2310 to 2340.

Inspector Stafford, 1730 to 1767.

A number of persons appear likewise to have forced their way in at Bishop's-gate, and the two opposing parties, the Apprentice Boy party and the Bogside or Catholic party, got into collision, not only attacking each other with stones, but also, according to Mr. Stafford, firing on each other, with revolvers or pistols. This officer had to charge the crowd with the bayonet, driving it before his men. The Bogside party went off; patrols were established, and kept up till between one and two o'clock in the morning, after which quiet was restored in the city. Notwithstanding the use of fire-arms in the streets, no loss of life or serious injury was found to have been sustained on this occasion, except the injury inflicted on the constabulary, by the stone-throwing at Butcher's-gate.

We now come to the melancholy event of the 28th of April, which resulted in the loss of human life.

Inspector Stafford, 1768.

On the day in question his Royal Highness Prince Arthur arrived in Derry. No apprehension seems to have been entertained that anything unpleasant would occur; for when the officer in charge of the Royal Irish Constabulary had an interview with the Mayor, Dr. Babington (since dead), as to the force which might be required to keep order, both thought that twelve men would be sufficient. Twenty men, however, were actually put on duty, four being mounted. The Prince arrived about 3 P.M., and drove, accompanied by the Mayor, and some other gentlemen, to the Corporation Hall, where he was to receive an address. From the Hall, to the Imperial Hotel, in Bishop-street, where his Royal Highness was to sojourn, is but a few hundred yards; and a company of soldiers was posted in the street, only, however, as a mark of respect to him. When the Prince drove from the station, the Sub-Inspector marched the constabulary to their barrack, where they left their arms, and then proceeded with the men to Bishop-street, where he placed them in line, to make arrests, if anything should occur. When the proceedings in the Hall terminated, the Prince went to the Imperial Hotel, where he remained some time. On his entering the Hall, a royal salute of twenty-one guns was fired, by the Apprentice Boys, and a second, after the address was read. On his way to the hotel, a crowd, accompanied by the Hibernia Band, and carrying the flag already described, having the harp without a crown, escorted his Royal Highness; and when he had entered, the band continued playing. Amongst the airs, said to have been played by it, were "God Save the Queen," "Patrick's Day," and the "Wearing of the Green." When the Apprentice Boys had fired the royal salutes, they marched, with their band, from the wall, round by Society-street, and the band played "God Save the Queen," in front of the Imperial Hotel. Subsequently, the band played "their own peculiar airs"—amongst them "Derry Walls Away" and "Protestant

Constable Kennedy, 3139, 40, 41, 42.

Boys." There was a good deal of excitement in the street, but no violence. The Prince, after a while, drove out in a carriage somewhere in the neighbourhood of Londonderry, and did not return till near 6 P.M. The Apprentice Boys had, in the meanwhile, put up their guns, and no disturbance had taken place in the city.

In the course of the day a good deal of anger seems to have been excited, and expressed, not only amongst the Apprentice Boys, but by several highly respectable citizens, at seeing the flag, with the uncrowned harp, borne after the Prince, and also, at some of the tunes played by the accompanying band. The flag, it was stated by one witness, was "flaunted" into his Royal Highness's carriage, which was looked on as a decided insult to the Sovereign. Mr. J. W. Gregg, 4459, 60; Ald. M'Carter, 4945; Mr. F. Louch, 5815.

About 8, P.M., Mr. Ferguson, Governor of the Apprentice Boys, was in his office, when, he states, the band alluded to passed, carrying the flag they had in the earlier part of the day. They proceeded, according to the witness, up Shipquay-street, and through the Diamond, playing "Patrick's day," and as they went through the Diamond, which was then greatly crowded, there were shouts for the "Irish Republic." Mr. Ferguson, left his office, and went out. The band went towards the Imperial Hotel, and thence towards the wall. He was at the wall himself when he heard shots fired. "On the return of the band, it went out of the town, through Butcher's-gate, and the result it left after it (in the words of the witness) was excitement and rioting between that and half-past nine o'clock." Evidence, 5233. Ibid.

Near this hour, 8 P.M., some violent proceedings took place in the neighbourhood of Society-street and Butcher-street, the particulars of which, as well as we could collect them, seem to have been as follow:—The ramrod of a cannon belonging to the Apprentice Boys was carried off, as it would appear, by one of the Bogside people. He was seized by three of the Constabulary, who tried to wrest it from him, when another constable, coming up, they took the man prisoner, and carried him off to their barrack, taking the ramrod from him. Having secured this man, they hastened back to the Diamond, by Ferryquay-street, the town being then in a very disturbed state. Another man of the Bogside party was arrested at this time for making some political harangue, and likewise carried off, to the city police-station, outside Bishop's-gate. The constabulary who made the arrest, returning by Society-street, and down Meetinghouse-row, found a number of people, over a hundred, on the wall, extending down as far as Butcher's-gate, from which point stones were being flung up Butcher-street by an opposing crowd. Those on the wall were of the Apprentice Boy, the others of the Bogside party. There were five of the constabulary then in Butcher-street. The men were ordered by the head-constable to "fix swords." At this time Sub-Constable Soraghan was severely wounded by a stone in the eye. Sub-Constable Michael Reilly was severely cut likewise by a similar missile, and had to go to barrack, from which his officer did not permit him to return. Shots were also exchanged between the parties, and one of the constabulary told us that he himself fired his revolver in self-defence. However, no loss of life or serious injury would seem to have resulted. The constabulary were between the combatants, and the stone-throwing came apparently from both parties. Constable Kennedy, 3149, *et seq.* Sub-Constable Sorraghan, 2845–2895. Sub-Constable M. Reilly, 3482, 3514. Sub-Constable T. F. Donnell, 3740–41. Sorraghan, 2883. Kennedy, 3161.

About the hour named Mr. Stafford, the Sub-Inspector, was informed by one of his men that "there was some rowing going on in the town," and at once hurried to the barrack for his men, but found they were in the streets. He met them near the Corporation Hall, with the head-constable, when he was informed that the force had been violently attacked at Butcher-street. He asked the head-constable had he seen the Mayor (who was with the Prince at the hotel), and was told either that he had failed to see him, or was unwilling to disturb his worship. Mr. Stafford felt satisfied that something serious impended, and was, besides, urged to go to the Mayor, which he did, but found some difficulty in getting access to him. About a quarter to nine, however, he succeeded in getting an interview, when he told his worship the state of the town, saying he "would not be responsible for the safety of either life or property if the military were not sent for." The remonstrances of the sub-inspector, however, were not attended to, and the Mayor declined to call the military out. Evid. 1771 to 1788.

Having left the Mayor, Mr. Stafford met one of the city magistrates, Mr. Thompson, who suggested that they should go back to the hotel, and seek another interview, as "several parties had asked him to send for the military." They, accordingly, did see his worship, and both urged on him the necessity for doing so; but he stated that "he did not like to disturb the Prince, and hoped matters would go on quietly," and the troops were not called out. Evidence 1793–4. Ibid., 1804.

It was now near 10 o'clock, and there was a crowd of people at the lower end of Bishop-street, and in the Diamond, apparently "a mixture of both parties." Butcher-street was quite clear, but a number of persons had collected on the adjoining wall. Ibid 1799 to 1826; Constable Kennedy 3153 to 3160.

When Mr. Thompson and the constabulary officer left the Mayor, they resolved to do what they could to keep the peace, and the officer marched his men back to the Diamond, halting them there, and leaving them in charge of the head-constable. Both gentlemen then went over to the crowd to persuade the Bog-side party to go home. Some of them, addressing the officer, said, "Mr. Stafford, we will go home, if you will get the other parties off the wall; for if we go down there we will be murdered." There were from eighty to a hundred of this party in the Diamond, and their direct way to the Bog-side lay through Butcher's Gate, which those on the wall, who were flinging stones, and it was said firing pistols also, from it, had the command of. Those on the wall were of the Apprentice Boy party. At Mr. Thompson's suggestion, Mr. Stafford and he went to get these men away, and saw on the wall over the gateway a few of the city police, trying apparently to drive them up towards the Walker testimonial. Mr. Ferguson came up then, and also endeavoured to get his party away. After a little they succeeded, and as Mr. Stafford thought got all the men into Society-street, and into the gun-room there, at which point he was separated from the others. Believing all was made secure, he returned down the wall, but on his way heard the report of a pistol, and the glass of an adjoining window broken. He turned into Butcher-street quickly, which was now full of people, on whom he called to run away, or they would be shot; but they pelted him with stones, and he had to fly. He hurried back up Meeting-house-row, and by Society-street into Bishop-street; and when near the Meeting House he heard the report of fire-arms. When he got into Bishop-street there was hardly anyone in view; but on getting within twenty or thirty yards of the Corporation Hall, he heard that men had been shot. He then saw a man lying on the flags perfectly still, and another "writhing backwards and forwards." Some of the city police were by him. The officer found his men drawn up on the Butcher-street side of the Diamond.

Evidence 3176 to 3199.

Constable Kennedy, having been with the party left in charge of Head-Constable Davis, gave us the fullest particulars of the firing on the crowd, which we were able to obtain. From his evidence it would seem that, besides the party which Mr. Stafford and Mr. Thompson tried to remove from the wall, another section of those of the same political feeling occupied Bishop-street. When the Bog-side people expressed their unwillingness to risk going out by Butcher's Gate, the constable urged them to go by Ship-quay-street, which would be a considerable round, but they objected, probably from an unwillingness to allow a triumph to their opponents. Shortly after, however, the crowd in Bishop-street rushed down in the direction where they were, firing several shots from revolvers in quick succession. Thereupon the Bog-side mob ran away breaking through the constabulary, in the direction of Ship-quay-street, through which they had previously been urged to get away, but refused. It was at this time that the firing from the constabulary took place, and that the three unfortunate men were fatally wounded.

See also Mr. Maxwell, 3920 to 3934.

Evidence 5234 to 5244.

Mr. John Guy Ferguson (who had become separated in Society-street from Mr. Thompson and Mr. Stafford), stated that he was following the crowd down Bishop-street towards the Diamond, when at the corner there was a temporary halt, and he saw some people near Hagerty's corner. Those in front called, "Put them out of it;" and "there was a little rush of the party towards the corner." He managed to get in front of the crowd to prevent collision between the parties, but found no one in the Diamond. In this position, at least thirty feet in front of the crowd, which in his opinion never went into the Diamond proper, he was when the firing commenced. He saw no shots fired by the people.

It would certainly be difficult to reconcile the accounts given of this part of the proceedings by Constable Kennedy and Mr. Ferguson. We regret to say that we cannot give your Excellency a more satisfactory narrative of what occurred than is to be gathered from statements so little consistent with each other. But we were precluded from inquiring fully into this very serious part of the transactions of the 28th of April, by the fact that a criminal charge was impending over the constabulary for their conduct on the occasion. It would have been impossible for us to pursue our investigation, in these circumstances, without running the risk of prejudicing the case of those members of the force who are to stand their trial. Consequently we had to rest content with the very imperfect account just submitted to your Excellency.

The Mayor, Dr. Babington (now no more), no doubt exhibited insufficient energy and vigilance on this unfortunate occasion. That he should have had great reluctance in calling out the military with any menacing object, on an occasion like that of the Prince's visit, is quite intelligible and pardonable. Naturally he would be unwilling to have the reputation of the city over which he presided as chief magistrate damaged by such a proceeding during the stay there of the Sovereign's son, if it could possibly be avoided; and the general good conduct of the population would of course make him the more

unwilling to admit its necessity. Called as he was from the presence of his Royal Highness, to sanction such a step, much allowance should be made for his hesitation to do so, a hesitation, doubtless, increased by the fact stated to us in evidence, that Mr. O'Neill had been much censured by a portion of the press, and of the inhabitants of Londonderry, for the promptitude with which he had the troops brought out on the previous 20th of July. While, in addition, we had it in evidence that, at the time he was applied to, some respectable citizens of Londonderry, actuated also by a desire not to cause unpleasantness to the Prince, expressed their opinion that the troops should not be sent for. All that can now be said is, that it is much to be deplored that they were not.

Mr. Bond, 922; Mr. Stafford, 1789, 1790.

Ibid., 1791; 1829 to 1833.

The great mistake of the day, however, does not seem to us to have been made at this time. It was committed at an earlier hour, in not taking the most ample precautions against the occurrence of disorder. It was well known that a great deal of smouldering irritation existed in Londonderry, from the time of the election petition trial, only a few weeks concluded. The visit of the Prince was an event attended with peculiar risk, because, while both parties were likely to offer a welcome to him, each was likely, also, to attempt to turn the welcome, so given, into somewhat of a party demonstration, from its own point of view. If the Apprentice Boys were to fire a royal salute in his honour, and to parade their Britannia band, it was improbable that the Bog-side people, with the Hibernia band, would not attempt something of a counter-move. Imminent risk of mutual annoyance and offence was thus probable; and great vigilance and preparation against dangerous consequences were required. The fact that the Chief Magistrate would, himself, be a good deal in attendance on the Prince should not have been lost sight of; and arrangements should have been made specially to provide for such a contingency.

Nothing of this sort seems to have been done. The history we have submitted to your Excellency of the day's proceedings, in our opinion, unquestionably exhibits a want of due precaution. And, sad as the results were, we can only express our surprise that they were not worse. The constabulary fired a volley in a crowded street; conflicting mobs not only assailed each other violently with stones, but revolvers, it was stated, were freely used by each body against the other—a member of the constabulary who was present at the fatal riots of 1864, in Belfast, saying that the firing was "not so directed at particular parties there." Surely it is matter for rejoicing that a riot of such a character caused the loss of only three human lives.

Constable Kennedy, 3238, 3241, 3260.

We are happy to say that this closes the list of riots and disturbances; and we have no further information to give your Excellency, as to the proceedings taken towards their "prevention or suppression."

There remains the last and most important branch of our Inquiry—one which has demanded our most anxious consideration, and which we approach now under a deep sense of responsibility—namely, "whether any and what steps ought to be taken, and whether any and what changes ought to be made, in the local magisterial and police jurisdiction, arrangement, and establishment, with a view to the better preservation of the public peace, and the prompt suppression of riot and disorder."

An examination of the evidence presented to us, at every stage of our investigation, would satisfy your Excellency that a very large subject indeed is opened up, under this final clause of your Excellency's warrant, and one of our chief difficulties, in dealing with it, is satisfactorily to do so without seeming to travel outside the proper boundaries of our Report. We shall, however, try to avoid anything not legitimately within its scope, in the observations and recommendations that we deem it our duty to lay before your Excellency.

From whatever class in life; of whatever opinions, political or religious; official or non-official; native or stranger; all the witnesses who came before us agreed in one point,—namely, that the people of Londonderry—apart from special exciting causes—are an orderly, quiet, well-conducted, neighbourly population, and kindly and considerate towards each other. The municipal government of such a population, numbering under 30,000 souls, would seem an easy problem; and that of Londonderry, we were assured, on all hands, would prove so, but for the causes so referred to. Unhappily these causes are not easily modified in their mischievous force, consisting, as they do, in the presence, side by side, of two sections of a community, inheriting traditions of animosity, which engaged their remoter ancestors in civil conflict, and placed those of a more recent time in the standing relation to each other of a dominant and a subject caste; while to heighten the difficulty of the case, the city of their common habitation is one, whose heroic defence, at the time of that civil conflict, is the proudest recollection of the one section, while its celebration, for the other, is identified with the memory of not only the reverses and the ruin which befel their side in the struggle, but with that of long after-days of bitter humiliation.

Mr. O'Neill, 1409; W. Magerr, 2511–12; Mr. Inspector Plummer, 2375; Ald. M'Carter, 4845. 4846; E. Lynch, 2278–2285. Mr. Young, 3029. Dr. White, 3554. W. Gallagher, 4972.

As a noble exploit of humanity, as a fine example of fidelity to principle, of unyielding valour, of enduring resolution, no one should wish to see the historic defence of Derry pass into oblivion, or should refuse to do honour to its memory. It is in its double aspect, that its celebration becomes a cause of anger and offence. Of the celebrants, all, at least, are not actuated merely by the just pride in a great achievement, with which every man should sympathize. Of those resenting it, all regard it, and resent it because they regard it, as a triumph over themselves, and an outrage to their feelings, under the guise of reverence for deeds of bygone heroism. That the Roman Catholic population of Londonderry now look on it in this objectionable light, almost universally, the evidence given before us, on this point, leaves it impossible to doubt; indeed, the present state of feeling amongst them appears to have led to designs, on the part of the lower orders of that persuasion, of which we shall have, further on, to speak in terms of very strong reprobation; however we may understand the sentiment in which they have originated.

Mr. O'Neill, 1379; Mr. M'Cafferty, 1538-1544; 1553-1594; Dr. White, 3561, 2; Mr. Gallagher, 4964; Dr. Browne, 5430.

A highly intelligent and educated witness, himself not of the Roman Catholic persuasion, and sympathising with the principles of the great Revolution, in sustainment of which the defenders of Derry so resolutely held its walls, pointedly and peculiarly objected to the celebrations of the 12th of August and 18th of December, as commemorative of events occurring in a civil war. Were such a course taken in England, he said, "it would not have been civilized from the days of William the Conqueror. The country would have been broken into factions, and never would have become an united nationality as it is now. No community ever could in any part of the world. Neither Greeks nor Romans ever tolerated the celebration of a civil war victory, nor any other Government that I know of." This special objection, of course, exists to the Derry commemorations, and the statesman, whose duty it is to fuse together the conflicting elements of a disrupted society, cannot attach too great importance to it. But, it may well be doubted whether the philosophic distinction between these and all other partisan displays is not too refined for the sphere of practical politics. It would be hard to persuade the Derry Apprentice Boy, whom the law prohibited from celebrating with flags and guns, or music, the shutting or opening of the gates, that he was fairly dealt with, if he witnessed a grand ceremonial, on the part of a different section of his fellow-countrymen, with similar accompaniments, in commemoration of an event, or for the purpose of a display, perhaps not less objectionable to him. Laws, but especially laws which, in their practical enforcement, apply to the less instructed, and less reflecting part of the population, must be framed with regard to something more obvious than abstract principles. What is of paramount importance is that they should level all seeming distinctions, and should, in the plain popular estimate, place all men on a common equality.

Dr. M'Knight, 5327, 5375.

Keeping this principle in view, we confidently hope that the removal of the primary cause of that ill-will that occasionally develops itself in Londonderry, and brings the members of an orderly and neighbourly population into angry and violent collision, would not be found very difficult, if made the subject of legislative intervention. The Apprentice Boys are strongly attached to the celebrations connected with the memorable siege, and would feel deeply aggrieved at any legislation having for its object their exclusive suppression; while some few, rather than abandon their own anniversaries, profess a willingness to see all kinds of public celebrations permitted by law. But, amongst the members of the party who approve of the present commemorations, we believe the majority, including those of leading position in the Conservative ranks, would be satisfied that the law should forbid *all* out-door processions and displays, with banners, music, and the like. On the other hand, the Catholics, and generally those opposed to the celebrations, we are satisfied, from the evidence on our Inquiry, are perfectly ready to see such a general prohibition enforced, and would give it their entire and cordial approval. No merely local legislation, to this effect, we are, however, bound to say, would prove of any value. Protestants of all ranks, would bitterly resent it; nor do we think that the Catholic population would be much better satisfied with a prohibition extending no further than their own locality. The only result then of such legislation would be to increase rather than diminish existing evils. In asking your Excellency's attention to these facts, we trust we do not, in any way, transgress the strict limits of our duty. We ourselves feel that we should very inadequately fulfil that duty if we did not submit them for your consideration.

Mr. Louch, 5780.

Mr. Gregg, 4449, 4532; Ald. M'Carter, 4833; Mr. Hamilton, 5562; Dr. Miller, 5606.

Mr. Gregg, 4530-32; Dr. Miller, 5606; Mr. Louch, 5794.

Before we pass from this part of our Report, we feel it necessary to say something on a topic in connexion with which statements of extreme gravity, and, it seems to us, profoundly deserving the attention of your Excellency, were offered to us by trustworthy witnesses. We allude to the state of feeling now prevalent amongst the Catholics of Londonderry and its neighbourhood, on the subject of the celebrations which we have been treating of.

Without entering on a historical disquisition, we may easily assume that, down to a

comparatively recent date, very little angry feeling was manifested against the celebrations in question. When the city was very limited in extent and population, when its inhabitants were almost exclusively Protestant, and when such Catholics as had gathered under its walls were poor and few in number, it is easy to imagine that anniversaries, celebrated by those who virtually were the citizens, passed off without opposition. But, as Londonderry increased in extent and prosperity, it, almost of necessity, underwent other changes. Trade and commerce attracted population, much of it from the largely Roman Catholic county of Donegal. Of the immigrants of this class, some had wealth, perhaps; others acquired it, in the pursuits of industry. Legislative enactments concurrently altered the relations of the Catholic and the Protestant; and, gradually, from being an almost exclusively Protestant community, with a few Catholics amongst the humblest class, a large majority of the population is of the latter creed, some of them affluent in means and of good social station; several in comfortable circumstances, and nearly all acquainted, more or less, with the history of events that cause them to look on the local anniversaries as offensive to themselves. Here then we find one reason for the existence of increased discontent with the celebrations.

Another reason we glanced at, in the commencement of our Report. The city of Londonderry, geographically cut off from the strictly Protestant districts of Ulster, has been for some time past brought into rapid communication with those portions of them in which the Orange organization is most general, by the railways to which we have already referred. As matter of private speculation, the railway companies, of late years, have taken to running excursion trains to Derry, on the two historic anniversaries; and this, by causing a large influx of strangers to take part in the proceedings, naturally leads to a more angry feeling amongst the great body of the Catholics of that city, than would exist had they been, as of old, exclusively conducted by their fellow-townsmen. The character of the demonstrations has certainly undergone a change, and, amongst the Catholic lower classes, at least, they are now regarded with the most hostile feelings.

Mr. Ferguson, 5002, 5584; Inspector Stafford, 1990, 91, 92. Mr. MacPherson, 2174–8; Ald. M'Carter, 4821.

As an instance of the danger to the peace of Londonderry, resulting from this influx of strangers, we may here notice a meeting of Protestants held on the 9th of June 1869, to protest against the Irish Church Bill, then under the consideration of the Legislature. This meeting was very largely attended, and a considerable number of those attending it marched in regular procession, through the town, displaying crimson banners, and having it was stated, one Orange flag, which, however, was not unfurled during the march. After leaving the city for the place of rendezvous, adjacent, the procession seems to have increased in number, one witness representing it as consisting of over 2,000 persons, and stating that, at the time, he had seen estimates in the papers, of those who took part in the demonstration ranging from 15,000 to 4,000. A band accompanied the procession; but does not seem to have played any party-tunes. Here, indeed, we may interpose the remark that it is difficult to say what is not a party-tune in Derry; for the most innocent airs, if played by a particular band, assume, at once, for another section of the people, a party character. The fact, of importance, however, for which only we have brought this procession under your Excellency's notice, is that the great number of persons assembled illustrates the dangerous facility afforded by the railway excursion-trains, for concentrating in Londonderry bodies of partisans from considerable distances; a very material circumstance when providing for the number of its police establishment, and also with respect to the payment of the necessary force to be maintained there for the future.

Mr. Hogg, 1274 to 1298; W. Magerr, 2531 to 2540; Mr. Doherty, 2086–2090.

Inspector Plummer, 2364; W. Magerr, 2559–60.

We may, while on this subject, likewise observe that on the 12th of August last—the week before the opening of our Inquiry—the usual celebration of the opening of the gates (as to which we shall have to say more in a subsequent place) caused an unusually large influx of strangers into Derry. Mr. Ferguson said, in giving evidence respecting it, that "there was no street in Derry, hardly, that could have held our procession; we could not turn; it assumed far more gigantic proportions than hitherto." The excursion-trains, doubtless, were a principal cause of this great increase of celebrants on the occasion. We do not think it necessary to refer at more length to these two events, as fortunately neither led to any actual violence, and they only require notice for the purpose to which we have asked your Excellency's attention to them.

Evidence, 5144.

See also Mr. M'Carter's evid. 4919.

As evidence of the hostile feelings to which we have referred, several witnesses, who were admitted on all hands to have peculiar means of knowing the sentiments of the classes alluded to, stated, in the most unequivocal language, that if no steps were taken by the constituted authorities to put an end to the demonstrations of the 18th of December and 12th of August, bloodshed must be the result, for that the Catholics had extensively armed themselves, and were determined to stop the processionists by force.

Infra.

We feel indeed imperatively called on to enter at some length, for your Excellency's information, into the facts brought before us respecting the determination of this party

thus to prevent the Apprentice Boys' celebrations, and of the measures taken for that purpose. Naturally no circumstance which we had to consider seemed to us so grave in its character as this resolve on the part of a large body of people to take the law into their own hands, and to attempt to put down, by violence of the worst description, any proceedings distasteful to them—least of all, proceedings which may be conducted according to the existing law—instead of endeavouring to procure their suppression, if they should be suppressed, by the action of the Legislature and of the executive authority of the State.

Mr. Hempton, 543; but see Magerr, 2624.

The first witness who referred to any particular date in connexion with the introduction of arms into Londonderry for a party purpose, was Mr. John Hempton, who fixed the month of November, 1868, as the period at which it was alleged that revolvers were bought by the friends of Mr. Dowse, as it was put, to enable them "to defend themselves if necessary." We need hardly say to your Excellency that a tittle of evidence was not given to connect the honorable and learned Sergeant, proximately or remotely, with the purchase or distribution of these or any other arms. Neither, indeed, did we obtain from this witness any clue to the quantity of the weapons said to have been introduced into the city, or their character, beyond a statement that they were revolvers of some sort. He, however, expressed his belief "that everyone who was able to buy a revolver of the working classes got one," though adding that he "had no knowledge of it." He had "often heard it reported that both parties were extensively armed," but he had never seen arms with the Catholics till the night of the procession—namely, that of the 9th of February.

Mr. Hempton, 553.

Ibid. 558.

Mr. Magerr, 2642 to 2670; see also A. M'Cafferty, 1574 to 1579.

One witness, however, the foreman printer of a local newspaper, entered into details on this subject of a truly startling character. According to his evidence, the arming of the Catholics commenced soon after the night of the 20th of July (that of the Corporation Hall riot). The arms were partly purchased by individuals, and partly by subscription, with a view to distribution, the total number being probably from 1,700 to 1,800 revolvers, of which he thought 1,000 might be distributed in the city, and of these about 500 were purchased from a fund raised by subscription. Ammunition to the amount of twenty-five rounds for each revolver, was, he believed, bought by subscription also, and given away to each of the parties to whom one of the 500 revolvers was given. Of the revolvers some were four-barrelled, some six-barrelled; there were twelve-barrelled revolvers also, but these were only bought by private parties for themselves. The position and character of this witness leave no doubt on our minds as to the general correctness of his statements.

A. M'Cafferty, 1553, 4; 1551 to 1591.

Several witnesses declared that it was the intention of those thus arming themselves to prevent forcibly the Apprentice Boys' celebration of the last 12th of August; and one witness, regarded as highly trustworthy, stated that 5,000 men, armed, were organized for the purpose, 2,000 of them from Buncrana and Innishowen, localities in the county of Donegal, at distances of from twelve to perhaps eighteen or twenty miles from Londonderry, and 1,000 from a place called Muff Glen, in the latter county, about six miles distant, in the direction of Coleraine, of which the population is peculiarly Catholic in religion. Residents of Londonderry constituted the remaining portion.

Constable Kennedy, 3083.

Inspector Stafford, 1986.

Mr. Stafford, 1967 to 1985; Constable Kennedy, 3069 to 3076; Sub-Constable M. Reilly, 3363 to 3389; Sub-Constable M'Donnell, 3656 to 3662; Constable P. Duffy, 4088 to 4142.

Of these localities one, Muff Glen, was the subject of some highly important evidence on our Inquiry, to which we would ask your Excellency's attention, as distinctly showing that the peace of Londonderry is menaced by other dangers than those from within. So far back as the 12th of July, 1867, this spot was the scene of an attack by the Catholics (who think it a point of honour not to allow the passage of any Orange procession through the Glen) on a small party of Orangemen, who attempted to cross a little bridge called Tamnaherin Bridge, which stands between the Protestant and Catholic districts, and of which the passage is jealously watched. The attacking party beat the processionists and broke and scattered their lodge ornaments. It was expected by the Glen folk that on the next anniversary the Orangemen would again try to violate their territory perhaps in larger force, and it was resolved to prevent any such incursion. The 12th of July, 1868, falling on a Sunday, the Orangemen seemed to have remained at home through respect for the day; but the next day, Monday, a large number of them assembled to march into the Muff Glen territory. They mustered seven or eight hundred, chiefly strangers, not Derry people, and were said to have had from seventy to ninety guns, in addition to small arms. Something like seven hundred of the Catholic party were awaiting them in ambush—four or five hundred at the least—within a sort of natural breast-work; and, like the others, with guns, pistols, revolvers, and other weapons, and it was alleged having field-pieces also. The constabulary, however, though they saw "some good-looking rifles" with them, and picked up some Eley's cartridges on the spot, did not observe these. Sub-Inspector Stafford, not apprehending anything very serious, had gone to the spot early in the day with only fifteen of the latter force;

but finding that the antagonistic parties were so strong in numbers and so well armed, he despatched a mounted man for military reinforcement to Derry. Aided by Mr. Fitzmaurice, R.M., he in the meanwhile contrived with his small force to prevent the Orangemen from proceeding, partly by persuasion, partly by breaking their ranks, and contesting the road with them, the Orangemen obstinately trying to go on. The arrival of about a company of infantry made matters safe, and no collision between the two parties occurred.

On the last 12th of July (1869), apprehensions were entertained that an attempt would again be made by the Orange party to pass through the Muff Glen, and Mr. O'Donnell, R.M., was sent there from Belfast on special duty, having with him a force of nine constabulary, and some fifty soldiers. He found about 800 of the Catholic party posted to prevent the passage, whom he knew to be armed, but with the force at his disposal, he thought it more prudent merely to watch the movements of the party, than to attempt their dispersion. None of the Orangemen however appeared, consequently no breach of the peace occurred.

Mr. O'Donnell, R.M. 5632 to 5641; 5757 to 5762.

With such distinct evidence as to the extent to which arms were found amongst the people of the Muff Glen, and of the readiness to use them, it is not difficult to believe that the statements as to an armed organization of 5,000 men to put down the Derry processions (of which the Muff Glen was to supply a contingent of 1,000), have only too good foundation. Most certainly a number of highly respectable and trustworthy witnesses have expressed their confidence that an organization of the kind, more or less extensive, and more or less supplied with arms, exists, and that but for their exertions, and those of the Roman Catholic clergy, coupled with a belief that the Government would soon interpose to stop the celebration of the anniversaries, force would have been resorted to on the last 12th of August to prevent the usual procession. These witnesses also concur in declaring that both they themselves and the clergy will be powerless to prevent the resort to violence on another occasion, and in fact, that they had pledged themselves not to interpose again for the purpose.

Mr. O'Neill, 1331, 2; 1393–1396. A. M'Cafferty, 1554–1560. E. Lynch, 2220, 2237; W. Magerr, 2526–2530: Dr. Browne, 5444 to 5457.

As regards this celebration of the 12th of August last, which it was found so difficult to prevent the Catholic party from violently interfering with, we should observe that, previously to its taking place, the mayor and other magistrates—local and resident—in Londonderry held a meeting, to consider what course it was their duty to take in connexion with it. To this meeting a programme of the intended arrangements was submitted, by Mr. Ferguson, the Governor of the Apprentice Boys, who, however, said he could not be responsible for acts of individuals. The programme appearing to the meeting to be such as would render the proceedings strictly legal, was allowed to be carried out; and the mayor and resident magistrates were authorized to make such a distribution of the constabulary and police, as would, in their opinion, enable the celebration to be proceeded with without improper interference from others. A cannon was fired on the city wall, and some party tunes were played by a band that accompanied the celebrants, towards the latter part of the day; but Mr. Ferguson emphatically declared that these acts were done against his remonstrance, and that no breach of faith was committed by the Apprentice Boys, with his knowledge or sanction. He stated that persons entirely unconnected with the Society were the culpable parties. This, however, only shows the more clearly the risk attendant on celebrations, for the conduct of which managers with the best intentions cannot be responsible.

Dr. Miller, 5594; Mr. M'Carter, 4889 to 4915. Mr. O'Donnell, R.M., 5644 to 5650.

Evidence, 5146 to 5159; and see statement of Mr. O'Donnell, R.M., p. 193, 4th par.

We could not, of course, think of suggesting to your Excellency that menace, from any quarter, should be listened to as a reason for changes in the law, which should only be made from a clear conviction of their justice and expediency. In dwelling at such length on the evidence presented to us, in proof of the exasperation felt by the humbler order of the Catholics in Londonderry, we have had no such object; it was, we thought, absolutely necessary that your Excellency should know the full extent of that exasperation, and the dangers which it threatens, with a view to due preparation for maintaining public order in the locality, under the existing law. But, however little should be conceded to mere threats of violence, the fact that they are resorted to by the ignorant and unthinking part of the population of Londonderry, cannot, of course, detract from the value of testimony respecting the desirableness of putting down *all* out-door celebrations and displays, offered by the respectable and intelligent citizens of all ranks, creeds, and parties.

The considerations which we have just brought under the notice of your Excellency, we trust not at too much length, have necessarily had precedence of the last question submitted to us, namely "whether any and what changes ought to be made in the local magisterial and police jurisdiction, arrangement, and establishment, with a view to the better preservation of the public peace, and the prompt suppression of riot and disorder."

The present magisterial arrangements of Londonderry were the subject of comment

and animadversion on the part of a number of witnesses, and, as regards these, we now proceed to submit some observations to your Excellency.

Mr. O'Neill, 1426, 27; Mr. Lynch, 2246, 7; Mr. Magerr, 2567–69. Dr. White, 3538 to 3550.

Amongst the reasons assigned for desiring changes in respect to these arrangements one, which we regretted to find put forward, was the existence of distrust in the impartial administration of justice, by the members of the local bench, in, at least, that class of cases in which political or politico-religious feelings might be supposed to exercise an influence. Distrust of this sort, unfortunately, is easily excited, in mixed communities, in which party spirit runs high, the grounds of it often being very unsubstantial, and we have no doubt such a feeling exists amongst, at least, the lower orders of Catholics in Londonderry, and some, too, of higher position. We felt it due to the magistrates themselves, and of great importance to the public, that full inquiry should be made into the supposed proof of alleged partiality. It seems to us unnecessary here to enter into detail on what occupies a very considerable part of our Appendix, on this subject. The result was to satisfy us that, in point of fact, there was no real foundation for the charges made, though, of course, anything that could reasonably be done to remove the suspicion of partiality, however unfounded, is desirable. If it were possible to add some Roman Catholic gentlemen to the Bench of local magistrates, now very exclusively Protestant in its constitution, we are sure doing so would produce good effect.

Sir E. Reid, 4234; Mr. Tillie, 3989; also examination of Mr. Warnock, 4625 to close.

Mr. MacPherson, 2197–99.

It was suggested to us, by all those who complained of magisterial partiality, or alleged that others did, that a resident magistrate—some preferred two such functionaries—should be permanently stationed in Londonderry, who, either alone, or in conjunction with those now on the Bench, should administer justice in the class of cases in which partisanship is said to be exhibited. The presence on the Bench, and joint adjudication, with the unpaid magistrates, of a resident magistrate, was objected to by no one, but generally regarded as desirable. Some witnesses were for the abolition of unpaid justices, and the appointment of a local stipendiary, with powers similar to those of the metropolitan divisional magistrates.

Mr. J. Casey, 3840; Mr. Bradley, 5417.

We can find no reason for such exceptional arrangements for Londonderry as to feel justified in recommending to your Excellency this last-mentioned mode of providing for the administration of justice there. As a permanent arrangement, we think it quite necessary that there should be a resident magistrate, and we are of opinion that one would be found sufficient; the city being small, and the general disposition of the people being quiet and orderly. In cases having anything of a party complexion, we feel that it would tend much to increased confidence in the administration of justice, amongst a large portion of the inhabitants, if the adjudication of these cases was left to the resident magistrate for the time being. But we would trust to the good sense and good feeling of the gentlemen holding Her Majesty's Commission of the Peace in the city on this point, and we believe that in a short time cases of the kind to which we refer would be of rare occurrence in Londonderry.

From what we have previously said, we need hardly observe that the police arrangements of the borough need complete alteration. The existing body is, on all sides, condemned, as wholly inadequate to the local necessities. The opinion, in Londonderry, seems unanimous that the proper substitute for it would be a sufficient number of the Royal Irish Constabulary, specially empowered, as in Belfast, to discharge the regular duties of a watch and ward. The only question as to which any difference of opinion existed, amongst witnesses, was what number of officers and men might be required to fulfil the necessary duties. A natural indisposition to having increased expense incurred, for police purposes, by the rate-payers, was exhibited. But, with this, there seemed a general desire to secure adequate protection for life and property, at whatever cost.

M. Doherty, 2134; Dr. White, 3611; Mr. W. Young, 3022; Mr. MacPherson, 2186–90; Mr. Young, 3023; Mr. J. M'Bride, 3647. Mr. Gregg, 4702 *et seq.*

The existing local force, we should observe, is maintained at an outlay of £1,500 a year, and evidence was given to show that this is the maximum amount which can be allocated from the rates now legally chargeable on the city. The present force, moreover, will have to be pensioned off by the Corporation, if discharged.

We do not think we should be justified in recommending to your Excellency the stationing in the city of Londonderry of a police force, exceeding the ordinary requirements of any city of similar extent and population, to be charged on the citizens, through an apprehension that its normal state demands peculiar vigilance, or more than common repressive agencies, on the part of those responsible for maintaining order and tranquillity. It will be our duty to suggest that, in certain contingencies, such vigilance will be demanded, and such agencies must be set at the disposal of the authorities. But the body of police to be permanently stationed in Londonderry need not, we think, exceed one hundred men of the Royal Irish Constabulary, with the proper proportion of officers. Of this number sixty should, in our opinion, be chargeable to the city, in the same manner, and to the same extent, as the additional force for the borough of Belfast (in excess of one hundred and thirty men) is made chargeable there, the city being taxed

28 & 29 Vict., c. 70, s. 5.

for the payment of whatever extra remuneration should be fixed for their discharge of duties in the municipality, other than those ordinarily performed by the constabulary.

The additional forty men, whom we think it desirable at present to station in Londonderry, we do not consider that it would be fair to charge at all on the local rates. Their presence, for the preservation of order, we look on as called for less by danger to the peace from within the city, than from the peculiar circumstance of its topographical situation, in proximity to two classes of the surrounding population, very apt to come into collision with each other, and either capable of exciting disturbance in Londonderry itself, at very short notice. Whether such a distribution of the constabulary, now placed in the counties of Londonderry and Donegal, may be made, as would enable the city to have the protection of these forty men, in addition to its own proportion of sixty men, we are not in a position to say. But for the reasons we have given, we do not think the citizens of Londonderry should be charged anything for their maintenance.

With the force thus recommended to your Excellency we feel confident that, on all ordinary occasions, the peace of Londonderry could be rendered perfectly secure. But we feel it incumbent on us to say that, in case of the continuance of the anniversary celebrations of the Apprentice Boys, we could not, with the evidence to which we have already requested, in so earnest a way, your Excellency's attention, suggest that it would prove nearly enough to maintain order, or to prevent bloodshed. One of these anniversaries—that of the 18th of December—is now near at hand, and considering that some 5,000 men, formidably armed, are, as we believe, fully resolved to stop its celebration, however meant to be carried out, we need hardly say that the force we have suggested could not possibly suffice for such an occasion. As to the action of the Executive Government, in reference to such a contingency, however, we feel that we have no right to go further than record the facts laid before us, on our Inquiry, which we consider important in connexion with it, and to express emphatically our sense of the danger which they indicate.

The duty imposed on us by your Excellency we have now, to the best of our ability, fulfilled, and we respectfully submit for your consideration the Report we have agreed on. The important topics which it has devolved on us to consider appeared to us to demand, and we have bestowed on them, our most anxious attention, our desire being to suggest to your Excellency every fact and every opinion, disclosed to us in the course of our Inquiry, a knowledge of which we thought likely to guide your Excellency, not only in preserving public order, but in promoting social peace and harmony, amongst a population whose disorders are not so much of their own creating as they are the unhappy legacy of a by-gone time.

We have the honour to remain,

Your Excellency's most obedient servants,

WILLIAM A. EXHAM.
JAMES MURPHY.

MICHAEL J. BARRY,
Secretary.

November 30th, 1869.

REFERENCES TO MAP.

1.—Butcher-street.
2.—Ferry-quay-street.
3.—Butcher's-gate.
4.—Meetinghouse-row.
5.—Society-street.
6.—London-street.
7.—Pump-street.
8.—Ferry-quay-street *continued*.
9.—Walker Monument.
10.—Imperial Hotel.
11.—The Strand.

Prepared at the Ordnance Survey Office Phenix Park under the direction of Captain Wilkinson R.E.

Colonel Sir Henry James R.E. F.R.S. Director of the Ordnance Surveys.

Scale Six Inches to One Statute Mile

10 Chains 5 0 10 20 30 40 50 60 70 80 Chains = 1 Mile
40 Perches 20 0 40 80 120 160 200 240 280 320 Perches

MINUTES OF EVIDENCE.

LONDONDERRY RIOTS INQUIRY COMMISSION, 1869.

MINUTES OF EVIDENCE.

FIRST DAY.

LONDONDERRY, TUESDAY, AUGUST 17, 1869.

The Commissioners sat at 11 o'clock.

Michael Joseph Barry, Esq., the Secretary, read the Warrant of His Excellency the Lord Lieutenant, as follows:—

"By the Lord Lieutenant-General and General Governor of Ireland.

"SPENCER.

"Whereas, certain riots and disturbances of a serious character have on recent occasions taken place in the city of Londonderry, and we deem it expedient that inquiry should be made in respect of the several matters hereinafter set forth, in order that such measures should be adopted as may be found necessary for securing the future tranquillity of the city: We do hereby authorize and direct you, William Allen Exham and James Murphy, esquires, two of Her Majesty's Counsel learned in the law, to hold a Court of Inquiry at Londonderry aforesaid, on Tuesday, the 17th day of August, 1869, and following days, and to inquire into the circumstances of the said riots and disturbances; the existing local arrangements for the preservation of the peace of the city of Londonderry; the magisterial jurisdiction exercised within it; and the amount, and constitution, and efficiency of the police force usually available there; the proceedings taken by the magistrates and other local authorities towards the prevention or suppression of the said riots and disturbances; and whether these authorities and the existing police force are adequate to the future maintenance of order and tranquillity within the city; and whether any and what steps ought to be taken, and whether any and what changes ought to be made in the local, magisterial, and police jurisdiction, arrangements, and establishment, with a view to the better preservation of the public peace, and the prevention, or prompt suppression of riot and disorder; and for so doing this shall be your Warrant.

"Given at Her Majesty's Castle of Dublin, this 11th day of August, 1869.

"By His Excellency's Command,

"(Signed),

"T. H. BURKE."

Mr. Commissioner EXHAM said:—My friend, Mr. Murphy, and I have been honoured by His Excellency the Lord Lieutenant with instructions to hold an inquiry into the several matters that have been stated in His Excellency's Warrant which has just been read by our Secretary. It is now matter of history that on a recent occasion, when this city was honoured with a visit by His Royal Highness Prince Arthur, riots and disturbances of a most serious and lamentable nature occurred, which resulted in the loss of, I believe, three lives, while other people were more or less injured; and it is alleged that this loss of life, which took place, and those injuries, were caused by shots fired by some of the police force, then on duty in this city. Now, it will be no part of our duty to inquire into matters which, it is alleged, may have led to the disturbances that took place, as I have described; but it will be our duty to inquire into, and investigate what did take place—their commencement, the extent to which they proceeded, and the arrangements that were made by the Magistrates and others in authority to prevent those riots. It will be our duty to investigate these matters, not so much with respect to what took place on the occasion itself, as to afford us the opportunity of making a report to His Excellency as to the measures that in our opinion will be calculated to prevent any such occurrences for the future. It will be also our duty according to the terms of the warrant, to inquire into the existing local arrangements for the preservation of the peace in this city—also to inquire into the magisterial jurisdiction that is exercised within it, and the amount, the constitution and the efficiency, of the police force which is usually available here. It will be part of our duty to investigate the constitution of that force, its numbers, the area within which the duty of that force is carried on; and whether in our opinion it will be desirable to report to His Excellency, according to the information and evidence given before us, that any, and if so, what alterations should be made in the nature of that force. It will be also our duty, as I said before, to inquire into the proceedings that were taken by the magistrates and other local authorities towards the prevention or suppression of the riots and disturbances that have taken place, and to consider also whether those authorities, and the existing police force as now constituted are adequate to the future maintenance of order and tranquillity within this city, and from the information that will be given to us, to advise and report whether any and what steps ought, in our opinion, to be taken, and whether any and what changes should be made in the local magisterial, and police jurisdiction, arrangements, and establishment, with a view to the better preservation of the public peace, and the prevention, or prompt suppression of riots and disturbances. Now, in this inquiry, we have no power to compel the attendance of any witness before us; we have no power to administer an oath to any person, but my friend and I invite every person to come forward and give us evidence with respect to any of the matters that are stated in that warrant. There are several persons whose attendance we can, I may say, command—I mean those over whom the Government authorities have jurisdiction—and we will be very happy if persons will furnish us with the names of those of the class in question whom they wish to have examined before us, and we will request our Secretary to take the necessary steps to have those persons produced for examination at this inquiry. We invite the local authorities and the magistrates to come forward and give all the information in their power, and we also hope that the local police functionaries will attend, and give the fullest information in their power with respect to the constitution of the force, and the other matters set out in the warrant. As to the course to be adopted (I am happy to see professional gentlemen present) I wish to state that we shall be glad to suit the convenience of

Mr. Commissioner Exham.

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FIRST DAY.
August 17.
Mr. Commissioner Exham.

the professional gentlemen on all sides, if they attend, as to the hour at which we will sit and rise each day, and as to the arrangement for the production and examination of the witnesses. If any person will give us the names of any individuals whom they wish to have brought forward, we shall ask our Secretary to write to them. I have already said if they are persons over whom the Government authorities have jurisdiction, we shall take steps immediately to have their attendance secured.

Mr. *William M'Laughlin* (barrister).—I may mention to the Commissioners that I have the honour to appear for several persons. I appear for Mr. Alexander Black, Town Councillor, and Mr. William Young, merchant, and a number of persons who correspond with them in religion and politics. I appear, too, for Mr. John Hempton, Town Councillor, and I also appear for several other persons—viz., Mr. Charles O'Neill, a member of the Town Council; Mr. Patrick Bradley, merchant; Mr. John Casey, merchant; Mr. James M'Bride, merchant, and the entire body of their local co-religionists of the Roman Catholic persuasion. I should like to ask the Commissioners whether I clearly apprehend the statement of the senior Commissioner, Mr. Exham, to which I gave a deserved and full attention, to be, that it is the intention of the Commissioners to go no farther back than the riots that disgraced our city on the occasion of the visit of Prince Arthur. As it appears to me, from a glance at the terms of the proclamation first published in this city on Saturday last, that the inquiry is to be conversant with certain riots and disturbances of a serious character which took place on "recent occasions," not on any one occasion, and inasmuch as, according to my instructions, the parties who took part in the riots on the occasion of Prince Arthur's visit were practically the same parties in the riots that took place some time previously—parties on the same side, and with the same political opinions—and that the latter riot was a continuation, as it were, and supplement of the former one—I apprehend it is clearly impossible, in investigating the secondary development of the original cause, to avoid investigating that original cause, and thus having all the facts thoroughly investigated.

Mr. Commissioner EXHAM.—When I mentioned the recent lamentable occurrences I did not mean to convey that it was our wish or intention, nor is it, to limit our inquiry to what occurred on that day, which, as far as we have reason to know, was the cause of the present inquiry being held. There may be matters anterior to that well worthy of consideration by us, and we don't mean for a single moment to shut you out, or to shut any person out, from giving evidence with respect to any other disturbance that took place either before or after that, which evidence it would be desirable to have in relation to the several matters stated in the warrant.

Mr. *M'Laughlin*.—Thank you.

Mr. *Alexander Crawford* (solicitor).—I have the honour to appear before the Commissioners on behalf of a person named Moncrieff, whose brother lost his life on the occasion of the last riot. I also appear on behalf of William Craig, whose son was shot. Both have instructed me to appear, and having communicated with the senior attorney who assisted at, and indeed managed the case when it was investigated here before the local authorities, and finding that it would be impossible for him to be here for some days, my attendance before you now is to ask that you will give us an adjournment to enable us to bring before you the necessary evidence. We have had only the notice of one day. This morning the papers for the first time told the hour at which the Court would sit, and it was only on Saturday we learned the day when the Commissioners would commence their duties. I am instructed to ask the Commissioners to adjourn the Court for such a length of time as will give the ordinary notice. I am quite satisfied, if the ordinary notice had been given as at the assizes, this Court would be crowded by citizens ready to come before you and give you all the information in their power. But owing to the limited time that has been given for the circulation of the notice, I see an absence of the respectable citizens of the town to a far greater extent than I could have anticipated, seeing the importance of the inquiry intrusted to your charge. It is the ordinary custom to give at least ten days' notice of the intention of the Crown to hold a court of assize. I would ask the Commissioners to adopt that as a precedent, and allow ten days to elapse from the time the notice was first published. We first learned the time for holding the Commission through the *Londonderry Journal* and the *Londonderry Standard* of Saturday, and even on that day I believe the notice was not posted. The public are not all newspaper readers, though many of them are, and as I said, the public proclamation, as I understand, was not posted as early as the day it appeared in the papers. Under these circumstances, and finding that the senior attorney who had the management of the case is detained at Portadown, and that his services are retained by Mr. Moncrieff for the purpose of having the whole of this matter investigated before the Commissioners, I would ask the Commissioners to adjourn the court for such reasonable time as they think will enable us to get the necessary witnesses to be produced before them. If the Commissioners think ten days too long a notice, I would be ready to proceed on this day week, or on Monday next with the investigation. I now apply on behalf of the two parties I have named, and on behalf of myself as a citizen, that proper notice shall be given so that we may have the opportunity of getting the necessary parties to give information to the Commissioners upon the matters they are to inquire into.

Mr. Commissioner EXHAM.—Mr. Crawford, it is not our intention to shut out any evidence, and, recollect, we have ample time for holding the inquiry, and, if we see any necessity for it, of adjourning. We have been talking over this matter ourselves, and are very much influenced by the course that was taken on a former occasion, when an inquiry somewhat similar to this was held at Belfast. An application was then made to the two gentlemen who acted as Commissioners—the present Solicitor-General and Sergeant Dowse—to adjourn. It was alleged that very short notice had been given—in fact the notice was of about two days more duration than here. The inquiry at Belfast was very much more extensive in its character—necessarily more extensive—than it can be here; and the two learned gentlemen I have named thought it was not necessary or desirable to adjourn, and I will tell you the reason why. There were certain matters on which really no conflict could take place—namely, the constitution of the police force, its numbers, the duties performed by it, the area over which those duties extended, and matters of that kind, which should necessarily occupy a good deal of time, and were common facts to both parties; and then, while these matters were being investigated, the parties were able to get ready any evidence which they desired to present on matters upon which there was likely to be conflicting evidence on one side and the other—matters, of course, included within the scope of the warrant of the Commissioners. Now, we think the same course can be adopted here. We do not see the slightest objection—on the contrary, we think it fair and reasonable—not to commence the evidence until Thursday morning. A good deal can be done this day and to-morrow. Then, you see, we have the local authorities and the magistrates here. We have the Town Clerk, who must know the constitution of the police force, and, I should hope, we shall have the benefit of his attendance, and his assistance in giving information with respect to the constitution of that force, as soon as possible. We have, of course, on the spot the chief constable or other principal officer of the local police. He can give, I presume, information upon matters we have to investigate. There are some sergeants, I believe, connected with the force (we really know nothing absolutely about it) whom we may be able to examine with respect to the

constitution and duties of the force, and then as to anything that took place on the occasion when Mr. M'Laughlin says there were disturbances prior to the 28th of April, or as to the occurrences of the 28th of April themselves—we need not go into these matters until, say, next Monday. Thus, without having to adjourn the Commission, we shall be able to devote Thursday, Friday, and Saturday to those matters, which are common to all parties, and also to others which, to a certain extent, will become matters of inquiry—namely, with respect to the taxation for the police—if an alteration in the force is thought necessary. For instance, it may have so occurred, that the Town Council here may have had in contemplation some of these matters, and then we should have to go into the questions depending on any alterations they contemplated in the police force—how an increased force should be paid, if there was to be an increased force. All these matters can be gone into, which, I presume, really comprise no debatable ground on any side. Then, afterwards, if you should not be ready by next Monday, that would be the proper time to ask us did we not think we should adjourn for a few days; but we think that, between this and Monday, Thursday Friday and Saturday may be very well consumed in matters which must be gone into either first or last.

Mr. *Crawford.*—I don't know how far Mr. M'Laughlin intends to go back. I would not be at all astonished to find an allegation made that the foundation of the riots was at a very remote period indeed, and I don't know that it would not be better to exhaust that branch before we go into the actual riots in which my client has an interest. If Mr. M'Laughlin proposes to go back fifteen or twenty years, or to a remoter period, I do not think I would ask for an adjournment at all.

Mr. Commissioner EXHAM.—Mr. M'Laughlin would not, I think, ask to go back so far under the term "recent."

Mr. *Crawford.*—Do I understand that the Commissioners will not go first into the last riots?

Mr. *M'Laughlin.*—Perhaps the Commissioners will kindly hear me on the matter before they act on the application of my friend, Mr. Crawford. Now, I may at once absolve my friend from any anxiety that may torture his mind as to the antiquarian nature of my researches before you. I will do nothing of the sort he apprehends. I mean to go no further back as regards actual riots than to certain riots that were really the origin, and first edition of the riots of which the "royal" riots, if I may so call them, were the second edition, and in respect of which I had the honour of appearing for three several days, Mr. Crawford being at the opposite side; and, as I presume, Mr. Crawford must have been born as a condition precedent to his appearing, and as he is not yet fifty years of age I do not see with that explanation that any practical difficulty arises such as he apprehends. But I am with Mr. Crawford—I say it with great seriousness—as regards the necessity of some moderate term of adjournment. No doubt the shortness of the notice has caused the professional men on either side to be more or less embarrassed, but the embarrassment, the nature of which Mr. Crawford has explained so fully, arises, it appears, from the absence of another advocate, a very able man, but not a whit more able than Mr. Crawford; and the peculiarity of Mr. Crawford's case with respect to the particular riots I am now alluding to—the riots of July last year—the peculiarity is this, that in relation to those riots Mr. Crawford himself appeared, and Mr. Rea—I mention his name with profound respect and some little courage—did not appear. Mr. Rea did appear eight or nine months afterwards on the occasion of the investigation into the death of poor Moncrieff. Therefore in relation to the first part of the inquiry, or that conversant with the Corporation Hall riots, as I may call them, the absence of Mr. Rea is not the calamity, my friend, for the purpose of obtaining the adjournment, would suggest. With respect to the suggestion of Mr. Commissioner Exham that the inquiry should in the first instance be into the constitution of the police force, their numbers, the taxation for them, the municipal and other arrangements connected therewith, I think with great respect it would lead to something very like a duplicating of part of the evidence, because the peculiar force of certain considerations with respect to the police will only develop themselves when the inquiry takes place into the riots, with respect to which the efficiency of the police will form part of the transaction. I would suggest to the Commissioners that an adjournment till Friday or Monday will serve all practical purposes—it will serve particularly the matter of Moncrieff's death—and if it is necessary to have Mr. Rea at that inquiry there will be plenty of opportunity for it, unfortunately, before the Commission concludes. That is all I have to say, and it is better to say it at once before you decide.

Mr. Commissioner EXHAM.—What we propose to do is not to sit till Thursday.

Mr. *M'Laughlin.*—I think that will do very well.

Mr. Commissioner EXHAM.—As we now adjourn till Thursday, you ought to give us a list of the persons you propose to examine as witnesses.

Mr. *M'Laughlin.*—Certainly; we have very many witnesses.

Mr. Commissioner EXHAM.—If there are any of the Government employés you wish to have summoned we would ask you to give in the names as soon as you can to Mr. Barry, in order that he may communicate to the persons that we have given the necessary direction for their attendance.

Mr. *M'Laughlin.*—We are not in a position at this moment to give a list of the witnesses.

Mr. Commissioner EXHAM.—We don't ask it now, but as soon as you can give it.

Mr. *M'Laughlin.*—A number of witnesses with respect to that particular department of the riots into which, it would appear, the beginning of the proceedings will go do not reside in town. It occurs in this way. On the occasion of the Corporation Hall riots, or rather after it, several of the men gave evidence at the lengthened magisterial inquiry subsequently held, at which Mr. Crawford appeared for one party, and I had the honour of appearing for another. The constabulary authorities, in the exercise of a very wise discretion, thought it necessary to draft into various parts of the country—some very remote—these men. As far as I can ascertain from the ordinary sources of intelligence, Mr. Stafford has also been transferred, in the meantime, to the county of Down.

Mr. Commissioner EXHAM.—So far as Mr. Stafford is concerned, I have no doubt we can have him here by Thursday morning.

Mr. *M'Laughlin.*—The same facility of communication that exists elsewhere does not exist with respect to the county of Londonderry. The peculiarity of that county is that the railways run round it, not through it. That is really the fact. It is possible Friday might suit better.

Mr. *Crawford.*—I should press upon the Commissioners—more, perhaps, than I did—the fact that Mr. Rea, when applied to, and knowing, as we only knew yesterday, by telegram from Derry, that the Commission would open here to-day, instantly asked for an adjournment of a case in which he is engaged professionally at Portadown, and in consequence of that, and the want of notice, Mr. Rea instructed me—and as he is my senior I am bound to take these instructions and urge them on the Commissioners—that any adjournment for less than to Monday would make it impossible for him to be present at the Commission.

Mr. *M'Laughlin.*—The Commissioners will allow me to say by way of rejoinder to that, that there is, I think, an implied want of respect involved in my friend's application, because although Mr. Rea, his senior, applied to the Coroner at Portadown for a postponement that he might come here, the Coroner in the exercise of the respect due to his court, refused to adjourn; and now the Commissioners are asked to do that which certainly an officer not above Royal Commissioners would not do. It seems to me

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that this is very like, though it is not so intended, a disrespect.

Mr. Commissioner EXHAM.—The Coroner's inquiry was actually going on; therefore it seemed hard to ask for an adjournment.

Mr. *M'Laughlin.*—I believe all the evidence has been given.

Mr. *Crawford.*—There is, as I said before, ten days' notice given of the holding of an assizes. There was no doubt for many months that this Commission would be nominated. I heard the names of the two gentlemen I have the pleasure of addressing mentioned more than a month ago, and that we were to have a Commission at one time or another was known since the 28th of April or shortly afterwards. There was a perfect knowledge of the intention of the Government, and there could have been no difficulty in giving the ten days' notice required. But it looks as if the Government had some intention to take the people of Derry by surprise. I don't want to make any other observation.

Mr. *M'Laughlin.*—I think it would have been better to have left that for Mr. Rea.

Mr. Commissioner EXHAM.—Do I understand you to say, Mr. M'Laughlin, with respect to the men that were here, and that you state were aware of what has taken place, that you require their attendance?

Mr. *M'Laughlin.*—Oh, certainly—in order to show the character of the occurrences, not for the purpose of identifying parties.

Mr. Commissioner EXHAM.—We clearly understand what you want them for; but we wish to know do you mean that you could not go on on Thursday unless you had the attendance of all these men?

Mr. *M'Laughlin.*—I could not go on at all with the same facility that I would go on supposing I had them. I am, of course, entitled to get any evidence that the authorities can give; but my evidence *quoad* those riots, will not be confined to the constabulary; we will go into a body of other evidence.

Mr. Commissioner MURPHY.—What would you and Mr. Crawford suggest with respect to the hour of the Court sitting? Would half past ten for sitting be a suitable hour?

Mr. *M'Laughlin.*—(After a conference with Mr. Crawford)—We wish to thank you for thinking of our convenience; it would be our business to suit the convenience of the Court.

Mr. Commissioner MURPHY.—We are entirely the servants of the public, and you appearing on both sides for the public, of course it is your convenience should be attended to.

Mr. *M'Laughlin.*—We think that as a great number of magistrates and leading citizens are at the water-side, and as, perhaps, the trains and steamers do not arrive in time for half past ten, it might be best to say from eleven to four each day.

Mr. Commissioner MURPHY.—Eleven will be a very good hour.

Mr. *M'Laughlin.*—I will endeavour this evening to have handed in to Mr. Barry a list of the constabulary we wish to have as witnesses; but these will not by any means exhaust the list.

Mr. Commissioner EXHAM.—What we want particularly is a list of those you want us to procure the attendance of.

Mr. Commissioner MURPHY.—We don't ask it for our information in the matter at all. You can produce as many witnesses as you like in addition, as can also Mr. Crawford; but where you require the aid of the Commissioners in procuring the attendance of parties we wish you to give us notice of that — that is all.

Mr. *M'Laughlin.*—That I will do.

Mr. *Crawford.*—Do I understand the Commissioners to say that they will not go at all into the portion of the case referring to the actual riots before Monday—I mean the actual riots of last April?

Mr. Commissioner MURPHY.—In all probability not. Indeed I may say we will not. If Mr. M'Laughlin goes into the matters he referred to, with the other subjects of investigation, we are sure they will occupy till Monday.

Mr. *M'Laughlin.*—I don't intend to make any speeches.

Mr. Commissioner EXHAM.—We don't propose to have any speeches.

Mr. *M'Laughlin.*—I may also mention that, in attending here to elucidate the facts, not only will there be no speeches, but in the examination of the circumstances attending the Corporation Hall riots, as we may call them, there will be no necessity for identifying individuals at all. It is the general characteristics of the riots, and the efficiency or inefficiency of the police with respect thereto.

Mr. Commissioner EXHAM.—Precisely. It is not into the acts of particular individuals, but into the riots that this investigation is to go.

Mr. *M'Laughlin.*—I presume, so far as it is practicable, the matters to be investigated will be taken in the order in which they appear in the proclamation.

Mr. Commissioner EXHAM.—Certainly, as nearly as can be. It is understood then that we now adjourn till eleven o'clock on Thursday morning, and that we shall then go on with any evidence Mr. M'Laughlin adduces with respect to the riots or disturbances—of course not of the latest date—but recently before the 28th of April of this year.

Mr. *M'Laughlin.*—Precisely so.

Mr. *Crawford.*—I was under the impression the adjournment was to be till Friday.

Mr. *M'Laughlin.*—The Commissioners named Thursday.

Adjourned.

SECOND DAY. *August* 19.

SECOND DAY.

THURSDAY, AUGUST 19, 1869.

The Commissioners sat at eleven o'clock.

Mr. Commissioner EXHAM said—Mr. M'Laughlin, we got your list, and our Secretary sent notice to every person named in it last night. We have also made to the authorities in Dublin the necessary application to have two persons, one, Mr. Stafford, the other, the Constable O'Donnell, ordered to attend. I don't know when the letters went, or whether the parties may have got them in time to be here this morning, but I am certain they will be here at half-past three.

Mr. *M'Laughlin.*—I have no doubt about it, and in the mean time we can go on, and if the Commissioners please I will now examine witnesses with respect to the Corporation Hall riots on the night of the 20th of July, 1868, which appear to be the beginning of the series of riots that culminated in the unhappy disaster of the 28th of April.

Mr. Commissioner EXHAM.—Very well.

Mr. John *Rea.* — What I would respectfully ask would be this—that Mr. M'Laughlin should open his case so that we may have the advantage of knowing what he proposes to prove—what object he wishes to arrive at, and what we are to meet. There is sometimes a violent objection made to what is called "speechifying," but I never could see any foundation for it. Where there is an important issue before a court, I think nothing can be more important for the information of the opposing advocate than the statement of a counsel of Mr. M'Laughlin's competency and

position. As soon as we had his statement, we would ascertain what we should do for the purpose of making our statement, and producing negativing or rebutting evidence. But if he does not make a statement, but merely produces witness after witness without stating the object, we shall be to a very great extent taken by surprise. We shall see by his making the statement what it is he would ask the Commissioners to report, and it would then be our duty to decide how much of that report we would be inclined to agree to, and how much we were inclined to contest. It might, for instance, turn out that upon certain points there was an agreement between the Corporation and the Government, and that in place of opposing we were here to facilitate; but we complain and complain bitterly if Mr. M'Laughlin does not open his case fully.

Mr. Commissioner EXHAM.—You will recollect, Mr. Rea, that on another occasion when a somewhat similar inquiry to this was held, and legal gentlemen appeared on each side, the Commissioners did not think it desirable to have speeches, and certainly my friend and I do not think it desirable that we should. We have heard from Mr. M'Laughlin already that what he intends to prove is, that not at a very remote period, but at some recent period—going back, as he now says, to the 20th of July last year—riots of a serious nature took place in the city of Londonderry, and, of course, following that up, either that the magistrates did not take proper steps to put down those riots, or that the force at their command was not adequate and sufficient for putting them down. That is what I understand he proposes to prove.

Mr. *M'Laughlin.*—It may facilitate proceedings if Mr. Rea will kindly say for whom he appears.

Mr. Commissioner EXHAM.—That is reasonable.

Mr. *Rea.*—I appear for Thomas Henry Moncrieff and William Craig, two parties next of kin of deceased persons. I also appear for James Barker, a person sent for trial for murder at the next Derry assizes. These are the parties for whom I appear at present, and, of course, I cannot appear for any interest conflicting with theirs, but I may in the course of this day or to-morrow receive instructions to appear for other parties who may have collateral interests; and for the purpose of ascertaining whether I should induce these parties to appear and facilitate the proceedings of the Court, or submit to its jurisdiction, I want Mr. M'Laughlin to make a statement, and I would ask the Commissioners not to prohibit addresses, but to permit them at the discretion of the parties who attend here, either for substantial individuals or for *bonâ fide* interests.

Mr. *M'Laughlin.*—Mr. Rea has put forward his statement with characteristic strength, but I think he cares not so much for hearing a speech of mine made, as that the fact that it was permitted may furnish him with a precedent for spending the remainder of the month in making speeches of his own. I shall make no speech.

Mr. *Rea.*—That is not my object; I may, perhaps, not think it necessary to make any speech at all.

Mr. Commissioner EXHAM.—The warrant tells you fully what we are to go into. We shall go into nothing that is not in the warrant, and is not relevant to it. You have heard what it is Mr. M'Laughlin now intends to give evidence upon. You have the immense advantage that results from his commencing. You will know what he is endeavouring to prove as he goes along, and you will know how to meet it.

Evidence was then proceeded with.

Mr. *John Hempton* examined by Mr. *M'Laughlin.*

Mr. John Hempton.

1. You reside in Derry?—Yes.
2. What is your business?—Bookseller.
3. I believe you have been a resident of Derry almost since you were born?—Yes.
4. And you know the city well?—I do.
5. And its inhabitants?—Yes.
6. I believe special circumstances have called your attention to the political feeling locally existing?—I am aware of the political feeling.
7. And I believe you have given some time and attention to local matters politically?—Yes.
8. You are a member of the Town Council, I believe?—Yes.
9. Recently elected—at least two or three years ago?—Yes.
10. Now, of course, you remember the riots that took place on the occasion of the visit of Prince Arthur to this city?—I do.
11. How long is it since you became a member of the Town Council?—Two and a half years.
12. You remember, I think you said, the occasion of Prince Arthur's visit to Derry, and the riots that took place on that evening?—I do.
13. Do you remember any similar occurrence resulting in the deaths of three men, with reference to any other public event in Derry, by violence—I believe not?—Not by violence.
14. Confining your attention to the last twelve-month, or, we will say, thirteen or fourteen months, is political feeling in Derry more excited than it was, and is the peace of the city more endangered than it had been previously?—Political feeling has been most excited after Mr. Dowse won the election.
15. That election, I believe, took place in the latter part of 1868—November?—November, yes.
16. I believe from the time Mr. Dowse made his appearance in Derry till the time of the election public feeling was increasing in excitement?—Yes; there was excitement at the beginning of the canvass.
17. And I believe the excitement gradually increased as the canvass went on?—It may have done so.
18. But is it not the fact that it did?—I could not charge my memory. I recollect threats being used during the canvass.
19. I believe you served your apprenticeship to be an attorney?—Yes.
20. I believe you have a very extensive acquaintance with the people by reason of having a bookseller's and stationer's shop, to which people generally resort?—I know most of the people of the town.
21. Now, from the time that Mr. Dowse's canvass began in summer last, did you observe an increase of local excitement?—I could not possibly charge my memory with it.
22. But as far as your observation went?—I know that interest increased very much as his canvass went on—naturally.
23. I may ask you, with great respect to the nobleman I refer to, if the opposing candidate was Lord Claude Hamilton?—Yes.
24. And he was supported by the Conservative party, including the Apprentice Boy party?—Yes.
25. Do you remember the occasion on which Mr. Dowse gave a lecture at the Corporation Hall on the 20th July, 1868?—Yes.
26. Do you remember a certain riot taking place on that occasion?—I do.
27. I believe you saw portion of the riots yourself?—I saw the commencement of them.
28. I believe an attempt was made on that occasion by the Apprentice Boys—and that is why I mentioned them—to break into the Corporation Hall by force?—Yes, I saw them doing it. I saw the attempt made by the Apprentice Boys.
29. You have already heard it suggested that you were an Apprentice Boy yourself?—Yes.
30. I believe you were in point of fact?—Yes.

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August 19.

Mr. John Hempton.

31. In that capacity did you know those who were Apprentice Boys?—Yes, I did.

32. Did you see portion of the riot at the Corporation Hall that day?—I did. I did not acquire my knowledge in the way that Counsellor M'Laughlin says. I have my knowledge of these parties being Apprentice Boys from seeing them always acting as such; and I have seen those always acting among the Apprentice Boys attempting to break in the Town Hall.

33. Now, certain parties opposed to Mr. Dowse attempted to break into the Hall?—Yes.

34. Mr. Commissioner EXHAM.—Of what description was that party, and about what was the number composing it?—They were young working men, about forty or fifty—came out of London-street in procession, marched down opposite the wall at the hall-door of the Town Hall, and as they approached it they broke into a run, and dashed forward. The borough constables were outside; they went on each side, and the men attacked the door; and the crowd then became very dense about it, and I could not distinguish anything further than the jostling and the sticks. The borough constables were outside the door to assist us in keeping the hall, and when the running people came down and rushed forward they of course left the way for them, to give them an opportunity of bursting in—I believe one of them got in.

35. To give them an opportunity?—I saw it.

36. Mr. Commissioner MURPHY.—Did the borough constables leave the position that they were in for the protection of the Town Hall?—They opened on each side. I suppose they did not want to be struck by the sticks. The other police were standing along the line of the procession.

37. The constabulary?—Yes; as the procession passed on down the constabulary were standing here and there along the pathway.

38. They saw that procession coming down and rushing forward?—Yes.

[Mr. M'Laughlin here handed up to the Commissioners a map of Londonderry, showing the relative positions of London-street, the Town Hall, &c., on which the witness pointed out the various localities in question.]

39. Mr. *M'Laughlin.*—Now, you spoke of those young men who came in procession marching out of London-street?—Yes.

40. Do you know out of what part of London-street they came?—I did not see them coming out of the gateway, but I know where they were assembled.

41. At that time there was opposite Attorney M'Intyre's in London-street a band-room or lodge-room occupied by certain young men?—Yes, and the cannon were there.

42. And those were the cannon that belonged to the people that we will not call the Apprentice Boys?—Yes, the clubs. I saw the Governor of the Apprentice Boys among them in a few minutes after that. There was a stone thrown up at the Town Hall window. I was in my house, and he appeared to have been leading them. I can name the parties. I saw the procession of men headed by a person called John Donald, and in that crowd was a person called Charles M'Auley, and other persons whose names I do not recollect. That crowd after their attack on the hall-door came round opposite the front of my house.

43. Mr. Commissioner EXHAM.—About how many individuals would you say were in that crowd?—There might be about sixty.

44. Tell us about the hour of the day or evening it was?—The attack was made, I think, at a quarter to eight, and this would be about twenty minutes after. The procession came round, after being repulsed from the Hall, opposite my door; and that was what I wanted to explain—that I saw Donald acting again as leader, calling out party cries for Lord Claude—the same person that headed them—and it was then and not before that I saw the Governor among the Boys. He had not been in the procession, but he came in. It is not from my knowledge that I call him the Governor. There was no Governor known at the time I was among the Apprentices. It is a modern affair.

45. First tell us what they did at the Hall when they made the rush?—They made a rush and endeavoured to force their way in.

46. Mr. *M'Laughlin.*—Could you observe had they anything in their hands?—I could not charge my memory; but that was proven on the trial.

47. Mr. *M'Laughlin* (producing a notched bludgeon).—Did you ever see that before?—I did, or saw something like it.

48. You saw the party coming down and making the attack?—Yes.

49. Were you present afterwards at the magisterial inquiry, when you remember all these things were produced?—Yes.

50. You saw them making the attack?—Yes.

51. And you saw them, as I caught your answer, repulsed?—After a long time they came round, evidently kept out. I suppose the door was kept shut on them. I did not stay.

52. Do you happen to know of your own knowledge who the man was that was at the door that night?—I left Mr. Hogg in charge of the door.

53. Is this the man [pointing to a person in court]?—Yes.

54. Your house is about ten yards, I suppose, from the Corporation Hall door? [Witness points out its position on the map.]

55. Now, where were you in your house when you saw this?—In the front window above stairs, having a view of the whole Diamond—at least that side of the Diamond.

56. How long did you remain there?—About ten minutes.

57. During those ten minutes did you observe anything with your own eyes going on in the Diamond, in the way of riot or anything of that sort?—No—at my side of the Diamond.

58. Did you afterwards go out to the street?—Yes; I came down and went to the Town Hall, several times, out and in; but I was not present at the time the windows were broken, so I did not see that riot.

59. But I believe you subsequently saw the windows fractured?—I know the Corporation paid for it.

60. Were you on the Butcher-street side of the Diamond that night?—I think not.

61. Do you remember subsequently seeing, at the Mayor's office this man Donald, whose name you mentioned?—Yes.

62. That was on the same occasion when you saw this?—I cannot recollect.

63. Do you remember anything happening to yourself shortly after that in the way of threats or anything of that sort?—Nothing, except on the day of the election. But they broke my windows that night of the riot, and some time subsequently too.

64. Mr. Commissioner EXHAM.—Now after that occurrence, between that time in July last year and the 12th of August following, can you yourself say that you saw anything occurring in the streets, or heard anything that would enable you to say that excitement increased?—I could not possibly recollect anything of the kind.

65. Mr. *M'Laughlin.*—From the 20th of July to the 12th of August was public feeling and excitement increasing?—From the 20th of July to the 12th of August is a very short interval; in the interval there were summonses issued for the attack on the Hall. Pending the proceedings everything kept quiet.

66. The 12th of August in Derry, I believe, is a day on which there are usually processions and firing of guns, and things of that sort?—Yes.

67. Then on that particular 12th of August that occurred immediately after the 20th of July, after the attack on the Hall and before the election, do you know whether there were any processions and firing of guns?—Oh, there was firing of guns.

68. Those were the guns of the Apprentice Boys?—Yes. I was up among them.

69. Did you see any of the persons who fired them whom you could identify as being the persons who made the attack on the Hall. Do not give the names?—Yes; I went up to see them.

70. Mr. Commissioner EXHAM.—Was it the cannon described as the Russian trophies, or Corporation cannon, or a third class of cannon that you saw fired on that occasion?—The guns of the clubs.

71. Mr. *M'Laughlin.*—Do you know of your own knowledge whether or not there were any displays on or about the 1st of December, 1868?—I think that the election of Alderman Miller was before that, but I recollect distinctly that on the 1st of December there were tar barrels.

72. I believe the nomination proceedings took place on the 20th of November?—On the 25th of November was Alderman Miller's election.

73. The nomination proceedings took place on the 20th of November?—You are speaking of the city election. I was speaking of the municipal affair.

74. I am talking of the parliamentary affair. The polling took place on the 22nd, and the declaration on the 23rd—no doubt about it. Now I may ask you, I believe the excitement continued to increase up to that?—Yes.

75. Then on the 25th of November, two or three days after the declaration of the poll, I believe there was the election of the gentleman who is now mayor?—The 25th of November was Alderman Miller's re-election.

76. Alderman Miller is the present mayor of the city?—Yes.

77. Now do you remember anything in the way of rejoicings or anything of that sort taking place on the occasion of Alderman Miller's victory over Mr. Bigger?—I am not so certain of that; but I am certain that on the 1st of December tar barrels were carried about this town.

78. What was that business on the 1st of December?—The Corporation nominating Councillor Babington as mayor for this year.

79. Tell what happened on that occasion?—Tar barrels were carried about the streets, cheering at some houses and groaning at others. This was not the municipal election; it was merely the nomination of the mayor.

80. I have a particular reason for asking you whether or not you saw the procession with the tar barrels inside the city?—Yes; past my own door.

81. That is inside the walls?—Yes.

82. And I believe they were taken up Pump-street, and the late mayor lived there?—They went generally through the town, inside.

83. Do you know whether these people with the tar barrels, after complimenting the late mayor, went to the houses of any other people of different political views and made any manifestations?

84. Mr. *Rea.*—Did you see them opposite the house of the late mayor?—Oh, yes; a tar barrel was up there. It was either on the day of Mr. Babington's nomination, or the day of his coming into office after. I did then go out more, and I did see the barrel up in Pump-street a second time; and on that occasion there was one brought up, and I was groaned at at my own door. I can name the boy that did so.

85. Mr. *M'Laughlin.*—Was it the 1st of December, the day when the corporation nomination took place, or the 1st of January, the day of the election?—The tar-barrels were on both occasions, and I think they were also on the occasion of the election of Alderman Miller; but I cannot say anything about that.

86. Were those tar-barrels on both occasions burned in the streets within the walls?—Oh, yes; in great numbers.

87. Do you know of your own knowledge anything about the burning of tar-barrels and groaning before the doors of Dr. Browne and Dr. M'Knight?—No.

88. I believe Dr. Browne and Dr. M'Knight were the supporters of the opposite party?—The *Standard* office was opposite Dr. Browne's house. The *Standard* was the advocate of the Liberals. The late mayor's was further up, and Alderman Miller's was further up too.

89. Alderman Miller lives in the same street?—Yes.

90. And I believe the convent is between the *Standard* office and Alderman Miller's house?—Yes.

91. Coming up Pump-street towards the church, the first of the houses we are anxious to identify on the left is Dr. M'Knight's house?—The *Standard* office.

92. Dr. M'Knight is editor of that paper. The next house is the Catholic convent?—Yes.

93. The next house is the office of the *Londonderry Sentinel*?—Yes.

94. The door above the *Sentinel* office?—Alderman Miller's, the present mayor.

95. And then the late mayor lived in the last house on that side?—Yes.

96. I believe the next occasion of local excitement was the election petition?—Yes; in February.

97. I should ask you before you pass away from the displays of the 1st of December, 1868, and 1st of January, 1869, whether you knew any of the persons that took part in those displays?—The tar-barrels?

98. Yes?—No; I did not go in among them, but the 18th of December intervened.

99. I believe the 18th of December is another anniversary?—On the 18th of December the same procession came past my door publicly in daylight, groaning, the procession with the cannons and flags and music. It was not the tar-barrel affair.

100. The 18th of December, I believe, is the anniversary of the shutting of the gates?—Yes.

101. And the 12th of August is the anniversary of the opening of the same?—Yes.

102. And on the 18th of December you saw a similar procession coming past your own door?—A procession, but not similar to the tar-barrels at all.

103. No; the similarity attaches to the 12th of August. Now, kindly tell the Commissioners the particular nature of this procession—what you saw?—It passes on these occasions about three or four times. On each occasion it is headed by a band.

104. Just say what it did on that occasion?—On that occasion it went as before with its banners, music, and groaning, and, being subsequent to the election, they honoured me with a salute of groaning as they passed—and more than one time of the day.

105. You saw all this with your own eyes?—Yes; and heard it.

106. Can you say what the music was?—Do you mean the tunes?

107. Yes, as far as you know?—No; I do not recollect.

108. Now the flags—what were they like?—Mostly red flags.

109. That is crimson?—Yes.

110. You saw those that took part in that procession of the 18th of December?—Yes.

111. Having disposed of the year 1868 and the first day of 1869, I believe there was a great deal of local excitement here at the time of the election petition?—Yes.

112. That is, the petition against Sergeant Dowse?—Yes.

113. In the interest of the unsuccessful candidate?—That is what made all the excitement, because he did not succeed. All the excitement arose after Hamilton losing the town. As they began to see they were about to lose they got very angry at the approaching defeat.

114. Then the local excitement increased after the election?—The excitement of the Protestant party going about the streets.

115. Now you have said public feeling between the two parties was increasing?—I never had much opportunity of observing any but the one.

116. What do you mean by the one?—Hamilton's party. They were always on the street up and down

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past my place, generally passing my door about the time the greatest excitement was prevailing.

117. What time was that—the petition?—I could hardly give you the exact date. There were several times the mob was more violent than others. They generally passed the door and called in names to me.

118. Mr. Commissioner EXHAM. — Do you mean this during the time of the election petition or before the Judge sat here trying it?—Both before and after it.

119. On these occasions what was the average number of the groups in the street?—They go about in groups varying in number.

120. What was the largest?—The largest was on the 18th of December. On that occasion they passed by the shop from time to time, occasionally came up and endeavoured to annoy me.

121. On these occasions about what was the average number in the groups?—They varied from four to six or eight.

122. And was it in the evening?—Generally.

123. And were those groups composed of men principally, or were there women and children?—No women; the parties that go in the cannon procession.

124. Mr. *M'Laughlin.*—Confining yourself to the period of the election petition did you observe this description of annoyance going on?—I do not recollect anything particular during the election petition.

125. Do you recollect the 9th of February, the day on which judgment was given on the election petition?—Oh, I recollect the day of the judgment.

126. Tell exactly whether there was any procession that night?—Yes; I saw a band; I think it is called the Hibernia Band. They were down at Clarendon-street and Rosseville-street.

127. Clarendon-street and Rosseville-street are, I believe, outside the walls?—They are.

128. What were they doing when you saw them?—They were going along with torches and playing their tunes. That was the night the police were on the gates.

129. Those people, I believe, were the Dowse party?—Yes.

130. Now, did you see any of those people inside the gates that night?—I looked out of the window at one time, I think the time that some of them burst through Bishop's-gate, and I believe some of them passed the corner close by where I live, but not fronting my house. I was in my house.

131. Mr. Commissioner EXHAM.—Did you see them inside the walls, this crowd of outside people?—I saw some of them.

132. Mr. *M'Laughlin.*—You say you saw them first in Clarendon-street outside the walls?—When I went out after some time.

133. Were the people that you said had got inside as numerous as the main body that you saw in Clarendon-street?—No; for the band was not there.

134. Now do you happen to know—you have already told us so—that on the nights of the 1st of December, the 1st of January, and, as you believe, on the night of the 25th of November there were processionists inside the gates with tar barrels?—There were certainly on the day of the nomination; that is, the 1st of December, I believe, and also on the 1st of January. The tar barrels went about the Diamond and Pump-street, and many other streets.

135. Do you know whether or not those processionists of the night of the 9th of February, being the Dowse party, were prevented from coming in by the authorities?—I saw the police at every opening. I could scarcely get through myself.

136. Mr. Commissioner EXHAM.—On all or either of these three nights did you first of all see the police yourself at any and which of the gates?—No.

137. Did you hear from any person in authority—any of the magistrates or the heads of the force—that police were stationed at those gates, and if so, with any and what instructions?—I never heard of them being stationed except the once.

138. And when was that?—On the night that Dowse's petition was decided. On one other occasion the police were over at the gun-room, and that was the Saturday after the election.

139. Come to the 9th of February. Did you ascertain that from any of the magistrates or the police authorities?—I merely saw them. I went through, and could scarcely get through amongst them.

140. What night was that?—On the 9th of February.

141. At how many gates did you see the police that night?—At three. At the time I went to the fourth they had left it. They were called away to the other that was attacked.

142. First tell us the names of the three gates?—Butcher's-gate, Shipquay-gate, Bishop's-gate; and I think I was at another gate too.

143. Were they the local police, or were they the constabulary?—Constabulary. They were at every opening except at the Ferryquay-gate, and the reason I was told they were not there was that they were called away to a riot at Bishop's-gate.

144. How many?—Just sufficient to fill it up in double rank. When I wanted to get through Bishop's-gate, the sergeant bid me go another way, not to go out that side, but through a little passage, through which he let individuals pass.

145. Did you ask the police, or did they tell you, what they were placed there for?—No.

146. And you saw them keeping out the people that were wanting to get inside the Walls?—No; I did not see the attempt made by the people to get in, but I said I could scarcely get through.

147. Mr. *M'Laughlin.*—Now, the people that you saw rushing down by the Diamond on that night of the 9th of February, were they numerous?—I think not. It was dark, and from my house I could not distinguish them. They had crossed the corner. I merely put my head out of the window for a moment. They were not rushing; they were walking along orderly.

148. Do you know a street called Society-street?—Yes, I do. Society-street leads from Bishop-street to the wall.

149. Now, at the corner of Society-street there is a building which was originally a coach factory?—Yes.

150. Do you know how that building is occupied at present?—It is empty. Mrs. Foy wants to set it.

151. Do you know how it was occupied at the time of the election petition?—At the time of the election I went round to it that Saturday. There was going to be a riot, and I heard the guns rattling inside of it—the chains.

152. Do you know of your own knowledge how many guns were in there?—I never was in there.

153. On the 28th of April do you know of your own knowledge how that building was occupied—the old coach factory?—No; I never was in the house further than to the gate one day, when Mr. Wilson, the Conservative attorney, asked me. I never went there but one day at his request.

154. Do you know whether it was occupied on the 28th of April?—I do not know anything of it personally.

155. Was the old coach factory occupied in the same way on the 28th of April that it was occupied on the occasion?

156. Mr. Commissioner EXHAM.—He said that on the former occasion he heard the sound of cannon?—*Witness.*—It was a sound of mounting cannon I was quite familiar with.

157. Mr. Commissioner EXHAM.—On the 28th of April did you hear the noise of individuals inside that place?—I was not there at all. The procession came out of it, I believe.

The Court then adjourned till eleven o'clock the next morning (it being suggested that a meeting of the Corporation, in respect to the local police, was being held and that the adjournment might facilitate the objects of the inquiry).

THIRD DAY.

FRIDAY, AUGUST 20, 1869.

Mr. *John Hempton's* examination resumed by Mr. *M'Laughlin.*

158. Now, Mr. Hempton, you told us all you know so far as the questions gave you the opportunity about the riots of the 20th of July—the Corporation Hall riots?—On the night of the lecture—I think so—all that was asked of me.

159. Do you wish to add anything as regards matters of fact to anything you said yesterday about the Corporation Hall riots?—Nothing further.

160. With respect to the proceedings of the 12th of August, 1868, have you anything to add to what you have said?—Nothing further than that this procession when coming off the walls acted in much the same manner as the other day, calling at my house, crying out "Lundy," as they did on former occasions. When they have these celebrations they act much alike.

161. You are not to name any individuals, but can you tell us of what party that procession was composed?—It was composed of "Apprentice Boys," including those that attacked the Hall. I watched them particularly.

162. Had that procession flags?—Yes.

163. Had that procession cannon?—They had, and a band.

164. Had that procession any insignia in the way of personal ornamentation at all?—They generally wore red ribbons—they always wear red ribbons.

165. Did you see them pass through any street or streets?—They passed my own door, The Diamond.

166. Did you see them afterwards at all the same day?—I think they passed four times generally.

167. Had they any music?—Yes, a band, in the evening.

168. What sort of a band?—The same as that that played through the town last night. They came up past my door groaning and cheering last night.

169. Do you happen to know what tune they played?—They played "No Surrender" last night.

170. That is the Britannia flute band?—The Britannia band—it is the Apprentice Boys' band, and they had two or three hundred in front of them last night—a body-guard. They came up cheering, and when they came to my door they cheered, and some groaned.

171. Do you know as a matter of fact—if not don't state it—whether the city police were in that crowd last night?—The city police I could not see that night, but the city police always form the vanguard of the processions of the Apprentice Boys on the anniversaries.

172. Do you remember seeing the city police, or do you know of it, on the 25th of November following, the occasion of the election of Alderman Miller in opposition to Mr. Bigger?—I don't recollect. My recollection is not clear about that celebration. That was only a tar barrel affair.

173. Do you wish to add anything to what you stated yesterday as regards the proceedings of the 1st of December, being the day of the election of the late Mayor?—No, nothing. On the election of the Mayor and on his taking office there were two displays of the tar-barrels in the streets.

174. Do you know what parties or party—giving no names—took part in those two displays?—I could not identify the individuals.

175. Do you know generally?—Of course they were the Conservative party.

176. Perhaps you could more limit the description—did you hear any cries?—I could not recollect any. I used to hear cries about "Claude" and "Dowse," but they were Claude's friends.

177. Repeat, if you please, the cries you heard?—I cannot charge my memory with the words on those particular nights.

178. Could you not give the cries generally?—No, I did not take a note of them.

179. Are these celebrations frequent?—There have been eight or six this year.

180. We come to another now. We have been speaking of the 1st of December. I asked you yesterday something about the 18th of December. Was there a celebration on that day corresponding with the celebration on the 12th of August?—I think it was later.

181. On the 9th of February, being the night on which there was the rejoicing for Dowse's success, the procession was prevented getting inside the city. Were you at Bishop's-gate yourself?—No, not at the time the procession came.

182. Will you kindly tell the Commissioners now, in your own language, what you did see that night yourself, observing the best order you can as to time, place, and circumstances?—I stayed in the house I think till nine o'clock, and about that time, as far as I can remember the hour, a small party of them passed down through the Diamond, and a while after that when I thought things were quiet, I went down to Foyle-street, and I saw the procession at about Ship Quay-place.

183. Was the procession that was then coming along towards Ship Quay-place outside the walls or inside them?—They were outside all the time I saw them, and I went round with them along by Waterloo-place. I saw them in Rossville-street. I afterwards saw them in the direction of Clarendon-street; they had torches and bands, and were firing pistols in the air.

184. The Hibernia Band party?—They were firing pistols in the air.

185. Now, when you first saw the processionists coming towards Ship Quay-place, were they coming from the Rossville-street direction or from the bridge side direction?—I think they had come up from the Strand.

186. Then I suppose in coming from the lower part of the town along the Strand, towards Ship Quay-place, they would come through Waterloo-place?—It was at Waterloo-place I recollect coming up to the procession.

187. And Waterloo-place and Ship Quay-place adjoin?—Yes.

188. Now, coming from the place from which they did come, as far as you observed, were they still outside the walls?—Yes; they were not inside the walls.

189. You know the position of Foyle-street with respect to Ship Quay-place?—Yes.

190. Did you join the processionists there—did you go into the street where they were?—I do not remember them in Foyle-street at all.

191. Where did you join them?—At Waterloo-place. I made across the street and came up to the head of Rossville-street, at the end of Eden-square. it gave me a short cut. I saw them pass. I went to see them pass.

192. Point out to the Commissioners the street that used to be called the "Cow Bog"—it may be on the map, the "Long Bog." What is the date of the map?—This is O'Hagan's map; the date is 1847.

193. Now, you see a gate there called the New Gate, or, I believe sometimes it is called the Castle Gate?—I see Castle-street here.

194. That runs from Castle-street, where the newspaper and post offices are, under the walls, and then down to "Cow Bog"?—Yes.

195. Then, if you go down through the Castle-gate towards Rossville-street, the shortest way would be to go through the gate, down the little bit of street that connects the street with William-street, then turn a little to the left, go down Harvey-street to where it

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joins the street that runs crossways and pass into Eden-place, Eden-place being a continuation of Harvey-street and debouching on Rossville-street?—Yes; I went across to see them pass again. I had not seen them pass. I had only overtaken them in Waterloo-place.

196. Now, take another district lying outside the walls on that side of the city, the extension of Foyle-street towards Greggan, and going up by the Little Diamond?—Yes, here it is. [Witness refers to the map.]

197. Now, I believe the entire of that district is still called by the name of "Bog side"?—Yes.

198. And the "Bog side" district generally corresponds religiously and politically with the district called the "Pound" in Belfast—it is the stronghold of the Catholics?—There is a majority in that district of Catholics.

199. The entire of that district is generally called the Bog side, is it not; and when the people here talk of the "Bog side party," they mean the Catholic party, is not that so?—They have been occasionally called that.

200. Do you know of any geographical designation that could be given to the party here opposing the Catholic party, corresponding to that of Sandy-row?—No, only the Apprentice Boys; that is the only name.

201. You have got no topographical way of giving the antithesis to the "Bog side party"?—No.

202. Did you see the procession for the last time at Eden-place and Rossville-street?—No; I saw them at Clarendon-street. Clarendon-street had no existence as a separate street at the time that map was published.

203. Clarendon-street had no separate and independent existence when that map was published; and will you point out to the Commissioners the line of Clarendon-street, beginning at the lower side of the County Infirmary, and running down to Coppin's yard, parallel to William-street and to Great James's-street, and parallel to James's Gate, running from north to south as nearly as may be? [The witness pointed out on the map the position of Clarendon-street.]

204. Did you see the procession beyond the last place you have indicated?—Yes; it came up by the Strand—past Mr. Hogg's of Queen-street.

205. Mr. Hogg lives at the corner of Clarendon-street?—Next door to Mr. Craig's.

206. When did you last lose sight of them?—When they went up Sackville-street.

207. Is Sackville-street still outside the walls?—Yes.

208. And you did not see them inside the walls that night?—No.

209. Do you know as a matter of fact, as a matter of public notoriety, that they were prevented—the main body—from coming inside the walls?—I did not see who prevented them or anything of the kind.

210. Did you hear it?—I did; I heard it sworn in the Mayor's office.

211. About what was the number in that crowd?—I can't say. They had a band of music.

212. Do you know what the band is called?—The Hibernia Band.

213. The Hibernia flute band?—Yes.

214. I believe that band plays exclusively for the Liberal party?—The Dowse party.

215. Mr. Commissioner EXHAM.—You were asked how many were in that crowd?—I suppose two or three hundred.

216. Was it composed of grown-up people just the same as the other?—Young people—some grown-up people.

217. Mr. *M'Laughlin.*—Did you see the city police that night with them at all?—I don't think I saw the city police.

218. They were not forming either a guard or a vanguard to that party that night?—Oh, no.

219. Have you anything else to add with respect to the proceeding of the 9th of February?—No; I don't recollect anything about the city police; I only remember the constabulary being at the gate.

220. Do you know of anything further that in the exercise of your judgment, as an inhabitant of Derry, you think it right to mention, within the scope of the inquiry, with respect to what you saw on the 9th of February?—Nothing occurs to me.

221. Mr. Commissioner EXHAM.—You say you did not see any of the city police with the constabulary?—No; the constabulary were at the gates.

222. Mr. *M'Laughlin.*—I am very much obliged to the Commissioner for asking that question. (To witness)—Do you know, as you know any other fact—there is no doubt about it, I believe—that the constabulary were placed at the several gates to prevent the Dowse processionists coming in?—I have said so already.

223. Were the city police amongst them do you know?—I am almost certain that the city police were parading the town.

224. Parading the town inside the gates?—Yes; but I am not quite certain.

225. Now, you have heard Mr. Commissioner Exham say incidentally, that it was a very wise precaution to keep those people out?—I gave no opinion about that.

226. Were the tar-barrel processionists on the night of the 1st of December kept outside of the walls?—No.

227. They were composed of a party who were opposed to the party kept outside on the 9th of February—I mean Dowse's men were kept out and the opponents of Dowse's men were let in? Witness assented.

228. Mr. *Rea.*—Dowse's party live outside.

229. Mr. *M'Laughlin* (to witness).—Is it a fact that Dowse's party live outside?—No, no; a great many of the inhabitants inside the walls are Catholics.

230. Tell me this—were the people who composed the procession of the 1st of December in compliment of the late Mayor, whose memory I speak of with profound respect—were they people who lived outside the walls as a rule?—Generally they do.

231. Now, would you say, in point of fact, that the crowd, or a mob in a procession, or a crowd of any class properly called a crowd, would be people who *primâ facie* lived outside the walls?—Yes; the working classes; very few of the working classes live inside.

232. Those people on the 1st of December, you say, had tar-barrels?—Yes.

233. Those people on the 9th of February had torch-lights and tar-barrels; and the one were kept out and the other let in?—Yes; but there was a change in the mayoralty.

234. Now, take the 18th of January—those processionists you saw—the Apprentice Boys—they were inside the walls?—The Apprentice Boys were always inside until recently; but they go out now—they have got bolder.

235. The Apprentice Boys as a rule don't live inside the walls?—No.

236. Coming now to the procession of the 1st of January, 1869—the present year—the processionists on that night, the night of the inauguration of the late Mayor—were they inside the walls?—Of course.

237. There is no doubt about it? In Pump-street they had the tar-barrels?—They had.

238. Was that the Apprentice Boy party—we will call them so for shortness?—Yes; and it is against the by-laws.

239. Do you know whether or not any effort was made to keep these people outside the walls?—No.

240. But the attempt was made, and successfully, to keep the Dowse party out on the 9th of February. I come now to the 17th of March—I believe the 17th of March is accounted by the "Bog side" party as a sort of anniversary for them?—Yes.

241. I believe latterly, and for very many years back, there have been no processions on the 17th of March,

by the Catholic or Bog side party?—No; except a few children. I saw one day about a dozen children, who came up from Bridge-street with a green flag, and the constabulary men met them and brought the flag away, and hunted them. They were only a few children; that is the only procession.

242. What sort of a flag had they?—A bit of calico which the policemen brought from Ship Quay-street up to the Mayor's court. That was the only procession I saw for many years by the Catholics.

243. And they did not arrest any of the children?—No; they ran away.

244. In point of fact, I believe there has never been any procession here by the Catholic party?—Not since the day of the Queen's marriage—but for years there has been no Catholic procession.

245. There was no attempt at a procession on the 17th of March?—Not for very many years. There was a proclamation issued against the procession on Patrick's day—a proclamation by the magistrates.

246. Mr. Commissioner MURPHY.—When?—I think in 1848, or 1849. You will see by the proclamation the date. I saw a copy of it—I think it was in '49 the last procession was attempted.

247. Mr. *M'Laughlin.*—Don't tell me the names of any persons, but have you heard any individuals, or body of individuals, express a resolution to keep the Catholics outside of the walls, and prevent them having processions if they tried?—I cannot recollect such a thing.

248. Coming then to the 28th of April—that was the occasion of Prince Arthur's visit—you remember the day?—I do. I remember Prince Arthur's visit.

249. That was on a Wednesday I believe. Were you much in town that day?—I was in the Town Hall, hearing the Mayor reading the address to him.

250. You are a member of the Corporation?—Yes.

251. Tell us as nearly as you recollect, briefly and compendiously, what took place in the Hall?—Nothing further than an address being read, the authorized address of the Corporation, and a supplemental one from the Mayor, which appeared to have been prompted by something that happened before. Mr. Corscaden had suggested that the Prince should be told about the occasion on which so much blood had been spilled about the walls, and the Mayor introduced that into his own address. It travelled outside, and was spoken of by Mr. Ferguson as a very proper speech of Mr. Corscaden's, that the Prince should see the walls where the blood was spilled, and the church where the bombshells were.

252. Mr. Commissioner MURPHY.—At what hour of the day was the address delivered by the Mayor?—About midday. The speech of Mr. Corscaden had been made some days previously, and it appeared from what happened—from what Mr. Ferguson said—that it travelled out of the Committee.

253. Mr. *Rea.*—Did Mr. Corscaden make the speech in the hearing of the Town Council?—Yes—in the Committee of the Council, and it instructed the Mayor how it would influence the mind of this young Prince—that it might have a great effect on him, and that he could go home and tell his mother.

254. Mr. *M'Laughlin.*—As a matter of fact did Mr. Corscaden suggest that these things having been told to him he should tell his mother when he went home—his mother, our Sovereign?—Yes.

255. Mr. Commissioner MURPHY.—What occurred after that?—Before the address was given we came down to the hall-door of the Town Hall to meet the Prince. We saw him coming down from Bishop's-gate in the carriage, and I saw the Hibernia Band amongst the crowd. I believe the band had a flag with them, a white flag with a harp upon it, and a lot of shamrocks around it; I thought it was the constabulary flag. I never saw it before or since.

256. Why did you think it was the constabulary flag?—Because it had the harp, and the constabulary had got the name of the "Royal Irish."

257. Mr. *Rea.*—Was there the crown above the harp? I am told there was not.

258. *Witness* (in continuation).—There was a great crowd cheering. They had taken possession of the Prince and the other people I suppose were jealous.

259. Mr. *M'Laughlin.*—"They had taken possession of the Prince." Who are "they"?—The Hibernians.

260. The Hibernians with the white flag and green trimmings?—Yes.

261. I believe that the late Mayor who officiated on that occasion is now no more?—Yes. He came in the carriage with the Prince.

262. Proceed with the narrative?—The Mayor and the Prince came out of the carriage and proceeded into the hall. The address was then delivered, after which the Prince was introduced to some people, and then he retired.

263. About what time of the day was this?—Midday. There was a procession that day. I am almost certain there was a procession and that the guns were out that day.

264. After His Royal Highness had the address read to him he left the hall and went away?—Yes.

265. Now, the procession and guns that you saw on that occasion, was that before or after the Prince had been presented with the address?—Oh, it must have been after. They were firing as he came down to the Town Hall, and after they left the walls they must have had the procession.

266. The Hibernia flute band with the white flag—was there a large crowd with it?—Oh yes, it was very crowded. They were thronging round the carriage of the Prince—every one pushing to see him.

267. May I ask you is not Mr. John Guy Ferguson the Governor of the Apprentice Boys?—Yes.

268. He had heard of Mr. Corscaden's speech in the Council?—It must have travelled out.

269. What was the number of those with the Hibernia flute band?—The street was all one mass of people, and military, and the borough police were keeping a way open for the Prince to drive on, and it was with great difficulty it was done, the crowd was so great.

270. I believe that the Hibernia flute band had been a portion of those who received His Royal Highness on his arrival at the railway station?—They accompanied him from the railway station to the Town Hall.

271. Playing music?—I believe they played.

272. They played no party tune I believe?—I don't know what they played.

273. After His Royal Highness left the Town Hall, as far as you know from observation, where did he go to?—I don't remember anything further about him. He went away to visit public institutions, I believe.

274. That was about two o'clock in the day?—Yes, or before two.

275. After that when was the firing?—The firing was as he was coming from the railway down to the town hall.

276. But after the presentation of the address?—After the presentation of the address they came down from the walls.

277. When did you hear and see the guns?—I think it must be only once. I heard them cheering at the hotel where he lodged, but I was not there to see them.

278. When was the first disturbance on that unhappy night as far as you know?—About eight o'clock the Hibernia Band came up the Diamond from Upper Shipquay-street.

279. Did you see them passing?—Yes; I was looking out of the window, and there was a groan raised at them at the corner—Hastings' corner.

280. Hastings' corner?—That is two doors off me. At the corner of Bishop-street and the Diamond; at the east side of the Corporation Hall.

281. A groan was raised at them there?—Yes.

282. And do you know the party from whom the groan was raised, as far as you know?—No.

283. It was not a complimentary groan?—No. Then, after a little while, I followed up to the Imperial Hotel, and that band had been outside Bishop's-gate,

THIRD DAY. *August* 20. Mr. John Hempton.

and were returning. They were playing "God save the Queen" at the Imperial Hotel, where the Prince stopped, and then they marched off down to return through the Diamond, and as they passed the corner of London-street I heard shots.

284. As far as you can charge your memory, from where did the shots appear to proceed?—From the corner of that street that goes over to the wall.

285. That is London-street?—Society-street—the road where Roddy lives.

286. That is where Glen's corner is?—Yes; one is called London-street and the other Society-street.

287. Mr. Commissioner MURPHY.—That is the street the corner house of which you said had been unoccupied?—Yes; the corner of it.

288. Mr. *M'Laughlin.*—It was from that corner that the shots came?—Yes; I heard them.

289. With reference to the little part of the map to which I pointed your attention yesterday, where Foy's coach factory was, that corner is, I believe, the corresponding angle if you were going down Society-street to Butcher's gate, passing along that street to Meetinghouse-row, I think the name of it is?—It was not at that corner where the firing was.

290. The pistols were fired ——?—At Bishop-street.

291. At the upper corner of Society-street and Bishop-street?—At the end of Society-street as the band was passing down. It put them into confusion—the attack on them did.

292. Did you hear those shots fired?—Yes; and I spoke of them to the owner of the *Sentinel*, and I told him they were revolver shots, and he said we had better go away, and we went away together, and came down the wall.

293. You distinguished them as revolver shots, having an educated ear for musketry?—I thought they were revolver shots. I had heard pistol shots on the night of the Hibernia band firing in the air themselves.

294. What night?—The night of the torches; I am not very much accustomed to pistols.

295. If you walked down Society-street towards the wall you would come to that house, formerly a coach factory, at the corner where you heard the rattling of the chains of the guns—would not you?—Yes.

296. And I believe—there is no doubt about it—that was the headquarters of the Apprentice Boys?—Yes; they were alarmed that time, talking of being attacked—I suppose they were preparing for it.

297. Do you know as a matter of fact that loaded cannon were kept there at that time, levelled and pointed?—I do not know it as a matter of fact; I heard it often.

298. Mr. Commissioner MURPHY.—You heard that; did you believe it to be true?—I did, and I cautioned the band not to go in that direction when they came with the torches—that they might be shot.

299. Mr. *M'Laughlin.*—You have said, in answer to Mr. Commissioner Murphy, that you did believe it?—Yes.

300. And that you cautioned those members of the Hibernia Flute Band not to go in that direction?—Yes.

301. Did these people follow your advice—the Hibernia Flute Band?—They were not allowed, you know, to go in.

302. This was the 9th of February. Then at that time the belief existed that loaded cannon were kept there?—The time that I advised them not to go was not the time of the Prince; it was the time of the petition.

303. Do you remember seeing stated in the *Standard*, or any other newspaper, as a matter of fact, the belief that you have stated here now?—It may have been in the *Standard*.

304. Mr. Commissioner EXHAM.—Did you see it in any of the journals?—In the *Derry Standard* I believe there was some insinuation about it.

305. Mr. *M'Laughlin.*—Was it at that time that you saw it stated in the *Derry Standard* or some other newspapers?—I do not know that it was stated broadly, but you can get the newspaper.

306. What occurred after that as well as you recollect—after you heard the shots fired?—I came into the house, and I heard a great uproar through the street after an hour or two, and went down to the door, and my neighbour told me that there were people shot at the corner. I stayed in the house, and did not go into the road.

307. Did you hear the shots during those two hours at all?—As well as I recollect I heard shots at more than one time that evening.

308. And as your friend told you when you came down to the door, after staying two hours in your house, that there were men shot, did you go out into the street then?—No.

309. Have any threats been made to yourself at all generally?—Not that I remember. They would come past the door and call up names, and sometimes they broke the windows. The magistrates did not punish them. About a fortnight ago a night watchman ——

310. Do you mean the city policeman who was on duty at night?—Yes; he arrested a man, and proved against him that he was with another who broke my windows, and the magistrates reprimanded him for arresting that party, and said that he had been only in company with the person, and blamed the night watchman, and complimented the companion of the man that broke the window.

311. Mr. Commissioner MURPHY.—Were you present in Court when the man was brought up?—Yes; I went over; it was the next morning—it was the morning after the night that the stone was thrown into my bedroom.

312. How long ago is that?—It is just a fortnight ago.

313. Mr. *M'Laughlin.*—Who was the person accused?—A saddler.

314. Mr. Commissioner EXHAM.—Who was the magistrate?—The mayor in particular. I recollect the late mayor, Dr. Babington, spoke very sharply to the man for having brought up this prisoner. Mr. Thompson and the other magistrates said "We all know [naming the saddler], we all know him," as much as to say they knew him so favourably; and they censured the policeman that he had not been able to catch the other who ran away.

315. Who were the other magistrates?—I am sure Sir Edward Reid was there; he generally sits there—does not say much.

316. Did he follow his usual practice of being silent?—Yes. The mayor, Dr. Babington, generally led the bench.

317. Mr. Commissioner EXHAM.—Were there any others there?—I think Mr. O'Neill, but I cannot recollect; but the report in the newspaper will show the names.

318. You were asked about being threatened, and you said that the magistrates did not punish the party?—Did not punish the party who broke my window.

319. Do you mean by that to say or to charge that the magistrates did not do their duty in not punishing that man?—They never do their duty in any case where we go to complain.

320. Whom do you mean by "we"?—I mean the liberals or Catholics.

321. Mr. Commissioner MURPHY.—Did the city constable who arrested the man prove the fact before the magistrates of your windows having been broken?—He did, and proved that the person who escaped threw a stone twice.

322. And what connexion did he prove the man who had been taken into custody to have had with it?—Standing along with him.

323. At what hour of the night did it occur?—About one.

324. And he proved he was standing there with him at the time?—Yes; and the watchman further proved that when he ran after the person that threw the stone the other followed him, and then he arrested him.

325. Mr. *M'Laughlin.*—What was the name of the

man that was arrested, or what were the names of the two young men?—I only knew one, the saddler. He works in M'Connell's. He carries a flag sometimes in the procession.

326. Which procession?—I always see him with the Apprentice Boys, wearing the ribbons; you know his name will be on the record of that day in the office.

327. What was the name of the city constable, if you know him?—I don't know whether his name was Gollagher or not. I think he was once a deliverer of letters in the post office.

328. Could you go nearer the date to fix it than you have fixed it?—It was in the late mayor's lifetime.

329. Do you say the city constable's name was Gollagher?—I think so; I think he used to deliver letters.

330. Is there any man really of the name of Gollagher in the city police?—I really cannot tell you.

331. Gollagher is a Catholic name you know?—I know that man is a Catholic. I know two Catholics in the city police.

332. How many Catholics are in the city police force?—I cannot tell you the religions of those men.

333. Are there two?—I know two; there are Gollagher and Sinclair, and I take Harding to be one, and another man that, I think, came from Carndonagh.

334. Now, you were present when all this took place?—At the trial in the Court?

335. Yes?—Yes.

336. Mr. Commissioner MURPHY.—Now, you said, as to some criminal charge against the man who was arrested, that he was, in point of fact, not actually proved to have done anything, except to have been there with the other and the circumstance of that other running away; and one can see how the magistrates might have a doubt as to whether there was evidence to convict him. But, do you say, as a matter of fact, that the man who arrested him under very suspicious circumstances was censured by the magistrates?—Yes; they said what business had he to do that.

337. What business had he to do that?—Yes.

338. Mr. *M'Laughlin.*—And did another of the magistrates, Mr. William Thompson, say that they all knew him to be a most respectable young man?—They said, naming this person, that they knew him.

339. I think you said, in answer to one of the Commissioners, that the Catholics had no confidence in the local magistrates?—I did not.

340. The Liberals, did you say?—I said that, in my opinion, we never got fair judgment. I made a complaint against the son of the keeper of the Hall for striking me in the face with a stick, and they said that his conduct was bad, and they let him off with a fine of 10*s.*; and I think that was very ridiculous. It was like turning justice into ridicule.

341. What was his name?—Molseed; there were two of the night watch standing by and they arrested him.

342. Mr. Commissioner MURPHY.—What hour was this?—At twelve o'clock at night—the night of the Protestant meeting at the Asylum.

343. About how long was that ago?—That was in the summer—the time the lords were discussing the Bill.

344. Tell exactly how that whole affair occurred, in your own language; first, this young man, Molseed, is he in business?—No.

345. Mr. *M'Laughlin.*—His father is one of the four town sergeants, a very decent man?—Yes.

346. The four town sergeants are, I believe, appointed by the mayor?—By the Corporation.

347. I thought the mayor had the patronage?—Formerly.

348. But latterly the Corporation?—Yes.

349. And it is the duty of those persons to act as bailiffs and summons-servers, and to keep order in the Mayor's Court, and Petty Sessions Court?—Yes.

350. And Mr. Molseed, the father, has acted in that capacity for the last twenty years?—Yes.

351. Mr. Molseed has, in addition to that, the advantage of holding the office of keeper of the Corporation Hall?—Yes.

352. Tell the Commissioners exactly what happened—that whole affair from beginning to end?—Some police were lodging in the Town Hall——

353. You mean the Constabulary?—Yes; and the young man had to close the door after their going away, and the young man after he had done so—he appeared to me to be tipsy—came over and began to boast about being in the procession, and annoyed me, and after a little two night watchmen came and I asked them to take him into charge, I caught hold of him and then he lifted his stick and struck me in the face; and, when I prosecuted him in the Mayor's Office, he swore that I was drunk, and the magistrates did not appear to believe his evidence but convicted him, and then made that mockery fine of 10*s.*

354. Were you, as a matter of fact, drunk?—No.

355. Mr. Commissioner MURPHY.—How do you say he swore you were drunk—was he examined?—Yes; he had a cross-case and swore that I assaulted him.

356. Mr. *M'Laughlin.*—It happens sometimes, I believe, that the cross-case is taken first, though posterior in point of time?—I do not know; I have not often been in the Mayor's Office, I should not like to go again I should fare no better. Pigott is the name of the boy that was arrested by the night watchman when my window was broken.

357. Is this a correct account of the proceedings, from the *Derry Journal* of June 12, 1869?—

"DERRY POLICE—THURSDAY.

"Before Dr. Babington, Mayor; Sir Edward Reid, Henry Darcus, esq.; John O'Neill, esq."——

First—is Mr. O'Neill a Catholic member of the Bench?—He is the only Catholic magistrate in Derry.

(Reads)—"and J. C. O'Donnell, esq., R.M."——

358. Do you know that this Mr. O'Donnell, with reference to the case that Mr. Rea himself has mentioned, Barker's case, protested publicly in Court, that the other members of the Bench had over-ridden him in doing that which was against the law, admitting a man charged with murder to bail?—I do not know whether it was Coote or he. I know Mr. O'Neill protested against it.

(Reads)—"Their worships having disposed of a few petty cases of drunkenness, &c., proceeded to hear the case of assault in which Mr. John Hempton, T.C., was complainant, and John Molseed was defendant. Mr. Hempton conducted his own case, and Mr. Alexander Crawford, solicitor, appeared for Molseed, who had a cross summons.

"Mr. *Hempton*, in opening the case, stated that on Sunday morning, after 12 o'clock, he was attracted to the street by a great noise, which was occasioned by a man named Miller addressing the constabulary, who were lined along the Hall. Immediately after three men came over from the Hall, one of whom was the defendant. He began to talk to complainant, and came so close to his person that he was necessitated to move away. He was followed by Molseed, who said he could not be prevented walking beside him and abusing him. Molseed followed him to Harvey's corner, where the complainant was obliged to seek the assistance of the police. The defendant when being given in charge struck him, Mr. Hempton, on the face with a stick. What he, Mr. Hempton, complained of most was the annoyance he was subjected to in the way of abusive language. The defendant in this case said he had carried a flag at the Protestant meeting, and that he, Mr. Hempton, should have been there. He further used several offensive epithets to him in the street, and repeated them at the police-station.

"City Constable *Doherty* preferred a charge of assault on Mr. Hempton against Molseed. The evidence was that Molseed struck Mr. Hempton on the face with a stick when he was given in charge. (Mr. Hempton bore the marks of the assault, which evidently was accompanied with considerable violence.) Witness deposed, in answer to the complainant, that the defendant, on being charged, said 'he was glad of it.'

"Mr. *Hempton* then recapitulated his former statement on oath. The witness was cross-examined by Mr. Crawford.

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He denied having carried on a conversation with Molseed complaining of his conduct as hall-keeper.

"Mr. *Crawford*.—Will you tell us what you were doing out of your own house, a staid town councillor of the city of Derry, at 12 o'clock?

"Mr. *Hempton*.—It was after 12.

"Mr. *Crawford* repeated the question.

"Mr. *O'Neill*.—Oh! oh!

"Mr. *Crawford*.—Now, Mr. O'Neill, it is a perfectly legitimate question or I would not put it.

"Mr. *Hempton*.—I am delighted to answer it. It was the noise attracted me out.

"Mr. *Crawford*.—Are you quite sure your memory is clear on this matter?

"Mr. *Hempton* said it was perfectly so.

"Some by-play then took place between the solicitor and the witness. The latter, in answer to the reference to his former connexion with Protestant gatherings, said Mr. Crawford had himself subscribed to the 'John Mitchell Fund,' and was now a great Tory (much laughter).

"Several other witnesses were examined, who deposed chiefly to the use of the offensive language. It was sworn that Molseed said to Mr. Hempton, 'You were a brave man once, and I think a disgrace of you now.' He further stated that he had 'turned nothing but a Lundy.'

"Sergeant *Sinclair* deposed that he was present when Molseed was brought to the station. He was the worse of liquor, but he did not notice any drink on Mr. Hempton. Molseed's language was very offensive, and he called Mr. Hempton a bloody Fenian, and expressed his gladness at having struck him.

"The cross case was based on an allegation that the assault on Mr. Hempton was the result of provocation, which made it justifiable. In answer to the question, 'What kind of a necktie had you on, now?' witnesss replied, 'A good Orange necktie.'

"The *Mayor*, in delivering judgment, said—The Bench are of opinion that your conduct, Molseed, has been very improper. You must keep a civil tongue in your head, and keep yourself quiet. We are very sorry to see your father's son in your position. You are fined in 10*s*. and costs, and the case against Mr. Hempton is dismissed."

359. Now is that a fair abstract of what took place?—It is. There are four papers in Derry, two of them in the Liberal interest, the *Journal* and *Standard*, the *Journal* representing the Roman Catholics principally and the *Standard* the Presbyterians; and two in the Conservative interest, the *Sentinel* and the *Guardian*.

360. This was the hearing after the case had been remanded from a previous day?—Yes. The reason I call that a ridiculous fine is, that if any one can be struck with a stick in the face, and the person who does it can get off with a fine of ten shillings, there is no justice in this town. If he had been on the other side he would have had six months or three.

361. Mr. Commissioner MURPHY.—Do you say that you are enabled, from the long experience you have in Derry, to state that there is among what you call the Liberal party dissatisfaction with the magisterial jurisdiction in this city?—There is; I was told I might as well not go there. I went lately in another case.

362. Do you say that you are enabled to state that there is generally among the Liberal party that feeling?—Yes; I was told lately I need not go there at all.

363. Mr. *M'Laughlin*.—State the nature of the dissatisfaction?—Partiality.

364. Do you know whether that feeling is widespread or the reverse?—It is general. On the one side it gives confidence, and the other it makes afraid to go there.

365. Do you happen to know that the population of this city in 1861 was 20,875?—I believe so.

366. And that the Protestants of all denominations were put down as 8,839?—Yes.

367. And that the remainder, the Roman Catholics, were 12,036?—Just so.

368. Does that feeling generally prevail among the Catholic population?—Yes.

369. We now come to certain magisterial proceedings where Mr. Rea appeared for the representatives of the dead men. I believe the inquiry lasted for eight or nine days?—The inquiry before the magistrates lasted some while.

370. So far as you know did the local excitement continue while that was going on?—I think there was a great crowd each day at the Court. There was a full bench. The Conservative bench was always there; the Conservatives crowded the bench. I remember Alderman Miller especially.

371. Now, I believe, prior to the inquiry there had been an inquest on the bodies of the slain?—There had been an inquest on one of them. Mr. Rea spoiled the other inquest. Oh! the inquest was on the two. There was a third died afterwards.

372. I am talking now of the inquest on Craig and Moncrieff. Was there an inquest on both?—Oh! yes, there was; I remember the verdict of both.

373. Now, after that I believe Murphy died?—Yes.

374. Murphy was a Catholic?—Yes.

375. And the other two unfortunate men, Moncrieff and Craig, were not Catholics?—One was a Presbyterian and the other an Episcopalian.

376. You remember when Murphy died?—Yes; very recently.

377. Do you remember the inquest that was held having been postponed for some time?—I read the report of it being postponed. I was not at it.

378. Do you remember when the proposal was made, for the purpose of the second inquest that they thought they could have held, to take up Murphy's dead body?—Yes.

379. What was the state of feeling between the two parties at the time the proposal was pending to take up the dead body of Murphy?—I saw a great crowd coming up from the quay, of the working classes, to prevent it.

Cross-examined by Mr. *Rea*.

380. Do you happen to know that the police who were charged with the slaying of Murphy had the summoning of the Coroner's jury?—I believe it is a new policeman—a new head officer—who is here. The constabulary that you charge with killing Murphy I believe are removed, and I think it is a new head constable that summoned the jury.

381. Was the summoning of the jury with the police?—I can tell you that the report in the paper was that the Coroner had given the constabulary a certain number; and then a policeman replied that the Coroner had told him that half the number would do.

382. Do you know that Davis the head constable, who was charged with giving the order to fire from which the deaths of the three men resulted, appeared in Court with the panel in his hand?—Then it must have been Davis that summoned them.

383. Did you hear that Davis the head constable, who was in command of the firing party, told the Coroner, Mr. Lloyd, that the precept was invalid, and was, in point of fact, no precept at all?—I heard they had an argument about Davis not having summoned the full number, or the sergeant for Davis, and that he excused himself by saying that the Coroner told him twenty would be enough, or twenty-four.

384. Did you hear that Davis, who had possession of the precept, stated that it was invalid, being deficient in several essential particulars, and not mentioning an hour for the inquiry?—No; I do not recollect reading that in the report.

385. Did you read in the report that Mr. Forrest Reid, the Sessional Crown Solicitor, was there for the Crown?—He was.

386. Now, with regard to that proceeding of Thursday the 10th of June in the police court, upon which you found this impeachment of the magistrates, will you be kind enough to tell me how long it occupied?—It lasted a long time.

387. About how long?—It must have been fully an hour, if not more. There were a great many witnesses and a long cross-examination.

388. You were allowed to open your case in a speech?—Yes; I stated my case shortly.

389. And then you produced all witnesses?—Yes.

390. That you wished to examine?—Yes.

391. There was no attempt to restrain you from addressing the Court or examining your witnesses?—No.

392. Was a similar privilege accorded to the other side?—Yes.

393. I believe there are eleven or twelve attorneys in the city of Londonderry?—Yes.

394. Did you ever hear the old adage that the gentleman who is his own lawyer generally has a fool for his client?—Yes.

395. Nevertheless you thought it advisable to appear on your own part?—I did.

396. And you so appeared on your own behalf when you knew that in the cross case you would of necessity be examined as a witness?—In the cross case I should be on the defence.

397. Did not you know that you would be examined as a witness?—I could not. I stated my case, and then I was examined on oath to prove what I had stated.

398. One case was a cross case to the other?—Yes.

399. And you knew before you undertook the advocacy of your own case that you were to be examined as a witness in support of your own statement against Molseed?—Yes. I did not intend to get myself examined. I intended to rely on the police; but the magistrates desired me to be sworn.

400. You did offer yourself as a witness?—No; the magistrates desired me to be sworn.

401. Did you refuse to be sworn?—No.

402. Do you mean to say that in this case, in which you were the primary witness, and had the privilege of being examined if you thought fit, you came into court with the intention of avoiding offering yourself as a witness?—No; I preferred their testimony.

403. If any person stated that that was from a wish not to expose yourself to cross-examination with respect to your proceedings on the night in question—the night previous—would that be false?—I had no wish to shelter myself at all.

404. It did not enter into your consideration at all?—It did not.

405. That if you did not give the other party an opportunity of examining you as a witness they would not be able to impeach your credit or show general misconduct against you on that occasion?—No.

406. But nevertheless, although no one knew more about it than yourself, you came into court determined not to be examined as a witness?—Not intending to be examined.

407. You had deliberated with yourself as to whether you would be examined or not?—I knew that if the police gave their evidence intelligibly there was no necessity for me, and they proved it pretty fully; but the magistrates desired that I should be examined.

408. And you deferred to the suggestion?—Yes; they required that I should be examined.

409. You do not mean to say that the magistrates would have compelled you to be a witness?—I do not know what they would have done.

410. They would have dismissed the case?—I did not say so.

411. Did you decline to go into the witness box?—I did not.

412. But did you appear to be reluctant?—I do not think I was.

413. I suppose when you did offer yourself as a witness some of the inconveniences that you anticipated arose?—I do not recollect any inconvenience.

414. Did not you expect to be examined by Mr. Crawford, or by some other attorney in his place, as to the quantity of liquor you had imbibed up to twelve o'clock that night?—Oh, yes; because it was such a late hour I naturally expected to be asked that.

415. And did not you expect to be asked as to what brought you, a town councillor of Derry, out into the street at so late an hour as twelve o'clock?—Yes; I stated so.

416. Now did you give Mr. Crawford a specific account of the quantity of liquor that you had consumed on that evening?—He did not inquire.

417. Will you be kind enough to tell us now?—I do not think this place is for amusement altogether. I may state this, that on that evening, from the time I left my business till that occurred I had drunk only one glass of punch, and nothing else.

418. How much had you drunk that entire day from the time you got up in the morning until after the occurrence?—I never drink during business hours, and I remember it because the question of drunkenness was brought up in the case, or I should not have remembered that I was so particularly sober.

419. Do you mean to say that you only drank one glass of whiskey that day?—Yes.

420. That day?—Yes.

421. The whole day?—Yes.

422. From the morning to the night?—Yes; I drank nothing but the one glass of punch.

423. Did you drink any other intoxicating liquor?—No.

424. Malt liquor?—No.

425. And no alcoholic drink but the one glass of punch?—Not one.

426. Now did you state to Mr. Crawford what caused you to be out at twelve o'clock at night?—Yes.

427. What was it?—Hearing the noise that John Miller was making calling for Mr. Stafford to go down to his house. He was calling loudly for Mr. Stafford to be brought down from the Town Hall. I came down stairs and went to the Town Hall.

428. With respect to the constitution of the bench that day, are you aware that there was one Protestant Liberal, and that there were two Roman Catholics among the magistrates?—Who was the Liberal?

429. I am asking you the question. On the bench that did such injustice to the Liberal party?—Yes; Sir Edward Reid—he was one.

430. Is not Sir Edward Reid a member of the Liberal party?—He was a very cold member. He did not vote for them.

431. What was he knighted for?—Disraeli's Duke knighted Sir Edward.

432. What especially led to the knighting of Sir Edward?—I think there was the election coming, and he was returning officer.

433. The Lord Lieutenant bribed Sir Edward Reid by knighting him, he being the returning officer?—He did not succeed, I suppose. I believe Sir Edward Reid acted neutral at the election.

434. Where was Sir Edward Reid knighted?—In Dublin.

435. Had there been any antecedent visit of the Lord Lieutenant to Derry in his official capacity?—Sir Edward Reid was knighted, and he was taken away on the proper day that the election would have been held to be knighted.

436. What day was that?—The day of the election. Because Lord Abercorn sent for Sir Edward Reid to take him up to knight him. It served a party—delayed the election a day.

437. You do not know any other reason for his being knighted but the fact of his being returning officer, and it being desirable to have him away the day of the election?—There were other pretences made. I did not say it was to take him away the day of the election; but I said that he was taken away.

438. And you believe it was all for an electioneering purpose?—I believe it was to give more time for corruption.

439. And you believe that was deliberately done by the Duke of Abercorn?—I know it was publicly stated that Sir Edward——

440. Mr. Commissioner EXHAM.—Had you seen it in the public papers for at least a month before, that he was to be knighted?—Oh, yes.

441. Mr. *Rea*.—Is Sir Edward Reid a gentleman of considerable wealth?—He is.

442. The salary of the Mayor of Derry is only, I believe, £300 a year?—Yes.

443. I suppose it was for the purpose of bribing Sir Edward Reid that the Lord Chancellor O'Hagan and the present Lord Lieutenant appointed Mr. Forrest Reid to be Sessional Crown Solicitor for Londonderry?—That was after the election.

444. Then it was in order to bring him round to

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the right side?—Oh, no; that was long subsequently. And I do not believe that Sir Edward Reid was knighted for the purpose of bribing him or influencing him; but I say that it was strange that he was called away to be knighted on the day that the election might have been held.

445. Mr. Commissioner EXHAM.—Did not I understand you to say—the answer is down—that he was taken away to postpone the election for another day to give more time for corruption?—Yes—at least it was thought so.

446. You say that was your impression?—Yes; at that particular day.

447. Mr. *Rea.*—I believe the salary of the Mayor of Derry is only £300 a year?—Yes.

448. And he is expected to spend that in hospitality?—Yes.

449. Do you remember that, in addition to dispensing the ordinary hospitality locally during his year of office, Sir Edward Reid, in the August previous to his being knighted, assembled the gentry here at great personal expense to himself, gave a great ball, and caused an immense amount of gratification to the inhabitants of the county and city and also to the Lord Lieutenant?—Yes, he entertained the Lord Lieutenant and a number of the gentry at a splendid banquet.

450. At his own expense?—Yes, of course.

451. And I suppose that the Lord Lieutenant considered that the conduct of the Mayor of Derry on that occasion reflected honour on all the citizens?—Yes.

452. A gentleman of humble means would not have been able to discharge that duty on that occasion?—No.

453. Sir Edward Reid, in addition to being very wealthy, is not married?—No.

454. And could not you now imagine that, having regard to the necessity of keeping up the order and dignity of knighthood, Sir Edward, after having done these acts, and after having been elected Mayor of this great city twice by his fellow-citizens, was quite entitled in the ordinary course of politeness to be made a knight of?—His position is quite sufficient—quite as good as, I suppose, many knights that are in London.

455. And supposing the Lord Lieutenant had gone the length, considering that he had no children, to have made him a baronet, would you have considered that a dreadful offence on the part of the Duke of Abercorn?—No offence.

456. Now, when you recollect that peculiar incident in the history of Derry, of Sir Edward Reid's boundless hospitality on that occasion, is not it odd you did not state to the Commissioners, when you voluntarily introduced the fact of Sir Edward Reid having been knighted by the Duke of Abercorn, that that entertainment had been given?—I had no occasion; it is a matter of public notoriety; and I knew that you would have it out.

457. Now, although all gentlemen become a little more conservative as they grow older will you venture to state that Sir Edward Reid is not a member of the Liberal party, giving it a broad interpretation?—Yes, he is called a Liberal.

458. And is not he a Liberal?—I believe so.

459. And do not you know he never was a Tory?—I do.

460. And do not you think it is not likely he will be, now that the Tories have smashed themselves up?—I think not.

461. Are you aware that this cold Liberal took the chair at a banquet to Mr. Dowse a few months ago?—I am—yes. When I say cold, he is not an active member of the party.

462. I do not think there was any coldness in that—exposing himself to have his skull broken by taking the chair three months ago at the banquet to Dowse?—No; being Mayor of the city he was invited to that banquet.

463. Now, having proven from your own testimony the Liberalism and high liberality of Sir Edward Reid, will you explain to the Court why you thought fit to attempt to deny that Sir Edward Reid was a member of the Liberal party, when I asked you, without thinking that this inquiry would be gone into, the plain question, "Is Sir Edward Reid a member of the Liberal party?"—He is always considered a Liberal.

464. And his fault is that he does not talk much?—I do not think he spoke on that occasion.

465. I believe he made his own fortune in business, did not he?—Yes; I do not believe he interfered in that case.

466. Do you know John O'Neill, esq.?—Yes.

467. He is a Roman Catholic?—Yes.

468. He was a member of the bench on that day?—He was, I believe.

469. Will you call Mr. O'Neill a member of the Liberal party?—At the last election he voted with them; but I believe he was a Conservative in 1865. Didn't he vote for Lord Claude Hamilton?

470. I believe he did; but was he a Liberal at the time he sat in judgment on Molseed and you?—He acted with the Liberal party.

471. Do you know J. C. O'Donnell, esq., R.M.?—Yes.

472. He is a Roman Catholic of the broad school?—He is a Catholic. I do not know what schools they have.

473. And you have no reason to doubt his being a Liberal?—I know nothing of his politics.

474. And of his being appointed Resident Magistrate by a Liberal Government?—No; he came down for a short time.

475. And of his having been sent down here specially to serve the Liberal party and to prevent the Roman Catholics from being oppressed?—It would require more than him. One is of very little use against the majority on the bench.

476. Did not the "majority" on the bench on that occasion consist of Dr. Babington and Henry Darcus, esq.?—I do not know who else was there. Was Mr. Thompson not there?

477. No; not a word of it?—It was in the case of Pigott that Mr. Thompson was present.

478. Mr. Commissioner EXHAM.—I think you have already stated that Mr. Thompson was one of them?—He was on the bench on the day that Pigott was tried.

479. Are we to understand that there were but five magistrates present?—I really cannot charge my memory. It is in the paper that Counsellor M'Laughlin read out.

480. Mr. *Rea.*—Babington and Darcus, Conservatives, and O'Donnell, O'Neill, and Reid, of the Liberal party—the Liberals had a majority of three to two. Now, after an hour had been occupied, did you hear the Mayor say, "The Bench are of opinion that your conduct" and soforth (to Molseed) "have been very improper"?—Yes; and then they let him off with a fine of 10*s.*

481. Did any of the magistrates then say that he objected to the ruling, or that they had imposed a moderate penalty?—No, so far as I remarked.

482. So far as you could observe, the three Liberals and two Tories were unanimous in convicting Molseed and fining him 10*s.*?—I had no reason to believe anything else.

483. Mr. Commissioner EXHAM.—Did the magistrates retire to consider, or merely converse among themselves on the bench?—I do not remember that.

484. Did they retire to their room to consider, or did they speak among themselves on the bench, and then did the Mayor announce the decision?—I do not know whether they left the bench or not.

485. Did they converse before the Mayor gave the announcement?—Oh, they must have spoken with the resident magistrate, Mr. O'Donnell.

486. What was the age of this young man?—I think he is about twenty.

487. Have you any reason since to come to the conclusion that any of the magistrates dissented from that judgment?—No, I do not think I have. I heard many others that were not magistrates say that it was such an absurd thing. I was not speaking to the magistrates on the Bench.

488. Did you speak to Mr. O'Neill at all?—Yes, but never on that subject. I met him yesterday in the police barrack, and bade him good morning.

489. Did you speak to Mr. O'Donnell?—Yes, I have frequently sold him articles.

490. But surely there would be no harm in asking a magistrate about his judgment when a case was over?—I would not like to speak to him about the matter.

491. Mr. Commissioner MURPHY.—It is a fact that this young man's father had been a very respectable man?—Yes.

492. And previously to this there had been no charge against this young man himself?—I did not hear of any.

493. He was not a man that had been in gaol before that time?—I do not think he was. I firmly believe that the punishment was not adequate to the offence.

494. Mr. *Rea.*—With regard to Mr. O'Donnell, had not he the reputation of being one of the most competent resident magistrates in Ireland?—I heard that he had a good reputation in Belfast.

495. Comparing the intellect of that one magistrate with the others, would not you say that in place of Dr. Babington, or Sir Edward Reid, or Henry Darcus, or John O'Neill being likely to lead Mr. O'Donnell, Mr. O'Donnell was likely to lead the whole four of them?—No; I consider that the Mayor was as well informed as any of them.

496. Do you mean to say that the late Mayor, Dr. Babington, was able to hold his own against or would have been a match for him?—I believe Mr. O'Donnell was educated for a counsellor, but that Dr. Babington was a very intelligent, clear magistrate.

497. And did you say now that you thought Mr. O'Donnell was no more than an equal for Mr. Darcus or Mr. O'Neill?—It is compared with the Mayor that I am speaking.

498. And that the Mayor was far his superior as regards legal qualifications?—I did not say so. I say that he was a very intelligent, able magistrate.

499. Did you ever complain to Mr. O'Donnell afterwards with regard to his having inflicted an inadequate fine on that occasion?—No.

500. Did you ever complain to Mr. O'Neill?—No.

501. Do not you think it would have been far honester to have spoken to those magistrates afterwards, when you had an opportunity of speaking to them in your own shop, than to have put forward this slanderous imputation here against the whole five of them—that they had committed a gross piece of injustice?—I think it is better to do it publicly. The public are of opinion with me—all classes—that that was an improper judgment.

502. And you adhere to the facts that you yourself stated, as to the unanimity of the Bench?—Yes. The general opinion was, on both sides, that it was a partial judgment. All parties coincided—Conservatives and Liberals—that it was an unfair judgment.

503. That these five magistrates delivered an unfair and partial judgment?—That they did not do their duty.

504. Can you tell me what corrupt influences operated on Mr. O'Neill?—I cannot.

505. Can you tell me what corrupt influences operated on Mr. O'Donnell?—I cannot.

506. Can you tell me, with the exception of that enormous bribe of the knighthood, what corrupt influences operated on Sir Edward Reid?—I do not know that he interfered.

507. Did not you say that Dr. Babington was considered by a portion of the Tory party as a very moderate, and what you would call a cold Tory?—No; he was a very active member of it—one of the most energetic of their party.

508. And one of the most violent?—I do not like to apply such a term as that.

509. Did not you often hear that Dr. Babington was tainted with Liberalism, and was very doubtful and very moderate, and practically of no use for partisan purposes?—No, sir, I did not; and I can tell you further that I do not wish to say anything against him.

510. With respect to Mr. Henry Darcus, is he a very furious and bigoted sort of individual?—He is a very strong partisan.

511. A very strong partisan?—Yes.

512. How often has Mr. Darcus been Mayor of Derry?—Very often. It is an office very few aspire to.

513. Do you know any quieter or more inoffensive gentleman in the city of Derry than Mr. Darcus?—I know he is as quiet as you like, but he is a very active man canvassing. He always goes about amongst the people over whom he is agent, asking for votes for his party.

514. Why should he not ask?—Being an agent it is usual in Ireland, and he acts on the custom.

515. Are you aware that Mr. Darcus recently said himself that he would use the police force to put down the 12th of August celebrations if the Apprentice Boys persevered in holding them?—No, I did not—I think there was some rumour—I forget who told it.

516. What was the rumour about Mr. Darcus?—It was, I think, about party tunes or something that way.

517. Did it turn out on that inquiry that you were charged with first interfering with the person of Molseed himself very slightly?—He swore that.

518. Was his credit successfully impeached by you on cross-examination?—I suppose so—his case was dismissed.

519. But his evidence might be believed. Did he produce witnesses to support his statement?—He did.

520. How many?—M'Namara, I think.

521. Did you in point of fact touch him at all before he struck you?—Oh, yes; I held him.

522. What did you want to do at the time you held him?—He wanted to go away, but I held him till I called the policeman.

523. Now, did the magistrates decide that you had no right to touch Molseed, however slightly, and that that was the first assault?—No.

524. Are you aware that they inflicted that fine upon Molseed upon the principle that he had only been guilty of an excess of violence, and had got considerable provocation before he inflicted that injury on you?—They did not give any reason. They blamed him. They said his conduct was improper. They applied that, I believe, to his evidence in Court swearing I was drunk.

525. Whether you were drunk or not, if you, in a state of excitement, having drunk some whiskey or brandy, smelt of whiskey or brandy, might not a man swear you were drunk in mistake?—No.

526. Were you not one of the parties soliciting the Government to send Mr. O'Donnell here?—I never knew any one to solicit to have him brought.

527. Were you not one of the parties soliciting the Government to send a Roman Catholic magistrate here?—I never knew they were solicited to do so, nor do I.

528. Do you mean to say you knew of no communication to Mr. Dowse, the member for Londonderry, requesting him to use his influence to have a magistrate sent here?—No.

529. You do not know?—I do not.

530. Nor hear of any such communication?—I never had such—nor heard of it.

531. Do you mean to tell me you did not hear that Mr. O'Neill wrote a letter of that description to Mr. Dowse?—No.

532. Mr. O'Neill never told you?—No.

533. Although you have heard all the rumours of Derry?—I have not.

534. Do you say you did not hear a rumour to that effect?—No. It was not Mr. O'Donnell came here first, it was Captain Coote. He came about licensing arms.

535. But Captain Coote was here?—Yes.

536. And Mr. O'Donnell was sent to help Captain Coote?—Yes.

537. You don't know anything about that little business?—No.

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538. Mr. Commissioner EXHAM.—What magistrates were on the bench when the man Pigott was brought up?—I do not recollect any except the Mayor and Mr. Thompson. Of course there were others. I believe Sir Edward Reid was on the bench, for he concurred with Dr. Babington in blaming the constable, in saying, "You have got the wrong man."

539. Mr. *Rea.*—Then Mr. Thompson was there?—Yes.

540. Was the resident magistrate there?—I do not recollect.

541. Was Mr. O'Donnell or Captain Coote there? Could you recollect did either of them sit?—I don't believe they did. If any it would be Captain Coote that might be there. The book will show, of course, or the newspapers.

542. With respect to the pistol shots you say you heard fired by the Dowse mob, did you hear that 120 revolvers, ordered from Birmingham, arrived here in November, for the purpose of enabling Mr. Dowse's friends to defend themselves if necessary?—I heard there were revolvers bought. There was a telegram from Limerick from a commercial man saying they were ordered. I heard that.

543. For the purpose of supplying Mr. Dowse's mob with artillery?—No—revolvers.

544. About how many revolvers do you believe reached Derry?—I don't know. I often heard it reported that both parties were extensively armed. I always heard of the others having them before. I am convinced they both have them, and that all were licensed that asked. Any one that asked a licence got it.

545. I am asking you about the Dowse revolvers, and you begin telling me about other revolvers?—I told you all I know about them—that I heard they were coming, but I never saw any of them.

546. Did any one inform you he had been supplied with a revolver?—No.

547. Do you know, in the same way that you have deposed to any fact asked you by Mr. M'Laughlin, that 120 revolvers arrived and were distributed?—I did not hear how many.

548. Do you know a number of revolvers arrived and were distributed?—I don't know it, but I heard it.

549. Do you believe 120 revolvers arrived and were distributed?—I could not tell the number. I did not hear any particular specified number.

550. Can you form no belief on the subject at all?—I did not hear any number.

551. But you had the opportunity of forming a belief—you were in the confidence of the party?—I don't believe I was, in that matter.

552. Do you believe about 120 revolvers arrived and were distributed amongst Dowse's friends—say yes or no?—I will not fix the number. I have no idea whether it was 40, 80, 100, or more than 100.

553. What do you believe?—I believe that every one who was able to buy a revolver, of the working classes, got one, but I have no knowledge of it. I speak of both parties.

554. Do you mean to say that Mr. Dowse made his men pay for the revolvers?—I don't suppose Mr. Dowse had any knowledge of it—still less than I.

555. Do you know who ordered the revolvers?—No.

556. Did you hear?—No.

557. Do you know what the price of a revolver was?—I believe revolvers are very cheap.

558. But the Dowse revolvers?—I never saw them except that night. I never saw the Catholics except on that night of the procession, levelling the pieces—firing them in the air.

559. Can you not tell me the ordinary current price of a Dowse revolver?—No. I never saw them except at that time.

560. At the time the revolvers were sold?—I don't know.

561. You can tell me all about the artillery in the gun-room of the Apprentice Boys;—where was the room for keeping the Dowse artillery?—They never had any artillery.

562. Where was the Dowse armoury?—I know nothing of a Dowse armoury. Mr. Dowse had no armoury.

563. Where were the revolvers kept—the 120 revolvers?—I don't know of 120. I know nothing of it.

564. Don't you know the sum of money that was spent on revolvers?—No.

565. Mr. Commissioner MURPHY.—He has stated that the working classes generally got them.

566. Mr. *Rea.*—In other words the "Bog-side" gentlemen. (To witness)—Do you think it was judicious on the part of Mr. Dowse or his party to scatter revolvers at wholesale prices amongst the "Bog-side" people?

567. Mr. Commissioner EXHAM.—That is assuming Mr. Dowse did so. Don't you think it is quite sufficient to know that a large number on both sides had revolvers at the time of the election, when public feeling was likely to be heated and was heated?

568. *Witness.*—I did not before state something that I now recollect about revolvers. The governor of the Apprentice Boys, Mr. John Guy Ferguson, came to me and said he had a good crowd now——

569. Mr. *Rea.*—Was not this a private conversation? Would any man of position and honour state a private conversation?—It is about the revolvers. He said he had a good crowd now, and that if they saw the election going against Lord Claude they would shoot the Catholic voters.

570. When did he say that to you?—Previous to the election.

571. Where?—In my own place, and I believe others could give testimony of it.

572. Who was present?—I don't recollect.

573. At what time of the day was it?—I don't remember the hour of the day. It was in the daylight. I made no particular note of it.

574. On what day of the month was it?—I cannot tell you.

575. On what day of the week?—I cannot tell; but that is what led to the parties thinking of arming themselves.

576. On what day of the week was it?—I cannot tell. It was not on a Sunday.

577. How long before the election?—I think it was when he saw the revision had gone adverse to him.

578. It was after the revision and before the election?—I think so. It was when he became apprehensive of being defeated.

579. You and he appear to be on terms of personal intimacy?—He sometimes comes and talks about matters. He perseveres in coming and making statements to me.

580. You did not tell him you did not wish him to come?—No.

581. You received his visits? (Not answered.)

582. And you used to get him to tell things?—No. I let him say what he had to say.

583. Do you remember any occasion of Mr. John Guy Ferguson coming up in a Court of Justice and deliberately betraying any portion of your private observations to him?—He is perfectly welcome.

584. Do you recollect any instance of Mr. John Guy Ferguson having come up in a Court of Justice and deliberately betraying any portion of your private conversation to him?—I think an active agent like him has no right to expect me to hold his confidence in a matter connected with my own party.

585. And you told him I suppose that. You told him to beware, that any observation he might make to you might be made use of against him?—No.

586. You put him on his guard?—No, I did not.

587. You did not. You led him to confide in you, and when you got his confidence you take the first opportunity of betraying him?—He volunteered the statement. I did not ask him. He gave me his opinion. A person of the opposite party had no right to assume any privacy.

588. Then you are perfectly serious in saying that Mr. John Guy Ferguson, without any circumlocution,

said that he would have the opposite voters shot?—He did not say he would, but he said they had a good corwd, and he was certain it would happen.

589. That what would happen?—That they would shoot those voters if they saw the election going against them.

590. And you believed that?—I did not. I believe they dare not, but still the threat was made.

591. You did not consider it a private conversation?—No.

592. You considered it a conversation you were entitled to make use of?—Oh, yes.

593. And you believe it to be your duty in the interest of justice to tell it to the Commissioners?—I think it is right they should know it.

594. Now, after Mr. Ferguson told you the opposite voters were to be shot, did you think it expedient?—I will repeat now in Mr. Ferguson's hearing—I see he has come in—what I have stated. He said he had a good crowd now, and in case they saw the election going against them, he was sure they would shoot Dowse's Catholic voters.

595. They would not shoot the Protestants. You did not put in that before?—I stated before the Catholic voters—if they saw the election going against them.

596. I suppose you went immediately to Mr. O'Neill or to some other magistrate, in whom you had confidence, to take steps to prevent these voters being shot?—No; we took precautions. The magistrates were applied to. I believe the Mayor was applied to by the candidate to have a sufficient protection, and there was a good deal of police I am certain.

597. Did you go yourself to see the magistrates?—No.

598. To give information of this fearful threat?—No.

599. Did you take any steps afterwards to enable the voters to protect themselves?—I took no steps.

600. Nothing but the armoury of revolvers coming?—I had no connexion with them.

601. Was it on account of your having heard that and stated it, that Dowse's revolvers were brought?—It was not confined to me—this knowledge. It was known that the Apprentice Boys carried revolvers.

602. Did you advise after that, that the Dowse party should get revolvers?—No.

603. You did not recommend it?—No.

604. Do you know out of what fund the revolvers were paid, even?—No; there was no fund for paying for them that I am aware of. People may have subscribed unknown to me.

605. Do you know to what shopkeeper or other person they came?—No.

606. Did you hear?—No.

607. Do you know from what place they were distributed?—No.

608. Did you hear how many chambers they had?—The only thing I knew of them was—I heard some went to a neighbour who sells hardware, and I asked him if he knew anything of it. He said he did—that is Harvey—that he had got an order for some, but the number or anything else I don't know.

609. Was he one of Dowse's supporters?—He said it was in the way of business, and he did not care.

610. How many did he say he got an order for?—He did not tell me. I merely asked him was it right or legal. He said it was a matter of business.

611. Did you speak to any other person to know whether he had got an order?—No.

612. Do you know whether Harvey supplied another lot, or portion?—I don't think he supplied many from his conversation with me.

613. Now, with respect to the torches you spoke of, you say you saw Mr. Dowse's processionists on one occasion with torches?—Yes.

614. Did you supply those torches to them?—Yes; they were lying in my place.

615. How many torches did you supply to those gentlemen?—I should think nearly sixty.

616. Mr. Commissioner EXHAM.—You say they were supplied from your own place. Do you mean any place behind your place of business?—Yes; they were lying for many years in my place, and I was very glad to get rid of them.

617. Did the people come up to your house for them?—No; I gave them to a carman who took them away.

618. Mr. *Rea.*—Did you sell them?—No.

619. What were they worth?—I suppose they were worth a shilling a piece.

620. That would be three pounds. Did you get any consideration for them?—No; they had been got long previous, and not used, and I was very glad to get rid of them.

621. Do you know who paid for those torches that were worth a shilling a piece?—They were lying there so long that I do not recollect. They were used at the Derry celebrations long before.

622. Mr. Commissioner EXHAM.—At the Derry celebrations?—Yes.

623. Mr. *Rea.*—How many years before?—It is a very long time; and afterwards the Apprentice Boys used other torches, and it was agreed these should not be used on the anniversaries, there was such a row about them.

624. Suppose Mr. John Guy Ferguson, Governor of the Apprentice Boys, furnishes an account to Richard Dowse for "sixty torches supplied to your mob at one shilling per torch—three pounds," is there any chance of his getting it?—He had nothing to do with them.

625. Tell me, when those torches were originally purchased, were they not paid for out of the Apprentice Boys' funds?—Not for that party.

626. Well, what party?—I am almost certain they were paid for out of the club I was in.

627. Were they not paid for by the Apprentice Boys?—By that club—I think they were. I paid for them. I used to advance a good deal of money for them.

628. You were trustee of the torches?—I was glad to get rid of them.

629. And you malversated them?—Yes; I would be very glad they continued the torchlight processions. They were very pretty things.

630. Did you not think the giving over of sixty torches to Dowse's supporters for the purpose of having them burned in the streets of Derry was very likely to lead to a riot?—I know there was a riot on the night the Apprentice Boys burned torches.

631. Mr. Commissioner EXHAM.—Did you not tell us there is a by-law of the Corporation against torches?—Against tar barrels—I think there is a law against tar barrels.

632. Is there not one against torches just as against tar barrels?—I don't know. I would wish to refer to it. But when the other party were allowed to use them, I saw no reason why these people should not.

633. Mr. *Rea.*—You say you were aware there had been a riot when the Hamilton party used torches?—It was long before the Hamilton party.

634. When were the torches used in the Apprentice Boys' procession?—I could not tell you the year.

635. You could not tell the time you used those sixty torches?—They did not use more than half a dozen of them.

636. You gave them out to be used?—About half a dozen.

637. When?—Some "18th" night.

638. You told me you gave sixty torches worth a shilling a piece out?—I gave them to a carman to take down to the Dowse people.

639. When did you do that?—Coming on to the close of the petition.

640. Has there been any torch-light procession since that?—No. It is very recent.

641. How long before that had there been a torch-light procession?—A great many years.

642. There had been no torch-light processions of the Apprentice Boys for many years before?—No.

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643. Then the only recent torch-light procession was the one for which the sixty torches were supplied by yourself?—Yes.

644. Did you see that torch-light procession proceeding on the public highway?—I saw it, as I believe I mentioned first, in Shipquay-place, and Waterloo-place. It went round Rossville-street, and I saw it there again.

645. Mr. Commissioner EXHAM.—We may take it that it went through half a dozen streets and roads?

646. Mr. *M'Laughlin.*—All outside the walls.

647. *Witness.*—They had been out an hour before I saw them.

648. Mr. *Rea.*—How many people would you say were connected with that torch-light procession?—As it passed I saw a great crowd with them, and when they came up they had not many torches.

649. How many men formed that procession?—There were several hundreds. I am sure—not regular processionists, but just a crowd following the band. They were not even in rank. The torches were nearly all burned out when I saw them. There were very few torches lighted then.

650. But had they not been previously burned?—I believe they had been burned along the streets up to Bishop-street.

651. Would you not say there were upwards of 2,000 persons following the torches?—I have no idea. I have not the gift to reckon crowds. There might be.

652. Did you hear from any person that upwards of 2,000 were following the torches?—I did not. There was a large number; before I saw it, it was broke up.

653. Did you hear there were upwards of 1,000?—I don't know how many I heard.

654. They were chiefly the "Bog-side" men who were following the torches when you saw them?—I think so. I don't think there were many Conservatives to rejoice about their defeat.

655. And you think it would be highly conducive to the peace of the city of Londonderry if the magistrates had allowed this torch-light procession to come within the walls, and parade from street to street in the city? (Not answered).

656. Now, don't you believe it would be highly conducive to the peace of Londonderry, if the magistrates, on that night, in place of keeping the people outside of the walls and in their own district, had allowed them to come in to the interior of Derry and parade about as long as they thought fit?—I think the magistrates had no right to prohibit it. They allowed them to come in when Sir Edward Reid was mayor, at the time of the election, and I believe they had tar barrels—but if all things of the sort were prohibited by the bench, I think it would be very much for the peace of the town.

657. That is not an answer to my question. I want you to say "yes" or "no" to this. Don't you think it would be highly conducive to the peace of Londonderry to let that torch-light procession come inside the walls, and parade the streets of Londonderry as long as they liked?—I think the magistrates should have acted fairly. It was not fair to shut out one, and admit the other.

658. I am not asking you that?—Well, I think it is the duty of the magistrates always to look after the peace of the city. Every time any band comes out it tends to riot, and to lead to a row—but I apprehend every one has a fair right to the highway, unless there is an information sworn that there may be a riot.

659. Don't you think that upon that occasion the magistrates—now think it over, and confine yourself to this one occasion—don't you think the magistrates acted with the strictest propriety in using all the forces at their disposal to prevent that torch-light procession coming within the walls of Derry?—I think whoever did it acted most partially; but I don't know who it was.

660. Mr. Commissioner MURPHY.—Do you think they acted improperly—would there be a probability of riot if the procession came in?—There is a probability of riot on the occasion of every procession, but here the police allowed in one procession and kept out the other. Every display, more or less, tends to riot, and that like others would tend to riot also.

661. There is, very probably, as you say, a tendency to riot on those occasions; but was there a probable tendency to riot on that night?—Of course there would be.

662. And that tendency would be increased if they came inside the walls?—That is where the riot would be.

663. Then surely you have no difficulty in answering Mr. Rea's question in the affirmative—that the city magistrates acted properly?—Oh, I think most improperly and partially; for they allowed in one party and kept out the other.

664. Mr. Commissioner EXHAM.—That is not the question that was asked?—I say that everything of the sort tends to riot.

665. Mr. *Rea.*—Then your evidence is going up, and the value of your testimony is this, that all displays tend to riot?—Yes.

666. Now, supposing that the torch-light gentlemen came in, and that the 'Prentice Boy party thought it advisable with their entire force to attack them, will you be good enough, as a Town Councillor and a respectable citizen, giving evidence now for the purpose of preventing riot—just to give the Commissioners an opinion as to the probable number of armed men that would be requisite under such a contingency to keep the peace within the walls?—I know they have always plenty for every other occasion.

667. But supposing the Bog-side gentry, with their sixty torches, came in, and the Apprentice Boys, assembled with their entire force, had attacked that procession, could they be separated; and if they could be separated, do you think one regiment would be sufficient to do it?—I don't know; there is never a regiment here.

668. Mr. Commissioner EXHAM.—Don't you think the proper way to prevent them coming into contact was to keep them out?—It may be the proper way, but it was partial.

669. That is another thing. But was it not the safest way?—It was the safest, but it was unfair.

670. Mr. *Rea.*—Was this proceeding of the torch-light procession subsequent to the distribution of the artillery?—Of the revolvers I heard.

671. At the time of the magistrates acting, as you say they did, unfairly and partially towards the torch-light procession of the Dowse party, they must have been aware that both sides were extensively provided with arms—the Apprentice Boys from habit, and the Catholic population from recent circumstances?—Of course they must have been. It was common rumour.

672. Mr. Commissioner MURPHY.—Supposing on the previous night the magistrates had excluded a procession of the Apprentice Boys, and that on this night they excluded this procession of the other party, would you not think they acted on both nights with extreme wisdom?—I should think so. I know all these things tend to riot, but I may say that the general impression is that it was a partial feeling.

673. Mr. *Rea.*—I hear his evidence, and see how these matters are attempted to be established. It is impossible for me to show the propriety with which the magistrates acted, unless I separate the occasions, and deal with one act by itself. Having regard to the critical circumstances of the times, did you ever know the 'Prentice Boy party to be more infuriated than they were about the time of that torch-light procession?—That is the night of the Dowse torch-light procession?

674. Yes?—There was a very bad disposition ever since the election.

675. Were they not in a very bad disposition on that night?—I don't remember seeing them.

676. Did you hear—as you heard so many rumours

—that some of the magistrates had been informed by respectable citizens of Derry that if the procession were allowed to enter the city there would be no possibility of preserving the public peace?—I don't think the 'Prentice Boys were during the day in much force, but during the night there was a procession, and they went in and out of the gates without asking liberty, at the time the others were kept out.

677. Mr. *M'Laughlin.*—The Apprentice party were allowed to parade inside and outside?—Yes; they were in ranks, and had a display of emblems.

678. Mr. *Rea.*—Do you mean to say they had torch-lights?—No, but they had emblems, and were in a body, and marched about both inside and outside.

679. How many were there?—I did not see them—I only heard it.

680. And you knew nothing about it?—Yes; I just told you I was told it by several people.

681. Were you through any of the gates that night?—I was.

682. Were you prevented from going out and coming in?—No; but I was sent from one part of the gate to another where the police had a passage through.

683. Was there an order issued by the magistrates that because that procession was to be kept out as a procession, individual citizens, having no arms or emblems or torches, should be kept out also?—I heard of no private person being interfered with. I think there was a rumour that Dr. Harken was not allowed to go through with a car. I was allowed to go out and in with difficulty.

684. There was no breach of the peace that night of any importance?—I don't remember anything. I did not hear of anything.

685. You know Bishop's-gate? Was there an attack made on the police there?—At Bishop's-gate there was an attack on the police, and a policeman's eye was knocked out.

686. Was there an attack made by the torch-light people at Bishop's-gate?—I believe there was.

687. In which three unfortunate policemen were nearly killed?—I heard they were, but I was not there.

688. And that attack was made by the torch-light gentlemen?—Yes.

689. In the course of your experience did you ever know of a gentleman who originated a riot coming up to complain of the riot he had originated?—I originated no riot.

690. Do you not believe you were the originator of a riotous and illegal procession?—Not illegal certainly.

691. Do you not believe you were the originator of a riotous and illegal procession, and one likely to lead to a breach of the peace under any circumstances? Do you believe that?—I thought it would be a very nice thing if the people conducted themselves; but I certainly knew this, and every one must be aware of it, that it would tend to a riot, as all displays of the kind do.

692. You talked of a by-law of the Corporation, of which body you are a member, against permitting torches in the public street?—I am certain there is a by-law against permitting tar barrels in the public street, and I have always seen it violated.

693. You did not consider you were violating the by-law on that occasion?—Oh yes, but I knew it was customary.

694. You knew it was the custom, and because it was the custom you openly violated it and gave these torches?—No; I gave the torches, and had no other act in it. I knew that the tar barrels were a violation, but I don't know whether the torches were or not.

695. Mr. Commissioner EXHAM.—Didn't you know one was just the same as the other?—Well, I did.

696. Mr. *Rea.*—Others having violated the oath, you thought you might as well do the same?—Just so.

697. And do you now charge that the other members of the council violated their oath as you did?—I didn't say that; other members of the council may not have done it.

698. I suppose on that occasion when you violated the law you had taken the customary oath to act conscientiously and so forth?—I did not forget it.

699. You had no idea of breaking your oath—you honoured it, and still you violated the law and the declaration equally?—Yes; a tar barrel had been burned at the Mayor's door a few nights before—the present Mayor and the late one.

700. You don't attempt to induce the Commissioners to believe that there was the same strength of public feeling about a little municipal election as existed with respect to the great contest between Lord Claude Hamilton and Mr. Dowse?—There was a good deal of interest at Babington coming to the chair, or there would not be tar barrels, which are so very unusual.

701. Do you mean to say one feeling is comparable with the other—that at a little municipal election and that at a great election for a member of Parliament?—I suppose it is general to have rejoicing and cheering at municipal elections as well as any other, but they are more customary at parliamentary elections.

702. But still you believe the feeling to be comparable at the two?—No, the municipal election being the less important of the two, it is less justifiable.

703. Then it is less justifiable to have torch-light processions for a parliamentary election success than a municipal election?—No, but more justifiable. It is more justifiable to have it after a parliamentary contest, and more unusual to have it at a municipal contest.

704. It does not appear to me to have been a very great election at all. Who was Dr. Babington opposed by on the occasion of that election?—There was no opposition.

705. Were you a member of the Corporation at that time?—Yes.

706. How many members of the Liberal party are there in the Corporation?—Generally about ten, I should say; but there are more Conservatives.

707. There are ten Liberals, and fourteen Tories and Conservatives. Is that it?—Probably. I believe we are in the minority.

708. Dr. Babington, I believe, was elected mayor?—Yes.

709. Unanimously?—There was no opposition.

710. John Hempton being present?—I was.

711. And nobody proposed John Hempton?—No.

712. And no one dreamed of him?—No one dreamed of him.

713. But when there was no contest about this business, how could you imagine any public excitement of a serious character likely to arise?—The excitement was simply the tar barrels. I don't remember speaking of any excitement beyond that.

714. But how could you consider Dr. Babington's election as mayor, by a council of twenty-four members, a partisan affair? How was the feeling exhibited at that comparable with the feeling at a parliamentary election?—It was a partisan act.

715. How now; weren't there Liberal members in the Corporation?—There were, but there could be no contest.

716. Why?—Because it's not usual in this Corporation to have contests. They make their minds up beforehand, and I never heard of an instance of it in Derry.

717. And now tell me—when there was no excitement in the Corporation, your complaint is that the magistrates did not give stupendous instructions to prevent the burning of a tar barrel in the city?—Yes.

718. That is your case of partiality?—Yes.

719. How many tar barrels were burned—60 at least?—I can't tell.

720. How many did you see burning on the different nights—on the night this dreadful Dr. Babington was elected unanimously by his fellow-citizens—I am glad the fact came out, for I did not try to get it at all—how many were burned?—On the second night I remember seeing them in Pump-street.

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721. Mr. Commissioner EXHAM.—How many?—I saw a couple at one time.

722. Mr. *Rea.*—How many?—I can't specify the number.

723. Specify what you saw?—I saw the tar barrels burning.

724. Dr. Babington was unanimously elected, and on that evening tar barrels were burned, and I want to know what you saw?—I saw the tar barrels going along, and I heard the cheering and groaning.

725. I am instructed that only one tar barrel was burning. If I was instructed six were burning I would just admit it as freely?—I saw several.

726. On that night?—On that night, and no other. There was no event of a particular character at the election of Dr. Babington to be Mayor, but I went down to see what they were at on that night, and not on any other night. That is the only night I was speaking of, the night he was elected, and not the night he came into office.

727. I am speaking of the night he came into office?—There was certainly more than one tar barrel on this night.

728. I am not speaking of "this" night, sir?—Well, I am. I am speaking of the night he was elected.

729. Mr. Commissioner MURPHY. — Was there more than one barrel burning on that night?—Oh, yes, there was more; but I cannot tell you how many tar barrels were burned through the town of Derry that night.

730. Mr. *Rea.*—Will you swear you saw more than one tar barrel?—Certainly. I am also sure that there were more there than on the rejoicing for Mr. Bigger.

731. Do you know the difference between a flour barrel and a tar barrel?—No, I know nothing of what you have been instructed about flour barrels.

732. Would you be surprised to learn that, in point of fact, on that night of Babington's election to be mayor of the city there was one tar barrel and one flour barrel consumed?—Not a bit; but I am certain of more than one on every occasion.

733. At what time of the night did you see the barrels in December?—After seven o'clock.

734. After seven o'clock?—I think so.

735. When the shops were closed?—Yes.

736. And when the traffic had ceased on the streets?—I think it was the second night. I had just shut my door when I saw them.

737. On the night that the barrels were burned was anything done to you?—I don't recollect.

738. Try now?—I can't recollect.

739. They took no notice of John Hempton at all—is that it?—I am certain they groaned as they were going past—they always do it.

740. Did you hear these barrels were to be burned on that night?—I don't think I did.

741. Do you know was any information given to any magistrate—surely these poor magistrates are to get something like justice—with regard to a probability of there being barrels burned, and a breach of the peace led to in consequence?—I don't know of any information.

742. Did you give any?—No.

743. Did you see any magistrate in the street where these barrels were on fire?—No.

744. You did not?—No.

745. Did you send to any magistrate to ask him to prevent the villains burning these barrels?—What has that to do with it?

746. It has something to do with it. These magistrates are accused?——Well I did not. The magistrates saw what was going on, and permitted it.

747. But you told me a while ago that you saw no magistrate in the street where these barrels were burning?—Yes; but no one could be in town and not see them. They were going past every one's place.

748. But suppose now?——But suppose nothing—are you going to be done? I have stated my case.

749. I know you have, and I am going to show that your case is utterly untrustworthy, and your evidence not to be relied upon, and to a great extent I have accomplished my purpose with your help. Recollect now any fact you can remember to connect the magistrates with those gentlemen and that transaction of burning the barrels?—I could not recollect any of them; but they live in the town and must have seen them.

750. Why must they have seen them?—Because they live in town.

751. How do you know they live in town—might they not have been down at their country houses or villas?—Well, that might be; but it was a very public thing, and the magistrates must have known it.

752. How must they have known it now?—By seeing it.

753. How do you know that any of them saw it?—I don't know, but they must.

754. Were you aware, when talking with the different sections that form the public opinion of Derry, that any individual made a complaint to the magistrates or to any one of them?—No.

755. Was there any complaint made to Mr. O'Neill, the Catholic magistrate?—I don't know. I made none.

756. Were there any complaints made to the constabulary about it?—I really don't know.

757. I believe you want the constabulary abolished as well as the magistrates?

758. Mr. Commissioner EXHAM.—Oh, that is a question for our consideration afterwards.

759. Mr. *Rea.*—I suppose you want all the magistrates of Derry to be deprived of the commission of the peace?—I believe the constabulary and the other police might act very fairly but for the magistrates.

760. I believe you gave this information to have the magistrates pointed out and named in order to have them deprived of the commission of the peace?—I believe they acted partially.

761. Don't you give this information to have the magistrates pointed out and named, in order to have them deprived of the commission of the peace?—I don't know whether they are to be or not; but it is my opinion they acted partially, and I am bound to state it. I don't blame the people at all; it's the authorities I blame.

762. If you inculpate the magistrates for not preventing these flour-barrels and tar-barrels having been burned, how will you, or how can you, exonerate the constabulary from the same offence?—They were acting under the orders of the magistrates.

763. Had the constabulary the same means of knowledge within their reach of these tar-barrels or flour-barrels being burned in the streets as the magistrates had?—They must have known it. No one could be in Derry and not know of it. Sure it's absurd to talk about their not knowing of it.

764. Did you see any member of that force interfering with the tar or flour-barrels that evening?—No, I did not.

765. Do you know how near to the constabulary barrack this tar or flour-barrel was carried when it was on fire?—I do not know whether it was carried near it or not. The only place I can testify to seeing it in was the Diamond.

766. Do you know any police officer or magistrate who was fired at when doing duty at that time in Derry?—No.

767. Did the magistrates or police officer refuse to interfere or remove this nuisance off the streets?—I don't know; but sometimes the police remove themselves.

768. Remove themselves?—Yes. There were two of them removed some time after they gave evidence in Court against Lord Claude's party. On the night of the attack on the Town Hall there were two of the constabulary who gave evidence against the party who made the attack on the Town Hall and they were immediately afterwards removed. The other men who gave evidence against Mr. Dowse's mob—they were kept—Sub-Constables Reilly and Sorraghan.

769. Mr. Commissioner EXHAM.—You are aware, Mr. Hempton, that the magistrates have nothing to say to the removal of the police. That is done by the Inspector-General of Constabulary?—We suppose that it is through their influence.

770. And that was the impression?—Oh, yes. It was very pointed—the removal of only the two men who gave evidence on one side. I don't say it was the magistrates—there might be a higher power over them.

771. Am I to understand that the Inspector-General of Constabulary acts partially—is that what you mean?—I don't know by whom it was done; but it was very pointed.

772. Don't you know the head of the police force is Colonel Wood?—Yes.

773. Then, am I to understand that the impression of the people in the town is that he acts partially?—No. The public don't know what influence is used on the police force; but the fact is that the men were removed. I know nothing of Colonel Wood or anyone else.

774. Mr. *Rea.*—Without imputing anything at all to Colonel Wood, I suppose what you mean is that the head of the constabulary here has acted partially, in removing two men who gave evidence against the Conservative mob and not removing the two men who gave evidence against the Liberal mob?—I suppose there was influence—I can't say what it was. I can't tell anything about the manœuvres. I merely tell the fact that they were removed.

775. What you mean then to say is, that the Lord Lieutenant used his influence with the Inspector-General of Constabulary to have them removed?—I can't tell; but the fact is that they were removed; and I can't go further than that.

776. Can you tell me this fact, that the constabulary officers are governed altogether by the Inspector-General?—I know nothing of it.

777. You never heard that?—No.

778. You say that?—Yes. It was believed it was Government influence.

779. How operating?—I can't say how it operated. I am only saying that the two men who gave evidence for us were removed; the Conservative Government being in power at the time.

780. That is in other words that the Duke of Abercorn used his influence?—I did not say it. I suppose he might use other instruments to do his work.

781. Mr. Commissioner EXHAM.—You say that the Lord Lieutenant had others to do his work. Now, I want to know, do you wish to have that answer taken down?—I don't mean the Lord Lieutenant.

782. You have said it, and do you wish to have that answer taken down?

783. Mr. *M'Laughlin.*—The witness has not said it, but Mr. Rea has said it for him. You should consider the form of the question Mr. Rea put involved an answer that might appear as Mr. Commissioner Exham has interpreted it, although the witness could not mean it as such.

784. *Witness.*—I don't say the Lord Lieutenant did it, but it was done.

785. Mr. *Rea.*—Now, will you be kind enough to tell the names of those who gave evidence against the Conservative mob and were removed?—Sub-Constables Sorraghan and Reilly.

786. Do you know about what time they were removed?—Shortly after they gave the evidence.

787. When was that?—The time of the riots.

788. What riots?—In July.

789. Last July?—July, 1868.

790. And who were the men who were not removed for the similar evidence against the other side?—I know Bailey remained in the town.

791. But tell me the names of the men who were not removed for similar evidence?—I did not say for similar evidence. I said that Sub-Constable Bailey and the others who gave evidence against the Dowse mob were allowed to remain, while the constables who gave evidence against Lord Claude's mob were removed.

792. They were removed in July?—I don't know when they were removed, but the riots were in July.

793. Did you hear that Reilly and Sorraghan were of the firing party at the Diamond in July last?—They might have been. No, Reilly was not. He was at Coleraine, and I don't think he was here.

794. Did you make any inquiry from the Sub-Inspector of Police about it?—No.

795. To ascertain why the men were removed?—No. I am only interpreting what the impression is. I could not trace it up to any source, nor I do not wish to impute corrupt motives to any one in authority.

796. It is a matter of courtesy to assume that all in authority are incorruptible. Did it ever occur to you to ask whether these men had not been removed at their own request?—No.

797. Did it ever occur to you to ask had they been removed to some pleasanter station?—I heard they did not wish to be removed.

798. Did you ever ask any officer of the police?—No.

799. You had asked no one. Did you ever see the men afterwards?—I did see one of them.

800. Which of them?—I think I saw them both.

801. And you had a conversation with them, I suppose?—I am certain I spoke to them about their removal, and they, like all other policemen, said nothing.

802. And you found the police very confidential, didn't you?—No, they are always very cautious in what they say.

803. But you did see these men?—Oh, yes; one of them rapped me up one night and said the house was on fire, and I saw him then.

804. At the time you saw them they had been removed after giving the evidence against the Hamilton mob?—Yes.

805. Didn't you ask the men whether this was a fact or not?—I spoke to them about it, but they did not say what it was for.

806. Then they did not directly or indirectly inform you?—They made no complaint to me.

807. How long is it since you had that conversation with them?—I think I saw Reilly before he went away, and I think I saw Sorraghan when he was called in again on duty. I am certain I mentioned it to some of them.

808. And it was after you had that conversation you say this, and make the statement that it was true they were removed for giving their evidence against the Conservative mob?—I don't know the motive, but the public suspect it was.

809. Do you know by what mob the constabulary were chiefly attacked at the time of the election?—I did not hear they were attacked at the election. Wait till I see—I heard Mr. Kennedy giving evidence that on the night of the firing they were attacked at Butcher's Gate.

810. Don't you recollect at the time of the election the constabulary were badly injured by the Dowse mob?—No; it's the time of the petition, when they were keeping them out of Butcher's Gate.

811. Well, the time of the petition?—They were attacked then and severely injured—one of them on the face, another had his eye knocked out, or tied up, and I believe a third was in the infirmary.

812. How many did you see in the crowd you called the 'Prentice Boys' crowd?—Do you mean the procession with guns?

813. I mean the crowds that came round the town at night which you characterize as the Apprentice Boys' crowds—how many did you see in those?—About 200 I suppose. They were generally composed of a lot of countrymen in front, with a few notables, such as Mr. Blaquiere and Mr. Johnstone, and two or three others.

814. Were you ever an Apprentice Boy yourself?—Yes.

815. Did you lately apply to be admitted a 'Prentice Boy to any of the clubs?—The reason——

816. Did you either directly or indirectly apply to be admitted an Apprentice Boy again?—No.

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817. And when you say "No," why did you take such a length of time to think?—Have you any other ridiculous question to ask?

818. Tell me, then, how long is it since you ceased to be connected with the Apprentice Boys' Society?—After voting for Greer they would not work with me.

819. When was that?—I think the election was in '65.

820. You have not been a member since?—No.

821. And you have neither directly nor indirectly applied to any of the clubs to be re-admitted?—No.

822. Were you a member of an Orange society?—Yes.

823. Mr. Commissioner EXHAM.—We had better not go into that.

824. Mr. *Rea.*—Were you ever a member of an Orange society?—I will not answer you any irrelevant questions any more. If you have any revelant questions put them.

825. Were you ever a member of an Orange society?—I'll not tell you.

826. Do you refuse to answer that question, on the ground that you think an affirmative answer would expose you to a criminal prosecution?

Mr. Commissioner EXHAM.—It's not a question we will allow to be put.

827. Mr. *Rea.*—Were you ever expelled from the society of the 'Prentice Boys;—No; I never heard of any such thing being done.

828. Were you ever requested to resign?—No.

829. Were you ever expelled from the Orange Society?—I was not in the society that expelled me, and they had to rescind their order and admit that I was not a member of that club. I can show you the record.

830. Then I presume you were a member and were expelled?—No, they thought they expelled me, but had to retract. I did not join the society that you speak of at all, and could not be expelled. I can produce before the Commissioners the records, and show it is the contrary of what you state.

831. Then you decline to tell me whether you were expelled from the society or not?—I could not be expelled from a society I did not belong to.

832. Say whether you were or not?—I was never in it—not in that society.

833. Were you ever in any other society?—That is another business.

834. Were you in any Orange society?—I was not in the society you say. I was in a society of which Lord Dungannon is chairman.

835. Now tell me—you recollect the Belfast riots of '64?—No; I know there were riots in Belfast. Frequently I have been in Belfast.

836. For the purpose of aiding the rioters? Did you on that occasion send a quantity of powder to them labelled as "mustard"?—No. I went to Belfast once in company with Mr. Ferguson, and saw a Protestant meeting there, and walked about the Pound Loaming and saw it.

837. Mr. *M'Laughlin.*—With Mr. John Guy Ferguson?—Yes.

838. Mr. *Rea.*—Now tell me this——?—I will answer you nothing about Belfast.

839. Did you, now, directly or indirectly—and you need not answer this question if you don't like—give any aid to the Protestant rioters at Belfast, who fought so well in 1864?—I had nothing to do with them.

840. Will you swear you did not send any ammunition to them?—Yes.

841. Or that you were not a party to sending ammunition to those rioters?—I had nothing to do with them.

842. Will you swear that you were not a party to sending ammunition to those rioters?—I sent them none.

843. Will you swear you were not a party to sending ammunition to those rioters—answer the question?—Certainly. I had no communication whatever with them.

844. I am not asking you that. Will you swear you were not a party to sending ammunition to them?—Not at all—not to them.

845. And to whom did you send the ammunition for that party?—It had nothing to do with that party at all. I sent guns—at least I got some samples of guns from Mr. Griffith, a man in Dunmurry. I don't think it was for rioters, or had any connexion with rioters. Griffith can tell you all. I will answer you no further questions about that.

846. You will have to answer me, or say you won't answer me?—I won't answer you.

847. You spoke about an attack made by the people on the lecture-room of Mr. Dowse?—Yes.

848. Do you recollect that you, for the purpose of packing the meeting in the Corporation Hall, for a lecture to be delivered by Mr. Dawson, the member for the county, procured some hundreds of tickets to be forged, in order to procure the admission of parties to that meeting, whom the promoters intended to exclude?—I will not tell you a word about that. I may have a knowledge of it, but I will not repeat it.

849. Now, remember distinctly that I am giving you, a quiet citizen and Town Councillor of Derry, an opportunity of vindicating yourself from a charge of forgery?—No, I never forged in my life. Did you?

850. Mr. Commissioner EXHAM.—I don't think that is a question which should be asked.

Witness (to Mr. *Rea*).—After that exhibition I will not answer you any irrelevant questions.

Mr. Commissioner EXHAM.—I wish to ask the witness a few questions, but I won't put them to-day.

Witness.—I will attend any day with pleasure. I wish to say that I never forged anything in my life, and it will be proved before long in this court, at the next revision, who were the forgers.

The Court then adjourned till the following morning.

FOURTH DAY.
August 21.

FOURTH DAY.

SATURDAY, AUGUST 21, 1869.

The Commissioners sat at eleven o'clock.

Robert Bond, esq., J.P., examined by Mr. *M'Laughlin.*

Robert Bond, esq., J.P.

851. You are not now resident in Derry, I believe?—I am not.

852. Have you a place of business in Derry?—Not for the past year.

853. I believe you reside at Dullerton House, co. Tyrone?—I do.

854. And are a magistrate for that county?—I am.

855. Now prior to your going to reside there I believe you were a merchant in the city of Derry?—I was for half a century.

856. And I believe for a portion of that time you took a moderately prominent part in local affairs and understand all about Derry in its social relations?—I was in the Corporation for several years—an alderman in it.

857. And I suppose you are as well acquainted with Derry, and the people of Derry, and the history of Derry, for the last fifty years as most people?—Well, I do not know. I know a good deal about it.

858. You remember in July last presiding on the occasion of Mr. Dowse's lecture in the Town Hall—on the 20th of July?—I had the honour to preside on that occasion.

859. Now I believe that was a meeting where the

people were admitted by ticket, and which meeting was confined to Mr. Dowse's friends, and supporters?—I was invited by ticket; a ticket was sent to me, and on that ticket I was admitted.

860. And you were chairman?—I was chairman.

861. Do you remember whether the proceedings of that night were in any way interrupted?—Before the meeting had assembled, while they were gathering in the room—in the Round-room——

862. The Round-room is the antechamber so to speak of the principal room of the Corporation Hall?—The meeting was in the principal room.

863. That is the Long-room, as we call it?—In the Long-room; and some of the parties coming to the meeting had met in the Round-room waiting the hour that the meeting was to be held at.

864. Those were the more prominent members of the party?—I think so; at least I was one of them in that room.

865. The general company were in the Long-room?—The general company was in the Long-room.

866. Just proceed to mention to the Commissioners, in your own language, what happened prior to that meeting?—When in that room, waiting for the hour—I was looking out of the window into Bishop-street—I observed a number of men coming down in file—I think three deep—and they came down as if they were military, marching regularly till they came to the front of the door, and then they made an attack on the door. I was not down stairs to see what the result of the attack was, but there was a tremendous noise, and shortly after one of the keepers of the door brought a man up, the keeper himself being very much cut about the face.

867. The keeper of the door was Mr. Hogg?—Yes.

868. An exceedingly tall man?—Yes. Some of the parties were anxious that he should let the man go; and he said that he had hold of him now, and that he would not let him go.

869. Did you see any of the weapons that those men marched down with?—No, I did not.

870. You were not in the police court subsequently when this was produced—[producing a triangular notched bludgeon]—with a number of others?—I was not.

871. Now, did you observe those people who were marching down for any little distance before they came to the Corporation Hall door?—I think when I observed them first they were nearer to the Corporation Hall than Mr. Gilliland's.

872. Gilliland's is at the corner where London-street opens into Bishop-street?—They were on the Town Hall side of Gilliland's house.

873. And were the entire force out of London-street in Bishop-street when you saw them?—I think they were so far as I could judge, because I could not understand what they were going down in a body for, and I did not, till they made that awful row at the door, pay that particular attention to them that I might have otherwise done, being looking out of the window at the time.

874. When was it arranged with you that you were to be chairman of the meeting?—Oh, it was not arranged at all till I was in the Hall.

875. Then were you aware of any previous arrangements with the magistrates with reference to the possibility of disturbances?—Oh, clearly not; I had been living for a month before that in the country.

876. But you were an elector of Derry in virtue of your prior residence?—I was.

877. As I understand you you were in the Round Room, in one of the windows looking into Bishop-street?—In one of the windows looking up Bishop-street.

878. From the position you occupied could you discover whether any of the city police were about the door of the Corporation Hall?—I could not observe them; but when coming in there was a sufficient force of police at the door to have prevented any riot if they had been properly handled.

879. When you were going in?—When I was going in about ten minutes before.

880. When you say that there was at the Hall-door, about ten minutes before, a sufficient force of police, who, if they had been properly handled, could have prevented any riot or disturbance, do you mean the city police?—I think both were there, but certainly the city police were those in the immediate vicinity of the door.

881. The city police, I believe, are dressed in bright blue and the constabulary, as the Commissioners will take cognizance of, are dressed in dark green—invisible green?—Dark green.

882. The preponderance of police force at the door of the Corporation Hall were undoubtedly city police?—I think so; that is my impression.

883. And, notwithstanding that, an attack was in point of fact made on the Hall?—Beyond question; if you can judge from the fact of the row down stairs. Being up stairs I could not tell.

884. Because you were not an eye-witness?—I was not an eye-witness.

885. After a time you saw Mr. Hogg the door-keeper coming up bleeding, and the man of the attacking party who had beaten his way in, in the room—you could not tell what his name was?—I do not know what his name was—I do not know who the man was.

886. I believe eventually he left under the Summary Jurisdiction Act by jumping out of the window of the Round Room?—I do not know that either.

887. And I believe this [the notched bludgeon before produced] is the instrument that was taken from him—but we will prove that by Mr. Hogg?—Mr. Hogg had an instrument like that in his hand, which he said he had taken from the man.

888. Now, when you went in, about ten minutes before this disturbance began, of course you had to walk along the stone hall at the foot of the stairs and go up the lobby, one entrance leading to the Round Room and another to the Long Room?—Yes.

889. Did you observe whether there was not at that time in the lobby a number of men to protect the Hall?—I think there were more in the hall than in the lobby; very convenient to the door of the round room.

890. Do you know whether or not, in consequence of a rumour that existed to the effect that the Hall would be attacked, Mr. Dowse's friends or those in charge of the lecture had applied to the magistrates?—I am not aware of my own knowledge; I have no knowledge of that whatever.

891. I ask you whether you saw it stated in the papers afterwards—because that is a question that I have a precedent for, clearly—that such an application had been made?—Well, I think I have some recollection of reading it in the papers.

892. Do you know that, in consequence of what was anticipated, a number of persons had been placed by Mr. Dowse's friend's in the Hall to prevent those people from breaking in?—I was told so. That is all I know.

893. And you saw a number there?—I saw men there, beyond question; no doubt about that. The other is mere hearsay.

894. You have nothing more to say as to what took place, so far as you saw, in the Round Room?—Certainly not.

895. I suppose you saw the crowd in the street very riotous?—There was a tremendous rumpus in the street outside the door. That quieted down, and then the meeting was assembled in the large room.

896. The meeting then assembled in the large room, and you took the chair?—I was asked to take the chair.

897. Of course; and up to the time you had taken the chair was there anything done to the Hall beyond the attempt to break into it, so far as you know?—Not that I am aware of.

898. After you had taken the chair, and before Mr. Dowse had begun to speak, was there anything done to the Hall except the attempt to break in the door, so far as you know?—There was a continual breaking of the windows from the outside by something being thrown against them. What it was I don't know;

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but there was a regular volley of something thrown against the windows.

899. What time was that?—I think it was immediately after the retiring into the long room—into the large room.

900. I believe the stones came in pretty thickly?—They did not come further than the windows. They took the precaution to get the shutters up.

901. It was in the summer?—In the summer.

902. The lecture, I believe, was advertised for eight o'clock?—I think it was eight o'clock. It was a few minutes before eight when I went there.

903. And they used the sun-light, or what remained of it, for the purpose of illuminating the room—you had not the gas lighted?—Well, I do not think the gas was lighted.

904. The shutters were open at that time?—The shutters were open.

905. Then it was in consequence of the breaking in of the windows by stones thrown by the rioters that the shutters were put up—then it became absolutely a matter of necessity to close the shutters?—Well, I think so; the parties in the immediate vicinity of the windows ran very considerable risk. I myself, standing on the platform, drew a little back that I might avoid them, coming through. The windows were on both sides.

906. Were the stones coming into the hall on both sides, or were the windows at both sides being broken?—I think they were at the end.

907. The end refers to that portion of the Hall looking down Shipquay-street?—Looking down Shipquay-street.

908. Leading to the sea?—The chair was immediately in front of those two windows.

909. Did that interrupt the proceedings much?—Well, it did for a little. The speaker himself was a little put about for a few minutes; but beyond that there was very little interruption.

910. The only other question I want to ask you is this: I suppose the safety of those inside was a good deal imperilled by the stones being thrown in?—I think that if there had been no shutters they must have suffered from the number of stones, or brickbats, or something, that were thrown against the windows. The panes were all broken. They did not suffer, because the missiles did not come into the room. Had the shutters not been there they must have suffered. It could not have been otherwise; it is impossible.

911. About how long did this attack on the Hall, as regards the breaking of the windows, continue?—More than an hour.

912. And all that time Mr. Dowse was going on trying to speak, and they were going on trying to break in the windows, and you were going on presiding with a calmness suited to the occasion?—Well, as calm as one could possibly be under such circumstances.

913. I believe that is all you know about that night?—That is the whole of what I know about that night.

914. When you were going away that night from the Hall, was the town restored to quietness?—It was perfectly quiet when I came down from the Hall to get my horse and gig. I came down straight from the Hall immediately after the lecture.

915. Do you know one of the city local magistrates named Mr. John O'Neill?—I do.

916. About what time did you leave the Hall, going home?—Oh, immediately after the meeting. I think it was close on ten o'clock, so far as I recollect; but I am not quite sure. It was between nine and ten.

917. At this time had the military been called out?—I think they had.

918. You do not know of your own knowledge the circumstances under which they were called out?—I do not.

919. But I suppose you have little doubt in saying that the calling of them out tended to the preservation of the public peace?—Oh, I have no doubt whatever in my own mind of the public peace being kept by the military being there. There would have been bad consequences when the men came out from the Hall if there had not been a force sufficiently large to control those outside.

920. Mr. John O'Neill was, I believe, the main person, with the Mayor of the day, Sir Edward Reid, in having the military called out?—I do not know of my own knowledge. I heard it, but merely heard it.

921. Mr. Commissioner MURPHY.—Did you hear it from themselves?—I did not.

922. Mr. *M'Laughlin.*—Do you know that Mr. O'Neill was publicly blamed in the newspapers for having brought out the military on that occasion?—I saw him blamed for it.

923. Mr. *Rea.*—I object to this. In what papers?—In the local papers.

924. Mr. Commissioner MURPHY.—Did you see in the papers that he was blamed for it?—Yes.

925. Mr. *M'Laughlin.*—Do you know whether a very strong attack was not made by the public journals of this city against Mr. O'Neill for having called out the military that night?

Mr. *Rea.*—I object to this. It is monstrous! I protest against it. I am prepared to argue this——

Mr. Commissioner EXHAM.—Now, Mr. Rea, we wish to tell you once for all that we will not allow you to obstruct our proceedings here. This court is in reality our private room. We have obtained the use of it by the courtesy of those who had the power of granting it; it is as much our room, within our own control, as any apartment in our private dwellings, and we can, if we choose, direct any one to leave, if we think it necessary to do so. We do not wish to do that if we can help it. We are sitting here to conduct the inquiry intrusted to us, and we are glad to have your assistance, or the assistance of any other professional gentleman, but we will not permit you to obstruct the business by raising untenable objections and discussions. What we will do is this—we will allow no question to be asked that we think ought not to be asked, but we cannot, and will not, allow time to be wasted by fruitless objections.

Mr. *Rea.*—If parties are not heard there is no use of their appearing at all. I beg of the Commissioners seriously to consider their ruling. If you carry out your ruling I think I may fairly adopt the language of Mr. Butt in the Court of Common Pleas, and say as he did, that the decision of such a court would go forth without authority and come back without respect. The report of the Commissioners will not be worth the paper it is written on—your whole proceedings will be abortive ——

Mr. Commissioner EXHAM.—Mr. Rea, we are not going to do anything that will render the Commission abortive, but we now tell you once again that we will not listen to discussions or objections. As I have already said, if we see anything wrong in the question asked we will not permit it to go on the notes, but we will not have our ruling violated. There may be some exceptions to the rule we lay down, and we do not bind ourselves rigidly to it in case any question is raised, but recollect the matter you are now objecting to we decided yesterday to be right, and we can not and will not allow these discussions, which, if permitted, will render the inquiry interminable. Proceed, Mr. M'Laughlin.

926. Mr. *M'Laughlin.*—Now did you see Mr. O'Neill blamed in the public journals for having called out the military on that night, when the calling of them out, in your opinion, preserved the peace?—I saw comments made on Mr. O'Neill's conduct in calling them out, and I am strongly of opinion, that if he had not acted thus wisely on that occasion there would have been bad consequences.

927. And I believe the charge that was made was this, that Mr. O'Neill being a Catholic was a supporter of Dowse, and that he called out the military in the interest of Dowse; was Mr. O'Neill blamed for having as a Catholic and a supporter of Dowse, called out the military in the interest of Dowse?

Mr. *Rea.*—I object to this altogether.

928. Mr. Commissioner MURPHY.—Are you aware of that?—From my seeing it in the public journals of the day.

929. Mr. *Rea.*—Name the journal?—I think it was the *Sentinel*, if I don't mistake. I think it was the *Sentinel*.

Mr. *Rea.*—I say that the journal he refers to ought to be here.

Mr. Commissioner EXHAM.—Go on with the evidence.

Mr. *Rea.*—It is not clear to me that I will not leave the Court. You are assuming the jurisdiction of the Queen's Bench, and are liable to be indicted for conspiracy.

930. Mr. *M'Laughlin.*—Now, do you remember, after that 20th of July, any proceedings before the magistrates, arising out of those riots?—Not of my own knowledge. I was in none of the courts.

931. But I believe public feeling was a good deal excited by this occurrence?—Beyond any question of doubt it was.

932. That was on the 20th of July?—I think it was the 20th of July—I think so. It was in July, and I think it was the 20th. It was the first meeting held by Mr. Dowse in the Corporation Hall. I think it was the 20th of July, but the exact date I have not got.

933. Now do you remember whether you were in town on the following 12th of August?—I have no recollection.

934. I suppose you know, from the ordinary sources of intelligence, that there was some celebration on the 12th of August?—I do not know of my own knowledge, but I have reason to believe there was on the 12th of August, 1868, the same as in former years.

935. Now, having regard to the fact that these displays are taken part in by one party, and are offensive to another party, do you consider, with reference to the state of public feeling at that time, that it was judicious on the part of the magistrates to permit those displays?—I think they would have acted very wisely to have prevented them, in the state of public feeling; and I think it would be very desirable if all party processions were put down, of every denomination; and till that is done we shall never have peace in this city. That is my impression. Whether right or wrong, it is my impression.

936. And of course that observation of yours applies to all processions, of every party and every denomination, and at every season of the year?—All periods of the year.

937. Whether the 12th of July, the 12th of August, the 18th of December, or any other time?—It does not make a shadow of difference whether it is Patrick's Day or the 18th of December, or any other day, every denomination should be obliged to keep within their own houses, and attend to their business.

938. And there never will be peace in the city otherwise?—That is my impression.

939. Mr. Commissioner EXHAM.—And I suppose you apply that to tar-barrel processions?—Every procession. They do no good; and they do an amount of evil.

940. Mr. *M'Laughlin.*—Now, in point of fact, I believe that on every 12th of August and 18th of December there have been processions here?—I think that has been the practice for so long as I recollect.

941. I believe, in point of fact, on the 17th of March there never is a procession?—I would not say there never was.

942. But I mean for a great number of years back?—I think not, so far as I recollect; but there has been a procession.

943. And they were put down by the magistrates?—They were.

944. I believe there was no procession on the last 17th of March?—Well, I could not answer that, for I have no recollection of being in town.

945. I believe the great bulk of the magistracy here are, in religion at all events, of the same class as those who took part in the proceedings of the 18th of December and 12th of August? [Question directed to be postponed.]

946. I suppose you occasionally are in Derry?—Yes, once a week.

947. And will probably be here some day in the next fortnight?—I will come back again on next Wednesday if you wish me to come again, or if the Commissioners wish me any other day I will come with pleasure.

948. Do you remember being in town on the night of the 25th of November. I believe you generally leave town early in the evening?—That was the night of the election?

949. When Alderman Miller overcame Mr. Bigger?—I was not down that night.

950. Nor on the night of the nomination and election of Dr. Babington?—Not all night. I left the court here, I think, about half-past three, or a few minutes before the court closed.

951. You are speaking of the nomination of Mr. Dowse?—Of the return of Mr. Dowse.

952. I did not speak of that. You, in point of fact, then, know nothing of the tar-barrel procession?—Nothing.

953. Then, coming down to the 28th of April last, were you in town that night?—I was not.

954. Then you know nothing about that?—I do not.

955. You have no doubt at all about the soundness of the opinion you have expressed, that till these demonstrations, tar-barrel and other, are put down, there will never be peace in the city?—That is my impression. I was in town on the day you refer to in April, but I left a little after three. A little inside the wall I saw the Apprentice Boys with their flags and guns passing up, and I observed—"There will be mischief before this night is over."

956. Mr. Commissioner EXHAM.—That was the day of the Prince's arrival. Was that after you had seen the guns?—I saw them going up to the wall before me; and from the appearance of the party I just said, turning round to my wife—"I think there will be mischief to-night before it is over."

957. Mr. *M'Laughlin.*—I suppose the ordinary authorities had the same opportunities of seeing all these things and much better than you had?—Better; because I have not been much in Derry.

958. But I mean on the particular day that you refer to?—Oh, clearly, they must have seen it; because I was merely in for the day, going out at half-past three.

Cross-examined by Mr. *Rea.*

959. Now, you have told us what you know about that disturbance of Mr. Dowse's lecture. Do you recollect other lectures of other gentlemen having been disturbed by their opponents?—I do not.

960. Do you not recollect the time when Mr. John Hempton was supposed to have got up a disturbance at Mr. Dawson's lecture?—No.

961. You have been present when there were other electioneering contests in Derry?—I have.

962. Do you ever recollect any contested election in Derry—any seriously contested election in Derry—when the usual election riots did not occur, upon the nomination and other days?—I never saw an occurrence like that which took place in July, 1868, at Mr. Dowse's private meeting.

963. You do not know the disturbance of Mr. Dawson's private meeting?—As a resident here I do not recollect seeing anything that was very serious.

964. Were you a magistrate then?—I was not. I had always refused the magistracy of this city. I had been very frequently and repeatedly requested to accept it, which I declined to do.

965. You do not recollect whether the annoyance given to Mr. Dawson was more serious than that given to Mr. Dowse?—I have no recollection of any annoyance given to any member returned equal to that given to Mr. Dowse.

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966. But you did not happen to be in the chair at Mr. Dawson's lecture?—I think not.

967. At any rate, in consequence of the shutters being closed, none of the stones came into the room?—They did not; at least they did not come far enough to do harm; when they came through the windows they were stopped by the shutters.

968. And there was no person inside injured?—There was not.

969. And there was a good deal of clamour outside?—There was.

970. And that continued for upwards of an hour?—More than an hour.

971. But the clamour was not so great as to prevent Mr. Dowse making efforts to address the meeting during the continuance of it?—It would be a very great clamour that would put down Mr. Dowse if I have any opinion of his ability in speaking.

972. I suppose Mr. Dowse was rather improved in consequence of the excitement?—Well, I think not; it annoyed him very much and gave him a very indifferent opinion of our citizens.

973. He did not know them before?—Not as well as he did after that night.

974. Now, I want to leave the Dawson lecture and the Dowse lecture alone, and I want to ask you with regard to electioneering contests, with the object of showing that really there is nothing peculiar in Derry; I believe there were several elections here without a contest, in consequence of Sir Robert Ferguson having contrived to please both parties?—Well, I do not know whether it was his contriving to please both parties.

975. I suppose practically you never recollect a contested election without riots?—I do, without anything serious.

976. The candidates were angels then?—Well, I do not know whether they were or not.

977. Well, with regard to the other point, about your opinion as to the necessity of re-enacting the penal laws against all portions of the population, you say you think all processions of all parties ought to be prohibited?—That is my opinion.

978. In other words, is it your opinion that, for the purpose of preserving the peace public liberty should be annihilated?—I did not say public liberty. I said all demonstrations of every kind ought to be put an end to.

979. Then do you go so far as to hold the opinion that, for the purpose of preserving the public peace, the common law right of assembly should be interfered with by special legislation?—I mean to say that all exhibitions with colours, and guns, and music, should be put down.

980. Now, do you apply that to the processions of Oddfellows and friendly societies?—I do not believe they go with guns and——

981. They go with colours and emblems?—Sometimes they do.

982. And I suppose you are of opinion that there should be similar legislation for Ireland, England, and Scotland?—I do not know anything about what is necessary for England and Scotland. I only know what is necessary for our city for the preservation of peace.

983. You are not one of the Protestant Repeal party?—I am not.

984. Then you prefer an empire to a nation?—I prefer my neighbours to live in peace and charity.

985. Would you, as an Irishman, be subject to the degradation of having restrictions put upon your liberty, to which you would not be liable if you were living in London or Edinburgh?—I do not know. I have not been living in those places.

Mr. Commissioner EXHAM.—That is a matter the witness need not go into. Our inquiry here is confined to Derry. It is his opinion about Derry we want, not about other places.

Mr. *Rea*.—Then I say, if you do not permit this, your proceeding is entirely illegal.

Mr. Commissioner EXHAM.—That is an observation that we, holding this inquiry under the warrant of the Lord Lieutenant, cannot allow to pass. It would be an insult to ourselves if we permitted such an observation to be made. The inquiry we are holding is perfectly legal. The manner in which we are holding it is perfectly legal, and you are only here by our sufferance.

Mr. *Rea*.—I protest against it as illegal, and I submit only because I have no remedy.

Mr. Commissioner EXHAM.—If you do not go on with the inquiry, being here by our sufferance, in the way we can permit you to proceed, we must go on with the inquiry and not allow you to interfere.

Mr. *Rea*.—I have not the slightest objection.

Mr. Commissioner EXHAM.—Then go on or not.

Mr. *Rea*.—I will go on when you are done.

986. (To Witness.)—Is it your opinion that there should be a prohibition with regard to the city of Londonderry that would not be applicable to any other part of the county of Londonderry, or to any other part of Ireland, or to any other part of the three kingdoms?—I have given my opinion, I think.

987. You have given your opinion with regard to the necessity of putting down processions of all descriptions which might be offensive to the other party—if that was your opinion?—I said all parties.

988. When you gave your opinion with regard to the necessity of prohibiting all assemblies, that might be offensive to those mysterious individuals called the other party, do you mean that the prohibition should be for Londonderry city only, or for the county, or for all parts of the empire?—I am speaking for the city. I do not know what may be necessary for the county Antrim, for instance.

989. Is it your opinion, then, that there should be special legislation, to prohibit all assemblies of every description in the city of Londonderry, that might be considered offensive to what may be called the other party?—I have given my opinion already.

990. Is that your opinion?—I have given it, and there is no necessity for repeating it.

991. Then, are you of opinion that, when it was notorious that Mr. Dowse's lecture in the Corporation Hall might be considered offensive to the other party, Mr. Dowse should have been prohibited from delivering his lecture?—My opinion is, that the Hall was Mr. Dowse's during the night, as much as this Court is the Commissioners' to-day; and he had the full charge of the Hall, and might do what he liked with it.

992. You have expressed a certain opinion to Mr. M'Laughlin, and have repeated it even in stronger terms to me?—Yes.

993. Did you not know, when you took the chair at Mr. Dowse's meeting, that that proceeding of Mr. Dowse's, whether rightfully or wrongfully, would be offensive to certain persons, they being of the other party?—Clearly not; for Mr. Dowse's meeting was called that he might express his political opinions, and there could be nothing possibly wrong in that, nor in Mr. Rea doing the same thing in this court if he chose.

994. You are of opinion that all assemblies likely to be offensive to the other party should be prohibited?—I have answered it clearly and distinctly, and it is taken down now, and there is no necessity for repeating it.

995. Did you believe at the time you took the chair that to some persons—ill-disposed persons—that lecture of Mr. Dowse's would likely give offence?—It could not give offence, for they could not know what it was. They could not know what his opinions were till they were expressed.

996. You think that the magistrates would have been wrong in trying to prevent Mr. Dowse and his friends from exercising their legal rights?—I do not understand the question.

997. Supposing the magistrates, for the sake of preserving the peace, had prevented Mr. Dowse——?—They granted permission.

998. Supposing that, for the sake of peace, they had prevented the lecture, there could not have been any riot—there would have been nothing to riot

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about?—The meeting could have been held elsewhere than in the Town Hall.

999. Suppose they, for the purpose of preserving the peace, had done here in Derry what was lately done in Birmingham, with regard to a superior speaker to Mr. Dowse, Mr. Murphy, and that they had prevented Mr. Dowse and his friends from exercising their legal rights?—They could have only prevented him in the Corporation Hall.

1000. Suppose they had prevented him anywhere?—They could not have prevented him anywhere. If a man has a house he can invite his friends there if he pleases. They have no power to prevent a man using his own house if he likes. It is nonsense.

Mr. Commissioner EXHAM.—Have you any other question to ask the witness?

Mr. *Rea.*—I have several—a dozen at least.

Mr. Commissioner EXHAM.—Then ask one.

Mr. *Rea.*—I must ask the Commissioners to bear with me while I——

Mr. Commissioner MURPHY.—If you have any question to ask, ask it.

Mr. *Rea.*—What I am about to say is this——

Mr. Commissioner MURPHY.—Mr. Bond, you may leave the chair. [The witness retired.]

Mr. *Rea.*—I protest against this as illegal, and if the Mayor of this city, who is the representative of the Sovereign, does his duty, I will speedily put an end to this Commission. You are usurping the functions of the Queen's Bench. Your proceedings are altogether illegal——

Mr. Commissioner EXHAM.—I order you to sit down and not open your lips again. If you do, we will have you removed from this our private court.

Mr. *Rea.*—If you do I will expose your whole proceedings. This is outrageous. Such orders were never made in any court of justice, and I will lay an indictment against you for the conspiracy that brought you here.

Mr. Commissioner EXHAM.—You must hold your tongue. Mr. Inspector, will you——

Mr. *Rea.*—Very well, I will sit down, but I will lodge my protest in writing from time to time.

Mr. Commissioner EXHAM.—You may do so, but you must hold your tongue.

Mr. *David Hogg* examined by Mr. *M'Laughlin.*

Mr. David Hogg.

1001. You reside in Derry?—I do.

1002. I believe you are a brother of Adam Hogg, one of the firm of M'Intyre, Hogg, and Company, of the shirt factory?—I am.

1003. How long have you been residing in Derry?—Eight years.

1004. I believe the firm with which you are connected employ a large number of people, and you have a resulting knowledge of the community generally?—We employ a large number of people.

1005. About how many in this city—I do not talk of those you employ in other places?—From 600 to 800, as business is busy or slack.

1006. You do not include in those 800 the people you employ in the rural districts?—Certainly not.

1007. Nor the staff you employ in London, or Manchester, or Paris?—No.

1008. You remember the night of Mr. Dowse's lecture?—On the 20th of July, 1868—I do.

1009. You were one of the gentlemen, I believe, employed to stand at the door and take the tickets that gave the right of admission on that evening?—I was.

1010. Prior to your taking up your stand at the door on that occasion, were you present when any communication was made to the Mayor or any other magistrate as to apprehended disturbances?—I was present when a communication was made to the then Mayor.

1011. The then Mayor was Sir Edward Reid, I believe?—Yes.

1012. Was that on the same day of the evening on which the lecture took place?—Yes, it was.

1013. You, I believe, were fully examined before the magistrates in the proceedings arising out of this attack on the Hall?—In the prosecution.

1014. And the proceedings generally?—I was.

1015. Now, who were the gentlemen who were present on the occasion when you heard certain representations made to the Mayor as to an apprehended attack on the Hall?—Mr. M'Carter, of Foyle-street——

1016. Do you mean George or William, the gentleman in the Corporation?—The gentleman in the Corporation, George—I forgot his name—and Mr. Charles O'Neill.

1017. Mr. Charles O'Neill is another Town Councillor?—Yes.

1018. Were there any other persons present except the Mayor, Town Councillor M'Carter, Town Councillor O'Neill, and yourself?—I think not.

1019. Would you be kind enough to mention to the Commissioners, as briefly and clearly as you can, exactly what took place on that occasion?—One of the gentlemen, I think it was Mr. M'Carter, stated to his worship that he had received information that there was to be an attack made that night on the Hall, and asked him to make such arrangements as would prevent that; something to that effect, not the exact words.

1020. Now, what did the Mayor say to that?—I forget now what he stated—the sense of it was an explanation of what he would do to preserve the peace.

1021. Are you able to tell the Commissioners, substantially, what the Mayor did say he would do, in order to preserve the peace?—I am not.

1022. Did both the gentlemen who were with you on that occasion take part in the conversation?—They did.

1023. You were acting with those who were arranging the lecture I believe?—I was.

1024. Now, in consequence, do you know whether the gentlemen who were there with the Mayor were satisfied or not, so far as you know, as a matter of fact, with what he stated?—They seemed to be satisfied.

1025. I believe it was also thought desirable to take some precautions in the Hall in order to keep out any person or persons who might attempt to break in?—It was.

1026. Will you tell the Commissioners, if you please, in answer to my question what those precautions were—I believe a number of quay labourers were engaged?—There was a number of men, I believe, engaged. I do not know who engaged them; but there was a number of men came, who had tickets, and they stayed in the lobby of the Hall during the evening.

1027. What class or rank of men were those?—Working or labouring men.

1028. Were those working or labouring men numerous?—There were thirty or forty I should think.

1029. What time did they come to the Hall, so far as you know that evening?—They began to come shortly after six.

1030. I believe they came in driblets?—Yes; they came in twos and threes.

1031. So as not to attract attention?—Not in a body.

1032. And I believe their business there was to support you as the door-keeper, and to prevent any incursion into the Hall?—It was.

1033. Had they any other business there than that?—No other business.

1034. Now, the whole of those persons who were there to resist this apprehended incursion—were they all in the lobby and passages before the general company began to assemble?—No; there were a few of them came after.

FOURTH DAY.
August 21.
Mr. David Hogg.

1035. With the general company?—Yes; with the general company.

1036. What was the hour fixed for the meeting?—The hour fixed was eight o'clock.

1037. At what time did you first come to the Hall that evening?—I was at the Hall a good deal of the afternoon.

1038. But what time did you go there in order to take up your position?—I went there about six o'clock.

1039. The admission to the Hall, I think you stated already, was by ticket?—It was by ticket.

1040. Were those men who were in the passages, and who were coming up in twos and threes from time to time, as you have described, there for any other purpose whatever but to keep order?—For no other purpose that I know of.

1041. Now, when did you first begin to take the tickets that night?—The people began to come shortly after six.

1042. It was in the month of July, the 20th of July, I believe, and at that time of the evening of course you had plenty of light?—Daylight—yes.

1043. And standing in front you had a full view up Bishop-street?—I had.

1044. Extending to the point where, between Lindsay's corner and Gilliland's corner, London-street joins upon Bishop-street?—Yes.

1045. Did you, for any reason, you need not tell what the reason was, pay any particular attention to Bishop-street, and the direction of London-street?—Not for some time.

1046. But subsequently I believe you did?—I did.

1047. Would you just tell the Commissioners, if you please, the particular circumstance, as a matter of fact, that led you to direct your attention to that place—Did anyone come with a ticket, or anything of that sort?—Well, there was a gentleman came with a ticket.

1048. Is that gentleman since dead?—He is.

1049. Say nothing then about him. I believe in point of fact one or two persons that presented themselves with peculiar tickets were refused admission?—There was one refused admission.

1050. Do you know a man of the name of M'Girr who was a foreman printer of the *Journal* Office?—Yes; I do.

1051. I believe those tickets were printed, as a matter of fact, in the office where he is the foreman printer?—I am not aware.

1052. Well I believe you know this, as the person who took the tickets, that the tickets contained a blank for the name of the bearer of the ticket, so that they could not be transferred?—They did.

1053. Did you observe Mr. William Magerr there at the time?—I did.

1054. Do you know, as a matter of fact, why it was that he was placed there?—To assist me, and he having a practical knowledge, as a printer, of any difference that might be, lest there should be any forged tickets presented.

1055. And he was there at the time you refused to let in AB or CD, on tickets that he thought to be forged?—He was there at that time.

1056. Now, what time, as near as you can recollect, was that?—It was between seven and eight I think—about half-past seven.

1057. Now, shortly after that did you observe any men, or a body of men, coming down Bishop-street, from the direction of London-street?—I did.

1058. Where were they in Bishop-street, when you first observed them—or were they entirely out of London-street?—They had just turned the corner of London-street, and were in the middle of Bishop-street, marching down the street.

1059. They were marching in military array?—They were.

1060. Was the tail of the body of men, so marching in military array, out of London-street when you saw them in Bishop-street?—It was.

1061. Just describe the appearance and aspect of those men—but do not give any names?—Those men were to the number, I should say, of about fifty. The front ranks were marching four deep, and they marched steadily down the street. Within a few steps of the door they broke into a sort of run.

1062. Now, while they were so marching down the street, and prior to the time when they so broke into a run, had any persons standing near you, or standing at either side of the street, a good opportunity of seeing those men marching down?—Yes; they had a good opportunity—as good an opportunity as I had.

1063. I believe from London-street corner to the Town Hall entrance is about a pistol shot, or rather more?—I should say it was about that.

1064. How many yards, could you say?—I cannot say.

1065. Now, prior to this, had you any police, constabulary or otherwise, about the door with you to preserve order?—There were the city police standing on each side of the door.

1066. Mr. Commissioner MURPHY.—How many?—There were three to four on each side of the door.

1067. Mr. *M'Laughlin.*—Did they make a little kind of avenue through which people passed into the Hall?—Yes; they kept their backs to the railings, and, of course, the outside one was further apart from the man facing him than the inside one was.

1068. Then the railings at the entrance to the hall spread out like a fan?—Yes.

1069. Had those city police as good an opportunity as you had of seeing the marching body coming down?—Quite as good.

1070. While the marching body were coming down and approaching, did you see any effort made by the city police to resist their progress?—Not the slightest.

1071. Let me ask you, were there constabulary on the street?—Yes; there were, further up; they were some few steps from the door.

1072. Then they were nearer London-street than the city police?—They were.

1073. You did not know, as a matter of fact, that the constabulary had been placed on the door with the special object of preventing an incursion?—I did not know.

1074. But you did know that the city police were there in that way?—Yes.

1075. Can you state the number of the city police that were there, as well as you can recollect?—Six or eight.

1076. Can you say whether any effort was made by the city police to call the attention of the constabulary to the attacking party advancing?—Not to my knowledge.

1077. When the party broke, as you say, how far were they from the Hall?—About six or eight yards, I should suppose.

1078. I suppose when they broke into a run the run resulted in some of them rushing forward to the Hall?—Yes.

1079. I believe you identified the individuals—do not give their names now—who came forward in the front?—I identified some of them.

1080. Now, did you observe the city police, either these who stood in the little avenue or those who stood further towards the street, making any effort to prevent the coming forward of those men?—They did not make the slightest effort.

1081. When those men broke into a run, did it then appear to you that they had any weapons you had not previously seen?—They had; they produced weapons then.

1082. It was after they broke into a run that they produced the weapons?—Yes.

1083. Did you ever see that before [producing a notched triangular bludgeon]?—I have.

1084. Did you ever feel it before?—I do not know.

1085. Is that a scar on the side of your face?—Yes.

1086. When did you get that?—I got that on the 20th of July.

1087. From a surgical instrument like that?—From an instrument similar to this [referring to the bludgeon].

1088. Then, when they broke into a run, all appeared to be armed with things like this?—The front ones were; I cannot say for those in the rere.

1089. How many of these have you seen at any time produced before the magistrates?—I forget how many were produced, but there were several—by the police and constabulary.

1090. Now, they were not all of this triangular shape?—No; I saw one eight-cornered.

1091. And there were some perfectly round, I believe, like a policeman's baton?—I think there were; I am not quite sure; but I remember the eight-cornered one particularly.

1092. Do you remember one peculiar one, that was produced by one of the city constables, after some difficulty, that was filled with lead in the top, with copper nails round it?—I do.

1093. And that was produced in Court?—It was.

1094. That was the one, I believe, as to which the Petty Sessions clerk stated that it would kill a Hogg—referring to your name?—He did make that observation.

1095. Was there any effort made by the city police, after the men made the rush, to disarm them of their sticks?—Not as long as the door was open.

1096. Now, tell exactly what the front men did when they came forward to where you were?—The front men pushed themselves forward, and I stood forward in the doorway to prevent their getting in, and I caught the doorway with my two hands so, and the front rank were pushed up against me to make me give way, and when they did not they commenced hitting me with these clubs.

1097. When all that was occurring did you see any of the city constables interfering to prevent them or to protect you?—I did not.

1098. Could they have done so without your knowledge?—They might, but it is very improbable.

1099. Now, I suppose this attack on you, and your effort to keep them out of the Hall, created some little outcry, that attracted the attention of the people inside?—Yes.

1100. And I believe the people inside came out to sustain you?—They did.

1101. And I believe some of them struck over your shoulder, from inside the Hall, at those who were striking at you outside—"hacking at you" was the expression used below?—Yes; they stood on the forms in the Hall, and struck over our shoulders at the men who were attacking me.

1102. And I believe they struck over your shoulders with the banisters of the stairs?—Yes.

1103. I believe when the attack was made the people inside armed themselves on the moment with the banisters of the stairs, which they dragged from the balustrade?—They did.

1104. Just go on to describe the continuation of what happened when they were striking at you and you were trying to keep them out with the door closed?—When they were striking at me I tried to get the door closed, so as to prevent any further proceedings. I found myself unable to do so unless I let one of them in, which I did, immediately closing the door after him, and thus preventing any further contest there.

1105. And you put the bar across the door inside?—I fastened it—I forget by what means.

1106. And I believe that was the man that subsequently made his escape through the Round Room?—It was.

1107. I believe the men in the hall were for giving him rough usage?—They were.

1108. If he had not been protected by one of Mr. Dowse's party?—By Mr. White, of the Waterside.

1109. That is the brother of Dr. White, the magistrate, one of Mr. Dowse's party?—Yes.

1110. I ask you whether you have been accustomed to observe any displays from time to time in Derry in which any of the persons—do not tell their names—whom you observed in that attack took part? Do you know the displays which take place on the 12th of August?—I do.

1111. Did you see any of those gentlemen who took part in the attack on the Hall in those displays afterwards or before—do not tell their names?—I have seen some of them since.

1112. After they were repulsed, in the way you speak of, where did you go to?—Shortly after I went up to the Round Room.

1113. As long as you remained in the door there were no means of your seeing out?—Not as long as I was in the Hall.

1114. What time elapsed from your leaving the Hall till you went up to the Round Room?—Perhaps five to ten minutes.

1115. When you went up you had a view of what was taking place outside?—I had.

1116. Just tell the Commissioners what was taking place outside, as far as you observed it?—I saw people fighting, and I saw some Constabulary men—two, I think—taking hold of one and arresting him; and, immediately upon my seeing that, there was a stone flung through the window which nearly struck Mr. O'Neill, the magistrate, who was standing there.

1117. And then, I suppose, at the time you speak of—about five or ten minutes after the repulse—the attack on the Hall by stone-throwing had begun?—It had.

1118. Did many stones come into the Round Room?—I went out of the Round Room as soon as the stones came in, for I did not want to get any of them.

1119. Did you observe in the *melée* outside any of those, as far as you could see, who had been in the attacking party?—No; I could not say that, indeed.

1120. You could not say one way or the other?—I could not.

1121. And you could not say whether you saw any of these instruments?—I could not.

1122. Did you see anything of what took place in the Diamond—any further turbulence? Say anything you know about it?—No; I did not see anything further.

1123. You went down again to the door, I believe?—I went down again to the door, and stayed there for some time.

1124. And you were not a little afraid?—I was.

1125. When you were out were you in any way attacked by anybody?—No.

1126. How long did the breaking of the windows continue that night?—As I was in the hall of the Corporation Room I could not say. I did not hear them. The men wanted to get out.

1127. How long did the commotion continue that night, as far as you know?—The commotion continued till the soldiers came—at least it continued in the Hall till the soldiers came.

1128. When you say "continued in the Hall" you speak of the stone-throwing being continued and the people being alarmed?—I speak of the men in the Hall. As far as the Hall was concerned commotion existed. When the soldiers came, the men felt quite satisfied, and felt that there would be no disturbance.

1129. Then you speak of the forty or fifty men there, and also of the audience being alarmed till the soldiers came?—I do.

1130. Then I suppose you think that there was reasonable ground for the alarm?—Yes, there was reasonable ground.

1131. Do you know whether, when those persons who attacked the Hall were driven off, they again formed in a body in any part of the Diamond and attacked the windows?—I know for a fact that the windows were broken, but I cannot of my own knowledge say that it was the same party.

1132. Now, what time did the military come?—I forget the hour.

1133. As near as you can recollect, was it before the meeting was over?—It was before the meeting was over.

FOURTH DAY.
August 21.
Mr. David Hogg.

1134. Where did the military go to?—They took possession of the four streets entering upon the Diamond.

1135. That is, Shipquay-street, Butcher-street, Bishop-street, and Ferryquay-street?—Yes.

1136. And then I suppose they cleared the Diamond?—Yes.

1137. Now, that is all, I suppose, that you know about it?—That is all I know about it.

1138. Then I believe you appeared before the magistrates and gave evidence?—I did.

1139. I believe a summons was issued against you also?—Yes.

1140. And that summons was dismissed, I believe?—It was dismissed by the magistrates.

1141. And certain other persons were sent for trial, I believe?—They were sent for trial to the Assizes for riot.

1142. Do you know that there were certain other displays on the twelfth day of the next month—the 12th of August?—I know that there are certain displays on that day.

1143. Did you see them on that day?—I did not.

1144. I believe public feeling was a good deal excited by the attack on the Hall and the resulting prosecutions?—Yes; I think it was.

1145. I believe we may say, inasmuch as there were long adjournments of the magisterial proceedings, that public feeling continued to be excited from the 20th of July up to the 12th of August?—I forget exactly when the informations were perfected, and I cannot say whether the informations were perfected on the 12th of August or not.

1146. Do you know, from the ordinary sources of information, whether local turbulence had not increased about that time?—I do not know of my own knowledge, because I purposely kept out of town, lest anyone might assault me.

1147. Previous to that had you ever purposely kept out of town lest anyone might assault you?—No.

1148. You thought that would be a necessary precaution?—I thought it would be a safe precaution at any rate.

1149. With reference to your last answer, I may ask you whether or not the condition of the town on the night of the attack on the Corporation Hall was not inconsistent with public security—people going about the streets, or anything of that sort—that in fact they could not do it?—It was utterly inconsistent with public security.

1150. You know that those displays of the 12th of August are regarded—rightly or wrongly it is not our business here to inquire—as offensive to a large portion of the population, the Catholics?—It is offensive.

1151. Do you think it would have been judicious or otherwise on the part of the local authorities to have prevented, so soon after this unfortunate affair, and the magisterial inquiry resulting from it, the display of the 12th of August?—Well, I do not know that I am able to give that opinion, being so recent an importation into this country.

1152. Do you know, as one intimately connected with a firm that are large employers of labour, that, rightly or wrongly, these displays are regarded by a large portion of the population as offensive?—I do know it.

1153. And I suppose, of course, your observation applies to the processions of the 12th of July, 12th of August, and 18th of December?—It does.

1154. Only one party take part in them?—Only one party.

1155. Have you ever, since you came here, seen any procession on the 17th of March?—No.

1156. Do you remember the night of the 25th of November, 1868—the night of the victory of Alderman Miller over Mr. Bigger?—I do.

1157. Were there some rejoicings on that night?—I believe there were, but I do not know of my own knowledge; I always keep out of town when there is any commotion in it, since that night.

1158. I suppose you will go down to-night to Moville, by the steamer at five o'clock?—No.

1159. I believe you took a very prominent part all through the election of Mr. Dowse, and worked like a black for him?—I took a prominent part in supporting Mr. Dowse at the late election.

1160. I suppose it was in the evenings that your prudence led you to be fugacious?—Yes.

1161. I suppose you recollect the 1st of December was the occasion on which Dr. Babington was elected by the Corporation?—I do.

1162. Do you know whether or not there were any rejoicings in the tar-barrel way that night?—I believe there were.

1163. And I believe there is no doubt that they were inside the gates?—I believe they were.

1164. On the 18th of December, 1868, there would be the recurrence of one of those anniversaries, celebrated in a way that a large portion of the population choose to consider offensive?—Yes.

1165. Do you know whether any attempt was made to repress that proceeding of the 18th of December?—I do not remember hearing it.

1166. Now, on the 1st of January, on the occasion of the inauguration of the mayor——?—I was not in town; I was in Scotland then.

1167. Then on the 9th of February, that is the day of the judgment given in the election petition matter—do you know that there was a sort of rejoicing that night—a procession of Mr. Dowse's supporters and sympathisers?—Yes; I saw them.

1168. Now, where had you seen them first?—I saw them first at the door of my brother's house.

1169. Your brother lives on the Strand-road?—He does.

1170. Where Clarendon-street gives on the Strand-road?—Yes.

1171. Were you in Court yesterday when Mr. Hempton was examined as to when he first saw the procession?—I was in Court.

1172. About what was the number, as far as you can go?—It was dark, and I could not estimate the number of them.

1173. It was a large crowd?—There was a considerable crowd.

1174. And they had music?—They were not playing when they passed me.

1175. Did you see them more than once that night?—I did; I saw them afterwards at the corner of Foyle-street.

1176. I believe that was the corner of Foyle-street outside the gates?—It was.

1177. You never saw them that night inside the gates?—No; I was not inside myself.

1178. You know nothing of the prevention of their going in through Bishop's Gate?—No; nothing of my own knowledge.

1179. They had torches, had not they?—They had.

1180. Have not you, within the last year or two, seen any procession prior to this with music at all, or heard or known of it as a matter of fact?—I do not remember of any. There may have been, but I do not remember seeing any.

1181. On the 17th of March last there was no procession of the other party, as they are called?—I heard of none.

1182. Now what condition was local feeling in, as regards political and sectarian excitement, from the month of November up to the end of the election petition—was it more excited than usual?—It was.

1183. Was it more excited at the time of the election petition than at the time of the election out of which the petition arose?—I believe it was.

1184. Consequently the judiciousness of repressing those displays, that were only taken part in by one side of the population, would appear to increase as the excitement increased?—Certainly.

1185. You remember, I suppose, the unfortunate occasion (as regards the result) when those men lost their lives?—I do.

1186. You remember it was on the occasion of Prince Arthur's visit?—It was.

1187. Were you out at all that day, so as to see what was going on?—I was out during the day and in the evening.

1188. Were you present when His Royal Highness was received at the railway station?—No; I was in Bishop-street when he was received in the Corporation Hall.

1189. May I trouble you, Mr. Hogg, to stand up for a moment?—[Witness stands up].

1190. When you are in a crowd you have the advantage of being able to see over the head of almost anyone in it?—A good many of them.

1191. When you were in the crowd at Bishop-street, enjoying your usual advantage, you saw pretty well round you?—Yes.

1192. What time in the day was that?—I think it was from two to three.

1193. Was that about the time when His Royal Highness went down to the Corporation Hall to receive the address of the municipality?—Yes.

1194. Now would you just, if you please, tell the Commissioners, as clearly and briefly as you can, what sort of procession that was—what bands you saw, if more than one, and what persons you saw?—There were two or three carriages containing the Prince and his suite, and others with members of the corporation, that might have met him at the railway station; and afterwards came the Hibernia Band with a flag.

1195. Would you give your own idea of what the flag was—a description of it as regards colour and pattern?—I think it was a white ground with a harp in the centre without the crown above it; and if I remember rightly, I think there were shamrocks on it.

1196. It was a fife and drum band, I believe?—It was.

1197. What were they playing?—I do not know.

1198. I believe they were playing no party tunes at all events?—I do not know any party tune.

1199. I believe the band were of the Dowse side?—I believe what is generally termed the Dowseites.

1200. And I believe the Britannia Flute Band, which has a rival establishment over the way, is supposed to be the Apprentice Boys' Band?—Supposed to be the Apprentice Boys' Band.

1201. And I believe they are dressed in blue uniform, with a very powerful development about the breast, and yellow trimmings?—Yes, and yellow trimmings.

1202. Was that the band that, on returning from Omagh two or three days ago, played, as they marched up by Mr. Hempton's, as he said here yesterday, the tune of "No Surrender?" Do you know that of your own knowledge?—No.

1203. Did you see that band that I have been endeavouring to describe there that day?—Which band?

1204. The Britannia Band, in the blue and gold uniform?—No, I did not.

1205. You talked of carriages; did you see any gun-carriages that day?—I did.

1206. Where?—Coming down Bishop-street.

1207. Was that at the time His Royal Highness was going to the Corporation Hall?—I think it was was some little time after. I think it was during the time he was in the hall.

1208. Of course there were people with the guns and all that—and the Apprentices, I suppose?—The Apprentice Boys they are supposed to be.

1209. Did you observe whether there were any flags or music, or anything of that sort?—I do not recollect it just now.

1210. Might I ask you what number there were of those, as regards men and guns?—I could not say; I did not count them.

1211. Did you observe where they went to?—No; I do not remember where they went to.

1212. Do you know that place at the corner of Society-street and, I think, Meeting House-row, going down to the Rev. Mr. M'Clure's, the Meeting House—do you know the Meeting House where the windows were broken?—Yes.

1213. Do you know the building that used to be employed as a coach factory there?—Yes.

1214. Can you say from your own local knowledge how that was used at that time?—The day before the election I know that there were cannon in it. I saw two.

1215. What style of cannon were they?—They were about twelve-pounders, I suppose.

1216. Were they modern guns or old guns?—I did not pay such particular attention.

1217. In what direction were the muzzles of those guns pointing?—were they loaded or not?—I do not think they were loaded. They were lying there. I think they had been cleaning them, or something of that kind.

1218. When was that?—That was one or two days before the election.

1219. You do not know whether the cleaning was completed before the election?—I do not know.

1220. Was that the lodge-room or the gun-room of the Apprentice Boys?—It is believed to be.

1221. And they had them transferred, I believe, from the band-room—the room in London-street, from which they came on the night of the attack on the Hall—down to the coach factory?—I believe so.

1222. Suppose that a gun were brought out of the coach factory and planted with the muzzle pointed to Bishop-street, it would clear away everything, if properly levelled, where Bishop-street crosses Society-street and London-street—would not it?—It would. I say it would if it was fired with the proper shot.

1223. Now Butcher's Gate is the particular gate that enables the residents of the Bog-side most readily to communicate with the interior of the city?—It is.

1224. And Butcher's Gate was the place at which, on the night of the royal riots, the great engagement took place as regards the stones thrown from the top of the gate?—I believe it was.

1225. The roadway passes over the top of the gate?—Yes.

1226. I believe the wall, from where an extension of the line of Society-street would cut the wall, past the Chapel-of-Ease burying-ground down to Butcher's Gate—I believe the interval of wall between these two points is pretty much a straight line?—It is.

1227. I believe Meeting House-row, the street which runs from the corner of Society-street to Butcher's Gate, runs perfectly parallel with the straight wall?—It does.

1228. Consequently Meeting House-row is also a straight street?—Yes.

1229. And I believe it is level, as nearly as may be?—Pretty level.

1230. Have you observed the water accumulating in large puddles upon the wall nearly opposite the Meeting House; from time to time have you observed any accumulation of water there where it could not conveniently run off the wall?—I do not remember having seen it.

1231. You saw no turbulence or anything of that kind on the occasion you have been speaking of—when you first saw the Prince?—I saw none.

1232. I suppose there was some cheering?—Oh, there was some cheering, but I thought it was not as good as it should be. There was some cheering, but I thought it was very cold for the Prince—a very cold reception of the Prince.

1233. Mr. Commissioner EXHAM.—Was that by the party ——?—By the public.

1234. Mr. *M'Laughlin.*—Prior to this had there been any firing of the lodge guns?—I do not remember.

1235. Were the Hibernia Flute Band performing at the time you say that the reception of the Prince was rather cold?—I think they were performing coming down Bishop-street.

1236. So that everybody in Bishop-street—a large number there would have an opportunity of seeing

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those men. Now did you remain till His Royal Highness came out of the Hall?—I did.

1237. I believe now, to do the town justice, from the railway station up to that the people were enthusiastic in their reception of the Prince?—They might be according to your idea, but not according to our ideas in Scotland.

1238. But you saw, during that time, no turbulence of any sort?—No.

1239. Were you in the court to-day when Mr. Bond was examined and cross-examined—when Mr. Bond was in the box and Mr Rea was in active service?—I was.

1240. Were you here when Mr. Bond was in the box and when I was standing up?—I think not.

1241. Did you hear any remark as to the probable danger of the peace that day, or anything of that sort?—No.

1242. Not at that time?—No.

1243. Then you were not near Mr. Bond when he said he told his wife that he feared there would be bad work that night?—No.

1244. How long did you remain in the street that evening?—I went away down to the factory again, after I saw the Prince arrive.

1245. What time did you return from the factory again?—Immediately after he left the Corporation Hall.

1246. Now, you went down to the factory after the Prince arrived, and you left there again about four o'clock?—I think about four o'clock.

1247. Were you out again that night?—I was.

1248. What time?—I went home between nine and ten.

1249. And about what time did you come out again that night?—I forget exactly what time, I left after tea.

1250. Tea would be about seven, and then you came out to see the fun?—Yes.

1251. From the time you left to go home, or before it, you heard the firing of guns?—Yes.

1252. Do you remember being up in Bishop-street at eight o'clock that night?—I was not in Bishop-street that night at all.

1253. Where did you go to, after you left your own house, that night about seven o'clock?—I was at a friend's house and remained a short time there, and shortly after nine o'clock I left to go home.

1254. You live on the Strand?—Not at present; my brother's house is shut up, he is from home at present. I left to go home shortly after nine o'clock, and on my way home up Ship-street I met a gentleman who told me there was rioting in the Diamond. I avoided the Diamond and went home another way and saw nothing of it.

1255. Did you hear that night that the men had been shot?—No; I did not hear it till morning.

1256. I believe there was, naturally enough, a great deal of popular commotion about it?—There was.

1257. I believe that popular commotion was repeated some time afterwards, when the inquiries were going on?—It was.

1258. You remember the time the poor man Murphy died?—I do.

1259. You remember there were two inquests—one took place, or rather was opened, and another was meditated?—Yes.

1260. And, I believe, for the purpose of the second inquest, it was necessary to take up the body?—I believe so.

1261. Do you know anything about the state of local feeling about that time, was it excited or otherwise?—When the intention of taking up the dead body became public, I believe there was a good deal of excitement.

1262. I believe, in point of fact, no amount of force could have succeeded in taking up the body?—I could not say that.

1263. At all events the circumstance still further inflamed public feeling?—It did.

1264. Do you know about what time the poor man died?—About two months ago.

1265. That would be in the month of June, I believe?—He lingered for about six weeks I think.

1266. He lingered for some time you say, and this excitement was after his death?—Yes.

1267. I want to know whether you can charge your memory with saying whether there were processions on the 12th of July last; if you don't yourself know don't say?—I don't know.

1268. There was one at all events on the 12th of August, the present month?—There was.

1269. Upon last Thursday week, do you think, having regard to the excited state of feeling pending what took place in the Town Hall, increased by these other matters, municipal and otherwise, we speak of—the proceedings of September and December, the election petition, and by this matter of 28th of April, and this matter of having the body of Murphy exhumed—do you think, having regard to these circumstances, that it would have been more judicious to prevent any procession in August, '69?—Well, I give the same reply to that that I gave to a former question.

1270. I believe no effort was made to prevent them at all?—No, not to my knowledge.

1271. The 12th of August was the last procession that was here?—It was.

1272. Do you remember any procession having taken place in the interval between the death of Murphy and the procession of August, '69?—There was a procession to what is called the Town Park.

1273. I believe the Town Park, with reference to what happened that day, is appropriately situated, is in the immediate neighbourhood of the Lunatic Asylum?—Yes.

Mr. Commissioner EXHAM.—What day was this?—

Mr. *M'Laughlin.*—The 9th of June, the same night of the attack by Molseed on Mr. Hempton.

1274. Do you remember seeing any procession on that day—the 9th of June?—I do; a procession passed our place of business.

1275. A procession passed your place of business?—Yes; and it came down to Clarendon-street, across Queen-street, and from that up the Asylum-road.

1276. Mr. Commissioner EXHAM.—What time of the day was it?—I think about mid-day.

1277. Mr. *M'Laughlin.*—Did you observe the number that took part in that procession?—I could not estimate them.

1278. Did you ever see so large a procession in Derry?—Never.

1279. Was not a great number of them from the country, as far as you could observe?—A large number.

1280. Now, from what you saw there were 500?—Oh, yes, more.

1281. Did you ever hear the number estimated at 1,000?—There were at least a couple of thousand in the procession.

1282. And the procession was marching in proper processional order—in military order—keeping the step?—The greater number were; some of them were going along the street and the footpaths, and I saw a large number going before the procession and after it.

1283. Did you see any flags or hear any music that day?—I could not say.

1284. You were not here yesterday when some one said that some person carried a flag?—No.

1285. I believe there is no doubt that all these people were of the same persuasion?—Yes.

1286. And that was on the occasion of a public meeting, to protest against the Church Bill?—It was.

1287. Did you see persons coming back again?—No.

1288. Did you observe whether or not any person was acting as superintendent or marshalling, so to speak, that procession?—I did not.

1289. Then you don't know, of your own knowledge, whether or not the procession was under the direction of the 'Prentice Boys?—I do not know of my own knowledge.

1290. Did you hear any guns that day?—I did not.

1291. I suppose you would not be astonished, although you don't know it of your own knowledge, to hear that there was a great number of flags in that procession?—I would not.

1292. Mr. Commissioner MURPHY.—He said he did not see them?—They may have been there, and I may not have seen them.

1293. Mr. *M'Laughlin.*—Do you know was any effort made to prevent that procession—did you ever hear there was?—I never heard of any. There was no effort made to prevent it when it passed before me.

1294. Mr. Commissioner MURPHY.—You heard no music there, and saw no guns or flags?—These things I can't remember. I can't charge my memory with it.

1295. Mr. Commissioner EXHAM.—I suppose if there were guns there they would have attracted your attention?—They would have attracted my attention.

1296. Mr. *M'Laughlin.*—I believe, in point of fact, that the procession, whatever it was, left about the time that there was a great deal of commotion about the deaths of Moncrieff and the other man Craig?—It did.

1297. Did you ever see in any of the papers an estimate of the numbers who took part in that procession?—I remember at the time there were estimates in the papers of how many took part in it?

1298. Yes?—Ranging from 15,000 to 4,000.

Mr. *Rea.*—In consequence of the ruling of the Commissioners, I think it expedient to state that I will not again interfere at this Commission unless I get further instructions from my clients, and I have advised them to take such remedies, civil or criminal, as may be open to them for any injury they receive.

1299. Mr. Commissioner EXHAM.—Mr. Hogg, may I ask you who has the privilege of giving the Town Hall for meetings here?—When it is wanted by any person an application is made at the Town Clerk's office, and a lodgment is made of a sum of money sufficient to form a guarantee for any breakage that may occur at the meeting.

1300. And is it the Mayor then gives the use of the Hall, or is it the Town Clerk by vote of the Council?—I think it is the Mayor. I took it once myself, and I remember I went to the Town Clerk, and, after lodging the necessary amount as a guarantee, and giving the requisite notice of the particular night I wanted it, I got it.

1301. You stated that, when one of those gentlemen went to Sir Edward Reid, and stated that it would be necessary to take some precautions, he stated the nature of the precautions he intended to take, and they appeared to be sufficient at the moment?—Yes.

1302. Was it after that interview it was arranged that men should be got into the Hall, and enter by twos and threes?—I was not cognizant of those men being there till I saw them when I came about six o'clock.

1303. And you do not know how they came?—No.

1304. Do you know had any of those men sticks?—None of them; but they got two sticks when these men came to the door to attack it.

1305. You said that the Mayor stated he would take precautions. Did you see Sir Edward Reid that evening?—I did.

1306. Was he at the Hall?—He was going in and out, looking after the preservation of the peace, and was not there as an auditor.

1307. Did you see him about the place before this rush was made at the door?—I did.

1308. And he appeared as if he was in charge?—He seemed to be anxious to assist in the preservation of the peace.

1309. Did you observe any other magistrate with Sir Edward Reid?—I did not observe any magistrate speaking to him.

1310. Did you observe any other magistrate but Sir Edward Reid?—I did. I observed one of the magistrates speaking to him.

1311. Did you observe any outside the place at first except Sir Edward Reid?—Not seemingly acting as magistrates.

1312. Did you observe them there at all?—I saw several of the magistrates going into the meeting.

1313. Now, may I ask you who were the magistrates you saw going into the meeting?—I saw Mr. O'Neill, Mr. Tully, Mr. Bigger, Mr. Foster; and that is all I can remember.

1314. They were all in the room while this work was going on?—They were.

1315. Did you observe any of these magistrates leave the room, or go out to look after the preservation of the peace?—I did not.

1316. Not one of them. Tell me—you were asked about this procession on the night that Sergeant Dowse was declared duly elected—did you observe the torches with that procession?—I did.

1317. Could you give me an estimate of the numbers in that procession?—I could not, it was after dark.

1318. Was it large?—Yes.

1319. Had they a band of music, or had they flags, though probably you could not recognise them in the dark?—No; I did not see them.

1320. I suppose you thought it would be judicious to prevent that procession as well as the others?—Certainly.

1321. And, I presume, knowing that the opposing party were inside the walls, you would have thought it a judicious proceeding that that party should not be allowed to come inside the walls, so as to prevent all opportunity of conflict?—I thought it judicious to keep the two parties separate.

1322. That is, if one were inside to keep the other outside?—That was the easiest way of doing it.

1323. May I ask, on the day you say you saw the Prince going down to the Town Hall, to receive the address, and this band attending him, about how many persons were there with that band?—There were several people running alongside the Prince's carriage and following him, and I could not tell who belonged to the band and who did not.

1324. But did you see any party following the band, as if a party?—No; I don't remember.

1325. You observed the flag—were there many people about that flag?—There were members of the band and some few more.

1326. There was a great crowd, I suppose?—There was a great crowd round the Prince's brougham.

1327. May I ask in your opinion was it a judicious thing, or a proceeding calculated to promote the public peace, to allow any person to carry after our Sovereign's son a flag without a crown, having a harp in the middle surmounted by shamrocks?—I do not think it was judicious.

1328. Now how long did you see that flag remain in the public street?—I did not see it interfered with.

1329. And how long was it there, not interfered with, in the public view?—About a quarter of an hour, or so.

1330. Did you observe any magistrates in the street when that flag was in it, and if so give me their names?—I did not see any magistrate in the street.

1331. Was there any magistrate in attendance on the Prince when he was going down to the Town Hall, and if so, tell me the names of those, if any, in attendance, when that flag remained in the street for a quarter of an hour uninterfered with?—Well, I don't know. The Mayor was in his carriage attending the Prince.

1332. Well, who else?—They were strangers to me.

1333. You did not observe any of the magistrates of this city, or any of the authorities—the police authorities—did you observe any of those?—I think I saw Mr. Stafford at the Hall.

1334. While that flag was there?—I think I did.

1335. While the Prince was in the Hall did the band remain outside?—No, I think it walked away.

1336. And did the flag remain there?—No, I think it went away with the band.

1337. Mr. Commissioner MURPHY.—The night of the attack on the Hall, you say the city police were

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three or four on either side of the door. Could they have prevented the crowd breaking in and coming to the door with armed weapons, such as that produced in court to-day?—They could I believe.

1338. Six men?—Yes.

1339. How were they armed themselves?—They had batons, I presume.

1340. The city police?—The city police. I think I see batons with them.

1341. Did you see any batons in their hands that night?—No.

1342. Any sticks in their hands?—They generally carry walking sticks.

1343. When the crowd rushed at the door, did they stand in the same place they were in before?—They did; they stood in the same place.

1344. And you did not see anyone pass at all between the door and the crowd?—No.

1345. How far away, at the time the crowd reached the door, were the county constabulary standing from it?—I suppose from fifteen to twenty yards up the street.

1346. How many of the constabulary were there?—They were not standing together, and I could not say. There were not many of them. There were about, perhaps, the same number as city police.

1347. Did you say you saw some of the county constabulary arrest some person afterwards?—I saw them arresting one man, and I saw Inspector Stafford assisting them.

1348. Mr. *M'Laughlin.*—You spoke of the time you saw this flag as being in the middle of the day?—It was in the afterpart.

1349. You are not speaking now of having seen it at night when the disturbances took place?—No, I did not see it at night at all.

1350. Did you hear the band connected with that flag had played "God save the Queen" before the Imperial Hotel in the evening?—I had.

1351. And that the Prince came out to where they were playing?—I think I heard that too.

John O'Neill, esq., J.P.

John O'Neill, esq., J.P., examined by Mr. *M'Laughlin.*

1352. You are a resident in this city?—I am.

1353. And have lived in the city for very many years?—Yes.

1354. You are a merchant, I believe, one of the firm of John O'Neill and Co.; and in religion you are a Catholic?—Yes.

1355. Now, do you remember this night of the attack on the Hall, when Sergeant Dowse was about to lecture?—I do.

1356. And you are the Mr. O'Neill, J.P., referred to by preceding witnesses?—I am John O'Neill, and I hold the commission of her Majesty's peace.

1357. For this city?—Yes.

1358. Do you remember the attack on that night—on the night of the 20th of July—and were you in the Round Room when Sergeant Dowse was addressing his friends in the Corporation Hall?—Yes, I was.

1359. Did you see those who marched down the street to make the attack on the Hall, did you see them make it?—The probability is that if I tell what occurred it may be as well, and then any question it may be necessary to ask I will answer with great pleasure.

1360. Well, go on then and tell it yourself?—Well, I was one of those who went to the meeting to hear Sergeant Dowse. After the meeting had been opened—I suppose from five to ten minutes—missiles came through the window. Being there, and asking I believe Mr. Bond if he was hurt—he was very near it—I immediately ran out, down the stairs, and as I was going down a man shouted out to me—"Mr. O'Neill, the crowd are smashing the windows of the Round Room." I went up to the Round Room, and went forward as quickly as possible to the window, and when I went to the window I was struck myself with a stone. I saw Mr. Stafford amongst the crowd; and seeing the violence of the crowd, it struck me immediately that there was more force required than what was there. In consequence of seeing Mr. Stafford struck, when going to arrest a prisoner, and observing that there was some difficulty in it, I put my head out of the window at considerable risk, and saw Sergeant Lockhart underneath. I said—"Lockhart, I think you have not sufficient force here to preserve the peace." "I agree with you, sir," said he.

1361. He was of the city police?—He was. It strikes me, I said to him, that we should have soldiers here. "I think so too." "How many?"—"A hundred at least." I then went to the clerks' table, and got a slip of paper out, and wrote an order over to the commanding officer to send immediately 100 men. This I think requires a little explanation; and that is before I went up to the meeting I asked Mr. Forest Reid, the brother of Sir Edward Reid, was his brother in town. He said "No; he has gone to the country." Then, believing that the Mayor was not there, Sergeant Lockhart by my directions took the order over to the barracks, and in about half an hour after I think he returned. After he left I went down, and was walking about when the Mayor came forward to me. The Mayor and I were talking when Lockhart came back and said the commanding officer would not send the men without a magistrate. "Very well," said I, "I will go immediately." I was then about leaving when Sir Edward said—"In the meantime, if anything happens, I have not a Riot Act—have you one?" "I have," and I gave it to him. I then left to go to the barracks, but on the way I found the commanding officer had been kind enough to get the men ready and dispatch them to near the bridge, to await the arrival of a magistrate. I met them there, and he gave the men to me in charge. I came with the men to the Diamond, and I am very happy to say after I came there nothing happened.

1362. Mr. *M'Laughlin.*—Did you think it absolutely necessary to have the soldiers?—I did.

1363. I believe the condition of the town when you saw it was utterly incompatible with the idea of the preservation of the peace, so far as you can judge?—I considered it of the greatest necessity to have the military present, for the crowd that was opposite the centre window, when I went out, could not be less than twenty or thirty, with things (sticks) up in this manner (raised).

1364. Subsequently, were you one of the magistrates on the bench when these matters were inquired into?—Oh, yes, I was.

1365. Do you remember Mr. Crawford making an effort to compel you and other magistrates who were in the room to leave the bench before the cases arising out of the attack on the Hall had been gone into?—He made that application.

1366. And it was desperately fought, I believe—wasn't it?—I do not know what you call desperately fought.

1367. Now, supposing that you and Mr. Tully, Mr. Bigger, and Mr. Foster had retired, I believe the result would be that the bench of magistrates would be all composed of the same political party?—I believe that argument was put forward by several who appeared there with myself.

1368. Wasn't it urged that the result would be, that the bench of magistrates then to decide on the cases would be, judging from the published list of the Conservative Committee, reduced to a sub-committee

of Lord Claude Hamilton's—do you remember that being urged?—I do.

1369. Do you remember it being urged that Mr. James Murray, who was chairman of that committee, was one of those magistrates, and that four other names of those magistrates present were also referred to as being on the list?—That is quite correct.

1370. I believe the same application was resumed on the second day of the inquiry?—I think it was. I think Mr. Crawford applied again.

1371. I want to ask you now—of course you have been in court since the Court sat to-day?—I was here about half-past twelve o'clock.

1372. Were you here when a discussion took place as to your having been blamed in the papers for calling out the military?—No; I only came in during Mr. Hogg's examination. I was not here at the commencement of it.

1373. I believe, in point of fact, you were blamed by some of the newspapers for calling out the military?—I don't know what you call blame; I did not mind it.

1374. They were not pleased with you for having done it, at all events?—That might be, but I do not mind it.

1375. I suppose this occurrence at the Hall excited public feeling a good deal?—No doubt.

1376. And the subsequent magisterial proceedings. The 12th of August following there was the ordinary 'Prentice Boy procession?—The present August?

1377. No; last August—the usual procession?—Oh, really, I never gave these processions any consideration.

1378. I want to know whether or not you approve of these processions, as a magistrate, with reference to their effect on the peaceable community, a large portion of which objects to them. Do you think they tend to the preservation of the public peace or to disturb it—those processions of the 12th of August or the 18th of December?—My opinion certainly is that they disturb it. It is the only thing we have to contend against, and a very serious thing it is to have to contend against. I don't say there is any harm intended by them, but I say it, in my conscience, it is best to discontinue them for all Her Majesty's subjects.

1379. I believe you are one of those who some years ago signed a declaration that these displays were regarded by the Roman Catholics as offensive?—Oh, I have no hesitation in repeating that again. I do not give that as my own opinion. I give it to you as public opinion.

1380. Now, I suppose that you are the only Catholic magistrate holding the commission of the peace for the city—Dr. White is for the county?—I think so.

1381. And you are well acquainted with the feelings, political and otherwise, of your co-religionists? Now I ask you whether, knowing as you do their feelings and all that, you can tell whether or not there exists a universal dislike to these processions, and an objection to them among the Catholics?—Well, I have been obliged to use any little influence I had to prevent opposition being given to them.

1382. Do you mean physical opposition?—Physical opposition.

1383. You are a man of marked position among the Catholics?—I can't say that.

1384. Well, I say it. And it was in that capacity you had to exercise all the influence you had to restrain your co-religionists?—What little influence I had, and any little influence I had with the Catholic clergy, I used, and I am glad to say they always aided me by advising and impressing on their people forbearance and good-will.

1385. The Catholic clergymen have always done that?—They have.

1386. And I believe, in point of fact, from time to time, it has been absolutely necessary to do it?—I have been brought more in contact with the people since I was appointed to the commission of the peace.

1387. Precisely; and that is the time I apply myself to. Would it be true for anyone to say here, as it has been repeatedly stated, that these displays are not regarded by the Catholics as offensive—would it be true—yes or no—the Catholics, as a body?—The Catholics, as a body, regard them as offensive.

1388. And I believe, as witnessed by the opinion of Mr. Bond, a great number of the leading citizens of other persuasions are in favour of their discontinuance, as being detrimental to the peace and well-being of the city?—I should not like to give the opinion of any others about that.

1389. What do you believe—you are not asked to go further than your belief, as a man who knows the town and leading people of it.

1390. Mr. Commissioner MURPHY.—Nothing can be stronger than Mr. O'Neill's opinion that they tend to disturb the peace, and that they ought to be discontinued.

1391. Mr. *M'Laughlin*.—I will ask you whether or not, within the last twelve months or so, this feeling of dissatisfaction at the displays has been increasing or the reverse?—Oh, on the increase.

1392. Would you go so far as to say—of course it will be for you to answer me whether I am right or not—seriously on the increase?—Well, I would not like to give an opinion on that.

1393. Do you know or not know that it required very strenuous efforts on the 12th day of the present month to prevent opposition being offered to the 'Prentice Boys?—No doubt of it.

1394. Do you say "no doubt" of your having heard it, or of the actual fact?—You may couple them.

1395. Then you speak from your own personal knowledge?—I do.

1396. I believe, in point of fact, a large body, numbering some hundreds, had to be restrained from interfering to put down that display on the 12th of August last—do you know anything about that?—Well, I had some little difficulty in guarding Butcher's Gate, I must admit. I was asked by several to go away. I was deemed an obstacle in the way. But I did not go. I was there from ten o'clock till half-past twelve o'clock at night.

1397. Now, do you know Mr. Andrew M'Cafferty?—I do.

1398. He is a man, I suppose, that knows the feeling of the Catholic party well?—I think he does.

1399. He was pretty much mixed up in the last election?—I think as much as anyone in Derry.

1400. Do you know a man named Edward Lynch?—I do—a very respectable man.

1401. I suppose he is, and I suppose you describe Mr. M'Cafferty in the same way. He knows the feeling of the Catholic inhabitants of the city pretty well?—I should say as well as I do.

1402. As regards the lower classes would he not know the feeling as well, if not better, than you do?—I think he does.

1403. Mr. Commissioner EXHAM.—I want to ask you a few questions with regard to the magistrates. You say that lately you were yourself applied to, when on duty as a magistrate at Butcher's Gate, to leave the place?—Yes.

1404. For what purpose were you applied to to leave the place?—Well, there was no purpose mentioned; but my feeling on it was that they wished me to go away; that if I was not there they would not be kept back from coming inside the walls.

1405. From coming in?—Yes.

1406. Was the application then made to you on the part of some one from the Bog-side people that they should be allowed inside the walls?—Oh, decidedly; and I may as well say that I never saw the men of Derry so sullen as they were that day. They were not drunk, but sullen and determined, and once or twice seemed resolved to fight with me about getting in.

1407. Now, you know, generally speaking, the character of those opposing parties—the party inside and the party outside wanting to get in. Are they in the habit of working in common—working together

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with each other, at daily labour?—Indeed I think so.

1408. They are?—I think so.

1409. And they live harmoniously together except on those occasions?—They do. I think there is not a better people in the world than the Derry people, and if it was not for a few firebrands it would be as quiet as a mill-pond, and I am happy to say they are very few. As to crime in the city, there are many days we will not have even a case of drunkenness; and the drunkenness, as it is, is very light; in fact, it is not so much the quantity of drink that they take as the fact of its being bad, and it destroys them altogether.

1410. You spoke of the procession you were asked about on the 12th July and so on. Now, I suppose you mean that persons at the Bog-side object to have these processions and music, and you think they are things that can be very well done away with?—Yes, I do. If they want to have music let them have it in their own houses as often as they like, but not on the streets.

1411. The evening of the attack on the Dowse party, did you hear of any application being made to the authorities to take precautions with regard to the preservation of the peace?—No, the first I heard of it, was what Mr. Hogg said. There was no application made to me. I did not go to the meeting as a magistrate, but seeing the occurrences taking place while I was there, I considered it my duty to act as I did.

1412. Were you aware that any thing was said to the authorities about violence being apprehended?—No; but perhaps it is not out of place to mention that what created a little surprise to me was the body of men I saw in the Hall. "Who are those men"——

1413. You asked?—No, I said to myself. And seeing these men there, and the windows broken, and the people on the platform struck with missiles, I thought that there was something that required to be looked after.

1414. And then it was, after seeing what occurred, you most properly thought it right to send for the military?—Yes.

1415. Quite right. Now, could you tell me the number of those you saw, when you went in?—Between 30 and 40.

1416. And what struck you was that they were not people likely to be admitted to a meeting of that kind?—They were able-bodied men; but I saw neither weapons, nor anything else with them. They were sitting on a form just before we went up the Hall.

1417. You were under the impression that the Mayor was away?—I was.

1418. And you did not see him till you went out that time?—I did not.

1419. Tell now how far the Town Hall is from the city police barrack—if they have a barrack?—The barrack, I think, was in the same place then as now.

1420. Is it far from the Hall?—Very little, something between 400 and 500 yards.

1421. I do not mean the constabulary barracks, but the local force?—It's at the gaol.

1422. Is it there they are at present?—Yes.

1423. There is one matter that I think it is due to your position, to mention to you. We heard it stated yesterday, by a gentleman who gave evidence before us, that he looked upon the magistrates as being partial, and he stated that there was also a feeling existing among a large portion of the inhabitants, about the partiality of the magistrates. We asked him to give us an instance and then he mentioned two cases in which he had appeared before the magistrates as prosecutor. You were on the Bench, on both occasions, and I want to make some inquiry from you in reference to the matter. The first was a case of a man who was brought up by the night city police for standing by, and aiding, while another person threw stones and broke the window of his house. Mr. Hempton is the name of the gentleman whose windows were broken, and he stated that you were one of the magistrates, and that the Mayor, and also Mr. Reid reprimanded the constable for arresting the man, and let him go. Do you recollect that occurrence?—I do.

1424. That the constable was censured for his conduct in arresting the man, and that he was let go. Mr. Hempton said that that censure was given by the Mayor and Sir Edward Reid. I would like to hear if you recollect the occurrence, and if you do, tell shortly, according to your recollection, the entire of the case?—Well, I neither dissented from nor agreed with the decision, for I thought it was not, in my opinion, correct.

1425. It was not correct in your opinion?—No, in my opinion—I won't go further. The other magistrates may think they have just as good a right to say it was a correct decision as I have to say it was not.

1426. Living a great deal amongst the population of Derry, can you say is there a feeling that justice is not fairly administered by the magistrates of the city, whether rightly or wrongly?—Oh, I will not go into that. There is a feeling that the majority of the magistrates of Derry do not place any confidence in the oaths of the Catholic party, and consequently the feeling is that justice is sometimes not administered.

1427. That is the opinion—that the magistrates do not pay attention to the oaths of the Catholic party?—It is my own conviction from my own experience.

1428. That that feeling is abroad?—Yes.

1429. Do you recollect the fact of both the late Dr. Babington and Sir Edward Reid reprimanding that constable?—I do very well.

1430. And did they?—I took the opportunity—probably it is not fair to mention it—of saying to the Mayor that he should not have so publicly reprimanded the men under him—that he should have taken some other occasion for doing that than in the open court.

1431. Well, now, about the second case. We were told of the case of a man charged with striking Mr. Hempton on the face with a stick, and he considered the magistrates acted partially in that case also. He stated that there was too slight a punishment given—a fine of 18*s*.—to the man who struck him. Do you recollect that?—I believe I recollect a case in which a charge was brought against the son of the keeper of the Town Hall, Molseed.

1432. Exactly?—My impression is that there was not sufficient punishment inflicted in that case.

1433. That there was an insufficient punishment inflicted?—There was not enough, and I remonstrated, but did not make my remonstrance public.

1434. Then there was a conference among the magistrates as to the nature of the punishment to be inflicted?—There was.

1435. And you neither agreed nor dissented?—Quite right.

1436. That feeling you speak of, as existing amongst the Roman Catholic population of this city—do you think it applies merely to political cases, or that it is with regard to all cases—the general administration of justice by these magistrates—or do you think it is only confined to political cases, that feeling on their part?—Will you kindly repeat the question?

1437. You said that, according to your knowledge and belief, there is a feeling of dissatisfaction in the minds of the Roman Catholic people of this city as to the administration of justice by a number of the magistrates, on the ground that they do not pay attention to the oaths of the Roman Catholics. Does that feeling exist with regard to the political cases alone that come before them as magistrates, or does it extend to the general business of their jurisdiction?—You may couple them.

1438. Both?—Yes.

1439. Yesterday it was mentioned, with regard to partiality on the part of the magistrates, that when there was an attack made on the police at Bishop's-gate, they kept the outside party from coming in. Now, I ask you was it wise and proper of the magistrates to prevent the outside party coming in, on that occasion?—My opinion is—and I have not hesitated to say so—that I think the constabulary were put in a false position.

1440. On that occasion?—On that occasion.

1441. In a false position?—In a false position.

1442. Well, do you think it was judicious of the magistrates—whoever did it—to prevent the party outside from coming in?—I think it was quite injudicious.

1443. And would you have thought it right to allow the Bog-side party to come inside the gate, at the time that the other party was collected in force inside?—The others were not there. The others only wanted to come in, and then the gates were barricaded against them, and the police were put on the gate to keep them out. We had an investigation before the magistrates, and it was stated that wheelbarrows were put inside the gates. The police were put in a false position.

1444. Mr. Commissioner MURPHY.—Do you mean when saying they were put in a false position—that the impression was given to those composing the crowd that the police were put there to discharge a duty towards them that they would not be asked to discharge towards others?—Precisely.

1445. That if it was a different party that wanted to get in that night at the gate the police would not be put there to prevent them?—Quite correct.

1446. Did you think that there was a foundation for the existence of that belief—that they were excluding that party from coming but would not exclude the other?—A belief existed among the people who were excluded as much as to say, "We are dealt with in a way the others would not be dealt with."

1447. Do you think it was a fact that they were dealt with differently?—Quite clearly.

1448. Mr. Commissioner EXHAM.—Do you know, from investigation or otherwise, was the party kept out coming up in procession?—That I cannot tell. I cannot give an opinion upon that.

1449. You don't know whether they had bands or music or anything that way?—No.

1450. Mr. *M'Laughlin.*—With respect to the magistrates, you will allow me to ask a question or two?

Mr. Commissioner EXHAM.—Yes.

1451. Mr. *M'Laughlin* (to witness).—You were present, I presume, during the investigation that took place into the deaths of those unfortunate young men, Moncrieff and O'Neill?—Yes; I was present at the inquest and also at the inquiry—all of the time.

1452. Were you present on any occasion when Mr. O'Donnell, the stipendiary magistrate, expressed his regret with respect to the course taken by the rest of the bench, and that he had not the power of having the case conducted as it ought to be, or expressions to that effect?—Oh, I can charge my memory very clearly with it, but is it of importance?

1453. If you please.—Yes, he said so.

1454. On that occasion, when taking the informations against the men, did you, Mr. O'Donnell, and Captain Coote agree to differ from the other magistrates as regarded the course they were taking with respect to Captain Stafford giving evidence?—Oh, yes.

1455. Now, as regards the premature conclusion of the investigation, did you agree in the course that the magistrates eventually adopted, of sending ten of the Constabulary for trial?—I neither dissented from nor assented to it.

1456. Did Captain Coote or Mr. O'Donnell or either of them agree?—Mr. O'Donnell stated on the bench, when he came out of the consultation in the room, that he neither assented nor dissented.

1457. I suppose Captain Coote made a similar declaration?—He did not.

1458. But, as a matter of fact, if the matter had been left to the determination of Mr. O'Donnell or yourself, you would have come to a conclusion different from that which the bench came to?—I don't know what Mr. O'Donnell would have done, but I would certainly.

1459. Mr. Commissioner EXHAM.—As to sending the police for trial?—Yes, at the particular time—that was before the case was concluded. Indeed, the magistrates were all tired of it, and there was nothing seemingly to make an end of the trial. They were sick of it.

1460. Mr. *M'Laughlin.*—Now, with regard to the charge against Barker, for the wilful murder of Craig, do you remember that man being admitted to bail by the magistrates?—Yes, I do.

1461. Was it on the information of Murphy, the man who has since died, and who swore Barker fired the shot?—Yes.

1462. Do you know whether you agreed in the propriety of admitting that man to bail on a charge of wilful murder?—Oh, certainly I did not agree to it at all, but protested against it, and begged of them to reconsider the decision they had come to, after the strongest remonstrance that Captain Coote was capable of making to them, and myself.

1463. And yourself?—Yes.

1464. Was Mr. O'Donnell also against it?—He was not there.

1465. Did not Mr. O'Donnell on the same occasion say, "Captain Coote, you will be able—you have the power of pointing out some other course perfectly legal"?—That was in his remonstrance.

1466. Notwithstanding which, the man was admitted to bail?—He was.

1467. You said a few moments ago that there was an impression abroad that the magistrates, not only with respect to the political cases, but with respect to the business of their ordinary jurisdiction generally, did not believe the oaths of Roman Catholics. The deposition in Barker's case was that of Murphy, who was a Catholic, I believe?—Yes.

1468. Barker was a Protestant?—Yes.

1469. In the deposition of Murphy did he not swear that Barker was the man that shot Craig?—He did.

1470. And Captain Coote pointed out that it was in antagonism to the law to admit Barker to bail, on a charge of wilful murder?—Yes, and I afterwards heard a magistrate say that he hoped Murphy would not die that he might have the satisfaction of trying him for perjury.

1471. Mr. Commissioner MURPHY.—Was he one of the magistrates that presided at the inquiry—at the investigation?—He was one of the magistrates, and it is as true as that we are in this Court House.

1472. Did you understand by that observation that he had himself any particular knowledge to show that anything Murphy stated was untrue, or had he no more knowledge than was to be had from reading the information?—From reading the information, but he may have got some private knowledge. I did not know of anything of it, but what was stated in the information was not made public, but was read by the magistrates.

1473. Mr. Commissioner EXHAM.—If you have no objection to give the name of that magistrate we would be glad to have it. If you have any objection, of course we would not ask it. You can well understand this is a peculiar inquiry?—I know it is.

1474. Mr. Commissioner MURPHY.—If you don't think it will do any mischief?—I will give it to the Commissioners with great pleasure, but I would not like to state it here.

Mr. Commissioner EXHAM.—We will consider it afterwards.

Witness.—To state it to the public, I think, would be injudicious.

Mr. Commissioner MURPHY.—You are quite right. It was not done in public.

Witness.—It was not done in public.

1475. Mr. Commissioner EXHAM.—Had that gentleman expressed during the progress of the inquiry from what took place, a belief that Murphy was not correct in stating that it was Barker shot Craig?—Yes.

1476. He had expressed that?—Oh, no no, he did not. He was very attentive during all the investigation.

1477. You know sometimes for instance, a man

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may take a particular view and say he does not believe a particular witness while others do believe him. Was it said in that way? No; it was not said on the bench.

1478. But what I wish to know is—did he, from what passed before he said that, appear to have the impression on his mind that the man had, from some cause or other, not told the truth with respect to the party who fired the shot?—Of course he had, or he would not say so.

1479. Mr. Commissioner MURPHY.—He had that impression?—Yes.

1480. But there was not anything in the proceedings made public, or in the depositions, to warrant the assertion as to the falsehood of the statement?—Oh, certainly not—what object—what *animus* could Murphy have against Barker?

1481. There was nothing apparently contradictory of it in the informations given in at the time?—Oh, certainly not. Barker was a third party. Murphy was shot himself. He did not know by whom he was shot himself. Captain Coote said it came out inadvertently—the mention of Barker's name, and he inquired into it after that.

1482. Was it deposed to at that time that Murphy was lying in a dangerous state?—Well, Dr. Babington, the Mayor, was the surgeon, and Captain Coote had the care of the case, and he inquired after it.

1483. The statement of the magistrate, that he hoped the man would not die until he could be prosecuted, that of itself sufficiently indicates his state?—Oh, the Mayor never held out any hope that the man would survive.

1484. Mr. *M'Laughlin.*—Dr. Babington was the surgeon of the Infirmary?—Yes.

1485. Mr. Commissioner EXHAM.—You have had a great deal of experience—as much, perhaps, as any other gentleman could have, and I would ask you, first of all, is the local police force, as at present in this city, sufficient for the preservation of the peace of it?—Well, I prefer the constabulary, and my reason for it is, those men are generally local, and become more easily amalgamated with localities, and I do not think a police force should become localized in that way.

1486. You think there should be one force in the city, and that that force should be of the Royal Irish Constabulary?—I do.

1487. I suppose you know what is the actual amount of the present police force?—I think between thirty and forty.

1488. Are you able to form an opinion or estimate as to what would be the number of police or constabulary which it would be desirable to have for the maintenance of the public peace in the municipal district of Londonderry, which I believe is the same as the Parliamentary—have you considered that matter?—No.

1489. Do you consider the present number of from thirty to forty is at all sufficient for the preservation of the peace, having regard to the population, and to the duties that are to be performed?—I think they are too few.

1490. Have you considered at all what would be the necessary number?—I think we should not at any time have less of a local force and constabulary force than from sixty to eighty men.

1491. And instead of a divided force, local and of constabulary, you are of opinion it would be better that they should be all one force?—All one force—and I would say fewer of the constabulary would do if they were undivided.

1492. And according to your opinion it would be preferable to have a force of constabulary rather than the local force?—Decidedly.

1493. It is your opinion that that force should be regulated just as in the other towns and counties?—Oh, certainly.

1494. Under the charge of the Government?—Under the charge of the Government.

1495. Is there in your opinion, from experience, an impression of a favourable or an unfavourable nature with respect to the city police existing amongst the Roman Catholics?—I would rather not give an opinion on that, unless you think it is actually necessary. We have a large number of people here, and the local force have a good deal in their hands now, and it might be prejudicial. If you wish I have no hesitation in answering it.

1496. I put it this way, do you think it would give more satisfaction to the people in general, and particularly to the Roman Catholic portion of them, that the local force should be abolished altogether, and that the peace of the city should be confided to the constabulary?—Oh, decidedly.

1497. Is it your impression also that it would conduce to establish a good opinion amongst all orders that a resident magistrate should be placed in Londonderry?—No doubt of it.

1498. And that that magistrate should, of course, act as a magistrate with the local magistrates?—Yes.

1499. Is there a Police Committee of the Corporation?—I think so.

1500. And is that Police Committee the body that from time to time elect members to the force as vacancies occur?—Well, not being in the Corporation I cannot answer that.

1501. Would the consideration of the duties the local police force perform with respect to night watching, and keeping the streets tolerably clear, induce you to alter your opinion? In some places it is thought that night watchmen are very useful, in others it is supposed the constabulary do the duty better. Would that matter be an element to induce you to alter the opinion you have given in favour of the constabulary?—Oh, not at all. I think there are very few in Derry who would not hail the change with satisfaction. I am not finding fault with the men. I would be very sorry to find fault with them.

1502. The local force are not armed?—No, except with sticks, or things they carry under their coats—batons, or something.

1503. They have never been put through any sort of drill or anything of that kind?—That is the reason I give my opinion so strongly about the other force, the constabulary; that force is a disciplined force, and can bear things and go through things that other men undisciplined cannot. Their feelings would not allow them to do it.

1504. And do you think as there would be more confidence in the constabulary force, if you had that force things would be quieter in the city?—Oh, decidedly.

1505. Have you considered at all the question of taxation with respect to the police force for the city?—No. The question of taxation has always been very light upon me. They don't care what taxes are put on if the money be only properly expended. But they would like to see it properly expended.

1506. Then it is your opinion, I collect, that as regards the owners of property any increase of taxation that might be put on the city, for an increase of force—assuming it to be the constabulary—would be cheerfully borne by them?—I would not like to speak for the owners of property, but I think they would be willing.

1507. What do you say as to the local householders?—The householders would almost be unanimous about it.

1508. And the increased taxation would be more than compensated by the security that there would be for life and property and peace in the city?—No doubt of it.

1509. Mr. *M'Laughlin.*—I believe you said that the city police are locally connected with the city?—I said they had become localized.

1510. The preference that you believe to exist, for the constabulary over the city police—is it confined to the Roman Catholics, or does it generally exist?—It is not confined to Roman Catholics?—Certainly not.

1511. Have you sufficient knowledge of the local police force to be able to say what proportion the Catholics and Protestants bear to each other in that force?—I do not know.

1512. With reference to what public opinion is, have you ever heard or are you aware of any public expression of opinion as to whether the city police were looked on as an exclusive force, as regards religion?—I would rather not give any opinion about it.

1513. I can very well understand your delicacy. You have stated to Mr. Commissioner Exham that you think it would be an improvement to have a resident magistrate permanently stationed here?—I did, and I repeat it.

1514. It would give more confidence in the decisions of the Bench?—I think that would be the result of it—that would follow as a natural consequence.

1515. Do you think two resident magistrates of different persuasions, one a Catholic, another a Protestant, would still further increase the feeling of public confidence?—Well, I suppose it would, but for my part I never knew any difference between a Protestant and a Catholic in my life.

1516. I understand your feeling. I ask you now whether you a Catholic, and of an exceptionally good position in Derry, have not all your past life lived on terms of amity and harmony with your Protestant fellow-citizens?—I would rather you asked somebody else that.

1517. Do you believe, and I ask your attention to the question, having regard first, to the want of confidence in the magistrates of the Catholic suitors and witnesses, and next, to the fact that on two recent occasions two resident magistrates joined in remonstrating with the rest of the Bench against what they did in party cases, that the sitting of even two resident magistrates on the Bench would inspire public confidence amongst the Roman Catholic population?—Oh, that is perfectly correct.

1518. Do you believe that?—I do.

1519. And do you believe that, notwithstanding the fact that on the recent occasion a majority of the Bench out-voted the other magistrates, that they acted in direct antagonism to the law?—That is quite evident from what passed without my answering it.

1520. Have you ever turned your attention to the subject of divisional magistates, or magistrates after the model of the Dublin divisional justices?—No.

1521. Divisional magistrates, sitting, by themselves, deal with the cases that come before them. Have you turned your attention to that?—No.

1522. Can you suggest any arrangement whereby such an occurrence as that which recently took place—the other magistrates out-voting the resident magistrates and yourself, and disregarding your remonstrances in a case of life or death, having admitted aman to bail—can you suggest any arrangement whereby the like may not occur again?—That is too delicate a matter.

1523. Would you say it is impossible?—No; everybody knows that the Government have it in their own hands, and can do what they like about it. I think it would be presumption in me to offer any opinion upon the point.

1524. It is not opinion, but as a matter of fact. Suppose for a moment two resident magistrates were sitting (which God forbid) in a similar case this day twelve months, and the same evidence was offered with respect to the same charge, would the permanent sitting of two resident magistrates prevent the result already come to in the case I supposed?—How could it; surely they would be out-voted.

1525. I believe the great bulk of the gentlemen holding the commission of the peace for this city are Protestants—are they all of the Protestant religion but yourself?—I know they are Protestant and Presbyterian; I don't know whether there are any Methodists or not.

1526. But at all events you are the only Catholic?—I believe so.

1527. I believe the majority of the other magistrates are conservative in politics?—How can I tell that?

1528. From their publicly acting on election committees, and all that?—

Not answered.

Mr. *M'Laughlin.*—It makes no matter.

1529. Mr. Commissioner EXHAM (*to witness*).—With respect to the desirability of two stipendiary magistrates of different religions, you have lately had two gentlemen of experience here, Captain Coote and Mr. O'Donnell?—Yes.

1530. Is it your opinion, no matter what stipendiary magistrate was sent down by the Government here—sent with the power of removing him at a moment's notice—that the people would be satisfied with that magistrate, and that the step would inspire confidence?—Not a doubt of it.

1531. No matter what was his religion?—No matter what was his religion.

1532. Take for instance the case of Captain Coote and Mr. O'Donnell, the other day; did they inspire confidence in the people by their presence here?—As far as my knowledge, they would not make one bit of difference between them.

1533. Mr. *M'Laughlin.*—One being a Protestant and the other a Roman Catholic?—Yes; they would not make a bit of difference between them.

Mr. *Andrew M'Cafferty* examined by Mr. *M'Laughlin.*

Mr. Andrew M'Cafferty.

1534. You reside in Derry?—Yes.

1535. I believe you conduct a good deal of business, partly farming and partly shop-keeping?—Yes.

1536. You are a Catholic in religion, and a liberal in politics?—Yes.

1537. And I believe for many reasons you know the feeling of your party well?—I should say I do. I have had experience in that way.

1538. With respect to the displays of the Apprentice Boys what are the feelings of the Catholics?—Well, there is a very bad feeling towards the Apprentice Boys, and there has been for the last thirty years.

1539. Do Catholics or do they not regard these displays as offensive?—They do.

1540. Do they or do they not, as far as you know their feelings, regard them as intentionally offensive?—Yes.

1541. Do you yourself as a Catholic participate in that feeling?—I do.

1542. And you regard them as offensive, and as intentionally offensive?—No doubt of it.

1543. Now is it a few Catholics or all of them that share that opinion?—All equally.

1544. Lay and clerical?—Yes.

1545. High and low?—Yes; and all the respectable Protestants of the town.

1546. Now do you regard these displays as fraught with danger to the public peace?—I believe myself that it might come not to the death of three men, but to twenty times three.

1547. Deaths?—Yes; I have not the slightest doubt of it from the arrangements that were being made.

1548. Mr. Commissioner MURPHY.—Arrangements to oppose?—Yes.

1549. Arrangements to oppose the procession of the 12th of last August?—Yes.

1550. Mr. *M'Laughlin.*—Why, as far as you know, have the Roman Catholics instead of trusting to the protection of the law, made these arrangements to put down those displays by physical force?—They never see justice done in the scrimmages raised by the Apprentice Boys' party.

1551. Are the Catholics brought to the Mayor's office?—Yes; but generally they see the Apprentice Boys sent out clear while the others are imprisoned.

1552. Have the Catholics in point of fact lost all

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confidence in the law as regards preventing these displays?—Yes. I would not bring a case before the magistrates of Derry.

1553. Now when you talk of arrangements having been made, were any considerable number of men organized to prevent the procession?—About 5,000.

1554. You know that of your own knowledge?—I do; out of my own pocket I spent £10 to stop it.

1555. And I believe other persons of influence with the people joined with you?—They did.

1556. Is not this town proclaimed at present?—It is.

1557. I believe a proclamation requiring the people to give up any arms not licensed has been issued?—Yes.

1558. Do you believe arms are extensively in the hands of the people yet, within the limits of the proclaimed district?—I do believe it—thousands.

1559. Do you know whether you were helped to prevent any opposition by representing to those who intended it that this commission would do them justice—is that feeling prevalent?—It is; and I believe it was a great help to me in preventing opposition on the 12th of August.

1560. Since the last 12th of August do you know of any further organization intended for the repression of those, as they are regarded, insulting displays?—I do.

1561. Now you are a reasonable clear-headed man—have you any apprehension in your mind as regards the state of public feeling following a repetition of these displays?—I believe they will lead to bloodshed—I believe they will if continued.

1562. Solemnly I ask you?—I am sure of it.

1563. Is that feeling generally shared by your co-religionists?—It is.

1564. Mr. Commissioner EXHAM.—You say about 5,000 men were organized to oppose the procession, were those men armed do you know?—A great many of them were armed.

1565. In the course of this year?—In the course of this year.

1566. Could you give any idea of the number?—No, I could not give you any idea. I know at one time, not long since, there came a great quantity of arms, a little before the proclamation, to the Catholic population of Derry, such as revolvers, and I believe—I was not there myself—that at Muff Glen there were not less than 700 stand of arms from the city of Derry.

1567. How far is Muff Glen from Derry?—Six or seven miles.

1568. And these were in the hands of opposing parties?—They were in the hands of the Catholic party.

1569. Seven hundred—what sort of weapons were they?—A good many guns, revolvers, and rifles. Some rifles and muskets I heard went out in a box the evening before.

1570. From where?—From Derry to Muff Glen.

1571. From what house or place?—I could not say.

1572. You do not know?—No.

1573. Mr. Commissioner MURPHY.—Revolvers?—Yes, there were a great many revolvers.

1574. Mr. Commissioner EXHAM.—About these revolvers—when were the revolvers got?—They were got about the time of the election.

1575.—About the time of the election?—Yes; three hours previous to the election—I am sure there were not less than 1,000 revolvers in the streets.

1576. Given out?—No, belonging to the people.

1577. In the possession of both parties?—Yes.

1578. How long before the election do you know yourself, or could you tell, was the giving out of the revolvers?—No; everyone purchased—everyone bought.

1579. Everyone bought?—Yes, and, I believe, they were bought more extensively by the Catholic party, inasmuch as there were threats from the Apprentice Boys that if they should lose the election they would shoot the Catholics.

1580. Mr. Commissioner MURPHY.—Did you hear any of those threats yourself?—I did. I heard them.

1581. You heard them made?—I did.

1582. Mr. Commissioner EXHAM.—Do you think that the supply of arms has been increased since the election?—I think so; and in consequence of the threats made previous to the election—to preserve the city—to preserve the Catholics of Derry; and I myself employed 3,000 men, and paid them.

1583. At the election?—At the election—from the threats that were used before.

1584. As far as you know have no arms been given up since the proclamation?—Oh! there have been arms given up.

1585. To the constabulary?—I am not aware of any; I don't know. I know I applied for a licence for anything I had, and I got it.

1586. As far as you know, are the people in the habit of carrying arms publicly about their persons, or are they deposited in any place, or kept in their houses?—I don't know; but I know during the time of the election that they were carried about.

1587. But, at the time this organization was going on, when you say you had a difficulty in stopping the parties yourself, do you know where the arms were then, or were they carried?—Everyone had them—they were their own property.

1588. Have you, knowing the feeling so well of the people, thought at all of any change in the police force?—Well, a change in the police force would, I think, serve to give a great deal of peace in this city.

1589. And should that change be by getting rid of the local police altogether, and placing the entire duty in the hands of the constabulary?—Yes; I think if that were done, and if a stop were put to all displays, no matter from where they came, in the course of a year or two this would be as quiet a city as there is in the world. Put down every display—"Patrick's Day," and everything.

1590. Mr. Commissioner MURPHY.—When you say a body of 5,000 men were organized to prevent the procession of the 12th of August last, did you hear that a body or a number of men were organizing to prevent it?—I did.

1591. You heard they were organizing?—I did. I was one day out in Buncrana, and they were making arrangements there to bring 2,000 from Buncrana and Innishowen for the 12th of August, and I heard of the arrangement at Muff Glen, there was 1,000 to come there from other places and remainder for Derry.

1592. And you say you took active steps to prevent opposition, and that you lost money by it?—I did indeed.

1593. Did you speak to other persons to exert their influence to prevent it; to the clergy, for instance?—I did. I spoke to the clergy, and the bishop gave a very nice lecture on it in the morning; and I believe that was the greatest help to put it down.

1594. Mr. *M'Laughlin.*—Dr. Kelly is the Catholic bishop?—Yes.

County Inspector Arthur Willoughby Stafford.

County Inspector *Arthur Willoughby Stafford*, Royal Irish Constabulary, examined by Mr. *M'Laughlin.*

1595. You were in command of the constabulary here until recently?—Yes.

1596. I believe you have been recently promoted to the county of Down?—So the Inspector-General told me.

1597. You were here in the capacity of Sub-Inspector, and your promotion to a County Inspectorship is advancement?—Yes.

1598. When did you first come here?—In June, 1865—I think about the 14th of June, '65.

1599. What was the number of constabulary originally under your command in this city?—Fourteen men, including the Head Constable.

1600. I believe a good many of these men had barrack duty to perform, which reduced your avail-

able force to a much smaller figure?—Yes. We found the force available for the public service would be reduced from fourteen to about five men.

1601. Therefore, as the active force of the constabulary would be only five, the preservation of the peace of the city, as regards general arrangements, would devolve upon the city police?—Yes, at least to a very great extent.

1602. Do you know approximately the number of the city or Corporation police?—I cannot speak positively, but I believe about thirty-six and an Inspector, of course.

1603. We will call it a force of forty. I believe the Inspector is Mr. Maguire, who has been a long time in the force, and has honourably risen to the highest rank in it?—I know nothing of that.

1604. Your Head-Constable when you came here first was Mr. Bailey?—Yes.

1605. He retired after a long service, I believe, and was succeeded by Mr. Davis?—Yes.

1606. When did Head-Constable Davis come in succession to Bailey?—I think in April last.

1607. In April—the month in which the last unfortunate occurrence took place?—About that period.

1608. Going back to the 20th July, the night of the attack on the Town Hall, I believe there was a good deal of excitement then existing, in consequence of the pending election?—Oh, yes.

1609. Was there any extra force of constabulary in town that night?—No, only the Water-side men.

1610. That is on the county Antrim side of the river?—Yes.

1611. What is the number of the Water-side men?—Four men; that is the usual number.

1612. And the same principle of diminution, as regards the net number for active service, similarly applies there?—Yes.

1613. What number is over there?—Well, four men. We have four men available, unless some casualty occurs.

1614. On the night of the Corporation Hall, as we will call it, were you there?—Yes.

1615. Did you hear on that Monday, the 20th of July, that an attack was meditated on the Corporation Hall?—Oh, no.

1616. Passing from that for the present, had the local excitement which prevailed on the night of the election made you more or less watchful?—Oh, yes; for a length of time we had a great deal of active duty.

1617. Then the particular portions of the city most likely, in the event of disturbance, to be the sources of excitement, were pretty well known to you?—Yes.

1618. You knew where Butchers'-gate was, I suppose?—Yes.

1619. You knew where the band-room was in London-street, and also at the corner of Society-street, or I believe it is Meetinghouse-row?

1620. The room in London-street was part of premises occupied by a gentleman who does not live there now—there was a band-room there?—Yes; I believe there was.

1621. And the other room at the corner of Meetinghouse-row and Society-street was the gun-room of the Apprentice Boys?—There was a change; there was some difficulty, I don't know what it was; I think, some person objected to parties meeting in the house in London-street, and then the other house was taken, which was occupied as a band-room. I am not sure of that, but I know in the room in London-street I have heard the band playing—practising.

1622. Do you know of any room or any place in Stable-lane—that little lane that communicates close to Bishopsgate with the wall—had they a gun-room there?—No; there is a potato-market there.

1623. Do you know the lane called the Potato-market-lane, running at the rere of the Imperial Hotel until it joins on Meetinghouse-row?—I do.

1624. Do you know whether premises were kept there for the purposes of artillery?—Not that I am aware of.

1625. Or for a band?—I don't know.

1626. What position were you in with respect to the Corporation Hall about eight o'clock, or seven o'clock, on the night of the 20th of July, 1868?—I was not there at the time Mr. Hogg describes the parties as coming down the street. I was there very shortly after that. There was an officer in charge on that occasion; he was a young man named Lawlor.

1627. Sub-Inspector Lawlor?—Yes; he was there at the time of the occurrence. I was not there at the moment.

1628. Where is Sub-Inspector Lawlor now?—I believe at Maghera, in this county.

1629. Mr. Commissioner EXHAM.—Was he a Sub-Inspector on duty?—It is a rule in the service when a young man comes from the Depôt that he remains at a head-quarters station, as a sort of preparation, for some short time, to get instructions.

1630. It was not as an unusual precaution he was here?—No; he was merely here for instruction, from the County Inspector's office and mine, as to his duties.

1631. Mr. *M'Laughlin.*—Just describe what you saw when you came on the ground?—Well, it was just at the time the attack on the Corporation Hall had closed. There was very great excitement.

1632. You mean the attack on the door?—Yes; there was very great excitement, and all the available men were there. I cannot tell the number, but the Water-side men, and any men that could be supplied from the barrack were in attendance, but I am not able to tell you, except from hearsay, anything about the attack.

1633. Mr. Commissioner MURPHY.—You can say what it was you yourself saw?—There was very great excitement, and from my long standing here I had a good deal of influence amongst parties and I got them to leave, that is, the Apprentice Boy party—I got them to leave the street—a great many of them; and afterwards parties assembled in Butcher-street, that is, of the Bog-side party, and the other parties came round, and it is my impression, I am not positive, it was the same party when I got up to London-street that came round at the back of Pump-street, and up through Ferry Quay-street, and stone throwing commenced between the two parties, which lasted some time. The police got between them and got them separated. There was at that time a good deal of rioting or fighting going on.

1634. This was all before the military came?—Oh yes, it was.

1635. Mr. Commissioner EXHAM.—About what was the number of each of the opposing crowds at the time of the stone throwing?—Well, I should say a couple of hundred on each side—I don't think more.

1636. Mr. *M'Laughlin.*—Do you know whether prior to the arrival of the attacking party, as we will call it, of the Apprentice Boys, any antagonistic crowd assembled?—I am not able to speak as to that, for I was not there. From hearsay I could tell, but you don't want to know that.

1637. Mr. Commissioner EXHAM.—When you saw the stone throwing, the opposing parties were in the Diamond actually?—Well, apparently so, for the Apprentice Boy party were at the lower end of the Hall from here. They came round the lower end to Ship Quay-street, then the other party were at the end of Butcher-street and had advanced a little into the Diamond.

1638. Then the head of either party was in the Diamond, and the others in the street behind?—Exactly, that is it; I ought to know it, for I happened to get into the middle of the stone throwing.

1639. Mr. *M'Laughlin*—You were injured?—No.

1640. I thought you were struck?—No; not on that occasion I was not.

1641. You never heard that any stone throwing, or anything of that kind had occurred before the attack on the Hall and the subsequent breaking of the windows. You heard nothing of that?—No.

FOURTH DAY.
August 21.
County Inspector Arthur Willoughby Stafford.

1642. You never heard of any stone throwing by the "Bog-side" party before the attack on the Hall?—Oh no.

1643. I believe you did all you could on that occasion to preserve the peace?—I did; every exertion I could use.

1644. You have already expressed the opinion that the calling out of the military tended to preserve the peace?—Yes; I believe it did.

1645. As a gentleman giving very zealous attention to the matter at the time, and who has been called on officially to express an opinion upon the desirability or otherwise of calling out the military, do you happen to know, as a fact, was Mr. O'Neill's conduct quarrelled with, because he did call out the military?—I do; and, I think, most unjustly.

1646. And, I believe, that quarrel as to his conduct was kept up for days and weeks?—Oh yes; there was a great deal of talking about it. I do not read much of these matters in the newpapers, but it appeared, I believe, in the local papers.

1647. And in other papers as well—you have told us that you did everything you could to preserve the peace on that occasion?—Yes.

1648. I believe Mr. John Guy Ferguson, who has been already mentioned, did you good service and endeavoured to repress the disturbance when it began?—Yes; he used his influence with the parties as much as he could.

1649. His influence with the Apprentice Boys' party is unquestionably very great?—Well, I presume so.

1650. Being their Governor?—Yes.

1651. That is the reason why you wished to have his influence used with the Apprentice Boys, and you asked him not to go to Moville that evening, but to stay and give you any assistance he could?—Yes; he informed me he was going, I said I would be obliged to him if he would remain and assist me in preserving the peace.

1652. Mr. Commissioner EXHAM.—Was that when you came up at eight o'clock in the evening?—No, it was not. This was early in the evening, when there was some rumour of a disturbance; but I did not think anything would take place at all. It was only a rumour, and there were so many rumours that you could not rely upon any of them.

1653. Mr. *M'Laughlin.*—Did you not state in answer to the question put by counsel appearing below—"Why did you ask him?" "Because I knew he took a leading part amongst the Apprentice Boys"?—Yes, I always understood he was the Governor of the Apprentice Boys.

1654. There is no use in taking you through details. Were you there when the military came up?—I was.

1655. And I believe they took positions at the various entrances to the Diamond?—They did. They were divided, I believe, into sections, and placed at each opening into the Diamond.

1656. A good deal of feeling was excited when this matter was being investigated afterwards?—Oh, it was very strong.

1657. I believe about the time the inquiry had terminated, or while it was still pending, the 12th of August came round?—Oh, yes, the anniversary.

1658. Did you see a procession on that day of the Apprentice Boys?—I did.

1659. Had it drums and music?—Yes. Just as usual.

1660. Describe the band of the procession?—Well, the band of the Apprentice Boys are a band dressed in a sort of uniform.

1661. Like artillery men?—Something in the same style as artillery.

1662. Did the Apprentice Boys wear scarfs?—Crimson scarfs.

1663. Were there flags?—Yes, flags.

1664. Could you tell the colour of the flags?—Principally crimson.

1665. And exceptionally orange?—No, I did not see any orange flags, at least what I would call orange flags. I did see orange flags, and I saw crimson flags as well.

1666. What obtained with respect to the 12th of August obtained on the 18th of December. You did not see, I believe, the procession of the last 12th of August?—No, I was in Dublin then.

1667. Abstracting from the question whether or not the Catholics are right in regarding these displays as offensive, in point of fact does there exist amongst Catholics a feeling that they are offensive?—Yes; a very strong feeling, and I may add more—that many very respectable Protestants are opposed to them as well.

1668. I suppose that is from the idea that the public security is more or less endangered by these exhibitions?—Yes.

1669. I will ask you, on that point, whether or not you think that the public security would be benefited if these exhibitions either were not indulged in, or were put down if attempted to be indulged in?—I certainly believe it would—all processions of every class and band-playing through the town day or night, no matter on what pretence.

1670. Do you believe that it would tend to the further maintenance of order and tranquillity within the city?—I believe to a very great extent it would.

1671. Do you believe it is a step that should be taken for the maintenance of future order and tranquillity in the city?—Not a doubt of it.

1672. Do you believe—following the words of the warrant—that if these processions are engaged in it would be the duty of those charged with the preservation of the public peace to interfere for their prompt suppression?—Well, that is a question I don't quite apprehend. Please repeat it.

1673. Do you believe, having regard to what you have said as to the tendency of these displays and to the danger of them, that it would be the business of the authorities, if they had the power, to interfere for the prompt suppression of such displays before they led to riot and disorder?—Yes, I believe it. I speak as well from my experience in this place of four years as also from what I heard from respectable inhabitants.

1674. Were you here on the 25th of last November?—Yes.

1675. On the occasion when Dr. Miller was returned in opposition to Mr. Bigger?—Yes, I was.

1676. I believe there was some little rejoicing on that occasion?—Yes; but not by a procession. There was a burning of tar barrels—that was the only thing.

1677. I believe, whatever it was, it was in Pump-street, inside the walls?—Yes. I did not see anything of it myself, but I understood such was the case.

1678. I believe something of the same kind occurred on the 1st of December, on the election of the mayor?—Yes.

1679. We may pass over the election, the nomination on the 20th, and the polling on the 22nd of November—there were, in point of fact, no riots on either occasion?—No.

1680. I believe, although there were great apprehensions about the election, it was about as peaceable an election as ever took place?—I think it was a very peaceable one, and I had been on duty at elections before. It was very peaceable, indeed; but every precaution was taken to preserve the peace.

1681. I believe every precaution was taken, in consequence partly of very serious apprehensions that existed that, both parties being armed—the Roman Catholics having recently got arms—it was likely there would be a deadly collision?—Yes, and proper precautions were taken to obviate the consequences. As far as my recollection serves there was a force of 300 of the constabulary, two troops of the 12th Lancers, and about thirty of the mounted force in attendance.

County Inspector Arthur Willoughby Stafford.

1682. Mr Commissioner EXHAM.—You mean it was perceptible, in consequence of the precautions taken by the authorities of sending sufficient troops, and the disposition of these troops afterwards by the authorities?—Yes, every precaution was taken, and it had the desired effect.

1683. Mr. *M'Laughlin.*—During that time, do you know whether the local magistrates acted solely with respect to the disposition or management of the forces, or were they assisted by some stipendiaries? Were there two or three sent for that purpose?—There were.

1684. Who were the stipendiaries sent to take charge of the arrangements?—There were Captain Peel, Captain Slack, and a third gentleman, a Mr. Massey, from Limerick. He was a recent appointment.

1685. And these three magistrates were specially charged with the arrangements that were made?—Yes.

1686. Do you remember the inauguration of the late Mayor, on the 1st of January, 1869?—Yes.

1687. There was then some tar-barrel burning?—Yes, that was all.

1688. And some groaning?—Well, the fact is I did not see anything of it at all myself, but such was the case. I know some tar barrels were burned in the neighbourhood of the town.

1689. On the 9th of February, 1869, the decision of the Judge was given on the petition to unseat Sergeant Dowse?—I am not sure of the date.

1690. There is no doubt that is the date. I believe on that occasion there was a large procession organized, what we will call a "Dowse procession," with music and torches?—Well, I cannot speak as to seeing that procession, only a portion of it.

1691. But there was such a thing?—There was.

1692. Were you at Bishop's-gate?—No, I was not. I was at Butcher's-gate. I took that post from knowing the locality.

1693. Butcher's-gate is the gate that leads into the "Bog-side" quarter?—Yes.

1694. Castle-gate is not so bad as regards position as Butcher's-gate—it leads into Cow-bog-street?—I think it leads into the same street.

1695. You took charge of the opening at the most difficult and dangerous point?—I did.

1696. Was there any attempt made, successfully or otherwise, by the processionists to break in through your phalanx at Butcher's-gate or Castle-gate?—No. Several parties came to me and asked me if it was the case that they would be prevented going that way, and I said it was the case, that no procession would be admitted at any of the gates. I may tell you what the parties said to me. They said it was very hard they should be prevented going in when at the election of the Mayor parties were allowed to have a procession and burn tar barrels. My reply to that was, "Well, you may thank yourselves for this precaution being taken." I alluded to what occurred on the return of Sergeant Dowse, when he was declared elected, before the petition was heard of at all. On the night he was returned there was a procession through the town of the Bog-side party, with tar barrels, and they were not interfered with; but windows were broken, parties were assaulted, and in consequence of that it was determined to prevent such a thing again, and that was the reason precautions were taken to keep out any procession.

1697. Were the windows that were broken on the occasion of Sergeant Dowse's election windows outside the walls?—Oh, inside.

1698. Inside?—Inside and outside both.

1699. I believe the windows broken outside were principally those of Mr. Fitzgibbon Louch?—His windows were broken, the windows of the police stations were broken, the windows of Lord Claude Hamilton's tally-rooms were broken. Mr. Louch's is just opposite to that.

1700. But all these are outside the wall?—All are outside the wall.

1701. Give me the name of any person inside the wall whose windows were broken?—I cannot give you the name.

1702. Mr. Commissioner EXHAM.—But there was no doubt there was a procession on the night of Sergeant Dowse's return?—Oh, no doubt at all.

1703. And tar barrels were burned?—Yes.

1704. And the people in that procession broke the windows of persons of the opposite side?—Yes.

1705. How many were in that procession?—Well, 400 or 500.

1706. Did that go on long?—No, not very long.

1707. Did they come inside at all?—They were all through the city. The first tar barrel I saw lighted was in Shipquay-street, nearly at the foot of Shipquay-street, and that was carried up through the town, and the parties as they went along were joined by other parties.

1708. And they broke windows both inside and outside the walls?—Yes.

1709. The Commissioner—I heard it stated that there was no procession that night.

Mr. *John Hempton.*—No. What I said was that I was not out that night at all.

1710. Mr. *M'Laughlin* (to witness)—Without quarrelling with the general correctness of what you say, were windows broken inside the wall that night?—Oh, there is no doubt about it; though I cannot give the names now.

1711. That was on the 22nd of November?—It was on the evening of the day the election terminated in favour of Sergeant Dowse; I think the 21st.

1712. And in consequence of that it was thought necessary to keep any similar procession from coming inside the walls?—Yes; because parties said that if the authorities did not protect them, then they would protect themselves, if such a thing occurred again.

1713. Mr. Commissioner EXHAM.—That is the people in the town, inside the walls, whose houses were attacked?—Yes, they said as the authorities did not protect them that night they would protect themselves in future.

1714. And in consequence of that the other procession was kept out, and the police took charge of the openings? [Not answered.]

1715. Mr. *M'Laughlin.*—It was thought by the authorities, in point of fact, not safe to admit such a procession inside the walls again?—Yes.

1716. Now, that procession I gather from you took place on the 22nd of November, or thereabouts?—On the evening of the return of Sergeant Dowse.

1717. And the procession that had the tar barrels inside the walls, and that burned the tar barrel in Pump-street, took place on the 1st of December following—on the election of the mayor?—Yes.

1718. Was it thought desirable or necessary by the authorities, from their experience of what took place on the night of Sergeant Dowse's return, to keep those people with the tar barrels outside of the walls?—No, it was not; I had not any communication on the subject; in fact, I did not know anything of it, until it was all over.

1719. You act under orders?—Sometimes I do, and sometimes I have to act upon my own responsibility, which is often not an easy matter.

1720. Let me ask you—on the 1st of January, 1869, was there not some little demonstration of tar barrels, as a sort of rejoicing amongst the Conservatives, at the inauguration of the late mayor, and was not that procession inside the walls?—That was merely, as far as I can understand in Pump-street, before his own house.

1721. But Pump-street is inside the walls?—Yes.

1722. It was not so extensive as the one that took place on the 1st of December?—On the 1st of December it was a little more lively.

1723. It was after the 1st of December, and after the 1st of January, that the processionists of the 9th of February—being the night on which judgment was given on the election petition—were kept out, and very properly kept out—I don't at all contradict that—by the authorities?—Yes, it was.

FOURTH DAY.

August 21.

County Inspector Arthur Willoughby Stafford.

1724. I think you said that the election, as elections go, was rather a peaceable one?—It was very peaceful compared with elections I have witnessed.

1725. The window-breaking you mentioned was not the first window-breaking in connexion with the election? The first was on the night of Sergeant Dowse's lecture, on the 20th of July. Do you know whether or not the *Standard* Office windows were broken at all on the night of Sergeant Dowse's lecture?—No.

1726. Did you hear of it?—No, until this moment; no report was ever made of it.

1727. Did you hear that the windows of Mr. Michael Doherty, tobacconist, in Ferryquay-street, suffered a little on the night of Sergeant Dowse's lecture?—No, I did not. It might have occurred, but it was never reported to me.

1728. Did you hear some windows were broken close to Butcher's-gate, outside the gate, windows not of Doherty's?—Well, I am not very positive, but I believe such was the case. I think the windows of a man that sells old clothes, I forget his name, were broken.

1729. Supposing Doherty's windows were broken, or the windows of the *Standard* Office, both of these would be inside the walls?—Yes.

1730. I believe some of the Constabulary, on the night of this affray at Bishop's-gate, sustained very severe and rough usage?—One man lost his eye; the whole party were more or less injured.

1731. They were badly treated by the people outside getting in?—Yes.

1732. I believe some of them did make a spurt through the Gate down Bishop-street?—Yes; I saw a portion of that myself. I was sent for.

1733. Did you see a portion of the crowd, consisting of the Apprentice Boys, peppering the "Bog side," as they ran down London-street?—Yes, I did; I saw a great many shots fired.

1734. Will you please detail the circumstances?—Certainly; I, as already stated, was placed in charge of Butcher's-gate and Castle-gate with forty men, twenty at each gate. A person came to me whom I did not know at the time, nor indeed since, and told me that the police were being attacked at Bishop's-gate. I thought it was a false alarm and did not move. Shortly after that young Mr. Darcus came.

1735. The son of Mr. Darcus, the magistrate?—Yes; he said he was sent by the Mayor—the late Dr. Babington—for me to bring up my men. I was just getting the men together from the Castle-gate and marching them off when the Mayor came up to me. I "doubled" the men part of the way up Meeting-house-row ——

1736. By "doubled" you mean quick time?—Yes; and when I came to the end of Society-street the street was filled with people, and when I got nearly as far as Mrs. Roddy's a firing of shots commenced, as it appeared to me, as from both parties.

1737. Were you coming up from Meetinghouse-row side, behind the wall?—Yes; and the whole end of the street was in a blaze of shots. I suppose I saw thirty shots fired, and the crowd was so dense that I could not get the men forward, and I was obliged to charge the crowd with the bayonet and drive them away.

1738. Mr. Commissioner EXHAM.—What street was that in?—Society-street, just at the end of it, at the opening into Bishop-street. I was obliged to charge the crowd with the bayonet, and drive them out of it. At this time I saw a tar barrel going down the street, and the party that was with them went on with them down the town, and I saw no more of them. I went up where the remainder of the men were; the officer and his party were at the Bishop's-gate.

1739. As far as you could see, both parties appeared to be actually firing at each other?—Yes. You could hardly believe it unless you were an eye-witness to it, and I did not hear of any person being injured.

1740. Were they close to each other?—Very close.

1741. What number were there at that time of the opposing parties?—I could not form an opinion of the number in Bishop-street. They were pretty thick at the time, but I should think there were 200 or 300 in Society-street; they were so packed together that I could not get forward.

1742. What party numbered 200 or 300—were they both equal, the two parties?—I could not tell the number of any party. I could not tell the number of the party who went down Bishop-street, for I did not get so far. I was not able to observe them with the mob coming down the street.

1743. But there was a large party?—A very large party indeed.

1744. Mr. *M'Laughlin.*—You were coming up from Bishop's-gate into Society-street?—Yes.

1745. Now coming from Meetinghouse-row, which is a street that lies parallel with the wall—inside the wall beginning at Butcher's-gate and running up to Society-street—and where you turn into Society-street is there a coach factory?—Yes.

1746. The old coach factory, at that time the gun room?—Yes.

1747. It is a corner house, with one front towards the wall, the other towards Society-street, and Mrs. Roddy's is about half way between the gun room and the corner of Society-street, where it gives on Bishop-street?—Scarcely half way.

1748. On the right hand side coming up Mrs. Roddy's is?—Yes.

1749. As soon as you turned the corner from Meetinghouse-row into Society-street you felt a difficulty in passing through the dense crowd?—As soon as I got up beyond the potato market, or the cabinet-maker's shop there.

1750. First there is the dead wall?—Yes.

1751. Then the potato market?—Yes.

1752. Then Friell's, the cabinetmaker?—Yes.

1753. Then Mrs. Roddy's, then Coyle's, then two or three houses up is Hannigan's, the corner house gives on Bishop-street, with Monteith's on the opposite side. Now, having explained the localities, let me ask you—When you came up toward's Roddy's the crowd began to get dense?—They were before me.

1754. And you had to drive them?—I had to drive them; some got back, but not many.

1755. Were not those stationed in Society-street more numerous, as far as you know, than the party passing down Bishop-street?—I could not say. I did not see the Bishop-street party at all.

1756. Were not those in Society-street exclusively, or almost exclusively, the Apprentice Boys' party?—I believed them to be so, but I cannot say.

1757. And were they not firing from Society-street into those who, running down Bishop-street, were passing the place where Society-street gives on Bishop-street?—As I could see them, I believe the two parties were firing at each other. It struck me both parties were firing at each other. There was firing from the crowd in Society-street, and also from the crowd in Bishop-street—it seemed to me so—that is from the place I was in.

1758. But the crowd in Bishop-street, coming down from the gate, were on their straight road?—They were going straight down.

1759. They had not turned into Society-street?—No.

1760. Mr. Commissioner MURPHY.—Did you see both parties firing at each other?—Those I saw passing down by Society-street were fired at, and then those passing down fired at the others; that appeared to me to be the position of things.

1761. Mr. Commissioner EXHAM.—As a man of experience, you say each party was firing at the other? [Not answered.]

1762. Mr. *M'Laughlin.*—Did you see any implement of warfare on that occasion except revolvers?—

I did not see a single revolver on the occasion. I saw the flashes; that is all I could see.

1763. Mr. Commissioner EXHAM.—From your experience could you say whether it was the firing of revolvers or pistols?—Revolvers or pistols.

1764. After that what happened?—Everything grew quiet, I think. I patrolled the streets until between one and two o'clock, and everything was quiet after that.

1765. Did the "Bog-side" party go outside the wall and go home?—They went away altogether, and I did not see them any more. I don't know where they went to.

1766. And everything was quiet after that?—Yes, as far as I know.

1767. And you did everything that occurred to you that night to preserve the public peace with the force at your command?—Everything.

1768. Mr. *M'Laughlin.*—Kindly tell the Commissioners exactly what took place, as far as you know, either from your own knowledge, or from equally reliable sources of information, on the day and night of the unfortunate 28th of April last?—It is a long story to trouble you with, but I will tell it as well as I can. From an interview I had with the late Mayor with respect to the force for the preservation of the peace on the occasion, he told me that he thought twelve men would be sufficient. I told him that I thought it would not be sufficient, and he said—"Oh, yes, I think it will." "Oh, very well," I said, but I did not actually attend to his order, for I had an increase of force of twenty men, including sixteen infantry and four mounted men. I received the Prince at the Platform a little after three o'clock in the evening, on the arrival of the train. He then drove off, escorted by an artillery officer, and the Mayor accompanied him, and some other gentlemen that I did not know—I saw very little of them. However, I then marched my men to the barrack, and I made them leave their arms in the barrack, and subsequently I marched them up to Bishop-street, and I then placed them in line in the street. I think there was a company of military on the opposite side of the street, and I was merely there with my men to make arrests if anything should occur. After the Prince left the Corporation Hall he went up to the Imperial Hotel. He remained there a good while, and the Apprentice Boy party came down the street with the guns—with the cannon—and they remained opposite the Imperial Hotel. At that time there was a good deal of excitement. There was no fighting, but a good deal of excitement and cheering, playing of music, and all that. They moved down the street, and, as far as I know, put up their guns in their gun-room.

1769. That is the old coach-factory?—Yes, they went down in that direction. I remained where the crowd was, to try and preserve order. I saw some of the Apprentice Boys afterwards through the street. I saw a few—or one or two—with the sponge-rods of cannon in their hands; and another band, with a flag, came down the street also; that is the band there was so much talk about here.

1770. Mr. Commissioner MURPHY.—The Hibernia band?—Yes, the Hibernia band; the flag was a white flag, with a purple border, and in the centre there is a harp, without the crown, with a lot of shamrocks around it, and on a scroll, "Hibernia Flute band." That band came down and played opposite the Imperial Hotel, and marched down.

1771. Mr. *M'Laughlin.*—Do you know the airs?—Well, I heard two airs played, that I knew very well, I heard "Patrick's Day" and I heard "the Protestant Boys" played, but I was not near either band at the time they were playing. I heard both of these tunes played. Then the Prince after some time went off in a carriage accompanied by the Mayor, and some other gentlemen—he left town for a considerable time. They went in the direction of Cullemore, as far as I could ascertain; it was late in the evening when he returned—it was six o'clock, or later—and everything was perfectly quiet then, and seemed as if it would be so, as far as I could judge at that time. I had some official duty to transact and I went to my office and transacted it, and then I went home to get something to eat. At that time it was after eight o'clock. It was nearly eight when I left. I got something to eat, and just as I was sitting in my dining-room, my mounted man O'Donnell came for his horse, and he told my servant that there was some rowing going on in the town, and I went out and spoke to him, and he said there was, and that the head-constable had sent him for his horse.

1772. Head Constable Davis?—Yes. I did not wait a moment. I hurried into town, so much so that I was in before him. I went to the Barrack, not knowing where my men were, and when I arrived at the Barrack I found that the men were in the streets. You know where the Barrack is—on the east wall, near the Imperial Hotel. I then hurried down to the Corporation Hall, where I found the Head Constable and his small party, and from what I heard from the men, and from what I witnessed myself, I asked the Head Constable had he informed the Mayor. I was informed that the police were obliged to fire at Butcher-street—that they were attacked there and obliged to fire, and I asked the Head Constable if he had gone to the Mayor. He told me, as far as my recollection serves me, that he had, but that he was either defeated or did not like to disturb the Mayor.

1773. The Mayor was dining with the Prince?—I don't know whether he dined with him, but at all events he was in his company.

1774. To prevent confusion, may I ask—This firing you speak of in Butcher-street, by the constabulary, is it to be distinguished from the firing by the constabulary afterwards in the Diamond?—Oh, yes, that was a previous matter—before I reached the men.

1775. Go on?—There was very great excitement, and from the appearance of the people—it is hard to explain—but from their appearance, and my long experience, I could almost tell that a row was likely to take place.

1776. Mr. Commissioner EXHAM.—Tell me, were your men attacked at Butcher's Gate?—They were attacked at Butcher's Gate.

1777. By what party?—By the "Bog side" party.

1778. Were that party trying to come in there into the town or not?—No; they seemed to have assembled—I did not see it—but according to information—it is merely from report.

1779. Was anyone shot by that firing that you know of?—No, not that I heard of.

1780. How many shots were fired?—I understood two shots were fired, but that I only have on information.

1781. Continue the narrative of what occurred?—Well, from what the Head Constable told me, he and other men urged me very much to go to the Mayor, and I at once went to him. I am sorry to say he is gone now——

1782. Mr. *M'Laughlin.*—You are not going to say anything that will reflect on him in a way not to his credit. I will avoid using a word that anyone would not like to have said—there is no charge made against him?—I don't like to say anything in this case—if I am obliged to do it, I must, but I don't like it.

1783. I must trust to your own instinct and judgment; it is quite evident you are not an unfeeling man. Tell nothing but what is right?—I will tell you nothing but what is the fact.

1784. Anything that can be avoided you need not tell?—It is already in evidence, therefore I need not scruple it—it was taken before him. I went to the hotel, and with great difficulty got access to the late Mayor. This was about a quarter past nine o'clock. I had very great difficulty in getting access to him; the hotel-keeper, who was a stranger to a great extent in the place at the time, tried to oppose my seeing the Mayor. However, a waiter kindly went before me into the room and informed the Mayor. He came out immediately followed by a gentleman, I did not know

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his name at the time, but afterwards he turned out to be Colonel Holmes of the Artillery.

1785. He had been stationed here as commanding officer?—Well, I never saw him up to that day. He had been in Derry some time before, but I never saw him until I saw him on horseback when the Prince went into the carriage at the railway station. I told the Mayor the state of the town, and that I could not be responsible for the safety of either life or property if the military were not sent for. He tried to pass it off as a matter of no consequence: he did not seem to place any weight on it; and Colonel Holmes in an extraordinary manner said to me "Who are you?" I said I happened to be "the Constabulary officer in charge of the party that is here." Then, after using every effort I could with the Mayor to send for the military, and he declining to do so—I cannot give you his words, but he declined to do so—I told him I was not an alarmist, and that I believed it was absolutely necessary that the military should be sent for——

1786. At the moment the mayor was obviously under the impression that you over-estimated the danger?—Yes.

1787. The mayor thought the danger less, not having seen it?—Yes.

1788. And in consequence of that feeling and of the failure of your assertions to remove the feeling, the mayor, in the exercise of his discretion, declined to send for the military?—Yes.

1789. May I ask you whether the amount of abuse that was heaped upon Mr. O'Neill for sending for the military was not quite enough to deter any ordinary man from taking upon himself the individual responsibility of taking that step?—Well, I think it was.

1790. It is due to the late mayor to say that?—I have no doubt the hesitation of the mayor was due to the censure—most unjust, I call it—heaped on Mr. O'Neill. If I had had a magistrate to act as he did, that night, we would not have this inquiry.

1791. Mr. Commissioner MURPHY.—Where did you go then?—There were some young men in the hotel. They stopped me, of course, with respect to the aspect of affairs in the town, and they did not think—some of them so expressed it—that it was necessary to send for the military. I went down to my men where I had left them in charge of the head-constable, the next in command to myself, and there met them.

1792. Mr. *M'Laughlin.*—Define the position the men were in when you left them in charge of the head-constable?—It was just at the Bishop's-gate side of the Corporation Hall or entrance into the Round Room—the front door, not the side door.

1793. The door that looks towards Bishop's-gate?—Yes. I there found Mr. Thompson.

1794. That gentleman was a city magistrate?—Yes. We had some conversation. I complained of the way I had been received and treated in the hotel, and that I could not get the military. He suggested that we should go back again, for he told me that several parties had asked him to send for the military.

1795. At the time you were engaged in the effort to get them?—Yes.

1796. You had not seen Mr. Thompson until you returned?—No. When he told me that I was then under the order of a magistrate, as I believed——

1797. The magistrate was Mr. Thompson?—Yes. I marched my men up to the hotel, and we saw the mayor again—Mr. Thompson and myself.

1798. Before you narrate what took place between Mr. Thompson and yourself and the mayor, give the Commissioners an idea of the condition of the town as you observed it at that moment?—Well, there were a great many people in Bishop-street, there was a crowd in the Diamond, and on the wall a great number of people.

1799. That is down at Butcher's-gate?—Butcher-street was perfectly clear of people.

1800. But they had assembled on the wall?—Not on the wall, but in the Diamond—that is, the Bog-side party.

1801. Mr. Commissioner EXHAM.—They were in the Diamond?—They were; in the Diamond, opposite to the end of Butcher-street.

1802. Mr. *M'Laughlin.*—What party were those in Bishop-street, as contra-distinguished from the party in the Diamond?—They appeared to consist, as far as I can judge, of a mixture of both parties. I have hardly a doubt they were of both parties.

1803. But the predominance, as far as you could judge, was in favour of what party?—Well, I could not say.

1804. Well, continue the narrative?—We got access to the mayor again. Mr. Thompson and myself urged on him the necessity of sending for the military; but he stated he did not like to disturb the Prince, and he hoped that matters would go on quietly. However, he did not send for the military.

1805. Fix the hour at which this was, as nearly as you can?—I think it was ten o'clock, or very close to ten o'clock at that time. Then Mr. Thompson said he and I would go down and do all we could to preserve the peace, and I marched the men back again to the Diamond, and halted them there, leaving them in charge of the head-constable, and Mr. Thompson and I went over to the crowd—that is, the Bog-side party—and we remonstrated with them. We advised them to go home. Some of the parties addressed me by name. They said—"Mr. Stafford, we will go home if you get the other parties off the wall, for if we go down there we will be murdered."

1806. The Bog-side party in the Diamond in going home should necessarily pass through Butcher's-gate?—I don't say necessarily, but that is the most direct road.

1807. And I believe the party on the top of Butcher's-gate were slinging stones down at them?—Yes.

1808. And firing pistol shots?—It was stated—I know a person told me that pistol shots were being fired.

1809. What was the number of the Bog-side party as far as you could see in the Diamond?—From eighty to a hundred.

1810. You say that when you and Mr. Thompson went amongst them, and advised them to go home instead of remaining, these eighty or a hundred said they would not go, as the party on the wall or gate were stone-throwing at them—what did you then do?—Mr. Thompson said to me, "Come along, Mr. Stafford, and we will try to get them out of that," or "put them out of that." We left the men in charge of the head constable, and Mr. Thompson and myself went down Butcher-street. There were no people in Butcher-street, not even close under the gate.

1811. But there were on the wall, on the top of the gate?—Yes.

1812. There is a high-road over the top of the gate?—Yes.

1813. And it is an open arch?—Yes.

1814. At the top of the gate there is a railing?—I believe so—I am not sure.

1815. There is no doubt, there is; there is an iron railing over the arch, with brickwork at each side; over the top of the gate there is a railing with a parapet on each side?—Well, I cannot positively say at this moment—I think there is no iron railing.

1816. Oh, there is?—I am not quite sure of it. I believe there is a railing of some kind. Well, when Mr. Thompson and myself were on our way down Butcher-street some person, who, I cannot tell, met us, and said if we went down we would be murdered. That did not stop us, and we went on and turned into Meeting House-street or row, and got on a little beyond the first steps.

1817. Mr. Commissioner MURPHY.—You got on the wall at all events?—Yes.

1818. What occurred then?—There was a great crowd on the wall when we got there, and we heard glass breaking on each side. There were a few of the city police right on the top of the gate—on the

top of the arch. They appeared to me to be trying to keep the crowd up towards the Testimonial. Mr. Thompson and myself had not been there more than a few moments when we were joined by Mr. Ferguson, who also tried to assist in getting the parties to move away.

1819. Mr. *M'Laughlin.*—To what party did those on the top of the gate belong?—Oh, the Apprentice Boy party. I saw one boy, I did not know who he was, a young boy, with a stone in his hand, and I attempted to catch hold of him; he dropped the stone and ran away. Then I kept in the rear of the parties, and when any remained behind we moved backwards and forwards along the wall until we got them all off up to the steps at the foot of Society-street, where the gun room was. There was one person, I did not know his name, with whom we had an altercation. He would not leave the steps until I threatened him. However, I believed all the parties had gone into the gun room, that was my belief, and I lost Mr. Thompson and Mr. Ferguson nearly opposite the Meetinghouse. I lost sight of them, and I am not sure that I saw Mr. Ferguson at all that night afterwards.

1820. Those who had been on the top of the gate went into the gun room?—I believed so. I believed that they had, and that I had everything settled for the night. I came down the wall again, and just as I turned Cunningham's corner into Butcher-street out of Meetinghouse-lane, I heard the report of a pistol. I believe it was a pistol from the report, and the glass of Cunningham's window was broken a short distance from my face. I heard the glass rattle; I drew back a little, stepped back a couple of steps, and got round the corner. At that time a great many people were at the end of Butcher-street, which was perfectly clear of people when Mr. Thompson and I had gone down. I called on them when I got into shelter to run away out of that or they would be shot; they then began to pelt me with stones, and I had to fly.

1821. Now this shot that you say struck the glass behind you, where did it appear to come from?—I could not form an opinion.

1822. Could it be fired from Butcher-street?—I think it must be fired from the wall. The reason I think the glass rattled was this—that the pane of glass in the window had been previously broken, and then the ball struck some particle of it, and that made the glass rattle, for the glass did rattle down.

1823. Then you think the shot was fired from the wall?—It is only a belief. I cannot go beyond belief, but that is my opinion.

1824. Mr. Commissioner MURPHY.—Where did you go to then?—I then turned back, and came along Meeting-house-row, up Society-street, and into Bishop-street. When I was nearly at the Meeting House I heard the discharge of firearms, and I could not tell where it came from. I merely heard the report. When I got into Bishop-street it was clear of people; there was hardly any one in view. As soon as I got down within about twenty or thirty yards of the Corporation Hall, I heard some person say that men had been shot, and that was the first I knew of it. When I came down to the end of Corporation Hall I saw a man lying on the flags perfectly still, and another writhing backwards and forwards, and some of the city police alongside of him.

1825. Mr. Commissioner EXHAM.—Was that on Mr. Hempton's side of the Diamond?—No; on the left hand side of the door as you go in from Bishop-street. I afterwards learned who this man was by accident. There was no other wounded person in the street that I saw, and very few people—hardly anyone. My anxiety was to know what had occurred to my men, and I went on without making any inquiry about the man who had been wounded. I heard he had been wounded; and I went on in search of my men and found them in the Diamond.

1826. On which side of the Diamond?—On the Butcher-street side of the Diamond.

1827. That is the left hand side as you go down?—Yes. I then ascertained what had taken place, and that persons had been shot.

1828. I believe after that there was no further disturbance?—Oh, no. The town was quiet that night. I never saw it quieter in my life. I don't know where the people went to.

1829. Mr. *M'Laughlin.*—You mentioned some time ago young men you had spoken to in the Imperial Hotel after you saw the mayor, and who seemed to be under the impression rightly or wrongly that the military were not necessary?—Yes; that was the impression.

1830. Without mentioning any names or giving any identification of that sort, could you say generally what party these young men belonged to?—I do not know that they belonged to any party at all; I don't think they did.

1831. I assume they were gentlemen of position?—One of them was—indeed all.

1832. There were no Catholics amongst them, were there, as far as you know?—I am not able to answer that question.

1833. Mr. Commissioner EXHAM.—What you say is that they were not party men at all events?—No.

1834. Mr. *M'Laughlin.*—Was your attention called to any coping stone at the top of the wall over Butcher's-gate—a stone that had been loosened?—Oh, I saw a coping stone that had been displaced.

1835. You saw a coping-stone that had been displaced?—Yes, but that was not an unusual thing, for a stone was thrown before off that wall, when a crowd of people were underneath, and an old woman was nearly killed. I cannot give you the date, but I knew such was the case.

1836. The stone I mean is at the side of the top of the gate, next Magazine-street; it projects a little forward, something like the despatch-box on the bench—was your attention called to that stone?—I don't know that my attention was called particularly to it, but the stone had been shifted, I think.

1837. It was on the night of the 9th of February?—Yes. I think one of the city police drew my attention, but I cannot say it was to this particular stone.

1838. The particular stone I mean projects a little over the parapet, just as that despatch-box on the bench. Was your attention called to that stone?—Not particularly, but I saw that it had been loosened—that the mortar had been loosened.

1839. The other stone you have been mentioning where was it?—It was higher up near the Testimonial, a good way higher up.

1840. I suppose in the line of direction a body of men would probably take if refused admission into Bishop-street—they went down Long Tower, at the back of Naylor's-row, towards the Bog-side district?—That would be their direct way, but they could go another road.

1841. Mr. Commissioner EXHAM.—When was your attention called to that stone at all?—It was after the night of the torch-light procession.

1842. Was it the same day or night?—As far as my recollection serves me, it was that night?

1843. Mr. *M'Laughlin.*—Was not public attention called by the newspapers to the fact that a large stone had been loosened from the mortar for the purpose of hurling it down upon the people passing?—Well, indeed, I do not read the newspapers very much.

1844. Do you remember seeing any cannon that night?—Which night.

1845. Any night?—Oh, indeed I do.

1846. When did you first see any cannon inside or outside of the house?—At night?

1847. Yes?—I never saw them in the street at night.

1848. Did you see cannon?—I did.

1849. When?—I saw cannon at the time of the election—in the gun-room.

1850. That is the old coach-factory?—Yes.

1851. That was the gun-room of the Apprentice Boys?—Not answered.

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1852. Mr. Commissioner MURPHY.—Do you know whether they were loaded or not?—I had no way of judging but this—the parties were anxious to bring out the cannon, and there were men behind the cannon, as if ready to fire it, and others kindly withdrew me from before the cannon, where I stood, to prevent it being brought out, lest I should be injured. That is the only reason I have for believing it was loaded; they told me it was loaded; in fact, I think—

1853. Mr. *M'Laughlin.*—Could you fix by your memory the time, the day, the hour—or either one or other as near as you can go—at which this happened?—I think it was on the night of Mr. Dowse's return, the first time; I believe that was the night, but I am not quite positive.

1854. Could you gather from what was said, or from what you observed yourself, whether it was intended to fire those cannon against anybody?—I know it was the time of the election, for this reason, that Captain Slack, the resident magistrate, was with me.

1855. The night of the first tar barrel?—Yes; it was that night—I believe it was that night.

1856. Mr. Commissioner MURPHY.—Did anybody tell you it was intended to fire the cannon at any other persons?—They told me the guns were loaded, and a great number were for bringing them out.

1857. Mr. Commissioner EXHAM.—To do what?—To fire on the opposite party.

1858. To fire on the opposite party?—Oh, yes; there is no doubt about it.

1859. Did you understand that they were loaded with shot, or shell, or merely powder?—I understood them to be loaded, I believed so. I must believe so from what I saw—I give you my belief—they were loaded, I think, with pounded jars, I saw them broken on the floor.

1860. Mr. *M'Laughlin.*—Did you not in the discharge of your duty do everything you could, and successfully, to dissuade and prevent them from bringing out those pieces of artillery that night?—I did, and was much obliged to those that assisted me in preventing it.

1861. You were assisted?—They had so much confidence in me that they were guided by me, and I was assisted by those who seemed to have control. The greater number were considerably the worse of drink; those were the parties anxious to bring out the guns, not the sober.

1862. Those that were considerably the worse of drink were the parties who were anxious to bring out the guns, the others who were less drunk, and had influence, used it successfully with you to keep them in?—Yes.

1863. Mr. Commissioner EXHAM.—Was Captain Slack, the resident magistrate, by when you were informed that those pieces were loaded, and that people were for bringing them out and firing them?—Captain Slack, perhaps, did not hear the observation; he may not have heard it.

1864. But did you hear it?—Oh, yes, it was used to myself.

1865. Well, I want to know this, considering the force you had in town at the time, did you not think it your duty to take some precautions, such as placing police or some other force to see that no use was made of those pieces of cannon that night?—Oh, we took every precaution—we kept patrols in the street.

1866. But to take possession, and ascertain the fact—Did you not think it would be a very material thing to have tried the guns by the ramrod, and to take measures to prevent the possibility of their being discharged if they were loaded?—Well, that perhaps was not my duty. I was acting under orders.

1867. But you were not sure that Captain Slack heard it. Did you not think it was your duty instantly to communicate with the resident magistrate, and ask him what ought to be done with respect to those pieces of cannon—whether they should not be taken possession of?—I did not do so. I may have erred in it; but I did not do so.

1868. Mr. *M'Laughlin.*—Did you believe if you attempted to take possession of those cannon you would have been assisted or prevented by the local authorities from taking them?—Not answered.

1869. Mr. Commissioner EXHAM.—He had three resident magistrates, a large police force, two troops of Lancers and other military.

1870. Mr. *M'Laughlin.*—You were under the command of somebody else?—Yes.

1871. Mr. Commissioner EXHAM.—You had with you, on the occasion, a resident magistrate?—Yes.

1872. And there were three others in town?—Two others.

1873. And, I suppose, the County Inspector also?—He was not there.

1874. And no precautions were taken by you or anybody else to ascertain the fact whether the guns were loaded or not, and if they were loaded to take possession of them?—No, not any.

1875. Mr. *M'Laughlin.*—Did you see them more than once—those cannon?—I saw them repeatedly in the streets.

1876. But did you see them in the gun-room more than once?—Well, I am not sure. I may have seen them a second time; but I am not positive.

1877. Did you see more than one cannon on the occasion you believe they were loaded?—On the first occasion.

1878. When this occurred, that you have told us of, did you see more than one cannon?—Oh, yes, I saw, I suppose, fourteen or fifteen; there were a dozen at all events.

1879. A dozen at all events?—Or, possibly, fourteen or fifteen.

1880. In the same apartment that night?—Yes.

1881. How many men seemed to be there?—I could not tell you. I think there were men up-stairs that I did not see at all.

1882. Were all the cannon ranged at the level?—I don't understand.

1883. Were all the cannon in a tier standing alone—were they all standing in a row with their muzzles the one way?—I cannot positively say that. I do not think they were.

1884. Did you ever see it stated in the newspapers—and was the attention of the authorities called to it—that a portion of the cannon were so placed as to command the wall, while for a higher level a portion of the cannon were stationed up stairs?—Not answered.

1885. Mr. Commissioner EXHAM.—Now you say, as I understand, that those cannon were on the ground floor?—Yes.

1886. On carriages?—Yes.

1887. And all in a row as you say?—Most of them were in a row.

1888. Some of them were not—and there was a number of drunken people about you say?—Yes.

1889. About how many were in that room?—I could not say—I suppose twenty or thirty at a time, or may be more—they were coming and going. I could not exactly say the number. I did not see the parties.

1890. About how many did you observe drunk at the time?—I suppose a dozen or so—about twelve.

1891. How long did you remain there?—I remained there until I got a guarantee that the cannon would not be brought out.

1892. A guarantee from the drunken men?—No, no.

1893. From whom else?—From the sober ones—who gave me all the assistance they could in preventing the guns being brought out.

1894. They gave you that guarantee?—Yes.

1895. About how long were you in the room?—I was in the room I suppose about ten minutes.

1896. Was Captain Slack there all the time?—I believe he was.

1897. Am I to understand then that you left those drunken people behind, taking the guarantee of the others, and you being under the belief that these guns were loaded, or some of them—one or more than one,

was loaded with pieces of pounded or broken crockery?—That is merely my belief from what I saw in the place.

1898. And no precautions were taken to take possession of them?—No.

1899. Or against their being used by the drunken men afterwards if they chose?—Well, we placed confidence in the parties, and they did not break that confidence.

1900. It was very fortunate they did not?—We had them under our eye if such a thing was likely to take place.

1901. You received the Prince on the day of his arrival?—Yes.

1902. And this band was down there?—No, I did not see the band.

1903. At what time first did you see that flag—the white flag with the harp without the crown?—It was about four o'clock I should think.

1904. How long were you looking at it?—Not very long; for it passed down the street.

1905. May I ask you this—did you think it any part of your duty, when the son of our Sovereign was in the city, to interfere with any one carrying such a flag about the streets?—No, I did not.

1906. You thought it was nothing wrong or improper?—No.

1907. To carry in procession, on an occasion of that kind, a flag with a harp and no crown, and a wreath of shamrocks around it?—Well, I did not attach any consequence at that time to it.

1908. You did not think the carrying of such a flag was calculated to give offence to people who entertain very strong feelings with respect to the crown—to the sovereign of the realm?—I knew that from seeing the same flag before.

1909. You knew that there did exist an angry feeling?—I did.

1910. And you did not think it right to take any precautions to prevent that flag being carried about, particularly on such an occasion as the son of the sovereign being here?—No, I did not take any precautions—I had no fears.

1911. You did not apply to a magistrate, or to any body else to prevent it?—I had not a magistrate to apply to—the only magistrate I saw there was the late Mayor.

1912. Now about the police, who has the power of removing the men within the County?—The County Inspector.

1913. From one district to another within the county?—Yes.

1914. Supposing men are to be removed out of a county, who has the power to remove?—The Inspector-General.

1915. It was stated to us that two men who gave evidence against the Apprentice Boys—Surroghan and Reilly—were sent away. Is there any foundation for such a charge?—No; Surroghan was transferred to fill a vacancy, and he was afterwards re-transferred here.

1916. Surroghan you say was removed to fill a temporary vacancy?—Yes.

1917. And was transferred back again—to what distance was he removed?—Seven miles.

1918. And this was done by the County Inspector in the usual way?—Just in the same way as any other man was removed.

1919. How long was he at the station seven miles out of town?—I cannot give you the date—it was a considerable time after this occurrence he was removed.

1920. And was Reilly moved in the same way—it being usual and necessary from time to time for the County Inspector to move men from district to district?—Yes; it is quite usual and necessary to do it.

1921. And, as far as you know or believe, there is no foundation for the statement that either of the men was removed in consequence of the desire of any person or persons, or because they gave evidence?—None that I am aware of. About the time the men were transferred, or at least Surroghan was transferred, there was a great deal of writing about it in the papers. Of course the County Inspector took no notice of it, nor did I.

1922. But, as far as you know, it was no act of the Lord Lieutenant of the day, nor of any one else making use of the Inspector-General's name?—He had nothing to do with it that I am aware of.

1923. As far as you know, there was no interference on the part of the Lord Lieutenant or anybody else?—Not the slightest.

1924. And those men were removed in the ordinary course of duty by the County Inspector?—In the ordinary course. The County Inspector is often obliged to do it.

1925. You have had, you told us, a good deal of experience. Now, in your opinion, for the population and district of Londonderry comprised within the parliamentary and municipal boundary, to be watched and guarded, what force—I don't ask you whether they should be constabulary—but what force do you think would be sufficient to duly protect the public peace?—I would wish to ask a question. Do you mean watched as Belfast is—in the same way.

1926. To guard the public peace and protect it, by day and by night—to do the same duty that is now done in Belfast by the constabulary—what number of constables would be necessary to do the duties as efficiently as they are done by the constabulary in any other town in Ireland?—I should say 100 men.

1927. One hundred men?—Yes, one hundred. Taking into account the casualties of sick men and men off duty, less than 100 would not be sufficient. When I first came here fewer men would do, but as matters are now we could not do with less.

1928. Of that force how many should be mounted men, or would it be necessary to have any mounted men?—Well, I think there should be one extra mounted man; that is three for the force. One hundred men should at least have two officers, and each officer has a mounted man.

1929. We believe, according to the rules of the force, there should be four mounted men. Well, having regard to that change, independent of anything else, I presume you think it desirable that a resident magistrate should be always near at hand to look after that force?—Unquestionably.

1930. And according to your knowledge and experience, do you think one magistrate would be enough?—Well, I think it would be better to have two. The population has increased even since I came here, and if I may judge from the buildings, it is likely to increase.

1931. I am not quite sure I am speaking correctly, but in Cork, which has a population of 80,000, I think there is but one resident magistrate. There are two at present, but that is from peculiar circumstances. I think there is only one permanently there. Well, having regard to the fact that there are but two in Belfast, which has a population of something like 130,000, and a police force of 1,600 men, don't you think one stipendiary magistrate would be quite sufficient in Londonderry? Supposing the population had increased to only 25,000, one might do, but when there are so many local magistrates, I think it would be better to have two. It would depend entirely on how matters would go on here.

1932. If there was confidence in one magistrate, so far as his duties were concerned, and looking after the police force, and being present on the spot for his magisterial functions, you think one would be quite enough, but you think greater confidence would be felt on the part of at least a portion of the population if there were two?—I do; that is my belief.

1933. Mr. *M'Laughlin* (by permission of the Commissioners).—Do you know whether or not any pistol shots were fired on the night of the 28th of April at the Hibernia Flute Band, in the evening about eight o'clock?—I am not able to speak of my own knowledge, but I could give you evidence to that effect. I know that a person was wounded on the occasion. I can name him. The man that was

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wounded was named Bryson, of Waterside. Another man named, I think, Killeen, about the same period was wounded in the shoulder.

1934. Mr. Commissioner EXHAM.—Was there firing at the Waterside also?—No; this man resided there.

1935. Mr. *M'Laughlin.*—Did you hear in the ordinary way that the Hibernia Flute Band, about eight o'clock in the evening, appeared before the Imperial Hotel and performed the National Anthem in honour of the Prince?—I heard that they did play, but I did not hear what tune. I did not hear it in the crowd.

1936. Mr. Commissioner EXHAM.—We have heard it already stated that they played Patrick's Day and the National Anthem?—I did not know the names of the tunes they played when going down the street.

1937. Mr. *M'Laughlin.*—One other question I have to ask you, one entirely away from this transaction. It is this—whether or not a good deal of public feeling and excitement existed when it was proposed to raise the body of Murphy a second time?—Very great; so much so, that a deputation waited on me and stated that they ——

1938. It was simply as to the state of public feeling I ask you. Was it greatly exasperated by that?—It was; but only in this way—as to the exhuming of the body. The people were perfectly satisfied that the inquest should be conducted in the usual way as the jury had been sworn and the witnesses ——

1939. It was only as to the taking up of the body?—It was only as to the exhuming of the body.

1940. Are you of opinion from your knowledge of Derry that arms are extensively in the hands of the Derry people notwithstanding the proclamation?—Indeed I am.

1941. You are?—Indeed I am.

1942. Did you hear the evidence of Mr. M'Cafferty?—I did, and I believe it; and I can corroborate it further in this, that before the election there was a constant firing both on Sunday and Monday kept up in the Bog-side district.

1943. Mr. Commissioner EXHAM.—I believe there is nothing else to be asked of Mr. Stafford.

1944. *Witness.*—I wish to say this. Fault has been found with me for leaving my men on that unfortunate evening—the 28th of April. I desire to state that I was there with the head-constable, and he was second in command to myself. I was not placed exactly in charge, for I had to move here and there where I found my services were most required to preserve order, and I left the man in charge—the only man I could leave—as I could not send him to do the duty I had to do. As fault has been found with me in consequence of that, I wish to explain the matter to the Commissioners.

1945. Mr. Commissioner EXHAM.—I suppose when Mr. Thompson went with you to speak to the Mayor he felt some delicacy in ordering out the military on his own authority when the Mayor thought it was not necessary?—Oh, I am sure he did.

The Court then adjourned till the following morning.

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MONDAY, AUGUST 23, 1869.

The Comissioners sat at 11 o'clock.

County Inspector *Arthur Willoughby Stafford* was recalled and said—

There is something I wish to explain, and it is with reference to two points on which I was examined on Saturday. In the first place, with regard to the occurrences of the night of the 20th of November, at the gun-room of the Apprentice Boys; I perhaps did not explain sufficiently on Saturday, and I wish to explain further in the matter, that a message came to me to the Corporation Hall, where I was with the force that was there for the preservation of the peace. I cannot tell you at present who brought the message, but at all events the message was, that an attack had been made on the gun-room. I immediately went there with Captain Slack, and as I told you, there was great excitement amongst the parties, and some of them, as I before stated, were under the influence of drink. However, with what Captain Slack said to them, and also with what I said, Mr. Ferguson and others gave us a sort of guarantee or rather a promise, that they would send the parties all to their homes if we became responsible for the safety of the place. That we stated that we would be, and the parties in small numbers left the place. I believe there were not more than two or three men during the night in the place, or I think not more than half a dozen if there were so many. I kept a force of constabulary in charge of the place for two purposes, first, for the purpose of preventing the guns being brought out, and secondly, for the purpose of preventing an attack upon the place. That is the simple explanation I wish to give of the matter, but I was so unnerved on Saturday that really it escaped my recollection.

1946. Mr. Commissioner EXHAM.—Then I presume that you say you left a proper force there to see that no attack was made on it?—I did. I left the guns safe. I merely stated to you on Saturday that patrols were kept up.

1947. Then, in point of fact, you did a wise thing—you left a force there not only to protect the place from being attacked, but to prevent the guns from being brought out. You left them as safe as you could?—Exactly; and there is another matter with respect to the observations you made in reference to the white flag going down the street. I did not like to enter upon that, from the fact of the thing having been witnessed by the Mayor himself, and therefore when he gave me no instructions on the subject I did not interfere in the matter. Further, the military had left the barracks; the moment the Prince left the Corporation Hall the military returned to their barracks, and even if the Mayor were not there, with the small force that I had under my command at the time, I would not have ventured on stopping the parties. That is the simple explanation that I wished to give; and if there is any other question I shall be happy to answer it.

1948. Now, as you are here, I wish to ask you about one or two other matters; do you know anything of an occurrence taking place on the 26th of December last?—Oh, I do.

1949. The night after Christmas night?—On Stephen's Day.

1950. Did you hear, or are you aware, that that same flag was carried through the town on that night?—In the afternoon it was.

1951. That same flag?—That same flag.

1952. And the band playing?—And the band playing.

1953. Are you aware, or is it a fact, that a very large crowd was following that crowd and that flag?—It is true, and I may just tell you the circumstance. I did not expect anything, and I was attending to my official duty in my office, when one of the city constables informed me that this band had passed over the bridge, and that some parties had been assaulted. I mustered all the force I could, and at that time the parties had gone to the Waterside, and stopped in a public-house.

1954. Then are you aware, or is it the fact, that that band—that the parties in procession in that band

—assaulted the toll-keepers on the bridge; do you know of that?—Assaults were committed, sir—

1955. Were you present?—And the mail-car driver—

1956. Were you at the police-office when parties were summoned for that?—I was; but I forget at this moment the result.

1957. But you are aware that they were summoned for it?—I was. There was very great excitement, and I met the parties—that is a day when the parties in this neighbourhood amuse themselves in shooting-matches at a mark; and there was very great excitement indeed.

1958. Did you yourself hear shots fired from that party, from that crowd?—I did, sir, from that crowd; and further than that—a man was arrested with a pistol in William-street, where he fired it; it was within a very short distance of myself. I met the band at the opposite side of the bridge, at the Water-side end of the bridge, and there I remonstrated with those parties, and requested them to either give me the flag, and I would take care of it for them, or otherwise to put it in the public-house where they had stopped. Some were willing to do so, and others were not. However, they furled the flag, and they crossed the bridge. There was a good deal of struggling about it to try and keep them back, but they went on, and I accompanied them through Foyle-street and through Waterloo-place, and Shipquay-place, and into William-street, and up to Abbey-street, where I saw the flag put up where I believe it is kept.

1959. Now, where were the shots fired that night?—Oh, it was not in the night at all, sir; it was in the afternoon.

1960. Where were the shots fired?—There were shots fired on the bridge.

1961. And from that crowd?—And from that crowd.

1962. Were there many?—Well, I think I heard some four or five; they were pistol shots.

1963. Mr. Commissioner MURPHY.—From what you heard on that occasion from the city police, I suppose you were apprehensive of a disturbance taking place?—Oh, yes, I was indeed; and from remarks that had been made to me. In point of fact, parties told me that they would attack the band if they played party tunes.

1964. You apprehended a serious collision, in fact, from the manifestations of that day?—That I did, indeed.

1965. And you did, as you say, very properly, all you could to prevent it?—Well, although I say it myself, I think I had a good deal of influence with the parties, and they were guided in a great measure by what I said.

1966. Mr. Commissioner EXHAM.—Did you hear party tunes played?—I did not hear party tunes played; at least, if they were party tunes I did not know them.

1967. Do you recollect the 12th of July of last year?—No; I recollect the 13th.

1968. The 12th was on a Sunday?—It was.

1969. Was there a crowd in town that day?—I was out in the country, but there was some rioting in the afternoon. I was out in the country, in a place called the Muff Glen, till late in the evening.

1970. Was there a crowd in the Muff Glen that day?—Yes.

1971. What party was passing through the Muff Glen that day?—The Orange or Protestant party was to pass through it, and the others had taken up a position near what is called Tamnahern-bridge to oppose that purpose, and a very formidable position they had taken up.

1972. Will you tell me how many there were in that position ready to oppose the Orange party?—Well, I am not able to tell you that, because they were scattered about, and concealed behind the ditches.

1973. But, as far as you could judge from what you saw, was there a large number?—Oh, there was, I suppose, about 500.

1974. As far as you could see?—Oh, yes; they were broken up in small parties at the time, and scattered over the mountains.

1975. Were they armed?—Oh, they were; both parties were armed with every weapon that they could collect and muster, some with reaping hooks, some with pieces of scythes, others with guns and pistols.

1976. And I suppose the Orangemen numbered a large party too?—Well, at first they did, when I first met them, but they were greatly diminished from the persuasion of their friends; it was only strangers, or principally strangers, that persisted in going down the glen—parties as far as I could observe from the county of Tyrone.

1977. Now, on your return that evening from your duty at the Muff Glen, from reports made to you, can you say whether there was any disturbance in the city that day?—There was some rioting, but there was nothing very serious.

1978. Were parties arrested for their conduct in town, and returned for trial to the assizes?—I am not quite positive of that, I rather think not; but I know there were some parties prosecuted, I am not quite aware of the result, but I can get that information for you if you like.

1979.—Mr. Commissioner MURPHY.—When you went to the Muff Glen that day, what force had you under your control?—Indeed I had only fifteen men and did not expect anything at all. From all the inquiries that I could make I did not expect anything. All I had was about fifteen men.

1980. To what hour did you remain there; did you remain till the procession had passed away, such as it was?—Till the danger had passed away. With the small force that I had we were obliged—Mr. Fitzmaurice, the late resident magistrate, joined me on the road, and he was in very delicate health—we had to contend the road with the Orange party for fully a mile. I broke them several times with my horse. There was one man carrying a flag, and he used to drop the flag into my horse's face, and he nearly put me over the bog road fence.

1981. Those were the Orange party?—Yes; and we had to contend the road with them for fully a mile, to try and dissuade them from going on. We broke them several times and put them into the bog, but they reformed on the road and went on again.

1982. Mr. Commissioner EXHAM.—They would have had to pass this Glen to where they were going?—Yes.

1983. Mr. Commissioner MURPHY.—The Orange party was armed?—Oh, yes; with every weapon they could muster. It was a most merciful thing they did not go on, because I believe the loss of life would have been very serious.

1984. Mr. *M'Laughlin*.—I believe, with reference to one or two of the questions put to you by Mr. Commissioner Exham, that Muff Glen is inhabited almost exclusively by Catholics?—Well, principally it is, not exclusively so; but the great majority of the people there are Catholics.

1985. And whatever the people of the Muff Glen did, they simply did it to prevent the others going through there?—Oh, yes, that was the object; it was to prevent them going through; it is a disputed place.

1986. Is there not a bridge, called Tamnahern-bridge, which marks the theological boundary of the district?—Yes; I believe so.

1987. And the Muff Glen people were on their own side?—Yes; they did not come forward to meet the other parties.

1988. Now, did ever you know the Muff Glen people coming in here on the 17th of March to make a procession in Derry?—No; I never did know of them coming in here at that or any other period since I took charge of the district.

1989. Was it four years you said you were stationed in Derry?—Yes; I am four years past, in June.

1990. Now, with reference to your experience of the last twelve months as compared with your experience of the prior three years, did you notice an unusual incursion of persons from the country to take part in the processions of the 12th of August and 18th of Decem-

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ber latterly?—Yes, I have; and it is my belief; though I cannot go further than belief—that they would not have given offence to the Roman Catholic parties if the anniversaries had been celebrated in the usual form by the people—the Apprentice Boys—alone. I believe that the first thing that excited these disturbances was persons coming from Belfast and other parts of the country, who gave the thing a party colouring. Those are my own views.

1991. Mr. Commissioner MURPHY.—You think that latterly they have acquired a more distinctive party colouring, as you term it, than they had previously?—Yes; that is my belief.

1992. Mr. *M'Laughlin.*—Some of the people came from Coleraine, I believe?—Oh, I do not know where they came from; but multitudes did come here, and I believe that was the first thing that seemed to irritate the Derry people.

1993. Now, how far would you carry that back?—I think for the last two years; but it has been gradually getting worse. At first, when I came here, I had not to bring in an extra force except my own district force; but latterly on the occasion of these occurrences, we were obliged to assemble a large force here for the preservation of the peace.

1994. Mr. *M'Laughlin.*—As you have been kind enough to compare the feeling of the Catholics, as far as you know latterly, in consequence of the celebration of those anniversaries by the rustic celebrants, with the feeling of the Catholics prior to that time, may I ask you whether or not you mean to convey simply that the feeling of the Catholics is getting stronger since?—Yes, I believe it is; they are opposed to the other parties coming here from a distance.

1995. I suppose it would be mere affectation for me to ask you whether, before this, Catholics would not rather that these displays had not been at all?—Well, I did not know very much about them till the disturbances commenced.

1996. Then, you know nothing about a prosecution in which a great number of Catholics came forward and swore to their ideas about it?—No, I do not.

1997. It was before your time?—It must have been before my time.

1998. Yes, it was; I was examined myself in the case?—That must have been upwards of four years ago.

1999. Oh, indeed it was—a good while before that. Now, with reference to the matter with respect to which you have been examined by Mr. Commissioner Exham, the matter of the 26th of December, Stephen's Day?—Yes.

2000. Now, the peculiarity of the people here is to amuse themselves on that day by firing shots?—Yes, and it is a very dangerous amusement.

2001. Is not it firing for geese at butts—is not that the usual way?—I believe it is for geese they fire, but it is not at plates they fire. A goose is generally the prize.

2002. This flag that you saw taken out on the 26th of December, 1868, was the flag that you subsequently saw on the occasion of the Prince's visit.—I believe it to be the same. It had all the appearance to me of being the same.

2003. Are you able to tell whether it was similar or not?—Exactly similar.

2004. How long from the time you saw the flag in the middle of the day—that was the only time you did see it?—That was the only time.

2005. How long from the time you saw the flag in the middle of the day of the 28th of April was it till there was any disturbance?—Oh, several hours.

2006. From the time you saw it, about two or three o'clock in the day, was there no disturbance till about nine o'clock at night?—There was no disturbance till about nine, as far as I could ascertain.

2007. You have described very properly the precautions that you took on the 26th of December, when you apprehended a disturbance by reason of the Catholic party having gone out with this flag and band?—Yes; I knew nothing of it till my attention was called to it. I heard the band but I did not move out of my office, for it is a very usual thing to hear a band playing.

2008. A very dangerous thing?—Indeed it is.

2009. I suppose the danger would be increased by reason of Stephens' Day being always a holiday here?—Oh yes, because every person who can muster arms on that day carries them.

2010. And I believe that the people are not quite as sober on that day as they usually are?—Well indeed I did not observe any drunkenness—at least nothing extraordinary.

2011. Now I don't want any names, but certain persons there told you that if the persons with the white flag played party tunes, there would be bad work?—Yes, I was told that.

2012. I presume that information did not come to you from those who were identified in politics and religion with the processionists that day?—No, of course not.

2013. Then I suppose it was very much like the disclosure of a resolution on their part to prevent them if they played party tunes?—Well, a person mentioned it to me, and I dissuaded him. I did all I could to put such notions out of his head, and not to interfere with the parties; that so surely as they did, so surely they would get into difficulties.

2014. Then whoever communicated with you was one of those who determined to oppose them if they played party tunes?—Yes.

2015. And they played no party tunes as far as you knew?—Yes; I heard no party tunes played.

2016. May I ask you whether you saw the proceedings here on the 18th of December, 1868, eight days previously?—Yes, I did.

2017. The processionists on the 18th of December were the Apprentice Boys' party, of course?—Yes.

2018. And they had banners and music?—Yes.

2019. I think you said that you heard no party tunes on Stephen's Day?—No.

2020. Now did you or did you not hear any party tunes on the 18th of December?—Not in the street. I believe I did in the evening. I cannot speak positively; but I believe I did in the Corporation Hall. I believe I heard them.

2021. Then you were not out in the street?—I was inside.

2022. Then I suppose you would not be much surprised to find that there were some party tunes played on the 18th of December—that the Apprentice Boys did play some party tunes?—Oh, it might have been the case—not that I heard.

2023. I suppose I may ask you—there is no harm in asking you in that way—that if those people who were out on the 26th of December 1868, had attempted to play party tunes, you, very properly, knowing the danger of it, would have interfered to prevent them so far as you could?—Well, I would, but I had no force to make an arrest.

2024. So far as you could, I say?—Oh, yes; so far as I could I would have dissuaded them from doing it, as far as I could. I say this, and I say it with some satisfaction too, that I think they would have been guided by me—any that were not the worse of drink. Some of them were, and those that were the worse of drink were very troublesome, and those that were not were just the reverse.

2025. You have been attending this inquiry since you have been good enough to come down from Dublin?—I have. I may say I was hardly out of Court all the time, because I have been very anxious to get away.

2026. Were you present in Court when some testimony was given as to the Britannia Flute Band having played through the streets on Thursday evening last, playing "No Surrender" through the Diamond?—Well, I am not exactly sure that I was.

2027. I can tell you in the presence of the shorthand writers and of the Commissioners that that evidence was given?—Well, I am not quite sure. I did not hear the thing at all. Was it on Thursday?

2028. On Thursday night coming from the laying of the foundation of the Protestant Hall at Omagh?—I know nothing of it myself. I am not able to say anything of it from my own knowledge.

2029. Any playing of party tunes would be more dangerous at night than in the day time?—Unquestionably, every one knows that.

2030. And I suppose from the beginning of this Commission it would be likely to be as dangerous as any other time, having regard to the feeling excited by the occurrences?—Indeed it would.

2031. Now having regard to the fact that that supposed playing of party tunes on the 26th of December 1868, on a holiday, in the middle of the day, would have been dangerous, do you think that the actual playing of party tunes, the King of all the tunes, "No Surrender," at ten o'clock at night, in the Diamond of Derry, on Thursday last, during the pendency of the Commission was dangerous?—I have no hesitation in saying it was, and very dangerous, in the present state of this city—and I speak entirely from my own knowledge and feeling.

2032. Do you know whether a large crowd assembled, cheering and hooting, accompanying those who were playing "No Surrender" through the streets?—I know nothing of it.

2033. It was sworn here. Now have you heard that any means were adopted by the authorities to prevent that display on Thursday night last?—No, I have not been in communication with them. I am not here on duty, except to attend this Court. Otherwise I should have been in the street.

2034. I think you said you were not a good judge of party tunes?—No, I did not say that; I know some of them.

2035. Do you know "No Surrender?"—I believe I do.

2036. It is the most difficult of all of them. Then you know the particular one to which I refer?—Yes.

2037. Mr. Commissioner Exham, with reference to the 26th of December, has also asked you whether, after the display at Muff Glen and changing the scene to Derry City, there was not some disturbance that evening, I believe there was?—Oh, there is no doubt there was. There was a good deal of rioting, but not anything very serious.

2038. But what rioting there was one might call a party riot?—Oh, no doubt of it. There is no doubt at all about it.

2039. I believe some portion of the riotous proceedings——?—I am speaking from what I have heard, not from what I have seen, because there was nothing before me.

2040. I believe some little matters that did occur that night were the subject of magisterial inquiry after that?—Yes; there were some cases before a magistrate.

2041. Can you charge your memory on the moment just to say what was the most serious charge arising out of that night, or the most serious occurrence arising out of that night?—I regret to say that I cannot from memory tell.

2042. Do you remember a young man who was stabbed, or alleged he had been stabbed, by another person, who was in the employment of another person?—Well, that is too wide a question, for really there have been so many stabbings in Derry, unfortunately, that I cannot tell.

2043. Do you remember a young man of the name of Doherty, who alleged that he had been stabbed—and, I believe, as regards the physical puncture there is no doubt about it—who alleged that he had been stabbed by another person of the name of Doherty, who, although of the same name was of a different religion?—When was that?

2044. On the 26th of December?—Last?

2045. Last?—No; I think it was on the 12th of July.

2046. It was the 12th of July coming from Muff Glen?—This year?

2047. I am speaking of the coming from Muff Glen?—This year; yes.

2048. Now, kindly tell the Commissioners as far as you know?—Yes. I was present when the case was heard in the court. I was present, as I told you, on that day at the Muff Glen too; and the case, as I afterwards heard, was this, that the man was stabbed. First of all, there was a man—a blacksmith here that got a bad beating, and that appeared to me to be the first of this, and then there was a row in the Square, a man was stabbed, and it was alleged —— I think there were two Dohertys as far as I recollect.

2049. Yes, John Doherty was the person accused?—Yes; and the case was heard by the magistrates, and it was dismissed.

2050. Yes, and it was dismissed?—Yes. I think, as far as I recollect, the resident magistrates were not satisfied with that decision; that, as far as I could ascertain, they were of opinion that the parties should have been sent forward for trial—this Doherty, the party who was charged with committing the assault.

2051. You mean the Doherty who was the apprentice or clerk of Mr. John Guy Ferguson, the governor of the Apprentice Boys?—Yes, it was that one. The evidence was very conflicting indeed, but it seemed to me very strong. It struck me, if I may express an opinion, that it was a question entirely for a jury.

2052. And that was also, as I gather from you, the opinion of the resident magistrate?—Yes, as far as I could glean, that was the opinion of the two resident magistrates.

2053. And I believe it was on that occasion proved that Mr. Doherty, the accused person, had some arms, as a matter of fact?—No, I think not. There was a knife with a broken blade found on his person.

2054. That is very like arms?—That is the only thing that I recollect.

2055. And the puncture in the body of the other man, the Catholic, had been made by a knife?—I don't think it was in the body he was stabbed.

2056. I mean the whole of his body from the top of his head to the sole of his foot?—Oh, there was one of the two received very rough treatment.

2057. And then you thinking it a question for a jury, and the resident magistrates also thinking it a question for a jury, the local magistrates thought it was a question for them, and so dismissed it?—Yes, and dismissed it.

2058. Mr. Commissioner MURPHY.—I was going to ask you in reference to that procession of the 26th of December, or any of the other processions that have taken place in the last year, independently of the question whether or not those processions at particular times played party tunes or not, on the one side or the other, is it your opinion, in consequence of the unhappy feeling of antagonism that has been generated within the last two years, that a procession of any one side, independently of the party tunes, is looked on with jealousy by the other side?—Unquestionably.

2059. Looked on as offensive to them?—It is; and I have no hesitation whatever in saying that a procession on either side may end in a very serious riot and loss of life, owing to the present state of feeling in this country. I have no hesitation in saying that on either side it only wants a beginning, and when it gets that no one can say where it may end. Considering the length of time I was here with the few men I had, it is only wonderful that the thing did not break out sooner.

2060. You have stated to us already, when Mr. M'Laughlin asked you with regard to what you did to prevent these processions, that you remonstrated with them, but you had not a sufficient force to make arrests?—Yes.

2061. In fact, if the apprehended consequences or the apprehended riots had arisen, you had not a sufficient force at your disposal to quell them?—Oh, not at all; and I would not oppose force to force unless I had a force that I was able to carry out my object with. I think it is bad policy to do so.

2062. Then it is your opinion, from what you have

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stated, that those bands should not be allowed to go at all through the streets, any band of any kind, except ——?—Any kind except a military band.

2063. At present; in the present state of feeling of both parties?—In the present state of feeling of this country; and I believe there is not a man of any respectability in the town, of any persuasion, that will not agree with me in that opinion.

2064. I asked you on Saturday about the number of men that you thought necessary here. You told me about 100. I presume what you meant by that was this, that that force would be necessary at present on account of the state of excitement; not to keep it up; not that you think that ordinarily this town would require such a large force?—Well, if the town is put under the same rules as Belfast, and that there is only one force, I think it would require from 80 to 100 men as a permanent force, taking quarrels into account.

2065. Mr. *M'Laughlin.*—This witness stated on Saturday that he had heard the evidence of Mr. Andrew M'Cafferty with reference to the local feeling and the parties arming. Would you consider it desirable to ask this gentleman with reference to what he knows himself, or whether he believes it likely to be true that there is any attempt made by the opposite party to put down local celebrations physically?

2066. Mr. Commissioner MURPHY.—You heard that statement of Mr. M'Cafferty with reference to the preparations that had been contemplated?—Well, I should not like to go just so far as he has gone, at the same time it is my belief that the parties would be opposed some day or other; that is my belief.

2067. In fact it is not contemplated preparations, but prepartions were in point of fact made on the 12th of August confined to a particular district?—I heard it often before coming here; in fact I heard it in Dublin in a letter that came from Derry.

Mr. Michael Doherty.

Mr. *Michael Doherty* examined by Mr. *M'Laughlin.*

2068. You reside in Derry?—I do.

2069. You are a tobacconist, I believe?—I am.

2070. And you carry on business in Ferry-quay-street, between the Diamond and Bishop-street?—Yes.

2071. And have you been long resident in Derry?—About thirteen years.

2072. And I believe you originally came from the county Donegal?—I did.

2073. Which supplies a considerable portion of the Derry population—the working population?—Yes.

2074. I believe you are a Liberal in politics and a Catholic in religion?—I am.

2075. Now, do you remember the night of Dowse's lecture, the 20th of July, 1868?—I do.

2076. Were you in Court when evidence was given that inspired the impression that there had been no breaking of windows till the night of Dowse's return?—I was not; I was not in Court at all till to-day.

2077. Now, the first disturbances, properly so called, that took place were those of the Corporation Hall lecture?—Yes, I believe that.

2078. On that night did anything happen your windows?—I was from home. I left the very day of the evening that Mr. Dowse delivered his lecture, and when I returned two days afterwards my windows were all broken, or at least most of them were broken in Ferryquay-street, and I was told when I came home that the breaking took place the night Dowse delivered his lecture.

2079. Now, do you know where the *Standard* office is?—I do, well.

2080. That is next to where the convent is?—Yes; the very next door.

2081. Do you know of your own knowledge, or in the ordinary way, whether the windows were broken or not?—I do not know of my own knowledge, but I believe the windows were broken.

2082. This gentleman here [pointing to Mr. Macpherson] is proprietor of the *Standard*?—Yes.

2083. Do you know anything of the proceedings of the 28th of April?—I do not. I may say that I saw the Prince coming in, but that is all I saw. The first time I went out was when a man was passing on a stretcher round past the door.

2084. Have you from time to time seen those processions in Derry?—I have.

2085. On what days did you see them?—On the 12th of August and 18th of December generally.

2086. Did you see a great procession at the time of this Protestant meeting, as it is called here?—That is the last procession.

2087. No; the procession at the time of the meeting that was held up at the Asylum?—I did.

2088. Just describe to the Commissioners what sort of meeting that was as regards extent, manner of proceeding, description of banners, and music?—All I can say about it is, I was not at the meeting, but I saw before the meeting took place a procession coming down the street with banners; they did not play at all. They went outside Ship Quay-gate and up along the Strand-road, and then they played music, and they had drums, and they went up to the Park by the Asylum-road, and I was going in then.

2089. What colour were the flags, as far as you saw?—There was one, I think a blue flag, in the centre, with an orange and crimson flag with an open Bible upon it. I cannot describe the flags, but all the flags that the Apprentice Boys generally carry through the town.

2090. Can you tell the particular day that this was—I believe it was the 9th, the date is fixed by the attack on Mr. Hempton?—I cannot tell you the date exactly.

2091. About how many were included in the procession?—Well, I could not judge of numbers, but from what I heard the people say, I believe there would be from 250 to 300 people in the procession, but there would be more at the Park.

2092. I suppose you are accustomed to do business extensively in town and the neighbourhood?—I am.

2093. Are you able to say from the appearance of those men whether they were townsmen or whether they were from a distance?—My belief is that the most of them had come from the country.

2094. There was no attempt made to prevent that, of course?—No, none; I was standing all the time.

2095. Can you tell what tunes they were playing?—No; they did not play any tunes when passing me, but they did after they passed away.

2096. Did you hear the band playing up coming from the railway station on Thursday night?—No; I I did not see it passing up. I saw it going down in the morning.

2097. I believe it was not a party tune they were playing in the morning, because I saw it too, and heard them?—No, it was not.

2098. Now, may I go through the form of asking you, as a Catholic, whether these displays are regarded by the Catholics as insulting and offensive?—They are, every one of them.

2099. Is that your opinion, also?—It is my opinion, and I believe it is the opinion of every Catholic in Derry.

2100. I believe that feeling is not confined to the Catholics, as regards quiet and well-disposed people?—No; I believe it is not. The Presbyterians that I speak to I believe would far prefer that they should not take place.

2101. Talking of Presbyterians, I may supply an omission I made when Mr. Bond was here. Mr. Robert Bond the Magistrate is a leading Presbyterian, I believe?—I believe he is; I do not know.

2102. There is no doubt of it. Now, do you think, judging from what you know of the excitement of this city and its neighbourhood that it endangers the

public peace to have any party processions or displays by any party?—I do.

2103. Any party procession, one way or the other way?—Any party procession, one way or the other.

2104. And it endangers the peace of the town?—It does, every time it is done; even if they do not play party tunes any party who will go out with drums and fifes will endanger the peace of the town, whether they play party tunes or not.

2105. I may ask you whether you have any extensive acquaintance with the surrounding district, of which Derry is the centre?—I have, a very extensive acquaintance.

2106. You travel for your own house?—I do, sometimes; sometimes I have a traveller.

2107. Have you a very extensive acquaintance with the county of Donegal?—I have; it is in it I do all my principal business.

2108. Were you in court when Mr. M'Cafferty swore that various people were organized to come in here on the 12th of August?—I was not in court.

2109. Do you know anything of that yourself?—I do.

2110. From what you know of the feeling of the people round about, do you think that the public peace is likely to be endangered by any persistence in these displays?—I am almost certain that if these displays take place again, the public peace will be endangered by it. I know lots of people in Inishowen and Buncrana who are prepared to come up here if these displays take place at any time again.

2111. Do you know whether the population are extensively armed?—Well, I am informed that they are extensively armed, but I have no knowledge of it, except the knowledge that one firm in town purchased a large quantity of fire-arms and got them into this place, and whether they sold them afterwards or where they went to I know nothing about.

2112. Mr. Commissioner EXHAM.—Have you seen processions of the opposite party too, in town?—Well, I do not believe I have. The only time that ever I saw the Catholic party was the time that Prince Arthur came here. They played through the town before him when he came, and came down as far as the Corporation Hall after him.

2113. Did you not see this torchlight procession that we have heard of?—A torchlight procession? The Apprentice Boys had some two or three. I don't know.

2114. First of all, do you recollect last Saint Stephen's day?—I do not recollect anything occurring; I do not know whether I was in town on Saint Stephen's day or not, but I have no recollection of it if I was.

2115. Do you recollect the night Mr. Dowse's return took place?—I do.

2116. Did you see any procession that night, or did you hear of any attacks made by his party, if we may call them so?—The night of the return I did not hear anything of a serious disturbance; but the night the petition was decided was the night that I recollect.

2117. Do you recollect the night that he was declared seated here?—I do.

2118. Did you see a procession that night?—I did not see the procession that night; I was out of town, and I came in about 10 o'clock.

2119. It was over then?—And the whole street was covered with stones, brickbats, and things of that sort.

2120. I suppose you are of opinion that bands of any kind in the street are undesirable?—Indeed I am of that opinion, most decidedly.

2121. And I suppose this band that you heard playing this day when the Prince was there annoys the other side?—I do believe it does annoy the other side.

2122. Mr. *M'Laughlin.*—And would you put down that as thoroughly as the other?—I would.

2123. Mr. Commissioner MURPHY.—In fact what is a perfectly innocent amusement at other times might in the present state of feeling produce serious riots?—Yes; and the band that created a riot the other day might not create a riot some years ago.

2124. Mr. Commissioner EXHAM.—Have you considered the question at all of the police force?—Well, I have.

2125. Then I wish to know is it your opinion that there is an alteration necessary in the construction of that force?—It is my opinion.

2126. And that is a feeling shared in so far as you know by your fellow-citizens?—It is.

2127. Of all classes, can you say?—Well, I cannot say of all classes, but I know the class to which I belong are of opinion that they never get the same ——. When a row takes place in the street they are of opinion that if a Catholic and Protestant fall out in the street, the Catholic is invariably arrested, and the Protestant gets away. That is the opinion of the town, and it is so of all the people that I meet. And you see it every day sworn in the Mayor's Court.

2128. Then I want to know is it your opinion that that force should be a force of the Irish constabulary?—It is my opinion.

2129. And the establishment of such a force here would in your opinion tend towards preserving the public peace, and checking riot and disorder?—I believe it would do so, and create a great deal of confidence.

2130. And, so far as you know, all parties would have confidence in that force?—I believe so.

2131. Mr. Commissioner MURPHY.—You have stated that the feeling as to the necessity for alteration is very general among the class that you know best yourself?—Yes, I say so.

2132. But among the gentlemen that are in business in town, say of the Presbyterian class?—Well, the Presbyterian class, I believe, that is the liberal portion of them, share the same opinion as I do, for I meet those very often.

2133. Would you think that most persons who are concerned for the well being of the town entertain that opinion?—Well, I believe that the richest persons in the town would all coincide with me, because it creates rows often when one party is arrested, and the other party gets free, whereas if both were arrested it would prevent each from having a row the next time.

2134. Mr. Commissioner EXHAM.—Then I suppose you are of opinion that the inhabitants of this town would not have the slightest objection to pay the increased taxation that would be necessary to have a competent force of police to preserve the peace?—I could not tell that, but so far as I am concerned I would not have the slightest objection to pay it. I could not give anybody else's opinion but my own, but I believe that a great many others have the same opinion.

2135. Mr. *M'Laughlin.*—Do you happen to know whether the members of the city police are not generally of the one persuasion?—Well, I do not know their religious persuasion, but I am told by those who do know them that they are principally either Protestants or Presbyterians.

2136. You mean by Protestants, Episcopalians?—I do.

2137. I believe the city police force generally come from the county of Derry side of the river?—Well, generally. They are generally people who come in here from the county Derry to the employment of some merchants in the town, and they get them appointed to the police force afterwards.

2138. And the district from which they come is not generally so Catholic as the county Donegal?—No, not so Catholic.

2139. Do you notice any Donegal men in the force?—Well, I never noticed a Donegal man in the force to my knowledge, in my life. There might be nevertheless.

2140. I suppose you know some of the more prominent members of the Apprentice Boys?—I do know some of the most prominent; but I do not know many of the Apprentice Boys.

2141. Do you know whether some of the most prominent members of the Apprentice Boys do not happen, as an accident, to be sons or cousins or brothers of

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some of the most prominent members of the city police?—I do not know how you ask me that question.

2142. Do you know whether the city police have not, some of them, their sons as Apprentice Boys?—Oh, I do know that.

2143. It is well known?—It is well known.

2144. It is not confined to one or two of the city police, but a great number of them?—Yes.

2145. From the highest to the lowest of them, I believe?—Yes.

2146. You have no monopoly of knowledge on that point—it is generally known?—No; I know less perhaps about the town than some of the other business people in it; but that is generally known by every person in the town.

2147. Would you regard that as a thing accounting for any absence of confidence on the part of the Catholic population in the city police?—Well, I do, and so would anybody think if they were composed of persons belonging to the Apprentice Boys.

2148. You were asked with regard to the partiality of the police being evident when proceedings came before the magistrates; now do you confine your allegation of partiality to the police, or do you extend it to the magistrates?—Well, I confined it to the police. What I did say was this, that if a Catholic and what I would call a Protestant fell out, or two or three or four of them had a row on the street, generally in almost all cases the Catholics would be arrested and the Protestants would get away.

2149. As regards the magistrates would you rather be excused from giving an opinion?—Well, I would rather not give any opinion about the magistrates.

2150. Mr. Commissioner Exham.—When you were asked about the police being principally of the one side, did you ever know an instance of a man from Donegal applying to get into the police force and being refused?—I did not.

2151. Do you know who has the appointment?—I do not. I believe it is the Town Council; because they are in their pay.

James MacPherson, esq.

James MacPherson, esq., examined by Mr. *M'Laughlin*.

2152. You have resided for very many years in Derry?—Yes; a good number.

2153. Twenty-five or thirty, I suppose?—Yes.

2154. And you are the proprietor of the *Londonderry Standard* newspaper?—Yes.

2155. I believe in politics you are a Liberal and in religion a Presbyterian?—Yes.

2156. Are the premises next door to your private residence the premises of the Roman Catholic convent?—Yes.

2157. In Pump-street?—In Pump-street.

2158. Do you remember the night of the 20th of July last year when the attack was made on the Corporation Hall?—I do.

2159. Do you remember anything happening to the windows of your premises that night?—Yes, they were broken on that night.

2160. Now, before that night on which they were so broken, had there been any breaking of windows inside the walls or outside the walls in connexion with the election, to your knowledge?—No, I think not; not that I recollect just now, before that night.

2161. Now, the Church of the Presbyterian Congregation to which you belong is, I believe, the First Presbyterian Church?—Yes.

2162. And it is situate inside the walls?—Yes.

2163. Being in Meetinghouse-row on the way opposite the wall between Butcher's-gate and the end of Society-street?—Yes.

2164. I believe you are a member of the committee of that Church?—I was at that time.

2165. And then you know whether or not anything happened to the windows of that church that night?—Yes, a large number were broken.

2166. Do you happen to know, so far as you have means of forming an opinion, what side it was that broke them?—Oh, I really could not say, because it was a mystery. I might form my own opinion, but I would rather not give it.

2167. Now, your windows were only broken on the one occasion?—Yes, only the one occasion.

2168. Is it your opinion that it would tend to the peace of the city if all local displays were put an end to?—I think those displays with banners and flags and party tunes are exceedingly dangerous.

2169. And doubly dangerous in the present state of feeling?—Yes, they were not formerly so objectionable as they are now.

2170. I believe that there does exist a feeling of want of confidence, to put it gently, in the city police, as regards a large portion of the community?—Well, I think so.

2171. You do not confine your remarks to the Roman Catholics exclusively?—No. I have heard often that we might have a much more efficient force if the constabulary were employed. I bring no charge, however, against any individual of the force.

2172. Or against the force itself. The public impression may be altogether wrong?—No, I think it is right. Of course when men are not drilled they cannot be such an efficient force as the constabulary.

2173. Now, is there that public confidence, so far as you know public feeling, and altogether abstracting from whether it is correct or incorrect—is there that confidence in the decisions of the magistrates either, in party questions, that a good citizen would desire?—Well, I would rather not answer that question. I have heard so much on both sides that I would rather not answer the question. I have not had any experience myself.

2174. Mr. Commissioner Murphy.—You heard Captain Stafford saying that the feeling about the party displays has increased within the last two or three years, is that your opinion also?—Oh, decidedly yes.

2175. He stated that they had not been so dangerous or hurtful previously, but latterly they had become a cause of greater apprehension?—Yes, decidedly.

2176. And that is within the last few years?—Decidedly, the last three or four or five years.

2177. And do you think the feeling has increased within the last year?—Yes, it has latterly. The fact is that the Apprentice Boys latterly have all become political partisans, Tories. They were not formerly so, what I call Tories in politics, and that is one reason I think.

2178. And that a greater feeling of antagonism has sprung up between the parties within the last year?—Decidedly so; the playing of party tunes has increased.

2179. Mr. Commissioner Exham.—I suppose there is a feeling also necessarily against the other side among the Apprentice Boys?—Oh, of course there is.

2180. And, then, you apply your observation as to bands to all sides equally?—I think they are equally dangerous.

2181. You ought, I think, be very well able to give an opinion with regard to the inhabitants generally. As far as you know the citizens of Derry, they are all in favour of the constabulary?—Well, I should think so; I believe they are. I have never heard any other expression of opinion.

2182. And, then, that the duties would be better performed, and the public peace better preserved, by a regularly organized force such as they are?—Decidedly. That feeling has increased latterly in consequence of so much disturbance within the last two years—in fact it is looked upon now as absolutely necessary.

2183. Then, you would not think it in any way desirable to keep up—as far as you know that is the feeling—to keep up the local force at all, for city

purposes, of watching or anything else, as disconnected with the duties of the constabulary, more properly in protecting the public peace?—Oh, I would decidedly have the constabulary to discharge all the duties.

2184. Night watching and all the duties?—Night watching and all the duties; because it is principally by night that these dangerous displays occur.

2185. When I say night-watching I mean such as looking after the protection of houses from robbery or anything of that character?—I am aware of that.

2186. As far as you know the citizens of Derry, is it your opinion that they would have no objection to pay an increased taxation that may be necessary for the getting of such a force?—Well, I do not like to answer for them all generally; but I do think that generally the great bulk of them would have no objection.

2187. That is, thinking men?—Men of property. I do not think they would. However, I would not answer for them. For my own part I would not have any objection.

2188. You yourself personally would not object?—No.

2189. And as far as you think and know, from your knowledge of others, they would not object?—I do not think they would.

2190. In regard of the increased security they would have for their property, and so on, they would not have any objection to pay their increased taxation?—Decidedly not.

2191. Have you ever considered, being a journalist here, the question respecting the extent of that force, from what you know of Derry?—Well, only from being in court latterly, hearing the opinions of some parties here. My own opinion is that it would require at present not less than from fifty to eighty men.

2192. There are, in fact, at present, over fifty here if you put both forces together?—Both together; but I am not sufficiently conversant with the matter to state the number that would be necessary.

2193. I suppose the force would probably require to be a little larger at first, and then, as things would quiet down, it might be reduced?—Yes.

2194. Is it your opinion that it would be desirable to have a resident magistrate always here?—I should say so; it would give confidence to the public, particularly to see that magistrate in charge of the constabulary and military.

2195. Have you considered at all whether it would be desirable to have at present more than one?—Well, I should think one would be sufficient, but in case of casualties another.

2196. But one always on the spot, resident within the municipal boundary?—Yes, and in charge of the police—the military duties I would say, particularly—to take charge of the military duties.

2197. Mr. *M'Laughlin.*—With reference to the question of the magistracy, do you think that one stipendiary magistrate would be enough?—Well, two would be better; the only question is the expense. If the Government would pay for it, I should decidedly say two; but if the town were to pay for it there might be some grumbling at paying two.

2198. Supposing the question of expense were not involved in the matter at all, do you think that two, one being of one persuasion and another of another, would afford greater satisfaction and security?—Oh, I think so.

2199. Mr. Commissioner Murphy.—They are not paid by the town or by any tax on the town.—I should then decidedly say two, because we then should always have one present—one in attendance.

2200. Mr. Commissioner Exham.—Cork has only one, and other towns larger than this have only one?—But he might be suddenly taken ill.

2201. Oh, in that case the Government would, of course, send one in place of him.

2202. Mr. *M'Laughlin.*—Would you mean this resident magistrate to sit and deliberate with the other magistrates?—I should say so.

2203. And vote with the other magistrates?—I should say so.

2204. If you could have either of these two tribunals—either, the local magistrates sitting together and the stipendiary sitting and voting with them, the stipendiary just sitting and having a vote; or, on the other hand, a tribunal composed exclusively of stipendiary magistrates; which do you think would give the most public satisfaction as regards the decision of party questions and party cases?—Do you mean promiscuously?

2205. As regards party cases and party feeling?—Oh, as regards party feeling, I think there would be more confidence generally in the stipendiary magistrates—particularly on party questions.

Mr. *Edward Lynch* examined by Mr. *M'Laughlin.*

Mr. Edward Lynch.

2206. You belong to Derry?—Yes.

2207. And you have resided here for very many years?—I have.

2208. I believe you are extensively in business here in several capacities?—Well, I am, sometimes.

2209. Am I right in saying you are lessee of the public markets?—I am, and of the bridge.

2210. Are you lessee of the whole of the public markets?—No; only two.

2211. Those are the——?—The flax market and the corn market.

2212. Now, from the resort that is to these markets and all that, I suppose you have very good means of knowing what is the public feeling?—In markets there is not much inquiry about public feeling, but I know a good deal of it through town.

2213. And you are also lessee of the bridge tolls?—Yes.

2214. And that I suppose gives you further opportunities of knowing public feeling?—Well, it does, sometimes.

2215. It is a great place for gossiping, the bridgegate; I believe in politics you are liberal, and in religion a Catholic?—Yes.

2216. Now, were you in court when Mr. John O'Neill the magistrate was examined?—Part of the time—not all.

2217. Were you in court when Mr. Andrew M'Cafferty was examined?—Well, I was in court part of the time.

2218. Would you be in favour of putting an end to local displays of any sect or party, and all sects and parties?—Well, I believe I would, and I think every well-thinking man in Derry would be the same.

2219. When you say you think every well-thinking man in Derry would be the same, I presume you do not confine your remarks to the well-thinking men of any one persuasion?—Indeed I do not. I know it is the curse of the town in every way you take it.

2220. When you say that it is the curse of the town in every way you take it, I should just like to hear you explain what you mean by that?—Well, I mean it is dangersome to both life and property, because I know myself that if ever there is another display in Derry it will not end as it did. I know that—I do—I have been told that; and I, for one, had to beg of them for God's sake on the 12th not to go out.

2221. You were one of those who assisted Mr. M'Cafferty and a number of other persons, lay and clerical, in preserving the peace on that occasion?—Indeed I did. I did all I could—urging them to wait till after this 12th, and see what the Government would do.

2222. Was it any imaginary danger that led you to do that, or did you see with your own eyes and know of anything being done to oppose those celebrations?—I did.

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2223. Just tell the Commissioners honestly, without mentioning names, what you know?—I know people were armed and prepared to meet them. I know that.

2224. How long have you been in Derry?—Well, I was born in it.

2225. Has it been a usual thing for the Catholics of Derry to be armed?—No; it has not.

2226. I believe until recently they had not any arms at all?—They had not—scarcely any.

2227. There were some arms on the other side, but they had none?—Yes.

2228. When you say that the Catholics were armed and prepared to meet them, do you confine your remarks to the city of Derry alone?—No; I know them armed in the country, too, ready to come in and to assist. I know that.

2229. Now, to what districts, rural districts, as contradistinguished from the city does that last answer apply?—Both to the county of Derry and county of Donegal.

2230. I believe there is one part of the county of Derry that is very Protestant?—Oh, I do not know. I was never much in the county of Derry.

2231. To what part of the county of Derry do you apply your observation?—I mean in the Muff Glen.

2232. Looking towards the centre of the county?—Yes.

2233. Towards the Ballymullins, I suppose, and Dungiven?—Well, really, I do not know. I never put a foot that way at all.

2234. I suppose the portion of Donegal you refer to is Inishowen?—Yes.

2235. Now, are you one of those who agree in believing that if something is not done to prevent these displays there will be bad work?—I do, indeed.

2236. I suppose you mean that there will be an encounter between the parties and bloodshed?—Yes, I do, indeed; but I trust it will never happen.

2237. Do you believe or do you not believe, that suppose the next celebration came on, and that you and other persons, lay and clerical, did your best to prevent the Catholics from going out, you would be as successful as before?—I will never ask to prevent them again in my life, after what I said before; for I promised I would not. If they kept in on the 12th I said I would never ask to stop it again. I pledged myself.

2238. Was that because this Commission was to sit?—No; I said the Government.

2239. You would not be in favour of any turbulence if you could prevent it?—Indeed I would not.

2240. Either on the part of your party or any other party?—I should be very sorry to see any one hurt.

2241. But you think you would not be able to restrain them?—I do.

2242. Do you know whether there exists, rightly or wrongly, a feeling amongst the portion of the community that you are connected with, in favour of the city police or against them?—Well, I do not know, for my own part; I only hear people talking about them not doing their duty as they ought to do.

2243. I believe you, as lessee of the markets, are assisted occasionally by the city police in keeping order in the markets?—Yes, indeed they do it very well with me. I have no reason to say a word against the city police so far as I know them.

2244. As far as the work they do in conjunction with you, as lessee of the market, you have nothing to say against them?—No, not a bit.

2245. I believe they generally belong to the one persuasion?—Well, I believe they do.

2246. You have opportunities of seeing them in the market; do you happen to know whether or not a number of them have any relations that are prominent members of the Apprentice Boys?—Well, I do not know.

2247. Rightly or wrongly does there exist a feeling of want of confidence with regard to the local magistrates as regards party cases?—Well, it is talked about that they do not—for my part I do not know, for I am never before them in any case—I am only speaking from the voice of the people.

2248. Mr. Commissioner EXHAM.—Is it recently that you say that feeling has increased about the police—since party feeling began to run high—these complaints that you have heard made about the local police?—Well, it is, indeed.

2249. And about the magistrates?—Just the same thing for the last two or three years, especially since the election; since shortly before this time twelve months.

2250. That is, you mean, the last election?—Yes.

2251. Shortly before that this feeling began?—About the month of July last year, and it is worse since.

2252. Now, you spoke about the Roman Catholic population being armed; can you tell me to what extent, to your knowledge?—Well, upon my word I could not say; in fact I do think there is scarcely one that is able to have a gun or a pistol at the present time but has them.

2253. Do you mean the Roman Catholic population within the Parliamentary boundary of Derry, and also those people in the Muff Glen, and those Inishowen people?—I do, because I know that there were some subscriptions got up, and I was myself asked for a subscription to get them, and I declined, and I did not give it.

2254. Did you hear what was the amount subscribed for the purchase of those arms?—I did not.

2255. When was that subscription got up—when were you asked to subscribe to this fund?—Well, I think it is something about this time twelve months.

2256. Since the election?—After the attack that was made on the Town Hall.

2257. Did you hear at all, or can you tell me. Did you hear what quantity of arms were given out at that time by subscription; did you hear the numbers?—Well, I heard that there were three or four hundred.

2258. What arms were they—were they revolvers?—They were revolvers and pistols, double-barrelled pistols.

2259. And who were the parties that gave them out did you hear?—I do not know, sir.

2260. You do not know?—No.

2261. And then, independent of the three or four hundred arms that were given out, did you say that people besides that who could carry arms bought them largely?—Exactly.

2262. And from what you know, the time that you so properly interfered to prevent the conflict that otherwise would have taken place, the last time I think it was you said ——?—Well, upon my word I really believe it would if it had not been that there were so many appeals to keep them in.

2263. And they were going out with their arms to meet the opposing party?—They were.

2264. Do you know where were those three or four hundred stand of arms distributed—Were they distributed to the people in town?—I believe they were distributed to the people in town, and some of them in the country too; I heard that there was a good deal of guns purchased and sent out to the Muff Glen at the time of the occurrence there.

2265. Is it last July?—Last July.

2266. Did you hear the quantity that were given out last July—purchased?—Well, I did not hear.

2267. Did you hear a large number were?—A large number.

2268. Did you hear they were given out from any place in this town?—I heard one man say that he took out a cartload of guns and ammunition.

2269. From Derry?—From Derry.

2270. Did you hear from what place in Derry?—

Mr. *M'Laughlin.*—With great respect I do not think the witness is bound to answer that.

2271. Mr. Commissioner EXHAM.—Very well, from Derry?—From Derry.

2272. And distributed them to the people in the Muff Glen?—Yes.

2273. Mr. Commissioner MURPHY.—I suppose you see a great many of the working class—they come under your own observation?—Oh yes; in the public markets, and at the toll bridge.

2274. Do you see them of all classes and of all religious persuasions?—Yes.

2275. And those men, Protestants, Roman Catholics, and Presbyterians join in the same work together, I suppose, in perfect amity?—Oh, of course, sir.

2276. Unless on the occasion of some of those unfortunate displays?—Oh, yes, sir; it is my belief that if it were not for those displays we would have as good a town as in the north of Ireland. Before them and after them it is nothing but one fighting with another.

2277. Then, for some days previous to them and for some days after them, do you notice a different feeling existing from what you see at ordinary times?—No doubt about it, sir; no question about it.

2278. And you think, were it not for these unfortunate occasions, they would get on harmoniously together, earning their bread, and living as men ought to?—There is not the slightest doubt about it, I believe.

2279. Mr. Commissioner EXHAM.—I forgot that you were the lessee of the tolls of the bridge; do you know anything of an attack being made on the toll collectors last year?—Well, last year I had not the tolls.

2280. I mean last Stephen's day, do you know anything of that—the day after Christmas day?—No, I was not there.

2281. Mr. *M'Laughlin.*—I believe the tolls are let from the 1st of January to 31st December?—Yes, they are. I believe the last lessee prosecuted parties for going through the toll gate without paying the toll, I was not there.

2282. Mr. Commissioner EXHAM.—Do you know, amongst the people that you are in the habit of meeting so much and mixing with—not mixing with, but seeing every day—what is their feeling with regard to the constabulary; do you think they would wish to see the constabulary here in town?—Well, as far as I can hear, their feeling would be for the constabulary. For my own part I have nothing to say against any man. It is only the opinion of the public.

2283. Mr. Commissioner MURPHY.—I suppose, in consequence of the unhappy state of feeling in existence between the parties, you are of opinion that any person subject to local influences, or taken from any of the local parties, would be open to censure whether right or wrong from another party, and that it would be very hard to do his duty so as to please both?—He could not do it.

2284. And that persons brought in and who are unknown to either side would be more desirable in the present state of feeling?—Well, I should think so.

2285. Mr. *M'Laughlin.*—With reference to the question of Mr. Commissioner Murphy, I believe there are no more kindly disposed people towards each other, apart from these party displays, than the Derry people?—Well, I think not. Protestants and Presbyterians I like as well as the others; and I would go as far for them and they for me.

2286. And I believe when it comes near these times, and shortly after these times, parties on both sides have not the same look in their faces?—No question of that.

2287. Mr. Commissioner MURPHY.—That applies to the city?—Yes.

Captain *Brudenell Plummer*, County Inspector Royal Irish Constabulary, examined by Mr. *M'Laughlin.*

Captain Brudenell Plummer.

2288. I believe you are in command of the local branch of police—I mean the local branch of the Royal Irish Constabulary?—I am County Inspector of the local branch of that force.

2289. For the county of Londonderry?—Yes.

2290. Including the city and liberties?—Yes.

2291. I believe the city and liberties are, geographically, in the county of Donegal, as regards portions of it?—Well, I am not aware.

2292. But it is the fact. Now, Mr. Inspector Plummer, I believe you have not been long here?—I am over three years.

2293. But I believe in the city of Derry you have not been long?—When I was appointed it was here I came. I came on the day of my appointment.

2294. Were you personally present in Derry at the riots of the 28th of April?—No; I was unwell. I was in the hands of the doctor.

2295. I have placed you in the box to give you an opportunity of saying what you think right in reference to the removal of the two constables, whose change, in the opinion of the public, had the object that was mentioned by Mr. Hempton—I mean Sorraghan and O'Reilly?—Their removal was totally unconnected with what Mr. Hempton stated. My reasons for removing them, of course, I gave to the Inspector-General. If you want to know them——

2296. I do not want to know your reasons at all. I only want to give you the opportunity of stating the facts to the Commissioners.

2297. Mr. Commissioner MURPHY.—As there was a particular reason given affecting the removal of these men, we were personally anxious, of course, to inquire into it, but when Inspector Plummer states that it was not so, of course we are satisfied.

Witness.—It was perfectly unconnected with anything of the kind.

2298. Mr. *M'Laughlin.*—It was for that reason I put Inspector Plummer into the box, that he might state whatever he has to say on the matter.—I was present at the riot at Bishopsgate.

2299. The riot at Bishopsgate on the 9th of February?—Yes.

2300. Mr. Commissioner EXHAM.—As we are on that point, it is but fair to Inspector Plummer and the force to which he belongs, to ask him had the removal of these men, or either of them, anything, either directly or indirectly, to say to any conduct of theirs at the riot, or to any evidence given by them at the inquiry?—Nothing whatever.

2301. Was it solely in the discharge of your duty, according to the exigencies of the force, that they were removed?—Solely.

2302. And not out of your jurisdiction?—And not out of my jurisdiction; and one of them was brought back again.

2303. Mr. Commissioner MURPHY.—One man, from what has appeared here, was only temporarily removed, and then was brought back again?—Yes.

2304. Mr. Commissioner EXHAM.—And the other was not removed from out of your jurisdiction?—No.

2305. I believe I am right in saying that within your own county you are the only person who has the authority for removing any of the force—I mean the privates—and if it is out of your county it is the Inspector-General?—Certainly.

2306. And was the thing done by yourself?—By myself.

2307. And uninfluenced by any human being?—Yes.

2308. Mr. *M'Laughlin.*—I thought it right to produce the Inspector from a communication that was made to me.

2309. Mr. Commissioner EXHAM (to witness).—And you were not influenced by any consideration except the sole discharge of your duty?—None whatever.

Mr. *M'Laughlin.*—I knew nothing of your being here on the night of the Bishop's-gate attack, but having mentioned it, kindly tell the Commissioners what happened there that night.

2310. Mr. Commissioner EXHAM.—Just tell shortly what took place upon that night?—There were men placed by direction of the meeting of magistrates.

2311. When you say the meeting of magistrates,

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do you mean a meeting that took place to adopt measures for the preservation of the public peace?—Yes.

2312. And you attended that meeting?—And I attended that meeting, and received the following distribution of the forces from Captain Peel, R.M., and the magistrates:—"At Shipquay-gate, 20; at Northern Hotel, 20 men and an officer; at Butcher's-gate, 20 men and an officer; at the Post Office-gate, 20 men and a head-constable; at Bishop's-street-gate, 20 men and an officer; at New-gate, at Rosses Meetinghouse, 15 men and a head-constable; at Ferry-gate, 15 men and head-constable; at Foyle-street steps, 10 men and a head-constable." [Witness read the foregoing from a document.]

2313. Mr. Commissioner EXHAM.—Was there any other resident magistrate here then but Captain Peel?—I do not think there was.

Mr. *M'Laughlin.*—Where was Captain Peel stationed?—He was going about from one place to another.

2314. Where was he when the trouble commenced?—At that time I was dining with Captain Peel, in the house where you are living now, and we heard a shot, and some person came up and told us there was a row going on. Captain Peel ran out before me. I had to put on my war appointments, and that detained me for a few seconds, but I went out immediately after him. At that time it was far on, and there was an immense crowd with torches and tar-barrels and all that sort of thing. The police were at the gate, and I heard that the crowd rolled up handcarts, and endeavoured to break the ranks of the police. I did not see that though. When I came up I came in front of the gate, and the stones were coming, not lightly, but like a shower of hailstones.

2315. Where were you then?—I was standing at the street side of the gate, and I saw Mr. Rea.

2316. Mr. Rea—that's the name of the officer?—Yes; I saw Mr. Rea with his sword drawn, actively engaged in trying to keep the people back. I was in front of the gate, and stones were coming in thickly, and some of the men came up from the reserve and said, "Don't stand in front there, sir, the stones are coming too thick," so I went and joined the men. When I did I saw one man put up his rifle. I heard that Captain Peel—I did not hear him myself—had ordered the men to load. I put down his carbine, and then I saw another man put up his, and I knocked it down also, and prevented them firing. At the same time the men were most violently treated. One man had his eye knocked out, and the poor man is still without an eye, and others were severely cut and badly wounded. They came in through the gate afterwards, and went down through the town, and I saw no more of them.

2317. Mr. Commissioner EXHAM.—When you say they came in through the gate, do you mean that the mob got through the gate?—Yes.

2318. The outside mob?—Yes.

2319. And did they beat the police from the gate?—Oh, yes.

2320. Mr. *M'Laughlin.*—And did the whole mob come through the gate, or only small numbers of them?—I can't tell. They came in in twos and threes, and had some music down the street.

2321. Mr. Commissioner EXHAM.—About what number was in the crowd at the gate when it was forced?—I could not tell that. The street was full—it was immense.

2322. And were the stones large that were thrown in?—Oh, yes.

2323. Mr. *M'Laughlin.*—Nearly as big as your head, I suppose?—They were big enough.

2324. Now, Mr. Plummer, you say that Captain Peel had given orders to the men to fire?—So I heard. I did not hear him myself, but the officer who was in command can be here in an hour if you want him.

2325. Did you observe whether there were any other magistrates there at that time?—Yes.

2326. At Bishop's-gate?—Yes. When I was there the late lamented Mayor came up and did all in his power to preserve order and keep quiet. I saw Mr. Darcus also. I met him at different parts of the town, and he accompanied me to Butcher's-gate and other places.

2327. Did you see anybody else?—I think Mr. O'Neill was also in the street.

2328. You are not certain of him?—I am not.

2329. Was Mr. Darcus up at Bishop's-gate at that time?—He was. He came up after poor Dr. Babington, but they had nearly got through the gate at the time he came up.

2330. But I believe there is not much doubt about it that it was only a portion of the main body of the crowd that got through the gate, and that they got through in dribblets?—I believe so, but I don't know it of my own knowledge. When the great hurry was over I went down to Butcher's-gate.

2331. And they went down to Bishop's-street?—I can't tell.

2332. Did you ever see it stated that a general order had been given to fire that night—I don't say by you—but did you ever see it stated in the newspapers?

Mr. Commissioner MURPHY.—Oh, I do not think we ought to go into that.

Witness.—No, I never read any of the newspapers.

2333. Mr. *M'Laughlin.*—Then you never heard it stated publicly in any way, either journalistically or otherwise, that a general order had been given to fire?—No, nor do I believe it to have occurred. It's quite monstrous.

2334. You say that you struck down the carbines of a couple of men?—I did.

2335. How many constables were there at the time, may I ask?—There were twenty men placed at the gate originally with an officer, but other men came up suddenly from the Town Hall. They were sent for.

2336. Did it occur to you as a superior officer that the order had been given to those two men whose rifles you struck down?—Not at all. The order should have been given by Mr. Rea, who was at the other side of the gate; but I must say at the time the men were used most violently—most infamously used. One man had his teeth broken—by-the-by, I have an order to get him a new tooth, but I am sorry I can't give the other poor fellow an eye. Nothing could be more barbarous or more violent than the conduct of the attacking party.

2337. Nothing could be more barbarous or more violent than the conduct of the attacking party?—Nothing.

2338. I suppose you were present at the magistrates inquiry that resulted from the occurrence of that night?—I was.

2339. Did any of your force ever swear that nothing could be more peaceable or orderly than the conduct of the processionists that evening till the police prevented them coming through the gate?—I believe that was the cause of it, but they were only carrying out their orders.

2340. And those orders had come from the magistrates?—Yes.

2341. You were not in the Town Hall on the 28th?—No, I was very ill at that time.

2342. Were you here on the day of the Protestant meeting?—I was.

2343. Did you see the procession that day?—I was with one of the magistrates with a telescope looking at the meeting, trying to see who were the principals, ascertain the numbers, and trying to find out who were there.

2344. May I ask you, now, where did you rake them from with that telescope?—From Walker's Pillar. There were officers there, and men through town watching the proceedings.

2345. Might I ask how did you manage to get entrance to Walker's Pillar?—I was not inside it at all; I was on the wall.

2346. You were not on the top of it?—Oh, no.

2347. Were you at the side of the bastion, peeping through the embrasures?—No, I do not think I was.

2348. Then, you simply stood at the Pillar, and were not nearer to the proceedings than the telescope took them in?—That's all.

2349. The procession went about in different directions?—Yes.

2350. But it culminated in one place?—No, I did not see that; but there was an officer there.

2351. Who was he?—I forget his name, there were so many men there at the time.

2352. But I suppose you could, by reference to your documents, tell what officer saw it most particularly?—Oh, yes.

2353. Do you happen to know about what number was in the procession that night?—I made inquiries from no one.

2354. And you were not nearer to it than the telescope brought them to you?—No.

2355. Mr. Stafford stated that Mr. Singleton was in the procession. He is stationed, I believe, at Magherafelt?—He was, but he is now at Carrickfergus, and will be here at ten o'clock if he is required.

2356. You did not see the procession with your own eyes at all?—No.

2357. I believe there is no doubt of their having banners and music?—I understand they did not unfurl the banners or play any party tunes until they got into the field where they dressed themselves; but I did not see that.

2358. One word as to the party tunes. Have you been stationed in the north of Ireland for any portion of active service?—For twenty years nearly at Banbridge.

2359. That is rather a warm country, I believe?—It is rather warm sometimes; but I met with a great deal of kindness there.

2360. There are a great number of party tunes I believe?—I believe there are.

2361. Do you know some party tunes with what the lawyers would call a double aspect? Do you know any particular tune which from one point of view is a party tune, and from another you can fall back on Burns' melodies for?—I know some tunes of that sort.

2362. Do you know the "Battle of Garva"?—Not I.

2363. I do not mean that you have any actual knowledge of that event; but do you know any tune of that name?—I never heard of the tune till this moment.

2364. Would you be surprised to hear that a tune in Scotland called the "Lass of Gowrie" is in Derry called the "Battle of Garva," and is a party tune?—I would not be surprised at anything I would hear, but I never heard that till the present moment. I think if an old woman blew her nose here it would be turned into a party tune.

2365. Do you know a tune called "Derry Walls Away?"—No, I know nothing about Derry walls.

2366. Do you know "Auld Lang Syne"?—I do.

2367. Do you know that the two tunes are the same, and that "Derry Walls" is a party tune?—No, I do not.

2368. Have you seen many of the illegal processions here?—I have seen those processions on the 12th of August.

2369. In the state of feeling that exists do you think these processions tend to risk the peace in any way?—I do.

2370. You do?—I do, decidedly.

2371. You think they tend to risk the peace?—I do. Processions of all sorts have that tendency.

2372. You equally apply that observation to processions no matter from what party they come, or no matter what banners or music they have?—I do.

2373. Would you say that the various occurrences of the last twelve months rendered it particularly necessary to restrain those party processions in this city?—I do, of course.

2374. Do you happen to know the state of feeling between the respective parties?—The very worst that possibly can be—nothing could be worse than the feeling between the parties at every side.

2375. Do you apply that opinion as to that hostile feeling as a feeling existing between each of the parties, or do you mean it to extend only to the party armed with deadly weapons of warfare?—I think I apply it to both. Except on those party occasions it is a remarkably quiet, well conducted, orderly town.

2376. So I think, but I believe on these party occasions the danger you describe would arise?—Yes, the danger of collision. During the election here there was nothing unusual. It was quiet enough—some little scrimmages, as they say in my country, but nothing more.

2377. I believe the first disturbance was the attack on the Corporation Hall?—I was not there.

2378. And I believe the last thing was the unfortunate collision of the 28th of April?—I think so.

2379. Mr. Commissioner EXHAM.—On that day of the attack on Bishop's Gate, as far as you know, did the magistrates take proper precautions with regard to preserving the peace of the city?—Particularly proper precautions. Their object was to prevent a collision, and that was their motive for placing the men there.

2380. And they met in consultation with the resident magistrate in reference to the means to be adopted?—Yes.

2381. And I suppose took the benefit of your advice and views also?—Certainly.

2382. Now, I want to ask you, from what you know, and from your experience here as a County Inspector, what force, in your opinion, would be necessary for the due preservation of the public peace within the Parliamentary boundary of the city?—Except on these occasions of demonstration, I think 100 men would be ample, in fact, more than would be requisite, except something might occur, and if anything serious did occur that would not be near enough.

2383. And I presume it is your opinion that it would be desirable a resident magistrate should be always present in the city?—Most unquestionably.

William Magerr examined by Mr. *M'Laughlin*.

2384. Are you a resident of this city?—Yes.

2385. You have been residing here I believe for about twenty years?—Yes; upwards of twenty years.

2386. I believe you are a printer by trade?—Yes.

2387. And I believe you are foreman printer at the *Londonderry Journal* Office?—Yes.

2388. Putting the stereotyped question, I believe I may say you are in politics a liberal, and in religion a Catholic?—Both.

2389. You were examined before with reference to this matter of the attack on the Corporation Hall?—I was.

2390. I think you were asked then on cross examination whether you belonged to Derry originally?—I was.

2391. You do not belong to it?—No.

2392. Where do you belong to?—Enniskillen in the county of Fermanagh.

2393. Were you in Court when Mr. Hogg was examined?—I was.

2394. He said you were stationed with him at the door of the Corporation Hall on the 29th of July in order to inspect the tickets. Were you in Court then?—No. I was only in Court at the latter part of his testimony, and not at the time he stated that.

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2395. But, at all events, you were there for that purpose?—Such was the case.

2396. Were you standing with him at the time the attack was made on the Hall?—I was.

2397. About what time of the night was that?—It was about eight o'clock.

2398. I believe a rumour had been circulated during the day that the Hall would be attacked?—Yes.

2399. And in consequence a number of people were placed as a guard in the Hall?—Yes.

2400. Had these men, when you saw them, any deadly weapons?—Not that I could observe.

2401. Were you there when they came in, in twos and threes?—No. The men were all assembled when I took up my position with Mr. Hogg at the door.

2402. Did you at that time see any city police there?—I did.

2403. How many of them?—I saw them at the several corners and about the place.

2404. At the immediate entrance did you see any of them?—I did. Five or six of them scattered about.

2405. I suppose you know Derry and the people of it pretty well?—I do.

2406. Were you standing at the Corporation Hall door when the body marched down London-street?—I was.

2407. Did you see them when they were coming forward?—I did.

2408. Where were they when you first saw them?—When first I observed them they were at the Corporation Hall side of Alderman Gillman's, and they marched on down Bishop-street.

2409. Had the whole of that body come from London-street?—Yes, they had and marched down.

2410. What appearance had they?—They were in military array.

2411. How many deep were they—three or four, I suppose?—Two or three; I can't exactly say which.

2412. I suppose anybody could see them marching down?—Quite plainly.

2413. Did you see any attempt made by the police to prevent them?—Not the slightest.

2414. It was a clear summer's evening?—I believe it was.

2415. I believe there were Constabulary as well as city police in the streets?—Yes.

2416. But the charge of protecting the door of the Hall was allotted to the city police?—Yes; I believe so.

2417. They were standing across the door?—Yes.

2418. Did you observe these men until they came close to the Hall?—All the time they were coming down to the Hall I observed them.

2419. Had the police a view of them?—I left the Hall and went up to the Round-room, and looked out of the window.

2420. The Round-room, I believe, commands Bishop-street?—Yes.

2421. How far were they from the door when you went up to the Round-room?—They were coming forward to the Hall, within about ten yards of it.

2422. They had not broken?—No; they were coming in line.

2423. And why did you go to the Round-room?—To have a better view of them.

2424. You anticipated the attack?—Oh, yes.

2425. At that time, before you went up to the Round-room, did you see any weapons with them?—No; I could not observe any from the door below.

2426. But subsequently, when looking at them from the window of the Round-room, did you see anything like that (stave produced)?—I did.

2427. How many of them?—Two or three similar to that in your hand.

2428. Any others of a different pattern?—Yes.

2429. How many of a different pattern?—One or two.

2430. And of a third pattern?—No; I only observed two kinds of weapons.

2431. Now, when you got up to the Round-room and looked out of the window, just tell the Commissioners what you saw?—I observed these men coming down the street in military order, for the purpose of attacking and breaking in the door of the Hall to get admission. I saw a lot of those municipal police outside, and I thought it strange these men would not resist them, seeing the determined attitude they were coming down in, and I put my head out of the window and shouted out to a policeman underneath, to know would they make no exertions to prevent them attacking the Hall. When I saw them coming forward with those bludgeons to make the attack—the Hall is so situated that the window of the Round-room jets out over the front—I got my head in and I lost sight of them.

2432. When you called on the police to prevent the attack, did you observe them do any thing?—No.

2433. Did the attacking party seem to come deliberately down?—They did; and in fact the police seemed to enjoy it rather than deter them, for they were joking and laughing, and took it all in very good part. They did not seem to be put about by the transaction at all, but enjoyed it tremendously.

2434. What was the appearance of the street in front of the hall when the police were in such good humour?—Very turbulent and very noisy.

2435. It was then you saw the weapons being used?—Yes.

2436. Did you know any of those you saw—don't mention any names now—in that crowd?—Oh, yes, I did.

2437. Were they of the attacking party?—Yes, they were.

2438. Had you before seen these men act in a body at all on occasions when there was no riot?—Oh, yes, several times.

2439. Where?—Through the city.

2440. In what respect?—At these celebrations.

2441. And you identified them as the same men who gave their names afterwards in the police office?—Yes.

2442. Did you see any other arms with that crowd except these sticks?—No, nothing more formidable, but they were of different forms.

2443. Were they simply carrying these sticks, or were they using them at all when you saw them?—They had them in their hands ready to use them.

2444. When you looked out of the window were they using them?—The party was then coming forward to attack the Town Hall, and as they got underneath the window I lost sight of them. I got afraid, as they commenced to throw stones, and I took my head in and lost sight of them.

2445. Did you see the city police make any arrests?—I saw one man make an attempt to take a loaded whip out of the hand of one of the Apprentice Boys.

2446. That policeman was No. 11, I believe?—Yes.

2447. And I believe the attempt to take that weapon was one that continued for some little time?—Yes.

2448. Was that the time you called to the city police?—Yes, in or about that time.

2449. And did the others aid No. 11 in the attempt to take the weapon from the man?—No, I think not.

2450. Had you a view of the struggle going on?—I had a view of it, and saw the constable endeavouring to take the loaded whip from him. They had a tussle, and the man that had the whip originally retained possession of it.

2451. Are you able to say that no other constable or city policeman assisted that constable to take the whip?—He got no assistance as far as I could see.

2452. Is it true, what you swore at the police office, that no attempt was made to take this whip from A. B., that is the name of the man?—No attempt was made.

2453. Describe the bludgeon?—It was not as long as an ordinary riding-whip. It was about half as long, but it was loaded at one end with lead or iron.

2454. How did you know it was loaded with lead or iron—by the oscillation, I suppose?—Yes, by the

spring; and I knew it was loaded with either lead or iron.

2455. Did you see how that was held—was the man depending for a hold of it on a single grasp of the hand, or was any arrangement made for holding it?—I think he had it in his hand; but I observed the other weapons were confined on the wrist by a thong.

2456. Now, the man you say retained possession of the weapon?—He did.

2457. And then the stone-throwing began, I believe?—Yes.

2458. Up to the time the stone-throwing began, and during the effort made ineffectually by No. 11 to take this whip, did any of the city police do anything?—I did not observe that any of them did anything.

2459. Did you speak to any other constable at this time, asking him to give assistance?—I did. I spoke to Head Constable Daly from the window.

2460. But whatever you said, you do not know whether he heard you or not?—I do not know.

2461. I believe the magistrate, Mr. O'Neill, was in the Round Room at that time?—He was.

2462. And did any stones come in then?—They did.

2463. Did you see in the Round Room one of that attacking party afterwards, who subsequently made his escape through the window of the Round Room?—I did.

2464. I believe that man was about to get rough usage from some of the party in the Hall till Mr. White, of Water-side, interfered?—Yes.

2465. When you saw the men who were inside in the Hall, had they any arms?—None that I saw.

2466. Did you subsequently see them with sticks?—I did.

2467. What were those sticks you subsequently saw them with?—The railing of the stairs. They dismembered it, and each man made a weapon of a railing.

2468. This was when the attempt was made to break into the Hall?—Yes.

2469. And when one of them had broken in?—Yes.

2470. Did you see Mr. O'Neill at the broken windows there that night?—I did. I pulled him away from the windows myself, in consequence of the stones coming through them.

2471. What happened after that—did you see Mr. O'Neill sending off any policeman, or giving him any document?—I, myself, went forward to Mr. O'Neill, along with others, and begged of him, for pity's sake, to send for the military. I could see no magistrate acting. The mayor was not there to send for the military. After a good deal of persuasion, he did consent and sent for the military.

2472. And I believe the military came shortly afterwards?—Yes, they did.

2473. Now, did you see any arrests made, as a matter of fact, of the attacking party?—No, I did not.

2474. Were you present at the police-office when a number of those bludgeons were produced?—I was.

2475. Do you remember out of whose custody they came?—Yes.

2476. Who produced them at the Mayor's office at the investigation?—I think it was the police had got possession of some of them.

2477. By police, you mean the constabulary?—Yes.

2478. Do you know whether any of the city police produced, in the first instance, any of these weapons?—I heard they procured some of them, and threw them into the Bishop's garden.

2479. But, while you were there, any of these weapons that were produced were produced by the Royal Irish constabulary?—Yes; I heard that Mr. Hogg retained possession of one of them.

2480. Were you in any particular part of the building when the meeting was being held?—I was.

2481. In what condition was the meeting during the attack on it?—It was rather confused in consequence of the attack. Mr. Dowse was on the platform along with several other gentlemen who accompanied him. Stones were coming in through the windows. He was rather confused. He had to shift his position, so had the chairman and the reporters.

2482. And the reporters?—Yes; the stones were coming in through the windows at the time he was speaking.

2483. Were you able at that time to see, or could you have seen if you tried, from the windows, the condition of the Diamond at that time?—No; but I saw it from the lobby of the Hall at the Butcher-street side.

2484. Tell us what was the appearance presented at the Butcher-street side?—I saw the constabulary endeavouring to make peace; one party in Butcher-street was attacking another party at Hayes's corner, and another was attacking those at the foot of Corporation Hall, and then falling back, the police getting between them; it was in a very disturbed condition.

2485. How long was this from the time the attack originally begun?—I should say half an hour or three quarters, it lasted until the military came. I don't think it began to quiet down about the Corporation Hall until the military came, nor was confidence restored until the military came.

2486. At what time did the military come?—The first time I observed them was about an hour after this proceeding at the Hall.

2487. I believe this attack on the Corporation Hall excited a good deal of feeling?—It did.

2488. And increased the bad feeling that existed before?—It did.

2489. The celebration of the 12th of August, which occurred immediately afterwards, was allowed to go on in the usual way?—Yes.

2490. And the 18th of December celebration following the election?—Yes.

2491. May I ask you whether you know, as a matter of fact, are those displays rightly or wrongly considered as offensive and insulting by a large portion of the population?—Decidedly they are.

2492. Do you yourself concur in the opinion that they are offensive and insulting to a large portion of the population?—I do.

2493. And do you say that that portion of the population would, at all events, be in favour of putting them down?—Yes.

2494. Do you know is that opinion confined to Roman Catholics, or is it shared by others?—It is not confined to Roman Catholics. Every liberal or tolerant Protestant and Presbyterian has the same feeling—in fact every man of common sense must admit that they are a grievance and a nuisance.

2495. Are they anything more than a grievance and a nuisance—are they a provocative of disturbance?—They are.

2496. Do you know the feeling of the young men of the opposite party?—I do, pretty well.

2497. Do you consider that much danger is involved in the continuance of these celebrations?—Yes. I believe if there is another attempt to celebrate any anniversary it will culminate in bloodshed. I have no hesitation in saying that if there is another attempt it will end in bloodshed.

2498. Now is the statement you make, so impressively, a merely speculative opinion, or have you any grounds for believing it?—I believe it, for I know one portion of the people are thoroughly well armed.

2499. What portion do you mean?—I mean the Roman Catholic portion of the community.

2500. Has it not been a thing well known that, heretofore, they were not thoroughly armed?—Yes, it was.

2501. When did this arming which you say is so extensive begin?—Previous to Mr. Dowse's election; it was less or more for the last three years, but to a greater extent since his election—previous to his election.

2502. As far as you know as a matter of fact what was the origin of this arming?—As far as I know as

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a matter of fact, it was nothing more than in self-defence, and for the purpose of putting down these celebrations.

2503. I believe, in point of fact, the people have lost much confidence in the law to protect them?—They have.

2504. Do you know of any particular reason for the arming becoming more extensive about the time of the election? Do you know of any threat being used—anything said?—Well, I don't know really.

2505. Were you present in court when Mr. Hempton was examined, and deposed to a threat, made by a certain person whom I will not name—to shoot down a certain class in case——?—I was not in court.

2506. Did you ever hear of that?—I did.

2507. You heard of that?—And the people of the town generally, I believe.

2508. That a certain person high among the Apprentice Boys said the Catholics would be shot down?—Yes.

2509. Honestly, what did you believe yourself as to the possibility of that being carried out?—I thought there was some danger—I thought it very possible, if Lord Claude was unseated at the election, there would be a violent commotion, and fire-arms would be resorted to—I thought there would be loss of life. That was the opinion of thousands as well as me.

2510. Has this feeling gone on increasing between parties?—It has.

2511. May I ask you whether the people of Derry, ordinarily speaking, and apart from these anniversaries, are good-natured people, and friendly people?—There is not a better community in the world I believe, nor a people more well-disposed, and more civil towards each other—taking away the offensive demonstrations.

2512. They do acts of kindness, the one to the other?—Yes.

2513. I believe it is the fact, as stated by one of the witnesses, that about the time of these celebrations the feelings of the people undergo a very undesirable change?—They do, indeed.

2514. You have observed that as a matter of fact?—I have.

2515. On the occasion of any of these processions have you observed any of the police at all with them?—Oh, yes.

2516. In what capacity as far as you could observe?—Well, I observed the constables walking after them.

2517. Have you observed any of the police walking before or behind them?—I have seen the constabulary—for the purpose of preserving the peace—keeping the parties separate. I know the constabulary would not identify themselves in any way with them, from what I saw of their conduct in the town; but I have not the same opinion of the municipal police.

2518. Is that because the municipal police have relatives amongst the Apprentice Boys?—That is one reason, one great reason.

2519. Without mentioning names—do you know many of the city police that have relatives amongst the Apprentice Boys' organization?—I know two, I think; there may be more without my knowledge.

2520. You have said you apprehend bloodshed if these celebrations go on?—Yes.

2521. Is it true what appeared in some of the newspapers, that there is an organization called the "The Working Men's Defence Association" amongst the Catholics?—Yes.

2522. You are not confounding that with the Working Men's Defence Association that about the time of the election was organized?—No.

2523. Then, is it true that there has now sprung into existence, or that there is about springing, an organization called the "The Londonderry Liberal Working Men's Defence Association," got up for the purpose of aiding and assisting the authorities to legally put down these celebrations?—It is to legally assist the constituted authorities to put down the celebrations.

2524. Now, as far as you know, is the sentiment of the members or intended members of that organization confined to legally putting down the celebrations?—Yes.

2525. Primarily you mean?—Yes.

2526. But, secondarily, or eventually, what?—Secondarily and eventually, I believe that this organization, if they attempt to go on with them, will not be prevented, by any amount of moral suasion, clerical or lay, from putting them down themselves. That is my humble opinion.

2527. I believe you know, in point of fact, as most people do, that every description of suasion, lay and clerical, and particularly clerical, has been used for that purpose?—Yes.

2528. I believe the Catholic clergy have always been lecturing the people, at that side of the house, on the necessity of peace and taking no offence?—Yes.

2529. In your opinion will that influence be ineffectual after this?—I think so. Previous to the last anniversary the people said they would give the Government one more chance of preserving the peace, and if they did not preserve the peace they would endeavour to defend themselves from these periodical insults.

2530. Mr. Commissioner EXHAM.—That refers to the week before last?—Yes, the last anniversary.

2531. Mr. *M'Laughlin.*—Did you see the procession at the time of the Protestant meeting?—I did.

2532. Could you tell us what it was like. Did you endeavour to count it at the time?—Yes, I think I calculated about 600 men going down Shipquay-street with banners and one thing or another of that description. I went no further.

2533. You saw it in Shipquay-street?—Yes.

2534. How did you manage to count it?—It came on about four deep. I calculated four deep for all going down, and then I multiplied that by the number of files, and it came to about 600.

2535. Were there many banners?—Some dozen and a-half.

2536. What was the character of the banners?—Crimson; some were fringed with crimson.

2537. Were there any Orange?—I saw one Orange banner; it was furled.

2538. But were those you describe open?—Yes.

2539. Was there any music when they were going down Shipquay-street?—I do not think they commenced to play till they got outside the gates.

2540. What airs were played then?—I cannot tell.

2541. Have you ever heard any Orange airs played?—I have.

2542. Have you heard party tunes?—I have.

2543. What tune?—"No Surrender."

2544. When did you hear that?—I heard that on the last 12th of August.

2545. You did not hear that tune played through the town on Thursday night last?—I did not. I was not out.

2546. On the 12th of August last?—Yes.

2547. That was the 12th of August following the 28th of April?—It was the last 12th of August.

2548. Do you think the risk of those celebrations creating disturbances is increased by reason of these party tunes?—Oh yes, decidedly.

2549. Did you ever see or hear the band of the opposite party playing party tunes?—I never heard them playing party tunes. I never had the opportunity.

2550. Did you see them the day of the Prince's visit?—I did.

2551. Did you see them in the middle of the day when the Prince was at the Imperial Hotel?—I saw them accompany the Prince from the Abercorn-road.

2552. Did you hear what airs they played on that occasion?—Yes, I think so.

2553. What were they;—As well as I can tell they played "Auld Lang Syne."

2554. That is the Catholic party did?—Yes, and I believe they played "A Good Time Coming, Boys."

2555. I suppose they meant the Commission?—I dare say; and I think there was another air—"He is a Right Good Fellow," as applicable to the Prince.

2556. Did you hear any other musical instruments playing or performing that day?—I did, I heard the bells of the cathedral, but I don't know what they were playing.

2557. In August did you hear the bells playing anything?—I heard them attempting party airs.

2558. What were the airs?—"No Surrender," "The Protestant Boys," "Derry Walls Away."

2559. That is, "Auld Lang Syne," with one party, and "Derry Walls Away," with the other?—Yes.

2560. Mr. Commissioner Exham.—According as it is played by one band or the other?—That is the fact; it is the same with the "Lass of Gowrie," and "The Battle of Garva," the one air is applicable to both.

2561. Mr. *M'Laughlin.*—Do you know, "Duncan Gray came here to Woo"?—I have heard of it.

2562. Do you know of any difference between it and "Rob Roy M'Gregor"?—I think the air is somewhat similar.

2563. Is it the same tune?—Yes.

2564. You say party tunes were played on the bells?—Yes.

2565. The bells are in the Episcopal church?—Yes.

2566. And was it from the roof of that church the gun was fired on the last 12th of August?—It was so stated.

2567. Now, do you know that there exists, rightly or wrongly, correctly or the reverse, a feeling of dissatisfaction as regards the manner in which the local magistrates administer justice, as it is called, in party cases?—A great feeling of dissatisfaction.

2568. Is there any confidence in their decisions?—None whatever—amongst a large section of the public none whatever. I have known many men to have cases, and sooner than go into court they have abandoned their cases, stating they would get no justice, particularly if the case bore a political aspect. They said they had no confidence, and they would willingly pay any amount of money, for they knew they would not get a verdict—would not get justice, in fact.

2569. I am not saying whether rightly or wrongly, but is that impression extensively prevalent?—It is prevalent. It is abroad amongst the whole city—amongst that portion of the city. There is one thing very much complained of latterly, and that is, that a certain portion of the local magistrates, on the Thursday morning that the Petty Sessions Court sits, go up to the police station, a certain number of them, and mix amongst the men that have been taken up the night previous, to ascertain for what offences they have been taken, and post themselves thoroughly up in all that relates to them, so that they may be prepared to administer the law as they think fit when the cases come before them.

2570. Do you know that of your own knowledge or from what you hear?—It is the general talk of the people who live in that locality. I saw them myself in conversation with the city police on that morning, and they are sure to be there, especially if there is anything of a political disturbance, the night previous.

2571. Mr. Commissioner Murphy.—Why fix on Thursday?—That is the petty sessions day.

2572. Mr. Commissioner Exham.—What becomes of all the persons arrested during the week?—They are disposed of summarily every morning, but Thursday is the petty sessions day.

2573. Mr. *M'Laughlin.*—If a case, of any dimensions comes on it must be reserved till Thursday?—Generally all are reserved for Thursday except cases of drunkenness.

2574. You are talking of cases of arrests, not for simple offences?—I am talking of cases principally that bear a political aspect—rows between parties.

2575. Wednesday is the market day in Derry?—It is.

2576. And the most fruitful, either by day or night, for rows?—Well, a good many Wednesdays are.

2577. Have you observed that these celebrations of late have been joined in by a large number of people from the country?—Yes.

2578. Did you see any procession on the 26th of of December '68 of the Catholic party. Were you in court to-day when it was mentioned by a witness?—What witness?

2579. Mr. Commissioner Exham.—The Hibernia Flute Band going through the town with a flag?—I did. I heard of that.

2580. Mr. *M'Laughlin.*—Did you see it?—No; I did not.

2581. Did you observe any burning of tar-barrels on the occasion of the election of Dr. Miller over Mr. Bigger?—No, I did not; I was not out that night.

2582. Did you see anything of the row that took place the night Mr. Dowse was declared returned?—I did; I was at Bishop's Gate.

2583. That is the night of the decision on the election petition?—Yes.

2584. I am not speaking of that. Do you know anything of the rejoicing of December, '68, when the late mayor was elected?—No; I merely heard the cheering.

2585. Do you know anything of what took place on the 1st of January, the day of the inauguration of the same gentleman?—No; I was not out.

2586. You were at Bishop's Gate on the night of the 9th of February—the night of the decision on the petition?—Yes; I was.

2587. Were you there when an attempt was made by the people to get into the city?—I was.

2588. Tell the Commissioners exactly what you heard and what you saw, as well as you can recollect it?—I saw this large body of men with torches, and a band coming along Carlisle-road, the lower part of the town, and up to Bishop-street. In passing through Butcher's Gate, I saw the constabulary at the gate, and when I met the men I turned back, knowing I would be refused admission. I inquired why they were refused admission, and they said that Dr. Babington, the late mayor, had placed those men at the gate to prevent them getting in. It was told to me afterwards it was to prevent them getting into collision with the other party.

2589. What other party?—The Apprentice Boys' party I was told; but as I went down through the city I did not see any opposing party. I did not see a soul congregated. I went down to the foot of Society-street. I mean the end next the wall where the old gun-room was. I went all round Butcher-street, and I did not see any opposition at all, or any attempt at opposition, and when I came back—at that time the constabulary and the men were engaged—there were stones fired.

2590. At what time of the night was it you went down to the lower part of Society-street and saw them?—About a quarter past eight.

2591. Then you were not there when the Apprentice Boys' party in Society-street was so dense that Inspector Stafford had to drive them before him at the point of the bayonet?—No, I could not see them.

2592. I believe some of the people burst in through the gate that night?—I believe the great bulk of them went round by the back of the wall.

2593. By Nailor's-row?—Yes. I did my best to make the procession break up and go down by Nailor's-row and past Bishop-street. I told them that, whether it was right or wrong, the constabulary were placed there and had to do their duty, and could not allow them to pass, and they said they did not blame the men nor want to injure them. Several persons along with me gave them that advice, and some of them took it and went away.

2594. Did you see any hand-carts there at that time?—No. I was looking then to see where the opposing party was.

2595. Going to the right along Nailor's-row alongside the wall towards Butcher's-gate, supposing there was a stone loosened at the wall, then could it not be made to fall over on them?—It could.

2596. Had you heard a stone was loosened there?—I had, so far as that it was publicly stated.

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2597. Mr. Commissioner MURPHY.—We have clearly and distinctly in evidence that there was an armed party inside the wall prepared to receive the party outside the wall, and it may be very likely that the party who used pistol shots would not hesitate to use a stone or any other weapon they could get. Is it worth while dwelling on this matter of the stone?

2598. Mr. *M'Laughlin.*—I am instructed that the discovery of the fact that this stone was loosened was made by a certain official person, but that nothing was done. However, I will not mind it.

2599. You did not see any disturbance at that time inside the wall?—No.

2600. Were you inside the wall that night afterwards?—I was.

2601. What night of the week was it?—Tuesday night.

2602. Tuesday night is a busy night with you?—Yes, the paper is published on Wednesday morning.

2603. And this affair took place about twenty minutes to nine o'clock?—Yes, in or about that.

2604. And I suppose coming up to supper time you had to go back and work, to bring out the paper in the morning?—Yes.

2605. And that is how you come to know of it?—Yes.

2606. As far as you know the opinion of the people, do you think will efforts to restrain them in future be as successful as they have been in the past?—They will not, indeed. It is evident they will not. I think it will be morally impossible to restrain the people if it is attempted to go on with another celebration.

2607. I will ask you another question—don't answer it till you see whether the Commissioners will allow you—Did you ever see these celebrations do any good to the people connected with them?—None whatever—but the reverse.

2608. Mr. Commissioner EXHAM.—I want to ask you about the 20th of July. Is it or is it not the fact that a number of arrests were made on the night of the 20th by the constables, and that the parties arrested were afterwards held to bail to appear at the assizes, and subsequently pleaded guilty at the assizes?—Yes, that was the case.

2609. Who arrested them that night?—I think the greater portion were arrested by Sub-Inspector Stafford and his men.

2610. Do you know the borough constables? Did you see Sergeant Kennedy, for instance?—He is one of the constabulary.

2611. Do you know a man named Sinclair, a borough constable?—I do not know him.

2612. Mr. *M'Laughlin.*—He was for a long time the only Catholic member of the force.

2613. Mr. Commissioner EXHAM.—Do you mean to say that you are under the impression there were no arrests made by the borough constables that night?—I am.

2614. The men that were arrested were held to bail by the magistrates the next day?—Yes.

2615. To appear at the assizes?—Yes.

2616. And they pleaded guilty, and were allowed to stand out on their own recognizances?—Yes.

2617. Therefore, so far as that transaction is concerned, is it not your opinion that the magistrates did their duty in binding over the parties to take their trial at the assizes?—Oh, I think they did.

2618. That was all they could do?—That was all they could do.

2619. Now about those demonstrations. Is it your opinion that the demonstrations by the Hibernia Band give offence to the other side also?—Oh, yes.

2620. Then I take it your opinion is that demonstrations by the Hibernia Band should be put down just the same as the others?—Unquestionably—put down all band playing, bell-ringing, and processions of every description.

2621. And I suppose you would apply that to the whole of Ireland—or would you?—I would.

2622. You would stop demonstrations of every sort everywhere, and bands in the street everywhere?—Everywhere.

2623. And give no one any cause for any offence whatever?—None.

2624. You told us of an extensive arming by the Catholic population—when did that commence?—Well it is going on less or more for the last three years—but not to such an extent, until previous to Mr. Dowse's election — when it was done in consequence of the rumours afloat at that time.

2625. About those rumours afloat then—you heard the name—I dont want it mentioned—but you heard the name of a certain individual who had uttered threats?—Yes.

2626. Are you aware whether any steps were taken with respect to that? were any informations sworn?—Oh, I never heard of any action being taken in the matter.

2627. Don't you think it would be proper and judicious if any person had made a public threat, or a private threat, that in a certain event, certain persons would be shot—don't you think it would be judicious that the person who heard this threat should take some action on hearing it?—No doubt of it. I think it should be done.

2628. You think it ought to be done, and the authorities warned about it?—Decidedly.

2629. And you are not aware that it was done—I am not. I believe it was not.

2630. It was not done?—Yes.

2631. Did you hear of the uttering of this threat some time before the election actually took place?—I did.

2632. It was the subject of conversation?—It was the subject of conversation amongst the general community.

2633. But no action was taken on it?—No action was taken in the matter.

2634. Do you know of any row that took place on St. Stephen's Day last?—I heard of it, but I was not near it. I did not see it.

2635. Now, with respect to this night you speak of—do I understand you to say you know the Apprentice Boys live in the town more or less?—Yes.

And have their place of meeting in the town?—Yes.

2636. Well, you were aware that the magistrates had met that day, and had a consultation with the resident magistrate, and that they made a disposition of the police force for the preservation of the public peace?—I did not hear of that at all until I was going home to my tea, when I saw the men posted. That was the first intimation I got of it.

2637. Do you think, now, it was a wise precaution on the part of the magistrates to prevent a large number of persons, with a band and torch lights, coming in through the gates, there being an antagonistic force in the town already, and you being aware that both parties were armed?—There was no antagonistic force in town. The Apprentice Boys had not assembled, though the late Mayor took steps to prevent the processionists coming in.

2638. But don't you know we have it now in evidence that these steps and precautions were taken early in the day by the magistrates and the resident magistrate, and with the assistance and advice of Mr. Plummer, the County Inspector, owing to information received, and that accordingly the police were posted at the different gates to prevent the mobs coming into conflict? Don't you think that was a wise precaution to take?—No, I think it was most injudicious.

2639. You would allow the outside processionists to come in, knowing there was a contending force inside?—There was no contending force inside that I could see. They may have been under cover, but I could not see them.

2640. Supposing they were under cover, and liable to come out at any moment, and if the magistrates had information to that effect, and knew the feeling

between the two parties, do you not think it was a most wise precaution to keep one party out, so that the two should not come into collision?—Well, it would be the better plan, certainly.

2641. You knew, of course, both sides were armed then?—Yes, I was well aware they were.

2642. Can you give us any idea of the extent to which the Catholic population have been armed since just previous to Mr. Dowse's election?—I believe that from seventeen to eighteen hundred revolvers and guns have been distributed amongst them, between what they purchased and what they got. What went to the country I do not know, but I know a great extent of arms and ammunition came to town, and that they have got possession of them.

2643. And, as you think, not less than that?—Probably not less than that.

2644. Did that commence about the autumn of last year, previous to the election?—Some months previous to the election. It commenced after the night when this unfortunate business took place at the Town Hall—the night of Mr. Dowse's lecture—that was the beginning of it.

2645. It was after that it commenced?—It was after that it commenced.

2646. You say between what were distributed and what were got—can you tell me what quantity of arms were distributed in the city, as contradistinguished from what the people bought?—I could not state that.

2647. About the number?—Of course, I could not expect you to tell the exact number?—There might be 1,000 revolvers.

2648. Distributed?—Yes.

2649. Can you say were those purchased by subscription, or bought by individuals themselves?—A portion by subscription, and a portion by individuals.

2650. But I am asking you about the portion by subscription. About what number of revolvers were purchased by subscription and distributed amongst the people?—I suppose 500.

2651. By subscription?—Yes.

2652. When you say subscription, do you mean a fund raised for the purpose of purchasing?—Other parties contributed more or less towards purchasing them, when waited upon.

2653. Those parties who were waited on contributed to a fund to buy arms, to arm the people?—Yes.

2654. Can you tell me the amount of ammunition that was purchased?—I do not know that.

2655. You cannot give an idea of that?—No.

2656. Was there a large quantity?—Well I don't know indeed. The ammunition that was purchased was just merely the balls for the revolvers.

2657. Nothing but the balls?—The balls and charge are in the one piece for the chamber.

2658. Could you give me any idea of how much?—Ammunition for 500 revolvers.

2659. How many charges for each revolver?—I dare say a box, we will say, containing about twenty-five balls.

2660. For each revolver?—For each revolver.

2661. How many barrelled revolvers were these?—Some had four chambers, some six, some twelve.

2662. Some were twelve-barrelled revolvers?—Some were twelve-barrelled.

2663. Do you mean some of those that were purchased by subscription?—No; none of those were twelve-barrelled.

2664. They were bought by private parties?—Yes.

2665. But of those bought by subscription, some were four and others six-barrelled?—Yes.

2666. And there were twenty-five rounds for each?—Twenty-five rounds for each, in a box, from what I saw.

2667. I don't ask the place, but were those distributed from any place in town?—They were distributed through the town.

2668. But were they distributed from any particular place?—They were.

2669. And by particular persons?—Yes.

2670. In the town?—In the town.

2671. You are of opinion that it would give satisfaction to the Roman Catholic population if the police force here for the future was composed entirely of constabulary?—Oh, yes, decidedly.

2672. Mr. Commissioner MURPHY.—That night of the procession, on the decision of the petition matter, do you know, or did you hear, that shots were fired by that procession?—I heard shots fired in the procession.

2673. In the procession?—In the procession.

2674. I suppose you have no doubt that the persons in that procession, or many of them, were possessed of the revolvers previously distributed?—Yes; I heard them firing in the air previous to coming up to the gate at all.

2675. And the fact that a number of armed persons, were likely to be members of that procession, was known, from general report, to the magistrates and authorities?—I do not know whether they were aware of that procession coming out that night. I never heard of it until I went down.

2676. In point of fact they did anticipate the procession from information they got, and, of course, they must have heard the report that revolvers had been purchased and distributed?—Oh, it is more than probable—more than likely.

2677. And they knew the party in the town were likely to be in possession of arms?—Oh, yes; I would say so.

2678. And they must have known that the procession was calculated to give offence, whether rightly or wrongly, to the other party whom they had triumphed over for the time?—I suppose they would labour under that impression, but I venture to say that if it had been the supporters of Lord Claude Hamilton that sought admission through the gates that night, they would not be prevented—that is what galled the processionists to such an extent.

2679. They thought they were dealt with differently?—They did; and it was very evident they were.

2680. But, supposing both parties were dealt with in the same way, by preventing their processions, in your opinion, would each be justly dealt with?—Unquestionably.

2681. Mr. *M'Laughlin*.—With regard to the question of Mr. Commissioner Exham, whether the magistrates, when these people were brought before them for their share in the attack on the Corporation Hall, did not discharge their duty by sending them out for trial on bail—you remember that question?—I do.

2682. You were examined, I believe, on the second day of the inquiry?—I think on the second day.

2683. And, I believe, I had the honour of examining you?—You had.

2684. And, I believe, about the end of the second day the case was very strongly proved by the Royal Irish Constabulary, by you, and by other witnesses against the parties accused?—Yes; a good case was made against them.

2685. There was a large bench of magistrates, I believe?—Yes; a great number of them.

2686. It was a very long and patient investigation, and somewhat energetic on the part of the counsel for the prosecution?—It was.

2687. Do you remember, at the close of the second day's proceedings, a suggestion being made by the late Dr. Babington, the mayor—or at all events made from the bench—that the parties should kiss and be friends?—I do; I remember that.

2688. That was after two days' proceedings had clearly brought out the entire of the case?—Yes.

2689. Do you remember Mr. Crawford, the solicitor for the prisoners, strongly urging the adoption of that course?—I do.

2690. Do you remember Mr. Crawford saying that that course would do more to maintain the peace of the

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William Magerr.

city than any other that could be adopted?—I think I recollect that observation.

2691. And do you recollect that I opposed it, pointing out a number of considerations?—Yes; you did.

2692. And I believe I urged amongst other things that some of the parties were not getting fair play?—Yes.

2693. And the result was that the case went on the third day?—Yes.

2694. And the Bench sent all the parties on both sides for trial eventually?—Yes.

Mr. Commissioner Exham.—"Both sides"—I did not hear anything of that till now.

Mr. *M'Laughlin.*—There were counter cases—a number of persons—Hill, M'Guinness, and others were brought up for riot.

2695. Some of the Bog-side party were brought up for riot?—Yes.

2696. But none of these people it was pretended had any of these weapons?—[Exhibiting the toothed bludgeon] No.

2697. Now, you have been asked by Mr. Commissioner Exham whether or not any information was given as to the gentleman who, it was alleged, rightly or wrongly made this threat about having parties shot down?—Yes.

2698. Were you present in court when evidence was given that that gentleman (he being named) had been in command of the attacking party. Was that evidence publicly given in the presence of the magistrates by a witness named John Courtney—did you see that in the paper?—I did.

2699. At all events there was no prosecution for any of these things?—No.

Sub-Constable *Patrick Sorroghan*, R. I. C., examined by Mr. *M'Laughlin.*

Sub-Constable Patrick Sorroghan.

2700. You are at present stationed in Derry?—I am.

2701. And you have been stationed in Derry for a good while I believe?—Over six years.

2702. Over six years?—Yes; I was a little time out of it—temporarily, after the attack on the Town Hall.

2703. Are you one of the men returned for trial in connexion with the 28th of April business?—I am not.

2704. Did you see the party on the night of the 20th July coming down?—I did.

2705. Did you see them marching down?—I did.

2706. Where were you at the time you saw them?—I was standing near to Mrs. Mulholland's—on that side of Bishop-street.

2707. Every one in the street, either of the city police or the Royal Irish Constabulary, had a good opportunity of seeing them?—Oh, yes, they had.

2708. Now, I don't ask you what your orders were, or anything of that sort, but I believe, in point of fact, you made no attempt to arrest anybody at that time?—I did not.

2709. Was that in consequence of instructions you received?—I received no instructions.

2710. One way or the other?—No.

2711. Did you see any of the city police there?—I saw four or five of them at the door entering the Hall in Bishop-street.

2712. Did those city police see the men coming down in that way?—They might have seen them.

2713. They had a good opportunity?—They had a full view ahead as far as Society-street.

2714. Did you see them before they came out of Society-street?—London-street—I beg your pardon—I saw the front body coming down Bishop-street before the rear had got clear of Gillinan's corner.

2715. The corner of London-street?—Yes.

2716. I suppose the weapons afterwards displayed were not visible then. You did not see, when they were marching down, any weapons?—No.

2717. When did you first see any weapons?—When they were within ten yards or so of the Corporation Hall.

2718. They drew their weapons then?—They did. I saw a few of them draw them.

2719. Were they anything like this?—[showing the toothed bludgeon.]—Not like that—about the length of that, but not so shaped; they were round—perhaps there was a square one amongst them.

2720. Some were square and some circular and so on?—Yes.

2721. Did you get any baton that night yourself?—I did not.

2722. Did you see them use these weapons?—I did.

2723. Did the city police interfere to prevent their using them?—No; I could not see what the city police were doing, from the position I was in. When the body of men passed me—the main body that I saw coming down Bishop-street—they were between me and the hall-door, where the city police were.

2724. Were they repulsed from the door?—As far as I could see, they were; the door was closed against them.

2725. Do you know Mr. Hogg, the big man?—I do.

2726. Did you see him there that night?—I saw him lifting the tickets at the door.

2727. Now, among the city police, did you see a man named Wilson?—I did. I saw Constable Wilson.

2728. Sometimes called Sergeant Wilson?—Yes.

2729. Did you see M'Mechan there?—No. I don't recollect the name of any other than Wilson.

2730. I suppose you mean the Constable Wilson that at the time you were examined was sent to bring in some weapons he had?—Yes.

2731. That is the man that said in your presence that he had taken a great number of weapons during the attack on the Corporation Hall, and had thrown them over the bishop's wall, into the bishop's garden?—He did.

2732. And did he state also, in the Mayor's office, that they were too heavy to carry?—No; I do not remember that he made use of that observation.

2733. Did you see the one that was produced?—I did.

2734. Was it a very heavy one?—It was very heavy.

2735. What appearance had it—was it loaded?—It was loaded at the end, and there was a row of brass nails around the head.

2736. And having thrown away the others, as too heavy, he kept that one?—That is the one he kept.

2737. After they were repulsed from the Hall, did you see much disturbance in the Diamond?—Yes; a good deal of disturbance—a good deal of rowing and stone-throwing.

2738. Did you see the party who threw the stones, or did they come from more than one party?—I saw stones coming from the body of men that marched down from London-street.

2739. Did they re-form after they were repulsed?—They did; they re-formed in a compact body.

2740. Whereabouts did you next see them?—The next place I saw them was in the Diamond, past Mr. Hempton's.

2741. Without mentioning names, when they re-formed, did they appear to be under the command of anyone?—I know the parties nearest were leading them, but I did not see any persons or know them to be commanding them.

2742. Now, the stone-throwing at London-street, how long was it going on?—About five minutes, I should say, not more.

2743. Did you see any men at the Butcher's-street side of the Town Hall?—I saw the party that were marching past Mr. Hempton's. They marched round by the end of the Corporation Hall, at the head of Shipquay-street.

2744. Do I understand you to say that the attacking party, which was repulsed from the Corporation Hall, afterwards re-formed past Mr. Hempton's?—Yes.

2745. And then marched down the Ferryquay-street side of the Diamond, across the top of Shipquay-street, to the Butcher's-street side of the Diamond?—Yes.

2746. Did you see the Apprentice Boy party from the side at Hannigan's corner?—I saw them marching down from Hannigan's, from the Butcher's-street side of the Diamond, and a few of the constabulary, and I went down to meet them, and we had a full view of them, seeing them in front, and I saw the stones coming from them.

2747. Were they throwing as they went?—Throwing as they went.

2748. Now, was there an opposing mob or crowd at that time?—There was. There was a cross fire of stones from Butcher-street.

2749. Had the Butcher-street party been throwing stones before the other?—No, they had not.

2750. The first stones were thrown by the Apprentice Boy party, as far as you saw?—As far as I had the opportunity of seeing.

2751. In point of fact there was no stone thrown out of Butcher-street into the Diamond until the Apprentice Boys came round the corner at the top of Shipquay-street?—That is so.

2752. Then I believe there was a general stone-throwing?—There was.

2753. I believe at that time Hill and the other people were arrested?—No, before that. I think it was before that.

2754. Whereabouts were they arrested?—Up in Bishop's-street.

2755. Did you make any arrests that night?—I assisted to arrest them.

2756. Did you see the city police arresting any one that night?—I did not.

2757. Do you know, as a matter of fact, whether they made any arrest that night?—I don't think they did. I am not aware of it. At least they arrested none of the parties that went down at that time.

2758. You remained there until the military came?—I did.

2759. Did you see any other disturbance that night beyond what you have mentioned?—No. I saw the party that came down Bishop's-street after they were repulsed from the Hall, draw their clubs. They had them concealed under their coats, and commenced to assault people about the street.

2760. Was that after they came out of the Butcher-street side of the Diamond?—No, immediately after being pushed back from the Hall door they there re-formed, and there was a general riot up Bishop's-street.

2761. There was a general riot, in the course of which there were three men arrested—Hill, M'Guinness, and another?—Yes, M'Connell.

2762. Did Hill, M'Guinness, and M'Connell belong to the one party?—I think M'Connell and Hill were of one party, and M'Guinness of another.

2763. Were you here on the night of the 28th of April?—I was.

2764. Were you on duty in the town on the day of the 28th of April?—I was.

2765. The affair at the Corporation Hall occurred on the 20th of July, 1868?—Yes.

2766. I presume you saw the procession of the 12th of August, 1868?—I did.

2767. Do you hear the tunes that were played?—I did not know any of them.

2768. You are not originally a Northern?—I am.

2769. Did you see any disturbances on the night that Mr. Dowse was elected—the night of his return on the 22nd of November?—No. I was in the court outside during the whole day, up to a late hour, I suppose till eleven o'clock, and I did not observe any disturbance.

2770. Were you one of the men that, on that night or on any other, were in the gun-room at the corner of Society-street?—I was in it on Saturday night during the week of the election.

2771. When you say the week of the election do you mean the week that the election ended?—Yes.

2772. That Saturday night was the night of the day of the declaration of the poll?—Yes.

2773. Who were with you on that night?—There were seven others along with me.

2774. Seven others?—Yes.

2775. Had you an opportunity of seeing the contents of the building that night?—I was in it.

2776. You were in it?—I was.

2777. Can you tell me the names of any other constables that were in it?—There was a sub-constable named Green—I don't know all—a young man named Connolly, a sub-constable—I am telling you the names of the parties I am quite sure were there—the party was composed of men from Donegal and Derry, and some of them I did not know.

2778. That is policemen who were not originally stationed here?—Yes.

2779. Did you see any guns inside the building that night?—I saw I suppose near to a dozen.

2780. What sort of guns were they?—Cannon.

2781. Have you seen the Apprentice Boys out at their celebrations with their park of artillery?—I have.

2782. Were the cannons of that size?—They were.

2783. Mr. Commissioner EXHAM.—What description of cannon were they?—They were like twelve-pounders.

2784. Was Inspector Stafford there at the same time?—Not at the time I was in the room, but he was there in the early part of the night.

2785. Were you there when he was there?—I was not in the room when he was in it.

2786. The room you were in, I suppose, was on the ground floor?—Yes.

2787. As far as you know, were any of the cannon loaded?—I heard parties in the room at the time saying that they were loaded.

2788. Did they say any portion of them were loaded, or did they apply it generally to the whole of them?—To the whole of them. I understood that the object of being there at all was that they heard an attack was made by the Bog-side party to take away the cannon, and that one of the cannon was out in the street, and the Apprentice Boys came down when they heard this, for the purpose of protecting them, and loaded them for the purpose of shooting any persons who attempted to take them.

2789. Were they loaded with broken crockery ware?—I do not know that.

2790. Mr. *M'Laughlin.*—About how many men—not of the police, but of those connected with the cannon—were there at the time?—There were very few on the ground floor—I believe there was a large number of people up stairs.

2791. You were not up stairs?—I was not up stairs—there were not more than a dozen people on the ground floor.

2792. I don't want to know the names, nor do you give them—but had you ever seen before any of the persons you saw with the guns that night?

Mr. Commissioner MURPHY.—Don't mind that.

2793. Mr. *M'Laughlin.*—Very well. (To witness.)—Were you ever on guard there but the one night?—Never but on the one night.

2794. Did you remain on guard all night?—It was a patrol that was kept there, moving about just in the immediate vicinity of the house. I was on it. There were two "reliefs" during the night. The patrol was kept on till six o'clock in the morning.

2795. Relieved from time to time?—Yes.

FIFTH DAY.
August 23.
Sub-Constable Patrick Sorroghan.

2796. Did you see anything of the burning of the tar-barrels on the night of the 25th of November, the night of the mayor's election?—No; I was not in town that night. I had been removed before that.

2797. You were removed before that?—Yes.

2798. In point of fact, you had been removed prior to the polling?—Yes; and brought back for special service, and then sent away. I was here on the 18th of December. I went away in September, and was away till the 28th of April, but I was here on duty on the 18th of December.

2799. Was there an increase of the constabulary force here on the 18th of December?—There was.

2800. About what force, as well as you can tell, were here?—I think about 100 men.

2801. About 100 men?—I think so.

2802. Were there any military?—No; I do not recollect any.

2803. You saw the celebration proceeding on the 18th of December?—I did.

2804. Did you see a procession?—I did.

2805. Flags?—Yes.

2806. Music?—Yes.

2807. Did you know any of the tunes?—I did not. I do not recollect.

2808. Was there any firing of guns?—Yes; the usual thing.

2809. There was no attempt, I believe, to put that down or prevent it?—Not the slightest.

2810. I may ask you this—being so long here as a constable, I presume you have some idea of the public feeling about these things?—I have.

2811. I believe these exhibitions are not pleasant to a large portion of the people?

Mr. Commissioner EXHAM.—I think it better not to ask the police about the state of public feeling.

Mr. *M'Laughlin.*—I am perfectly satisfied.

2812. Were you here on the night of the close of the election petition?—I was not.

2813. On the 9th of February?—I was not.

2814. So far as regards turbulence, the next time you were here was on the night of the 28th of April?—Yes; from December.

2815. Now, where did you first go on duty that day?—I went to the railway station.

2816. You were part of the guard of honour that received His Royal Highness?—Yes, on the platform, when he arrived.

2817. Did you see the band that received him immediately after he arrived?—I did not see any band at all until we came to Bishop-street. I was stationed on the platform under the command of Mr. Stafford, and I had not an opportunity of seeing the people outside, nor did I hear any music outside. There was great noise and confusion, and a rush of a great number of people to see the Prince.

2818. When you came up to Bishop-street did you hear any band?—I did—the Hibernia. I saw two bands, but theirs had the flag.

2819. What appearance had the flag?—It was a white flag.

2820. Did you notice the harp without the crown?—I did not, indeed. I was looking at the hotel. I saw the Prince out at the front of the windows, and my attention was directed to where he was standing.

2821. You did not pay particular attention to the harp without the crown, did you?—I did not, indeed.

2822. What was the band playing as far as you know?—They were playing "Patrick's Day" when passing the hotel.

2823. Did you hear them play "God Save the Queen," at all that day?—I did not. They may have played it without my hearing it.

2824. Did you ever hear they played "God Save the Queen," in the evening at eight o'clock?—I did.

2825. Did any one, as far as you saw, take umbrage at that band playing?—No, I understood they went there for the purpose of giving the Prince a cordial reception at the railway station, and no one seemed annoyed at the part they took.

2826. When did the Britannia Flute Band—the Apprentice Boy band—come?—It came down shortly afterwards, after the others came. It came up Stable-lane with the guns.

2827. Stable-lane is a street that leads into Bishop-street, or Gate, from the wall?—Yes.

2828. Had they been firing the guns before that?—They had. I heard the report off the wall, the Mall Wall, I suppose.

2829. Did they come down the street and also perform?—Yes, they came down playing—they had been firing a Royal salute in honour of the Prince.

2830. There was no Prince here on the 18th of December last?—Not that I am aware of.

2831. Did you see any disturbance between the two parties of the people any time that day?—I did not.

2832. Everything was quiet, I believe, up to eight o'clock?—Till about eight o'clock.

2833. There was no general rioting, or anything of that sort?—Not that I know of.

2834. Did you remain on duty during the evening, from the time you mentioned, which I took to be about two o'clock—or was it three o'clock—did the Prince come by a special train?—No, he came by the ordinary train. It came in about ten minutes past three.

2835. Did you remain on duty in the street all that time?—No, I was relieved. For a while I was off duty, and I got to my lodging and took my tea.

2836. But you remained on duty till what hour?—Till about eight o'clock.

2837. Were you ordered out again from barrack in consequence of the ocurrence of a disturbance?—No, the men were ordered out on patrol before any disturbance—shortly before any disturbance—any serious disturbance—took place.

2838. Where were you living?—At Mrs. Gallagher's in Bishop-street.

2839. Close to the corner of the Diamond?—Yes.

2840. I suppose there were a great number of other police in that house?—There were some.

2841. Where did you go to?—To Ferryquay-street. When I was leaving the lodging-house to go to the party, I met Constable Kennedy at Ramsay's, at the corner of Ferryquay-street.

2842. That is the corner next Shipquay-street and the Diamond?—Yes, and four of us were patrolling Ferryquay-street for about ten minutes or so, and when we were coming from the direction of Ferryquay-gate up to the Diamond, I heard a number of shots fired—gun shots I thought; I believed some of the cannon had been brought out, from the loud report, and I saw a number of people from the lower part of the Diamond next Shipquay-street running up towards Bishop-street in the direction of the noise. We hastened up, and when we got as far as Dunne's corner I saw a great number of people running down Bishop-street, from where the noise of the gunshot report came.

2843. Dunne's corner is the corner of Shipquay-street and the Diamond, opposite Ramsay's corner?—It is.

2844. You saw them running down from Bishop-street towards the Diamond?—Yes.

2845. What party was running?—They seemed to be the Bog-side party. When we arrived at Hasting's corner, that is Hasting's at Bishop-street, I saw two or three of the police in "holds" with a man endeavouring to wrest the ramrod of a cannon from him. I went forward and assisted, and we made the man a prisoner, and brought him to the barrack, and took the ramrod from him.

2846. When you speak of "police" you always mean the constabulary?—Yes.

2847. Was that man named Hugh Tobin?—Yes.

2848. Did the police come in collision with him or he with the police?—He was near Society-street, and it was evident he took part in a general riot.

2849. When you arrested him you took him to the barrack?—Yes.

2850. Was there any one trying to take the ram-

rod from him except the police?—There were some civilians also had a hold of it.

2851. Did they belong to the Apprentice Boy party?—No, I think not. I think they belonged to the Bog-side party. They endeavoured to keep the ramrod. They had taken it from the Apprentice Boys. It was a ramrod belonging to one of the cannon, and they tried to keep it, and the police had some difficulty in recovering it from them. They had to draw their swords.

2852. You kept hold of him and brought him to barrack?—Yes.

2853. How long did you remain in barrack?—Just to leave him there.

2854. You deposited him there?—Yes, and got on our appointments and left.

2855. Up to this you had not been in heavy marching order?—We had not gone out.

2856. You hastened back again?—We did.

2857. You would be back in seven, eight, or ten minutes?—Back, I suppose, in five minutes.

2858. What road did you take coming back?—We came up Linenhall-street, into Ferryquay-street, and along the Diamond again.

2859. You came into the Diamond at the side next Ferryquay-street?—Yes.

2860. What condition was the town in then?—As far as I could see it was in a very disturbed state.

2861. Did you still hear shots?—No. I did not hear any more at that time. When we were returning back to the Diamond there was a man arrested. He was arrested for making a sort of political harangue to a number of people there, and I, along with a few other men, went to the police-station with him.

2862. Mr. Commissioner Exham.—What side was he of?—He belonged to the Bog-side party.

2863. Mr. *M'Laughlin.*—Do you mean the city police station?—Yes.

2864. Beyond Bishop's-gate, next the gaol?—Yes. We searched him and left him there. We remained for some little time, and then I, with another constabulary man, went back, down as far as where Society-street opens on Bishop-street, and we met the Head-Constable there.

2865. What is the name of the constabulary man that was along with you?—Sub-Constable Byrne.

2866. Is he here do you know?—He is not.

2867. Where is he stationed?—At Eglinton.

2868. You met your Head-Constable, that is Davis?—Yes; we went down Society-street then, and when we reached as far as the corner of the house where the cannon is kept, there were a great number of people—over 100, there on the walk—and about it as low down as Butcher's-gate. We went down Meeting-house-row, in the direction of Butcher's-gate, and when coming near to Cunningham's corner we saw stones firing from the direction of the gate.

2869. As far as you observed at that time, of what party were those on the wall and gate composed?—Those on the wall and in the vicinity of the gun-room were the Apprentice Boy party, but the party under the gate belonged to the Bog-side party.

2870. And stones were being thrown from the direction of the gate?—Yes, up Butcher-street, and the Head-Constable ordered us to fix swords, and I heard a voice from the gate shouting in derision "fix bayonets." When we reached down as far as the corner there was a young lad stationed under the lamp with stones in his hand, and one of the men ran to catch him. He ran across the street. The man ran after him, and then without any provocation whatever from the police, the party under the gate and about it commenced to stone the police violently. There is no doubt, when the police were massing at Butcher's-gate, from the gate up was quite clear of people, and there was no opposing party before them.

2871. In Butcher-street, from the gate up, there was no opposing party?—There was no opposing party but the police. There were five men there at the time.

2872. Was this the time at which the Bog-side party were gathered in the Diamond, unable to come down through the Butcher's-gate?—No, it was after that; it must be after that. I received a very severe blow on the left eyebrow. At the time we were in Butcher-street stones were thrown. I was struck in the eye, and the mark of it is there still. My eye was closed, and blood running from it profusely.

2873. You say that, at the time the police met the stone-firing, the space from Butcher's-gate up to the Diamond was clear?—It was.

2874. Where did you go after that?—Up to the Diamond.

2875. As far as you can charge your memory, what hour was this?—It was near, I suppose, nine o'clock.

2876. When you went to the Diamond did you find any people there?—No, there were not many in it at that time.

2877. What was the next thing you saw in the history of the night's transactions?—Well, I suppose there was firing in Butcher-street at that time.

2878. Some firing?—Yes.

2879. By the constabulary?—Yes.

2880. The constabulary were, I believe, being "peppered" with stones, and the stones got thicker?—They did.

2881. And the lives of the police were greatly in danger?—Yes.

2882. And the lives of the police being in danger, certain of the police fired?—Yes.

2883. And nothing happened in the way of death or wounds—is not that so?—No, no one was injured; but the parties fell back, and then the constabulary went up as far as the Diamond.

2884. At this time what was the strength of the constabulary?—Five men.

2885. But I suppose those five men effected a junction in the Diamond with another party?—No, there were none others when they came up, at least, to meet them there. It was then I told the Head Constable of the cut on my eye. I went forward and showed him my eye—that it was almost knocked out, and I asked him to go with me to the doctor to get it dressed, and after some time we went up as far as the hotel to see the Mayor. We waited some time there, and the Head Constable came in and said the Mayor was not in the hotel; that he had gone to his own place, he was informed. We then went down to the Mayor's house, and the servant told us he must be at the hotel, for he had left the house to go out, and had not returned. We went back to the hotel again, and endeavoured to see him, but we could not; we would not be admitted.

2886. I suppose all this time the row was getting warmer and warmer outside?—No, there was a lull for a time after the firing.

2887. Did you hear pistol shots again about that time?—No, I did not hear any pistol shots.

2888. From the time the first volley was fired by the constabulary?—No.

2889. You did not see the Mayor the second time you went back?—No.

2890. This firing in Butcher-street—you have been present during the entire of these proceedings?—I have.

2891. This is, I believe, the first time the firing in Butcher-street has been mentioned.

Mr. Commissioner Murphy.—Mr. Stafford mentioned that he heard it.

2892. Mr. *M'Laughlin* (to witness).—You left, you say, without seeing the Mayor?—I left without seeing him. We endeavoured to see him——

2893. Mr. Commissioner Murphy.—Where did you go to then?—We went down to Dr. Dunn's Medical Hall at the Diamond.

2894. Mr. *M'Laughlin.*—To get your eye dressed?—Yes. I got it dressed, and went out on duty again with the head-constable. I did not like to leave the men, they were so few, and I went out again, and did duty as long as I could, and Mr. Stafford came up when we were standing at the Corporation Hall, and his attention being called to the wound I had received, by the head-constable, he ordered me to my barrack.

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August 23.

Sub-Constable Patrick Sorroghan.

2895. And you saw no more that night?—I saw no more that night.

2896. Can you tell me the names of the constables sent for trial?—Yes, Head Constable Davis, Acting Constable M'Laughlin, Constables Hanahan, Price, Patterson, M'Cutcheon, Byrne, Potters, Reid, and Patrick O'Reilly.

2897. Give me the names of any other Constables that were out that night?—Sub-Constable Kilcauly.

2898. Is that the mounted man?—No, O'Donnell is the mounted man.

2899. Was O'Donnell there that night?—He was.

2900. Tell me any other Constable?—Sub-Constable Rutherford and Constable Kennedy.

2901. That is the tall powerful man at Waterside?—He is a big sized man.

2902. Is Constable Kennedy in command at the Waterside station?—He is.

2903. What men had he under his command at that time?—M'Laughlin, Reid, O'Reilly, and Duffy, I think.

2904. What is Duffy's Christian name?—Patrick.

2905. Is he a Sub-Constable?—He is.

2906. He is not sent for trial?—No.

2907. These men were also out that night?—I think Duffy was not.

2908. You saw nothing more?—Nothing more from the time I went to barrack.

2909. Mr. Commissioner MURPHY.—I want to ask you a few questions. The first firing you heard you said was so great that you thought cannon had been brought out. Are you able to say, from the discharge, whether there were more shots than one in that firing?—There would be at least from the report a dozen.

2910. And as well as you can fix the particular place, would you say it took place from Mr. Ramsay's corner—the corner of Society-street, where it opens on Bishop-street?—About that locality—I was in Ferryquay-street at the time.

2911. And immediately after you heard those shots you saw the crowd rushing from the place?—Yes. Bishop-street was full of people, running from that direction towards the Diamond.

2912. Did you answer to Mr. M'Laughlin that you distinguished the crowd, so running towards the Diamond, as being of the Bog-side party?—They were the Bog-side men. They belonged to that party principally. I saw a great number of them.

2913. Is it your opinion that they were in retreat from the firing?—They were in retreat from the firing—flying from it.

2914. Flying from it?—No doubt of it—women and men running down the street.

2915. These cannon that you saw that night in the house where you were on patrol, were they so mounted that they could be easily put out of the building and brought into action?—Quite easily—they were on the ground floor, so mounted that they could be brought into the street without much difficulty; two men could bring out the heaviest of them.

2916. Are you aware yourself whether there was any opposing faction or crowd out that night?—No; from the time I went on duty, there was none in sight of the gun-room.

2917. I don't mean in sight of the gun-room, but was there great excitement, and a rumour of another opposing party being out?—There was a great deal of excitement. I suppose the constabulary men were placed to prevent the guns being brought into action if they were loaded by one party against the other?—And to prevent them being interfered with by the opposing party.

2918. To prevent them getting possession of them and turning them on the party to whom they belonged?—Yes.

2919. Mr. Commissioner EXHAM.—On the night of the 20th of July did you see any magistrate outside the wall?—The night of Mr. Dowse's lecture I saw the Mayor once, standing on the sidewalk next to Ferryquay-street.

2920. Was that shortly after the party came down Bishop-street?—It was shortly after.

2921. You say some of the constabulary were in Bishop-street as they came down?—They were, most of them.

2922. When did the attacking party show their weapons?—When within about ten yards of the Hall four that were in the front drew their bludgeons from under their coats and gave a kind of shout to "come on boys," and, without going forward to the door to ask admission or the like of that, they just rushed forward and made the attack on the door.

2923. How far were the constabulary from them at that time?—A few perches. They were scattered. The police were not standing at all, but going backwards and forwards along the street.

2924. Did you see some of the local police—the men at the door—try to arrest these men?—No, they did not. They tried to put them back after they made the attack.

2925. After they made the attack?—Yes.

2926. Mr. Commissioner MURPHY.—Had you a view of the exact position of the city constables when the party made the rush at the door?—Previous to the rush I had the opportunity. They were standing on each side of the half-door. The door opens in the centre, in halves. One half was shut, and the public were entering by the other half, which was left open, and the city police were standing on each side of it.

2927. At the little railing up at each side?—Yes.

2928. When the rush was made at the door were you able to see what the city police did?—No.

2929. Mr. Commissioner EXHAM.—Was the rush sudden?—Quite sudden. They marched on steadily until within nine or ten yards of the door.

2930. And then they suddenly pulled out these things and made the rush?—Yes, and after they reformed they concealed the weapons again and marched through the town.

2931. Mr. Commissioner MURPHY.—They marched through the town?—Yes.

2932. Were you able to form an estimate of their number?—At least forty were in the mob that marched down, and there was a number of people along with them, on each side of the street.

2933. Mr. Commissioner EXHAM.—After re-forming—the main body—how long was it before they came back to the Hall?—They were away about ten minutes.

2934. Then you observed the stone-throwing at the windows?—Yes. The first stone-throwing I observed was at a number of people standing at the Butcher-street side of the Diamond.

2935. Were the persons standing at the Butcher-street side of the Diamond the Bog-side people or party?—The Bog-side people.

2936. Did they begin to return the stones at the other party?—Not answered.

2937. Did the party fire much?—They did, until the military came. A serious riot took place.

2938. But did you observe that the other crowd—the Apprentice Boys' crowd—did you observe them breaking the windows of the hall—did you see them do that?—Yes; missiles were thrown by them immediately after they marched down; and the attack was repulsed, and they were driven back from the door; stones or some missiles were thrown out of the windows, and I heard the glass flying, near to where Mr. O'Neill was standing.

2939. Could you see Mr. O'Neill?—I could.

2940. Inside?—Inside.

2941. At that time the shutters had not been closed?—No, nor were they closed in that part of the building—that is not the lecture room.

2942. That is the Round-room?—That is the Round-room.

2943. Did you afterwards see, while you were there, the other portion of the windows smashed?—No, I did not see them smashed; the next day I saw the glass.

2944. How was it that the constabulary about

there did not make an effort to prevent the breaking of the windows?—I suppose they were too scattered.

2945. Too scattered?—And too few, there really was not enough of force; and I think it would be unwise to make arrests if we could avoid it. It would take all the men we had to arrest one man.

2946. Mr. Commissioner MURPHY.—It would take three or four to bring a man to barrack, and then the place would be left unprotected while you were away?—Yes. They were identified. A number of them were identified and sent for trial.

2947. Mr. Commissioner EXHAM.—It would be just as unwise for the city police to attempt to arrest them?—It would take all the police there to take one to the station, from the crowd that filled the place.

2948. As the party rushed down to the door of the Hall, did you discern anything like an opening of the city police, to make room for them?—I did not. But I would not be surprised at it either, seeing a body of men coming down better armed than the city police were.

2949. Mr. Commissioner MURPHY.—They could not stand before them?—They could not.

2950. Mr. Commissioner EXHAM.—They could not stand the rush?—They could not.

2951. Suppose you were there yourself, with an equal number of your own comrades, do you think you could prevent the rush to the door?—I could not, if we were armed as the city police were on that occasion.

2952. If you were armed as the city police were, with an equal number of your own force, you could not prevent the rush at the door?—I could not prevent the rush at the door. It is impossible five or six men could prevent forty men rushing in.

Sub-Constable Patrick Sorroghan.

John Courtney examined by Mr. *M'Laughlin.*

John Courtney

2953. You were examined before the magistrates?—Yes.

2954. You remember the night of the attack on the Hall?—Yes, I do.

2955. I believe at that time you were in the employment of your brother, a person who keeps a shop at the corner of London-street and Society-street?—Yes.

2956. I believe the Hibernia Flute Band room was towards the rear of your brother's premises, with a gate opening into London-street?—Yes.

2957. On the day of the night on which the attack was made—don't mention any names—but did you see quantities of drink sent into that room?—I did.

2958. Do you remember, after the drink was sent into the room, seeing a number of persons gathering and going up the stairs?—Yes.

2959. Now, do you remember seeing, later in the evening, any of those persons coming down the stairs?—Yes, I do, several.

2960. About how many did come down stairs and turn out?—About 150, to the best of my opinion.

2961. There is a long entry towards the rear?—Yes, the gate opens upon the rear.

2962. Did you see them falling in there at that gate?—Yes; the word was given to——

2963. The word was given to fall in?—Yes. I did not see the man that gave it.

2964. Did you mention before the magistrates the name of the man who gave it?—No, I did not.

2965. Under the direction of somebody they fell in?—Yes.

2966. And then marched away?—Yes.

2967. That somebody under whose direction they fell in and marched away did not go with the main body?—I did not see him follow.

2968. When the word was given they marched out?—Yes.

2969. They were in command of a certain person?—I do not know that: I saw a person standing in front when they got the word.

2970. Did you see that person come back before the main body came back to London-street?—Yes.

2971. Was that after the repulse at the Hall?—Yes.

2972. Did you see any of those that marched out afterwards in the band room that night?—Yes; some of them came in at the gateway.

2973. And I believe they were manufacturing weapons?—Yes.

2974. But the weapons they were manufacturing were not these [exhibiting the toothed bludgeon]?—No.

2975. Mr. Commissioner EXHAM.—What weapons were they manufacturing?—They were breaking up crates and boxes.

2976. Do you know a good number of those (bludgeons) remained with the police after the repulse?—No.

2977. Did any of the whiskey that went up stairs ever come down—unless inside the men?—No, I never saw it.

Mr. *William Young* examined by Mr. *M'Laughlin.*

Mr. William Young.

2978. You are a merchant in Derry?—Yes.

2979. Residing here for the space of ten or twelve years?—For fifteen years.

2980. I believe you are largely in business, and know the public feeling well?—I do a large business, in the provision and grain trade.

2981. In that capacity you travel a good deal through the county and its neighbourhood?—I do.

2982. I believe you are a Liberal in politics and a Presbyterian in religion?—Yes, I am.

2983. You took a prominent part in the late election proceedings?—Rather.

2984. Do you remember the night of the attack on the Corporation Hall?—I do.

2985. Drawing your attention to one portion, and to one portion alone, of the proceeding, were you present when Mr. George M'Carter and Mr. Charles O'Neill went to the Mayor about the threatened attack, or do you know that they did go?—The first information we got was——

2986. First—I suppose you were one of the committee who had charge of the arrangements?—Yes; we desired Mr. Dowse to write to Sir Edward Reid, Mr. Reid at that time, and he did so. Then we heard there were certain preparations being made, to make it more serious afterwards, and we engaged a number of men to protect ourselves.

2987. These men were, I believe, engaged by you?—They were. I was the only man in the place at the time that was acquainted with, or at least accustomed to, engaging labouring men in the town.

2988. You occasionally have to engage men in connexion with shipping—to unload vessels, and all that?—Yes.

2989. Now, how many men did you engage, for the purposes of protection?—Fifty.

2990. Did you engage them, directly or indirectly, for any other purpose except to preserve yourselves from any invasion or attack?—I engaged them for nothing else but to stand in the lobby of the Hall, ranged at both sides, and they had no weapons of any description or form; and when the party attacked the Hall, they all mustered together to the door, and by that means prevented their getting in; but they had no weapons of any kind.

2991. You had not sufficient confidence in the ar-

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August 23.
Mr. William Young.

rangements that would be made, to dispense with your taking this precaution yourselves?—The thing looked serious from the information we got.

2992. And the actual attack, afterwards made, justified the information received?—The actual attack was just as the information warned us.

2993. With respect to the information you got, did you hear that things like this (the bludgeon previously produced) were being prepared at a certain establishment?—We got information first that there would be an attack; then we got information that certain weapons—I don't know what precisely—were being prepared.

2994. Mr. Commissioner Murphy.—But some weapons?—Yes.

2995. Mr. *M'Laughlin.*—Where were you when the attack was made?—I was standing looking out of the window in the Round Hall.

2996. I suppose what you saw corresponds with what has been already described?—Yes.

2997. Did you see anything of the affair of the 28th of April?—No; I saw nothing of it.

2998. You are not originally a native of Derry?—No.

2999. I would say from your accent you are a Scotchman?—Yes.

3000. And you have been living here many years?—Yes.

3001. Do you know of these displays that have taken place here from time to time?—Yes.

3002. Do you think they tend to the peace of the city or the reverse?—Latterly, I think they have a tendency very materially to the reverse.

3003. In your opinion—you are a man of experience—are they injurious to commerce?—Well, I could not say that—we don't mind them.

3004. But you have observed different classes of the people—some in your own employment—do they mind them?—Well, I could not tell.

3005. Is there not a good deal of discussion amongst them about these things?—There is a discussion about through the town. I cannot speak for my own men, for I never inquired; but they have a bad tendency, if men are inclined to go out at all hours.

3006. You are talking of those who take part in the displays, but I am talking of those who differ in religion, and politics from those joining—they don't like these displays?—They do not.

3007. And they have a tendency to create riot?—I have no doubt of it. I think they take many persons to the public-house.

3008. You would have no displays of any sort?—I would say, if they have any displays, let them be kept within doors.

3009. Mr. Commissioner Exham.—As far as your experience goes, you would put a stop to displays of every kind?—I would.

3010. Mr. *M'Laughlin.*—Do you know whether much public confidence exists in the city police?—I have no direct knowledge of it.

3011. But as regards public feeling?—We had not much confidence in them on the night of the lecture—that is all I know.

3012. Mr. Commissioner Murphy.—They were not so formed, or in such numbers, as to be able to prevent the men getting in?—There were only eight of them at the hall door—four at each side.

3013. Mr. *M'Laughlin.*—Though the authorities had been warned that some such thing was to be apprehended?—Yes, I understood Mr. Dowse so told them.

3014. Mr. Commissioner Exham.—Were you apprized by the gentlemen, when they came back, that Sir Edward Reid stated to them the preparations he intended to make?—No.

3015. You did not know of that?—No.

3016. We heard from Mr. Hogg that Sir Edward Reid stated to him and to the other gentlemen the preparations he intended to make, and that they were satisfied?—We acted on something we heard after that.

3017. Did you believe that Sir Edward Reid was going to make preparations?—We understood, from his getting notice from Mr. Dowse, that he would make preparations. Of course I could not say for certain that Mr. Dowse got an answer, but I suppose he did.

3018. Do you consider, from what you have seen and know of public feeling, that it would be better to have one force, say of the Irish Constabulary, as the police of this city?—Decidedly.

3019. A force altogether of one denomination, and that denomination the regular constabulary of the country?—Yes.

3020. Mr. *M'Laughlin.*—You don't mean of one religious denomination?—No—no.

3021. Mr. Commissioner Exham.—By one denomination I mean one force, one body—not a mixed body—not two separate and distinct bodies—but one force, and that force the Royal Irish Constabulary?—Yes.

3022. As far as you know, would the inhabitants of this city have any objection to pay increased taxation, if necessary, for that force?—Whatever may be necessary, I suppose not.

3023. You yourself as a taxpayer here—as one of the largest in town—would have no objection to pay your fair *quota* for getting increased protection?—No; and I suppose I am one of ten of the largest taxpayers here.

3024. Mr. Commissioner Murphy.—You think those processions tend materially to disturb the public peace and tend to create riots?—Yes.

3025. Now, on the eve of any of these processions are you able to notice any change in the people?—I never saw a cannon fired, although I am fifteen years in Derry.

3026. Do you know that the people are set more against each other on the eve of these processions, and that they embitter political and religious feeling between parties?—Naturally they do; no doubt of it.

3027. I suppose you have in your employment people of different religious persuasions?—Yes; I never asked them, but it is the fact.

3028. You have in your employment Protestants, Roman Catholics, and Presbyterians?—Yes.

3029. And I suppose, excepting when these special occasions engender bitter feelings, they get on very well together?—Oh, yes. I never saw any ill-feeling in my place.

3030. Of one towards another?—No.

3031. Has the anxiety of yourself and other gentlemen in business, with respect to these processions, increased latterly?—Yes; because the excitement of the denomination that look upon them as antagonistic to them is getting more bitter—more liable to break out, as you might call it.

3032. More likely to break out—seeking to oppose—you think?—No doubt of it.

3033. Looking on them as offensive, you think, then, the resolution is gaining ground to offer opposition to them?—Well, I think so.

3034. Mr. Commissioner Exham.—Armed opposition?—I could not say that.

3035. Did you hear anything of this large quantity of arms being got?—Oh, I never heard anything of it until I heard it ventilated or spoken of here—or at least since I read the report, for I was not here.

3036. Mr. *M'Laughlin.*—I suppose the men whose statements conveyed the information of these arms, being in existence, are men in whose word you have confidence?—No doubt they are; no doubt of that.

Constable *Thomas Henry Kennedy*, R.I.C., examined by Mr. *M'Laughlin*.

3037. You are in charge of the Waterside station of the Derry constabulary?—I am.

3038. You have been so for some time?—For two years past.

3039. Now, Waterside is a part of the city, in which there is average turbulence, I would say?—Well, it is, I am sorry to say.

3040. I believe there used to be rowing at Waterside even when there was none in the city proper?—I believe so; but I am happy to say it has greatly improved. For the last two years it has been considerably quieter.

3041. Were you on duty on the night of the attack on the Corporation Hall?—I was. I was mixed up with nearly everything of importance that has occurred in Derry for the past two years.

3042. Tell the Commissioners, in your own way, what you saw on the night of the attack on the Hall?—Well, sir, I, with what men could be spared from Waterside, were brought over to the city under Inspector Stafford, and Head-Constable Bailey, and other men. We were some eight or ten in all. We anticipated an attack would take place, from what we heard during the day, and we were scattered about the Hall—what we call the north part of the Town Hall. We noticed this attacking party coming down London-street in a solid body together, with somewhat a military appearance. When they came within a few yards of the Hall they broke into a "double" or, as you would call it, a trot, and made a great onset to get inside the Hall by force. Mr. Hogg, the tall young man, was inside. I noticed him. He resisted them going in, and when they found they could not get in, on the first attack, they drew sticks from under their arms and coats, and those few city police on each side of the Hall, guarding or rendering what assistance they could, they laid on very severely with the sticks.

3043. Mr. Commissioner MURPHY.—They laid on the city police?—They did. I called head constable Burley and said "This is very bad—these poor fellows will be killed"—the city police. We rushed in and pushed back what I would call the leaders of the Apprentice Boy party, and got the attack repulsed or the party driven back. They then scattered about the Diamond—what we call the Apprentice Boy party—and re-formed here and there, but there was nothing of such an attack again by them. Soon after that the stone-throwing took place, but Mr. O'Neill, one of the magistrates, had noticed this from what is called the round room window, and he then consulted with others inside, and thought of sending for the military, and the military were sent for. I noticed Sir Edward Reid making himself very active during the night to preserve the peace. The great crush, or rush, was over and the harm done before the military got over to us, but the stone-throwing was going on from Ferryquay-street, and I saw Sir Edward Reid moving around from place to place, in the Diamond. I told him they were throwing stones from Ferryquay-street, and I, with constable Dunne and Sir Edward Reid, went and reasoned with the people to drop stone-throwing, and some walked away. A man who is known as the leader of the Apprentice Boys, Mr. Ferguson, appeared amongst them, and said "Drop stone-throwing. Come away from this"—then they turned down Pump-street; but I may say the whole city was for a considerable time in confusion, especially the place about the Diamond.

3044. Mr. Commissioner EXHAM.—Did you observe the Bog-side party out that night?—Yes, I did. I identified some of them on both sides, and so did the city police, but there was a great deal of the Bog-side party in Butcher-street.

3045. Were they throwing stones at their adversaries?—They were.

3046. You had not force enough to prevent it?—That is the great failure in all our rioting—we have not force to meet these things.

3047. Mr. Commissioner MURPHY.—When there is a party conflict do the city police get their share of what is going?—We always get it from the mob on both sides.

3048. Mr. Commissioner EXHAM.—Do they give it to the city police as well?—Oh, they do not spare them.

3049. You saw the city police get their share—you were along with them?—I was. I would not wish to be on duty with them on such unpleasant occasions, when they could do no more——

3050. Mr. Commissioner MURPHY.—They are not armed?—All they can do is handle the sticks which they have.

3051. Mr. Commissioner EXHAM.—You say you saw Sir Edward Reid almost the whole evening?—I did. He was very active.

3052. He was Mayor at that time?—He was.

3053. He was doing all he could—remonstrating with both sides?—Yes.

3054. And you too?—Yes.

3055. Doing your best?—Yes.

3056. Tell me this. Is it correct to represent that when the rush was made by the attacking party, the city police at the door opened for them to enable them to make the rush?—I don't believe they did anything of the sort. They were posted at each side of the door and they struggled to keep the crowd back, and the Apprentice Boys laid on them with their clubs or square weapons.

3057. You saw them strike the city police?—I did. They got a good deal from them; they (the attacking party) had staves, long, broad, and round.

3058. Mr. Commissioner MURPHY.—The city police, did they attempt to drive them off?—They did; they could do no more than they did that night.

3059. Mr. Commissioner EXHAM.—Do you say the city police exerted themselves as fairly, in proportion, as your men did?—I do; but unfortunately it is the case when there is serious rioting or stone-throwing they have nothing but their sticks.

3060. They had nothing but sticks in their hands?—Nothing but sticks.

3061. They have not even the baton, such as the Dublin police have?—No.

3062. Nor any side-arms?—No.

3063. No sword or anything of that sort?—No. They are always overpowered; and I don't wonder at them hiding sometimes, or going out of the way, for they have nothing to defend themselves with.

3064. Did you observe any other magistrate that evening outside the door except Sir Edward Reid?—I observed Mr. O'Neill.

3065. He came out?—He did, and went to meet the military, and met them coming up. I saw him standing with the military officer on duty there.

3066. To the best of your belief your own force did their best that evening to prevent tumult, preserve the public peace, and make arrests?—We did all we could; we made out a good many of them; different parties.

3067. Mr. *M'Laughlin*.—Do you say that the city police did all they could that night to preserve the peace and make arrests, and could do no more?—I do not know about arrests; but they could not do more; they were overpowered at the attack on the Hall; they were overpowered and had to give way and leave the place.

3068. Go now to the next local disturbance you saw—was it at the visit of Prince Arthur?

3069. Mr. Commissioner EXHAM.—Before we go to that I would like to know about the affair at the Glen the 12th of July before that?—That was on a Sunday.

3070. Yes; you were there on the Monday?—I was, with Mr. Stafford.

3071. You heard what has been described about there being 700 men in the Glen drawn up in ambush?

FIFTH DAY. *August* 23.

Constable Thomas Henry Kennedy.

—They were there ranged in different positions somewhat of a military description.

3072. About how many were there in the Glen to oppose the other side?—I should say some four or five hundred at least.

3073. Were they all armed?—They seemed to be armed, but the whole assembly seemed to be strangers from one part or another.

3074. They were all strangers—not Derry people?—Yes. There was a very large body of Orangemen—seven or eight hundred—marching, before they broke up.

3075. Were they armed?—They had about ninety guns—in addition to small arms—pistols.

3076. Had the Glen party guns as well as pistols and revolvers?—Yes; I saw guns with them too.

3077. Did you come into Derry that evening?—Yes. I was out in Derry after the Glen business was finished.

3078. Did you see some rioting that evening?—There was some at Ferryquay-gate between the Orangemen and the Roman Catholic party.

3079. Do you know was any arrest made that night in the town?—There were several arrests. I saw the men make arrests in town.

3080. Do you know anything of the arrest of a man named Doherty?—Yes; I think Acting-constable O'Donnell and Head-constable Bailey arrested him and another man named Wright. They were up in the police office the next day. Wright was of the Orange party, the other was not.

3081. What was Doherty arrested for?—I am not sure.

3082. Did you hear at the police office investigation?—Yes. I did. There was some trial. I was not the prosecutor, and I did not stop long.

3083. Was there a large number of each side out in Derry that night of the 13th?—There was, and fighting was going on between them, and there was a stir up about Tanmaherin—about four miles from this. In the year '67 a few dozen Orangemen, passing over the little bridge there, were set on and beat, and the little ornaments connected with the society broken and scattered about; and the spirit of revenge was in the Orangemen about the country since, and that, I suppose led to the display on the last 12th, but the Orangemen did not come down the Glen.

3084. Were you in the glen on the last 12th too?—I was there—there was a large crowd. I was not there immediately with them. Sub-Inspector Ranley from Longford was, and I had to stay with him.

3085. Well, passing from that, what next did you see after the night of the 20th July. Do you recollect the night of Mr. Dowse's return?—I do. I was not here, I was at Waterside.

3086. You knew nothing of what took place that night in Derry?—Nothing—but I knew enough of the announcement of his final return.

3087. Do you recollect last St. Stephen's day?—I do very well. I have a clear recollection of that day. What are called the Bog-side band, or the Hibernia band, with their peculiar flag, a white flag, with, I think, green fringe on it, and without a crown, came over to Waterside about one o'clock in the day, on the 26th of December.

3088. Were there many with them?—More than a hundred, at the time when they came over the bridge. Some that came along the bridge, did not come over, in consequence of having to pay the toll, therefore they stopped. They took some refreshment at a public-house, at Waterside. Whatever men I had, I turned out, and kept moving about the streets.

3089. At your side?—At my side—after they stopped some half hour, or hour, at the public-house, they returned. At the new bridge, I met Mr. Stafford fortunately, and we were able to get all our men together, and we followed them over the bridge. When they came to the toll-house some of them did force their way amongst the collectors, and assaulted them—they were a very large body then—and they passed along Foyle-street.

3090. About how many had the crowd increased to then?—To between two and three hundred.

3091. Was the band playing then?—They were playing different airs—I think "Patrick's Day;" then they got up "The Wearing of the Green"—that is an air sometimes played amongst them; and as they walked along Foyle-street some shots were fired, occasionally, on the way.

3092. Is that considered a party tune?—In Derry? It is known in Derry as a party tune.

3093. Would you say "Patrick's Day" is looked on here as a party tune?—Oh, it is.

Mr. *M'Laughlin.*—If played by Roman Catholics the other party look upon it as an offensive air.

3094. Mr. Commissioner EXHAM [to witness].—Do you recollect any of these parties being brought before the magistrates for their conduct that day when passing over the bridge?—I know the toll collector made out a good many of them, and they were summoned by him for not paying the toll, and the magistrate inflicted fines of 2*s.* 6*d.*, in some cases 4*s.* 6*d.*

3095. About how many were summoned?—A good many—about twelve or fourteen I think—I am not very clear as to that now.

3096. When they passed the toll bridge what o'clock was it, that evening?—Between two and three.

3097. Did you go after them?—We did, but a second band, what is called a workman's band, went over again to Waterside.

3098. This is a third band; there appears to be no want of bands here. Is it a sort of neutral band, this last one?—It is called "The Bridge-street Band." It is principally Roman Catholics belong to it.

3099. Is it looked upon in Derry as a party band?—Oh, it is.

3100. Mr. *M'Laughlin.*—Do you say the Tradesman's band, not the Hibernia Flute Band, is regarded in Derry as a party band?—Well, I heard the remark made.

3101. Is it, or is it not, a party band?—I am endeavouring to give whetever information I can; I am not a member of it.

3102. Now, do you say that the Tradesman's band is regarded in Derry as a party band?—Well, I heard it remarked as one, and I heard the Britannia remarked as another, and I heard the Bog-side.

3103. Is the Tradesman's band regarded as a party band just as the Britannia Flute Band?—Well, I would say their movements are not so much looked after as the Bog-side.

3104. Mr. Commissioner EXHAM.—The other band that came across at two o'clock, where did they go to?—They passed along Foyle-street, the crowd still increasing, until they came to Waterloo-place, and turned into William-street.

3105. Had they a flag with them?—They had.

3106. And unfurled?—And unfurled. It was exhibited.

3107. And at the time it was exhibited were they playing "The Wearing of the Green"?—Sometimes they were playing it.

3108. Did you and Mr. Stafford, with your party, follow them?—We did, and Sub-Constable Duffy arrested one of the leaders for firing a pistol in the crowd.

3109. Were they firing pistols then?—They were. The pistols were fired only when they halted down at the Bog-side.

3110. When you say they were firing pistols was it as a mark of defiance, or anything of that sort?—Oh, no. It was in a kind of bravado. They fired in the air.

3111. They had no object?—Nothing except a piece of folly.

3112. Where did they go to then?—They scattered down into whatever place or room they used to codge their little affairs in, but I know they broke up these.

3113. Have they a place of meeting?—They have a a place where they form, and leave, and return to.

3114. A sort of society-room or place?—I think so.

3115. Is that inside or outside the wall?—Outside the wall, at the Bog-side they call it.

3116. Did you see anything more that day?—Nothing. We returned to the barrack satisfied that we had preserved the peace.

3117. Did nothing take place?—Nothing took place but some moving about the street; nothing of any consequence. There might be a stone thrown, or a crack of a stick, but there was nothing of any consequence.

3118. Do you know anything of the night the late Dr. Babington was elected Mayor?—Yes, there was a good deal of excitement regarding, I would say, the burning of the tar barrels.

3119. Do you mean the night he was elected or the night he came into the office, or both?—I do not know which, but I know on one of the nights, whether it was the night he entered on his office or was elected, I don't know, but there was a great deal of tar barrel burning at the Waterside.

3120. You saw the last of them, I suppose?—Yes. I was amongst them, and kept patrolling.

3121. Were there tar barrels at the Waterside?—Yes.

3122. Were you in the town that night?—I was not over here.

3123. You were ranging about the Waterside?—Yes.

3124. Was the Britannia band out that night?—Oh, there was no band with us that night.

3125. Was there any opposing party that night?—Oh, it seemed to be matter that all the people partook in. There was no feeling about it.

3126. As far as you could observe, was the proceeding of the tar barrels, that night, looked upon as offensive to any party?—Well, I think not. I know there was a strong feeling or opinion in favour of the late Mayor, but I would say it was principally amongst what are called the Protestant party.

3127. Did you hear any of the Roman Catholics expressing themselves as offended or annoyed by it?—Well, no, I did not.

3128. On the night Mr. Dowse was declared elected, the 20th of November, did you see anything occur?—No, nothing remarkable. We were at Waterside; there were some tar barrels there—some stir——

3129. Nothing more than that?—No.

3130. No opposing party?—No, not that night.

3131. Do you recollect the night the petition was decided, the 9th of February?—Yes; we saw a good deal of this. News came over to the Waterside that an attack was made on the police here, and that there was an affair at Bishopsgate, and fortunately for us the people at one side left us and went over to Derry.

3132. They started the moment the news came?—Yes.

3133. What was that crowd composed of?—Principally of what they call the Roman Catholic class.

3134. Did you come over, or keep at your post on the Waterside?—I had only three or four men, and I knew they had a strong force in Derry. I therefore thought it right to keep my men at Waterside that night.

3135. Was there any conflict at your side that night?—No; we were all in harmony that night.

3136. About what number would you say came across when that news arrived?—A great many. I would say fifty passed over the bridge.

3137. Were any of them armed?—I do not know what arms they had. I did not see any arms amongst them.

3138. Now as to the night of the 28th of April last—where were you that night?—I was one of those on duty in the Diamond, with Head Constable Davis and other men.

3139. What was the first firing you heard that night?—Well, I will come to that. The Prince came, and we saw him in the different movements through the city. During the evening there was a good deal of excitement—there was cheering amongst the people, and then groaning when they met the opposite party, and these two bands were out. What is called the Roman Catholic band escorted the Prince, going in front with their flag, and they left him at the hotel. Immediately afterwards the Apprentice Boys, who had left the wall, came round through Society-street—they had a band, and they played opposite tunes to what their adversaries played.

3140. When you say "opposite tunes," was any band playing party tunes that day?—The Roman Catholic band when they first appeared in procession played "Patrick's Day." I also heard them play "God save the Queen," opposite the Imperial Hotel, where the Prince was. Then afterwards the Apprentice Boys' band began to play their own peculiar airs.

3141. What were they?—"Derry Walls Away," "The Protestant Boys"—I heard that once or twice.

3142. The other air—"The Wearing of the Green"—did you hear that played?—Yes; I heard that.

3143. While they were carrying that white flag?—Yes.

3144. What time was that?—That was just as the Prince came—about three o'clock.

3145. What happened then?—The Prince went into the Town Hall—we were about the sheds—there was a good deal of excitement. Bishop-street, here, and opposite the Imperial Hotel was crowded with people and the military force. We presented arms as he passed, and then went home to barracks. But the state of excitement, and the bad feeling was very evident, and during the evening Mr. Stafford, our officer, directed us to get our accoutrements, and come back to Derry as soon as possible, from Waterside. We did. At a little before eight o'clock the head constable told us off on active duty. He gave three men with me for Ferryquay-street. At eight o'clock we took up our posts in different parts of the town. Soon after we heard shots fired at Bishop-street, in the direction of Society-street. The head constable came up to me ——

3146. About how many shots did you hear?—Two or three shots at first. I told the head constable, when he came up to me to see how we got on, to go up the street, as there was something wrong in Bishop-street.

3147. You had been told off for a particular locality, lower down?—Ferryquay-street. As soon as we could get the men ready we went up to see what was wrong, and as we turned Hasting's Corner we saw a great rush coming down, and the first person we met said, "My God, they are firing—they are killing one another there."

3148. Previous to this had you heard further shots?—Previous to my going there I heard shots.

3149. You heard a couple at first, you said?—I heard three, four, or five. Well, when we got up amongst the crowd we saw a man pulling a ramrod from two or three others. It was one of the ramrods of a cannon. We secured two or three prisoners ——.

3150. The body you saw rushing down Bishop-street, what party would you say they belonged to?—To what is called the Bog-side, or the Roman Catholic party.

3151. What did you do after the contest about the ramrod?—We escorted one or two prisoners to the barrack, and then we put on our appointments to go to the Diamond, properly prepared, as they were likely to give us another storming.

3152. At that time you had nothing but your side-arms. From which side were the arrests you made that evening?—I believe one of the Roman Catholics had taken the ramrod from some of the Protestant party. We brought two to the barrack. We did not know at the time what party they belonged to.

3153. What did you do next?—We put on our pouches, and took our carabines in the barrack, and we returned to the Diamond and then scattered, and each man on the beat was told to go to the barrack and get his appointments and return to us. As soon as the men got together we formed and went down Butcher-

Fifth Day.
August 23.
Constable Thomas Henry Kennedy.

street, to the gate, to see how matters looked there. There was an immense crowd of the Bog-side party at Butcher's Gate—a great many of the Apprentice Boy party further up, near the place where they have the cannon. Stone-throwing was actively going on when we got there.

3154. Do you mean at one another?—Yes; the Apprentice Boy party would sometimes run down the wall to the top of the gate, and hurl down stones on those below, and then the Roman Catholic party would advance on them and throw stones, and there was advancing and retreating for a long time, backwards and forwards.

3155. Could you form an idea of about the number that was engaged in this proceeding?—There was a very great body at the Butcher's Gate of what is called the Roman Catholic party.

3156. Were there hundreds.—There were hundreds.

3157. At the other side how many?—I could not exactly say how many of the Apprentice Boys, for they never got right in our view—they would make a rush, and then run back again.

3158. What did you do?—I remonstrated with the parties. I asked them to go home. They said if we chased the Apprentice Boy party they would go home, but they would not leave the ground until they saw them put away.

3159. What was done then?—Stone-throwing went on, and a good many of the police were struck.

3160. Did they throw stones at the police?—I believe the stones were thrown at us—at any rate, a good many of the men were struck.

3161. From which party did the stones come, or did they come from both?—I believe they came from both—they made no distinction as to us. We were mixed up with the two parties, and we got our share of the stones.

3162. You happened to be mixed up between the two crowds, and in that way you got your share of the stones?—Exactly.

3163. What took place then?—Some of the men were hurt. Sorroghan, who was examined, got a sharp cut on the eye. It was bleeding freely. I told him to go to barrack. Another man named Reilly had his cap—the leaf of it—cut through with a stone, and his forehead injured. One arrest was made, a young fellow, for throwing stones, and Head-Constable Davis and three or four men escorted him to the police-station and left him there.

3164. After that were any shots fired?—There were. After this sharp attack of stone-throwing on the men, several of their muskets being struck too, I said to Constable——

3165. It is better not to mention names.—Well, we left that place, and went to the Diamond—we were overpowered—to see what would be done. Three or four men whom we saw joined us, and we then formed at the end of the Town Hall and stood together. A good deal of shots were fired round by the wall, on the east side of the wall.

3166. Was that in the locality in which there had been the stone-throwing?—It was where we had left. I then said to the Head-Constable—"Look for the Mayor—we are going to have a bad night of it in Derry." He went to look for the Mayor. He came back saying it was all up, that he could not get him. I told him to get a magistrate. He came back again; no magistrate came near us; at last, we were joined by our own officer, Mr. Stafford, and Mr. Thompson.

3167. Previous to Mr. Thompson coming up, was there any firing of your men?—Firing of our men, no, we heard a firing in Butcher-street.

3168. Was that after Mr. Thompson came up or before?—There were some shots fired before he came up.

3169. At what period were the shots fired before he came up. Was it after you came back to the Diamond?—We were standing at the interior of Butcher's Gate when the shots were fired; whatever men of the constabulary were there then formed, and came up to the Town Hall.

3170. What took place after that?—Mr. Stafford came to us, and Mr. Thompson, the Borough magistrate. I spoke to Mr. Thompson, and said I was very glad he had come, as we were badly treated there all the night. Mr. Stafford, Mr. Thompson, and Head Constable Davis went aside and had some conversation of a private nature. Soon after that Mr. Stafford gave the word "attention—right face," and marched us from the end of the Diamond at the nearest part of the Town Hall to Butcher-street again, and when we came opposite Butcher-street he halted us, and left the Head Constable in charge, and he and Mr. Thompson went to take a survey of Butcher-street before he would bring us again to the gate. During his absence this unfortunate affair—the firing—took place.

3171. Your men in the Diamond went away as we have heard?—Yes.

3172. What happened while you were there?—There was a large crowd collected at one corner—I would say of the Roman Catholic persuasion.

Mr. Commissioner Exham.—As it is now past four o'clock and I have some more questions to ask Constable Kennedy, it might be better to adjourn now.

Mr. *M'Laughlin*.—Very well.

The Court was then adjourned till the next morning.

Sixth Day.
August 24.
Constable Thomas Henry Kennedy.

SIXTH DAY.

Tuesday, August 24, 1869.

The Commissioners sat at 11 o'clock.

Constable *Kennedy*, R.I.C., recalled and re-examined.

3173. Mr. Commissioner Exham.—Yesterday evening you told us about a couple of shots, and that some little time after that the people were shot?—Yes.

3174. There were first the two or three shots near Butcher's-gate and then you came back and Mr. Stafford went away with Mr. Thompson. Well, that was the time I believe this unhappy occurrence took place?—Yes; we were standing together at the entrance of Butcher-street, and Mr. Thompson and Mr. Stafford left us. There was a large crowd then round us at Watt's corner immediately beside us. I went to that crowd and spoke to them and reasoned with them to go home.

3175. Were there opposing crowds there at that time?—This crowd that I allude to then was what was called the Roman Catholic party.

3176. The Bog-side party we will call them?—The Bog-side party. I reasoned with them to go home, and they said they could not go down through Butcher's-gate for they would be killed, meaning that the Protestant party were there before them, and I requested them to go by Shipquay-street for once, and save any further trouble, and they did not seem to take that advice, but immediately after that this great noise arose, and a rush coming down Bishop-street—that is the other mob, and then they ran away from us towards Harvey's corner, and the street then was closely filled up—black with people.

3177. Mr. Commissioner Murphy. — Who ran away?—This crowd that I speak of—the Bogside party. They had only a few yards to run when they met the others, and then stone throwing and firing of shots began.

3178. Mr. Commissioner Exham.—Began at both sides, did they?—Oh, I could not say both sides, but the stones came down amongst us, and the Roman Catholic party ran and mixed up with us, and scattered us about the Diamond, and I was aware that then shots were fired.

3179. Mr. Commissioner Murphy. — Shots were fired by the party that came down Bishop-street?—Yes; I saw shots near to M'Donnell's door the upholsterer, fired from revolvers, some five or six shots, in quick succession; and it so happened that, when the men were broken up, I had not run any distance from where we were standing at the time—I just drew up at Hegarty's corner—I was close to the mob that attacked us, and I saw their movements particularly, and a great many stones were thrown and shots were fired, and I heard the glass a breaking about me, and the noise in all directions of "fire! fire!" and screams of the people running down the Diamond. They fell in several places.

3180. Was this previous to the firing on the part of the constabulary?—It was.

3181. Mr. Commissioner Exham.—Then I suppose when the constabulary fired the place got pretty clear?—Yes; as I said I was standing at the corner, and then a gentleman, Mr. Bond, falling immediately after the first volley of stones came, or shots, caused great confusion among us, for we thought it was one of our own men, at least I thought so; I stepped forward to look at him where he was lying, within a few yards from where we were standing. He is a tall man, something like a military man. With the assistance of one of the men returned for trial I pulled him off the street, and left him out of harm's way at Hegarty's corner. I thought he was shot. It afterwards appeared to be a blow from a stone.

3182. Who is Mr. Bond?—He is a young man; he lives in the town here; he had been in the militia I think.

3183. Mr. *M'Laughlin.*—A lieutenant?—Yes.

3184. A son of Oliver Bond?—Yes.

3185. Mr. Commissioner Murphy.—Am I right in taking this as the general description by you of the latter part of the occurrence, that you were in that part of the Diamond talking to the crowd that we call the Bogside crowd?—Yes.

3186. Urging on them to go home?—Yes.

3187. And that they expressed to you their apprehensions as to going down Butcher-street?—They did.

3188. And that you urged them to go by the other gate, by Shipquay-gate?—Yes.

3189. For that one occasion; and that they were reluctant to do that, that they were unwilling to go by that way?—They were.

3190. They thought it would be giving a victory to the other party?—Exactly; that was it.

3191. And that you saw the opposing crowd as we call them, rushing down from Bishop-street?—Yes; I heard them first shouting, in coming.

3192. And raising a cry of challenge I suppose?—Yes.

3193. And shouting coming down; and that the party you had been reasoning with then rushed up to meet them?—Yes.

3194. One to show fight to the other?—Exactly so.

3195. That some shots were then fired and stone-throwing commenced?—It did, freely.

3196. And the Bog-side party retreated—is that the case?—It is, sir.

3197. And were driven back through your ranks?—Exactly, and broke us up.

3198. Separated you and some others from more of the men, and that you heard at that particular time shots being fired also?—I did.

3199. How many of your men were at that time in the Diamond?—About ten or twelve. There were some of the men injured, and had returned to the barrack.

3200. Yes, we know that. There was Reilly and ——?—There was a man of the name of Kilcauley, who was struck on the elbow, and it was greatly swollen, and he went to the barrack too.

3201. Mr. Commissioner Exham.—Now, you have been here for some time, and would you tell me, including the Water-side district, and the district at this side of the water, how many men, no matter what the force is, do you think would be necessary for taking charge of the peace of this town, including the duty of night and day watching and everything, such as the police perform in Belfast, Cork, and other cities, where they have exclusive and entire charge—how many men do you think from your experience it would require?—There is a very large boundary attached to the borough at present, it extends to a very wide circle, and I think, for the duty to be done properly, it would take at least 100 men to be permanently attached to Derry, taking into account the men on leave, and casualties and sickness and that sort of thing, there would not be more than 80 men daily out for duty. Taking into consideration orderlies, clerks, and everything, I am sure you would not have more than 80 men for duty every day and every night.

3202. The only thing is this—Is your calculation with regard to that number increased by the fact of recent riots here? Do you think, if everything was tolerably peaceful and quiet, that you would require that number?—Well, sir, I would not dread the riots, if we had a sufficient force at hand at all times. We would soon suppress everything in Derry; but as was unfortunately the case, we had not, and that was the cause of those riots.

3203. But having regard to the number at other places, that appears a large number. I could perfectly understand that while these unhappy scenes were going on, or likely to occur, you would require that number; but suppose everything to calm down, it is undesirable that there should be in any town too large a force, because that would cost the inhabitants a good deal; and, therefore, I want to know now from you, supposing everything was to calm down, and that you were to have no rows at all, how many do you think would be required then for the regular duties?—Well, sir, then less would do. If the thing was established and the duty properly set going less would do. If these processions and band-playing and disturbances were put down and settled, then there would be less trouble and excitement; but so long as these things are permitted we will never have peace in Derry, for neither party will give in to stop it.

3204. Mr. Commissioner Murphy. — I was just going to ask you do you think that these things do lead to disturbances of the public peace?—No doubt they do.

3205. Mr. Commissioner Exham.—Neither party will give in?—Not a doubt of it, till it is put a stop to.

3206. Mr. Commissioner Murphy. — You have heard some statements here as to the possession of arms by both parties?—I believe it is the case.

3207. And to a great extent you believe it to be the case?—I know that before the election boxes came to the railway station, which I have the superintendence of, and I believe it was arms were in them. They were conveyed to Derry. It was not my place to seize, but I made inquiry, and I found, from their weight and form and structure, that they were boxes containing those arms that are in Derry now, and that were spoken of.

3208. Derry had not been proclaimed at that time?—No, sir, it was not. It was before the election commenced.

3209. Mr. Commissioner Exham.—Did it ever, by way of communication, reach the ears of the police, as far as you know, that such a thing had taken place as three or four or five hundred revolvers being given out

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gratuitously in Derry last year just before the election and so many rounds of ball-cartridge——

Mr. *M'Laughlin.*—There is some misconception about this. I am speaking in the presence of the Commissioners, and I say there never was any evidence to the effect that revolvers had been got and given out gratuitously.

Mr. Commissioner EXHAM.—I assure you, you are under a mistake.

Mr. *M'Laughlin.*—There was evidence that parties subscribed and got them.

Mr. Commissioner MURPHY.—That there was a subscription entered into by several parties to give revolvers to those who were not able of themselves to purchase them.

Mr. Commissioner EXHAM.—We call that gratuitously.

Mr. *M'Laughlin.*—I think it right to notice this, because it has been misinterpreted that Sergeant Dowse supplied revolvers.

Mr. Commissioner EXHAM.—As to that, nobody believes such a thing.

Mr. Commissioner MURPHY.—Why, the witness himself said that Sergeant Dowse knew less of them than even he did, and he had only heard of them.

Mr. Commissioner EXHAM.—I heard a question asked about "Dowse's revolvers," but we all know what that sort of thing is.

Mr. *M'Laughlin.*—The evidence has been incorrectly telegraphed, in a summary, and I thought it right to notice the matter.

Mr. Commissioner MURPHY.—It is quite right that any error should be corrected.

Mr. *M'Laughlin.*—The error was not in the Londonderry papers.

3210. Mr. Commissioner EXHAM (to witness).—Did information reach you last August or September, that a large number of revolvers were given out to people in this way who could not afford to pay for them?—I believe, sir, that was an opinion among the constabulary, but nothing more than an opinion; they had no definite information.

3211. Mr. Commissioner MURPHY.—No official information?—No.

3212. I believe you told us already that on the occasion of that meeting at the Muff Glen you were there with Mr. Stafford, were you not?—I was.

3213. You yourself saw both parties armed there?—I did.

3214. And you counted nearly eighty-nine or ninety guns, I think you said, with the Orange party?—I did.

3215. Independent of ——?—Independent of revolvers and small arms.

3216. You saw a great quantity with the other party too?—Yes, they were well armed on both sides.

3217. In fact an engagement between them would be a serious battle?—Oh, a most hostile affair.

3218. How far is the Muff Glen from Derry?—About four miles from my station; my district joins with it.

3219. You heard some of the gentlemen who gave evidence here say that on the eve of those processions or those displays, the feeling of the people, one class towards the other, changes?—It does, sir.

3220. And is that the fact?—It is the fact in this place. It takes some days afterwards to quiet their minds.

3221. And for some days previously and for some days subsequently these bitter feelings exist?—No doubt of it.

3222. How many of those occurrences in the year do you say you have in Derry?—Well, for the Apprentice Boys' party there are two stated days, that is, in August and December; and, unfortunately, when any of these bands appear; always in the evening and at night. We have too many such days. I do not know what the object can be; and it seems to be increasing since I came here. I recollect when I joined the force they would pass off. I was here often on duty, and I scarcely observed anything of those anniversaries; now it is a scene of excitement, and people coming from a distance, and therefore it seems to be a matter of more importance than it used to be.

3223. Are they frequent, the occurrences on which these bands parade the streets?—Sometimes very, particularly in the winter evenings, they are out sometimes once a week and oftener.

3224. Bands at both sides?—No; the Apprentice Boys' party does not appear unless on those anniversaries.

3225. The other—the band of the opposing party?—The flute band of the Bogside is out oftener. They do not appear in the city or within the walls; they parade more within their own boundaries, along Foyle-street and the Quay; sometimes they visit us at the Waterside, and when they come there a large crowd gathers.

3226. Do they play party tunes?—Well, I could not say much against their playing; I hear them at different airs.

3227. But do you yourself think that these occurrences are taken as offensive by the other side?—No doubt; and when that is going on here they would often attack each other. I mean, one party would lie in wait for the other and throw stones; and then the constabulary are few, and the city men are also few; and at the Waterside we have not more than one city man by night, and——

3228. Mr. Commissioner EXHAM.—One city man?—One city man, and sometimes two, as occasion allows; and there is a population of 4,000 people at the Waterside.

3229. Mr. *M'Laughlin.*—Now, I think you stated that when these bands appear at all they do harm?—I believe they do, they excite the parties.

3230. Now, you say that the band of the Apprentice Boys only appears on those anniversaries?—It is the only time that I noticed it unless they are going to some fête at a distance.

3231. The same as the Omagh meeting on Thursday last?—Yes; the same as the Omagh affair on Thursday last.

3232. And unless something local occurs to give them the opportunity, the same as the Protestant meeting in June?—Yes; then they show in numbers.

3233. With regard to those revolvers, with respect to which questions were put by the Commissioners, that were distributed to some people that were not able to get them themselves, do you know that prior to that it had been stated in one of the newspapers that the opposite party had threatened to shoot them down?—No; but I heard the remark here since the Commission opened. I believe they are well armed on both sides.

3234. I believe that when you say that they are well armed on both sides you refer to the evidence of Mr. M'Cafferty and Mr. Hempton?—Yes.

3235. And also to the evidence of another witness, Doherty? Now, before I pass away from the anniversaries, you stated that the Apprentice Boys had only a couple of stated days, that is, the 12th of August and 18th of December?—Yes; I look upon those as their days.

3236. And is not there some little disposition, not to put too fine a point on it, to look upon the 12th of July also as a day here, more or less?—No; I never saw any Orange displays here among them, or displays of the Apprentice Boys, on the 12th of July, whatever they might do if they could steal out to the country and form processions from, say, Dromahoe and Feeney, and other parts. You will see them there at both sides.

3237. No doubt. Is not Tamahern another Bogside as regards the prevalence of Roman Catholics amongst the people?—Not a doubt of it; it is between Eglinton and Dromahoe.

3238. Now, that night, in the Diamond, at the time the firing took place from the constabulary there was a firing of revolvers along the upper side of the Diamond, from M'Donnell's furniture warehouse to Hagerty's corner?—There was. I saw it plainly from Hagerty's corner.

3239. I believe the firing of the revolvers from the

party in front of the police at that time was more general than ever you have seen it anywhere?—It was very general for the time it lasted—for about two minutes.

3240. You have been in the Belfast riots, I believe?—I was, in 1864.

3241. And I don't suppose that you have seen such continuous firing there while it lasted?—No, I did not; I heard a good deal of firing there; but it was not so directed at any particular parties there.

3242. It was about fifteen or twenty yards from the Diamond—you will correct me if I am wrong?—It might be that or it might be more, say forty yards.

3243. I think you said, in answer to the Commissioners, that the parties that were on the Diamond said they could not go down through Butcher-street in consequence of the Apprentice Boys' party being on the top of the gate, and that you directed them, very properly, to go away by Shipquay-gate, and that when they heard the noise of the other party coming down, they, having been prevented going up, turned and went back, breaking the ranks of the police?—Yes.

3244. Then, when you say that they broke the ranks of the police, they were, in point of fact, behind the police?—Yes, a great many of them were down Shipquay-street.

3245. Taking the advice that they should have taken before. Now, those were the same people that you had remonstrated with some time before, and suggested that they should go down Shipquay-street?—Yes.

3246. Now, going down by Shipquay-street would, by a considerable detour, bring them to their own place?—It would by a little round.

3247. Then when they so broke, and the Bishop-street party came down, they spread themselves along towards Mr. M'Donnell's corner?—They did.

3248. Now, at that time the police, if I do not mistake ——?—I believe they were scattered along there.

3249. Then the people left of the line—the side left of the line would be near Mrs. Watts'?—I consider they were scattered along in that direction.

3250. Then, as I understand you, you were on the proper right of the line?—Yes, I was at the corner.

3251. You did not fire, although you raised your carbine?—I did not, I raised the carbine, but when I got an opportunity of firing there had been a few shots fired, and then this dense crowd scattered.

3252. And that absolved you from the necessity that previously existed of firing?—The dense crowd scattered, and I thought it would be in vain to fire when the people were running away from us.

3253. Whatever was done in respect to firing was from the instinct of self-preservation?—Nothing else; there was no distinct direction given to fire, except the shouting of the crowd, "fire!" "fire!"

3254. And some of the people that the Bishop-street crowd came upon, and had in the rush from the Bishop-street crowd broken your ranks, were at that time rushing down Butcher's-street?—Some of them did.

3255. And they were then in this position, that they were hemmed in on one side by the Bishop-street party, and on the other side by the Apprentice Boys on Butcher's-gate, and if they went down Butcher-street they would have to run the gauntlet of those on the top of the gate?—I believe so. I was standing at the corner, and I heard stones coming in all directions.

3256. And I believe, notwithstanding that, a great number did make their escape by way of the gate?—They ran in every direction.

3257. I believe Mr. Bond was a little at the proper left of this line?—Yes.

3258. And he being a tall man, and having the appearance of military training, was mistaken by one of your men for one of the police?—I thought myself he was a policeman.

3259. And it was about that time that the file-firing resulted?—It came from the Bishop-street party.

3260. Was it as quick as that now [making a clapping with the hands]?—Yes, it was; I noticed they were like revolvers.

3261. It would require men to be working very much in concert to produce such a continuous stream of shots with single-barrelled pistols?—I believe they were revolvers, for I saw the flashes very distinctly.

3262. Then, as I understand you, and I am glad to say I am escaping from this part of the case now, there were two divisions of the Apprentice Boy party, the party on the Butcher's-gate, and the party in Bishop-street?—There may have been.

3263. What number would you say were on the Butcher's-gate.—As to the number on the top of the gate, I do not know that.

3264. Now, after the men fell quiet was restored, that is, Craig and ——?—Craig and Moncrieff.

3265. Moncrieff fell somewhere about there [pointing to a plan]?—Yes; I saw the blood next day on the street.

3266. And Craig fell somewhere about here, and Murphy, passing over from Harvey's corner, fell next to Craig, according to his evidence?—I believe so; that is what I believe.

3267. Now, Moncrieff and Craig were of the Protestant persuasion?—So I understand.

3268. And the other was of the other persuasion?—Yes.

3269. Now, I believe Mrs. Mulholland's large drapery shop that runs in so much is somewhere about there [pointing to a plan]?—It is.

3270. I believe some shots were fired at the shutter there?—I saw the mark of a bullet.

3271. And I believe the peculiar direction of the bullet hole shows that it came somewhere from the Diamond at all events?—I should consider so.

3272. If I do not mistake it takes the wood on the levelled panel and runs in?—Yes; I noticed that.

3273. Now, you were examined, I think, at the inquest that took place immediately after these men had the misfortune to lose their lives?—Yes; I gave evidence there.

3274. A man of the name of Patrick M'Monagle was examined?—He was.

3275. Patrick M'Monagle, I believe, is the owner of the corner house at the lower side of Butcher-street?—Near the gate—yes.

3276. And I believe his house sustained bad treatment that night?—Very.

3277. I see that you were examined pretty close to him, but that in the meantime a man of the name of Adam Killen was examined?—Yes.

3278. Did you hear Killen saying that when he was going that night from London-street to Society-street and Bishop-street, he was fired at from Society-street?—Yes; I heard him say that.

3279. Now will you tell me, if you please, where Killen lives?—It is in Nailor's-row, at the back of the wall.

3280. Now a young man of the name of Bryson was the person examined immediately before you?—Yes; there was a Thomas Bryson.

3281. Is he one of the Waterside Brysons?—Yes; he used to live at the Old Hill, but I do not think he is there now. He is a carter here. He was in the city police.

3282. Mr. Commissioner MURPHY.—Was he in the city police?—He was, some years ago—some short time ago.

3283. Mr. *M'Laughlin*.—And I believe was wounded that night at Gilliland's corner?—He was.

3284. That is at the corner of London-street and Bishop-street?—I saw the mark of the wound on his face.

3285. Mr. Commissioner MURPHY.—A shot wound?—Yes.

3286. Mr. *M'Laughlin*.—He was wounded at the time, according to his evidence, when the Hibernian flute band were playing up at the Imperial Hotel?—Yes.

3287. And as I believe you yourself mentioned, he swore to Mr. Crawford, on cross-examination, that he considered the air they were playing was "God save the Queen"?—Yes.

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3288. Mr. Commissioner MURPHY.—What hour was that?—About eight o'clock.

3289. Mr. *M'Laughlin.*—Was it a little after that?—Well, a little after eight.

3290. From that it would appear that some people who did not like the band were firing these shots?—I believe so.

3291. And I believe that was the first firing of shots that took place that night?—I believe it was; that was the origin of the riots that night.

3292. I see that he says that other shots came from the same direction?—Oh, there were several shots fired there before the police got to interfere among them.

3293. I may also identify another person; do you know a city constable of the name of Toner?—I do.

3294. He was examined that day?—He was.

3295. And I believe he was of opinion that he had seen a worse mob in Derry than he had seen that night?—Well, that is a matter of opinion.

3296. There would be no harm in asking you whether Patrick Maxwell was examined?—He was; I recollect it now. He is a tailor.

3297. Mr. Commissioner MURPHY.—Whoever formed the opinion that it was not a formidable crowd or mob that night, you are of opinion that it was a very formidable and alarming crowd, I suppose?—Decidedly.

3298. Mr. *M'Laughlin.*—Some of the accoutrements of the police having been injured, did you see Halahan's carbine?—I did; it was indented on the wood along the side of the barrel, and a scraping taken away, as if a bullet had struck it.

3299. Did you see the pouch-belt of M'Laughlin?—I did. I examined it at the station. It was secured behind.

3300. Was it bruised?—It was also indented.

3301. Is M'Laughlin also sent for trial?—He is returned for trial.

3302. I believe M'Laughlin assisted you to lift Mr. Bond?—He did, although he is returned for trial.

3303. I may just ask you, because I think it bears on the question, supposing the police fired that night, was the violence of the crowd such that it was necessary for their own protection?

3304. Mr. Commissioner EXHAM.—That is a question we are not discussing here.

3305. Mr. Commissioner MURPHY.—I think you may put this question, whether or not he considered his own life in danger that night?

Witness.—Oh, decidedly; I considered that I would not leave the ground alive, from the appearance of the street.

3306. Mr. *M'Laughlin.*—Now, I take the liberty of asking you a question or two about that Tradesmen's band that you mentioned. Now, to prevent all mistakes, for I thought there was some little confusion at the time, do you mean the Tradesmen's band that practises in M'Laughlin's public-house in Bridge-street?—Yes; I alluded to that band.

3307. Do you know what M'Laughlin's Christian name is?—I am not sure of his Christian name.

3308. Patrick M'Laughlin; are you long enough in Derry to remember that that was Sherwood's Ball and Racket Court?—I believe so.

3309. And it is greatly frequented by those who are anxious to engage in the sports of racket and ball, and I believe sometimes, among the rest, the officers of the garrison?—I believe so.

3310. And matches that are reported in the newspapers take place there?

3311. Now, do you think it would be a little dangerous to this man to have it believed that a party band were permanently located in his house?—Well, I never heard an unfriendly remark about Mr. M'Laughlin in my life. I should be very sorry to make an unfriendly remark about M'Laughlin.

3312. Mr. Commissioner EXHAM.—I understood you to say yesterday that so long as these bands would confine themselves to houses, or to their own proper place for practising, or anything of the kind, you did not allude to that?—No; there is no harm in practising.

3313. No harm in practising at all, but in going out?—Yes, that is the only evil.

3314. I think that the witness yesterday seemed to admit, or take for granted, that there were two opposing bands in the town, the Hibernia flute band and the Apprentice Boys' band; but he said that this other had no distinctive party character at all?—Not so much as the others. I believe they were a better regulated party than the Bogside band. I have seen them together, and they seemed to be men of some respectability. That is, the band in Bridge-street.

3315. Mr. *M'Laughlin.*—They are not all of the same persuasion, are they?—Well, I really think they are.

3316. All?—Well, I could not define the religion of each of them.

3317. You gave some evidence here yesterday about party tunes, and, from what you stated to-day, I have no doubt that it does not so much signify what tunes they play, as, if a band goes out. Of course if they play party tunes it is worse, but even if they do not play party tunes, does it create disturbance for them to go out at all?—I believe that their appearance in the street creates excitement.

3318. Mr. Commissioner EXHAM.—I suppose when they see one band out they think they have a right to be out there too?—Yes, exactly.

3319. Mr. *M'Laughlin.*—I think the tunes you said you heard were "Protestant Boys," "Auld Lang Syne," or "Derry Walls Away," on the one side, and on the other side "God save the Queen" and "Patrick's Day"?—And the American air that has come over here, "The Wearing of the Green."

3320. And I suppose you would not say that "God save the Queen" was so very emphatic an air, as a party air, as "The Protestant Boys"?—No; I think "The Protestant Boys" is different.

3321. And I suppose, honestly now, "Patrick's Day," if played on the street, would be regarded as a party tune, while if played at a public banquet to the toast of "Prosperity to Ireland," it would not?—I think so.

3322. Now you have got a good deal of experience of the local magistrates, and I do not want to ask you about any partiality among them; I just want to ask you this, who is the oldest magistrate in Derry—is not Mr. Darcus?—Ay, or the present mayor, I think, Dr. Miller.

3323. What age would you think Mr. Darcus is?—I suppose he is nigh to sixty, or sixty years of age.

3324. And he is a man who has been always a consistent member of the Conservative party?—Well, I believe so; I do not know anything about his politics really.

3325. Well, I do; and there is no doubt at all about it?—Well, he may be.

3326. Now, you have seen Mr. Darcus sign summonses?—I have.

3327. Now, he writes as peculiar a signature as ever was written; is that his handwriting [document produced]?—This is his handwriting.

3328. There is a printed copy of the rules taken from the room where that Tradesmen's Band practises [another document produced]?—Yes; this is signed Henry Darcus.

3329. Mr. *M'Laughlin* read rule No. 2 and the other rules as follow:—"No person shall be admitted a member of this band who may be connected with any illegal or party society. Any member found at any time connected with any illegal or party society to be expelled, and shall forfeit all claim on the band. No political or sectarian topic to be introduced before the band. Any member introducing same to be fined," and so on.

3330. And then there is at foot—"I approve of the above rules. Henry Darcus, Mayor, 12th November, 1866"?—Yes.

Mr. Commissioner EXHAM.—I think what the witness really says is that, however unobjectionable a band may be in its formation by the members, yet the very fact of its appearing in the street, even although

in the most loyal spirit, is, owing to the state of public feeling, regarded as offensive by some people.

Mr. *M'Laughlin.*—I was about to put a question almost in your own words. But I think I have shown that this band is different in some degree from the others.

3331. Mr. Commissioner Murphy [to witness].—I suppose that even "God save the Queen," if played by one particular party, would be almost regarded as a party tune?—Yes.

3332. It was considered by the other side that the Hibernia Band had no right to play "God save the Queen"—that was on the night of the 28th of April?—Exactly so.

3333. Mr. *M'Laughlin.*—I have here in print that the Londonderry Tradesmen's Band have incurred a debt in producing instruments, and they hope that the inhabitants, to whose amusement they frequently conduce, will soon relieve them of their liabilities. Is not that the print of the *Sentinel* newspaper?—I could not swear to the print of the page that it belongs to.

3334. But take my word for it, that shows you were wrong?—No; I could merely give it as an opinion.

3335. Mr. Commissioner Murphy.—A perfectly innocent amusement has a wrong interpretation put upon it at present from the unhappy state of feeling that exists?—Yes, exactly.

3336. Mr. Commissioner Exham.—Tell me, as far as you know, was anyone injured by the firing that night, when this regular fusillade was kept up, because it is wonderful if these revolvers were loaded?—Do you mean by the police?

3337. No, by the shots fired by that party coming down?—I did not hear of anyone particularly being injured by it; if they were it was concealed. I did not hear of anyone being injured, unless what I alluded to, the rifle being indented and the pouch, and I believe one or two of the balls went into Mr. Watt's window. I heard the glass breaking at the time this firing was going on. Fortunately there were no lives lost.

3338. Mr. Commissioner Murphy.—One word as to what had occurred before the last election, as to the purchase of revolvers; was the impression abroad prior to that, that one party was armed and the other party unarmed?—Well, I believe that was the case; they looked upon what we call the Apprentice Boys as being well armed.

3339. Then the other side got them to be as well armed?—To be as well armed.

3340. So as to have equality in the point of arms?—Exactly so.

3341. And you believe that both parties are armed now?—Oh, I believe they are well armed in Derry at both sides.

Sub-Constable *Thomas Reilly*, R.I.C., examined by Mr. *M'Laughlin.*

3342. Were you here on the night of the 28th of April?—I was not.

3343. Then do you only speak of the matter of the attack on the Corporation Hall?—Of the attack on the Corporation Hall, and of the 12th of July previous, or at least the 13th of July.

3344. Mr. Commissioner Murphy.—That is the Muff Glen affair?—Yes.

3345. Mr. *M'Laughlin.*—Now, tell the Commissioners what you know about this 13th of July?—Well, I was at the Muff Glen on the 13th of July, and in coming home in the evening I crossed the bridge. There was a large crowd of people collected at the bridge—the new bridge—I supposed they were there awaiting parties returning from the Glen, and when I came across the bridge there was a number of them came to speak to me, to inquire how we got on there during the day, and I think I told them that everything passed off quietly. So I came to the barrack; and I think it was close upon nine o'clock, and some party came to the barrack, and said that there was rioting up in Bishop-street.

3346. Mr. Commissioner Exham.—What party was it you say you saw at the bridge?—Well, I think that there was a mixture of all parties there. I could not distinguish any of them; but some party came to the barrack—I think it was near nine o'clock, and told us that there was considerable rioting up in Bishop-street, and I and two more of our men—I will give you the names if necessary.

3347. There is no occasion?—I and two more of our men went up Linenhall-street, Ferryquay-street, the Diamond, and Bishop-street, and we went up along to Mr. Gilliland's, and when we went up that far we could not see any parties whatever in Bishop-street, and so we turned back, and we could not see any parties whatever in the Diamond; and as we turned Dr. Dunne's corner, we saw a great procession of people coming up Ferryquay-street, and the head of the procession was exactly at Mr. M'Arthur's shop, and I at once observed a regular commotion apparently immediately behind the procession at the foot of Pump-street, and I saw at once it was the opposite party and the procession. They had commenced to fight there.

3348. When you talk of the procession and the opposite party, which party do you call the procession party?—I mean by the procession party the Bog-side party.

3349. And was there a band?—There was no band whatever. Well there were only three of us there, and we ran down and got in amongst the fighting parties, and I drew my sword, and I endeavoured to separate all I could, and the fighting lasted only a couple of minutes. So when the fighting had ceased, some more of our men had come up, and I observed some of the city police then. When the fighting had ceased one of the city police said that such a man, a member of the Bog-side party, was the cause of the whole affair, and one of our men then said that he should be arrested; and he was then arrested.

3350. What was his name?—His name was Doherty, I think, and he was then arrested, and we took him to the station-house. So, in taking him up, a very large crowd of people followed us—a very large crowd. We had to draw our swords as we went up from the Diamond through Bishop-street for the purpose of protecting the prisoner; we were afraid he might be rescued, and we left him safe in the station-house. After that there was a crowd of people in Bishop-street and the Diamond, and in Butcher-street, and there was considerable stone throwing that night in Butcher-street and the Diamond, and about Butcher's Gate, and I recollect one time that we drove the mob down the Butcher's Gate and Butcher-street, and down out of the head of Fahan-street. I myself got a very severe blow of a stone in the head at the top of Fahan-street, after chasing the mob down. After that nothing particular occurred that night. Everything got quiet about twelve o'clock, I think.

3351. Was that man Doherty armed?—I did not notice any arms with him at all.

3352. Or any weapon at all?—I did not notice any weapon at all.

3353. Did you hear any shots fired?—Not at that place; and I do not recollect that I heard any afterwards.

3354. But before that, after you came into town, did you hear any shots at all?—It was about half past seven o'clock when I came from the Muff Glen.

3355. But in Derry did you hear any shots that night at all?—I do not recollect that I heard any that night.

3356. Mr. *M'Laughlin.*—Then you saw the subsequent attack on the Corporation Hall on the 20th of July?—I saw the subsequent attack on the Hall on the 20th of July.

3357. Mr. Commissioner Exham.—Were you before

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Sub-Constable Thomas Reilly.

the magistrates when Doherty was brought up?—I was not examined as a witness.

3358. Were you in court?—I was in court.

3359. What was done with him?—I think he was fined 10*s*. I recollect that there was a solicitor from Ballyshannon here defending him.

3360. Did you hear it stated what he had done or said, or that he had said anything particular?—Well, I am not quite clear. There were some of the city police examined, and I think one of our men, but I was not examined at all in the case.

3361. Had he assaulted any of the police, that man?—He had assaulted none of the police; but it was alleged that he was the ringleader of the party coming up the street, at least it was said that he was the cause of the whole affair.

Sub-Constable Michael Reilly.

Sub-Constable *Michael Reilly*, R.I.C., examined by Mr. *M'Laughlin*.

3362. Tell me what particular transactions you speak of?—It nearly includes the whole.

3363. Have you heard the evidence that has been given at this Commission—were you here on the 13th of July?—I was at the Muff Glen on the 13th of July.

3364. And do you generally agree with the last witness?—Oh, yes; but he did not describe anything about the Muff Glen at all.

3365. Mr. Commissioner MURPHY.—Were they armed at both sides on that day?—Yes; my knowledge principally extends to the Protestant party or Orange party. After we sent them home we came up with a number of those who were encamped on the Glen—about thirty or forty—and they were armed with rifles.

3366. Mr. *M'Laughlin*.—What was the number of those that were encamped at the Glen?—I cannot say. We only came up with about thirty or forty. The principal part of the day we were employed with the Orange party, persuading them to go back.

3367. Mr. Commissioner MURPHY.—About how many were they in number?—About 700.

3368. Were they armed?—They were. There were about 100 guns, and then there were old swords, pistols, and parts of scythes, and such things as that. They were all armed, less or more.

3369. Mr. Commissioner EXHAM.—Did they turn back?—The more respectable portion of them took the advice, and tried to persuade those under them to go back, and they assaulted them afterwards and took the colours from them, and there was great disorder among them, and some of them lay down on the road and would not go, and took the advice of the police, and the more turbulent and the lower portion of them would go on at all risks; and we had to make several stands, and they would go in on the fields and bogs and beyond us. There were only about nine or ten police there.

3370. Mr. Commissioner MURPHY.—Those who appeared to be in authority over them, the masters, endeavoured to aid you?—Yes; in persuading them to take the advice of the police.

3371. And they refused to do that?—Yes; and they assaulted their masters.

3372. They turned on their own masters?—Yes.

3373. Were some of those people at that time under the influence of drink?—There were some of them I should say under the influence of drink.

3374. And those who were supposed to exercise control over them lost all control over them?—Oh, they did their best to prevent them from going, but they rushed passed on us and leaped into the fields. We made several stands on the road for a distance of about two miles to try to prevent them, by advice and every way we could. At the last stand we made, as we were told by the Eglinton police, who reside in that district, they were within range of the other parties, who had taken up a position there. There are natural breastworks in this Glen, and they said there were 500 or 600 men there ready to cut them down if they crossed the Glen. They said they would not molest them unless they tried to cross the Glen, but they were prepared to cut them down had they done so.

3375. Mr. *M'Laughlin*.—Were the party in the Glen heavily armed?—I saw about forty of the party, and I saw some good looking rifles amongst them.

3376. Did you see any field pieces with the party in the Glen?—No.

3377. Did you hear it stated publicly that there were some field pieces?—I heard it, but I saw none.

3378. How many did you hear they had?—Well, I did not hear the number of field pieces.

3379. Now you talked about breastworks; were those breastworks natural?—Yes; I said they were natural.

3380. Were there any supplementary breastworks, the result of engineering skill?—None; I saw nothing artificial there.

3381. I suppose there would have been bad work if the two parties had met?—Yes; I certainly thought we would come in for the worst of it if the two parties commenced.

3382. Mr. Commissioner MURPHY.—How many were there of you on the road?—About ten men, sir.

3383. Mr. Commissioner EXHAM.—How many did the Eglinton police muster?—Only two or three of the Eglinton police; they came up to us and told us the position that the others occupied.

3384. Mr. *M'Laughlin*.—What constable or officer was in command of that small and devoted force of police? Captain Stafford was there and two mounted men, and Captain Fitzmaurice the Stipendiary Magistrate?—Yes.

3385. I think you said that after you persuaded them to turn back and not to go on, you saw them when you came into the town?—I saw bodies of them in a public-house there.

3386. Whereabouts is the public-house?—It is near the bridge. There is a bleaching-green there, I think. The military had to be sent for. There was one of the mounted police sent in, and the military came in by train.

3387. Those who were in charge of your party sent in one of the mounted police force?—Yes, and the military came out by Eglinton to within three miles of the station where we were, at the double, and they were very much excited and prepared for work; but at that time the Orange parties were induced to go home.

3388. Had the other parties who were encamped in the Glen retired at that time?—At the time the military came up we were after coming up with some of the parties who were encamped in the Glen, and they went on before us; so we came down to meet the military, to report that all was quiet.

3389. Was there a heavy force of military?—Well, I should think that there came out about a company of some regiment that was there—I think it was the 24th Regiment—under two officers.

3390. What time did you arrive in Derry that night?—Well, I should say about eight o'clock, or half-past seven; we came in by cars; we had three or four cars with us in the morning, but we had to abandon the cars and keep among the men, who carried us home.

3391. Were you required to do any duty in town that night?—No; I was not at this other affair, the slight scrimmage that took place in Ferryquay-street; I heard of it, though, but I did not take part in it.

3392. That was a scrimmage by way of postscript, to use a Hibernicism, to the scrimmage that was nearly taking place in Muff Glen?—Oh, it should not be compared to what would have taken place in the Glen. It was not worth notice at all. If the parties happened to come into collision in the Glen I believe there would have been great loss of life there.

3393. Mr. Commissioner MURPHY.—Were you there on the last 12th of July?—I was not; I was out in Donegal.

3394. Mr. *M'Laughlin*.—But I believe there was a

previous 12th of July?—Yes, I heard there was, and there was a party of Orangemen who attempted to march through the Glen, and they were violently assaulted and beaten by the others, and then they collected on the 12th of July, 1868, to go there again, and the others collected to oppose them.

3395. Now, the 12th of July that you have been speaking about since you began your evidence—is that 1868?—1868; the 12th of July fell on a Sunday, and the anniversary was held on the next day (Monday).

3396. And the respect of the two parties for religion was so great as to induce them not to hold the celebration on the Sunday?—Yes.

3397. Some of those who took part in that previous affair that you speak of were, I believe, tried for it in the next Court here?—Do you refer to Derry?

3398. Tamnahern-bridge, the other occurrence that you spoke of in answer to a question from one of the Commissioners. I believe the previous attempt of some of the Orange party to cross that bridge resulted in some of the Catholic party being sent forward for trial?—Yes; I believe that there were twenty on each side sent for trial, but let out on their own recognizances.

3399. Now, you saw nothing more that night?—Nothing more.

3400. You saw the night of the Corporation Hall business?—Yes.

3401. Mr. Commissioner EXHAM.—Do you know anything in town on the night of the 13th after you came back?—I did not see that occurrence.

3402. Mr. *M'Laughlin.*—Were you in town on the 12th of August following?—Well, I think I was.

3403. And I suppose you saw the ordinary display?—Oh, it is always held on the 12th of August since I came here.

3404. Now, inasmuch as your inspector has been asked, and Constable Kennedy has been asked, I suppose I may ask you whether you think that the peace would not be better preserved if these displays did not take place?—Oh, I think so.

3405. And that applies to displays by any party?—Certainly.

3406. Under any pretence?—Certainly.

3407. Any form of procession?—Certainly.

3408. Unless it assumed the form of a funeral?—Unless the police.

3409. It is a very affecting thing to see the city police in procession?—It is; any police; it equally applies to them all.

3410. Did you see any of the little disturbances with the tar barrels on the 1st of December, 1868, and 1st of January, 1869?—Was it at the election?

3411. No, but after the election ——?—On the night of the election.

3412. Yes—Did you see anything on the night of the election?—I saw tar barrels going by up Bishop's-gate as I was standing on the steps of the Court-house here, and I remarked to another person who was standing along with me that I thought there would be a row by those parties going on the wall.

3413. I believe that was the first occasion that ever the Catholic party had gone on the wall?—It was the first time I ever saw them going with tar barrels there.

3414. Or ever heard of them there?—Yes.

3415. You did not follow them?—No; I was standing at the Court-house.

3416. Were there many of them?—I could not say the number. I saw the tar barrels going up, and I remarked that there might be a row in consequence of them going up there.

3417. I believe they went down towards Butcher's-gate?—I believe they did.

3418. And in their awkward progress towards Butcher's-gate they would require to pass the gun-room. Have you ever been in that gun-room at all?—I have.

3419. Did you see anything when you went into it?—Well, I saw a number of men there and guns about. I was called in there one night. I think it was on the 17th of March last. There was a ball held at the Masonic Hall, down at the end of Butcher's-street, past Mr. M'Monagle's public house, and there was a patrol of police out during the night, and we heard some shots as we were down there, about one o'clock, coming out of the gun-room.

3420. The 17th of March of this year?—Of this year; and the ball was held there, and we passed by where the ball was being held.

3421. You talk about a dancing ball?—Yes; and there were some shots fired out of this gun-room, and we went up and there was a number of men and guns about, and they said that there was a number of windows broken there, behind the wall, from some person that threw stones in at them, and that it was in answer to that that they fired out one of the pistols out of the windows, and that was the occasion when we went up there.

3422. Was it on the 17th of March?—Yes.

3423. Did you go into the Masonic Hall to see the ball?—Yes, we did go in to see the dancing for a short time. We were invited in.

3424. Was there a large company there?—Yes.

3425. How many?—About a couple of hundred.

3426. Young people of both sexes?—Yes.

3427. Did you see any arms?—Nothing only ladies.

3428. Mr. Commissioner MURPHY.—Did you see any windows broken at the gun-room?—Oh, the windows are nearly all broken in that gun-room.

3429. Were they broken then?—I could not say, for all the windows there are broken, and all the glass shattered by young boys of the town. Any house they find vacant here they generally break the glass of it to give employment to the glaziers.

3430. Mr. *M'Laughlin.*—Were there many men taking charge of the guns that night?—There was a number.

3431. About how many?—Well, I saw plenty of them there. I should say twenty or thirty.

3432. How many cannon did you see?—Well, I really did not count them, but I saw guns there.

3433. A good number?—Yes.

3434. And those shots fired out of the window were pistol shots?—Yes, pistol shots. We went up to inquire, and they alleged then that stones were thrown across the wall and broke some glass in the window.

3435. From the wall or over the wall?—From behind the wall, over the wall.

3436. And I suppose you remained on duty all night?—We remained till we found that everything was quiet.

3437. And there was no attempt made that night to bring out the guns or anything of that sort?—No.

3438. Now, the night you remember after the election petition terminated, were you out in the town that night?—I was.

3439. Were you at Bishop's-gate?—No, I was outside the walls. There were two of the borough men sent with a party of the reserve. They came to protect a house in Sackville-street—I think it is Mr. Louch's—and we remained there till all was over.

3440. And I believe his windows were broken, and there is no mistake about it?—There were some stones thrown, I believe.

3441. The first breaking of windows, I believe, was the night of Dowse's lecture?—Yes.

3442. And from your experience of Derry of late there was none till it began then?—That was the first I remember.

3443. Did you see Doherty's windows broken that night?—Well, I cannot say.

3444. Or the *Standard* office window?—I think I saw the *Standard* office window, but I cannot say about Doherty's.

3445. Did you see the First Presbyterian Meeting-house's windows that were broken that night?—Well, I cannot say, but I heard of them being broken that night.

3446. Did you see any tar-barrels carried in Pump-street on the night of the 1st of January, 1869?—No.

3447. On the night of the 1st of December, 1868?—No.

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3448. I may ask you whether you saw the procession on the 18th of December of last year?—Oh, yes.

3449. How long have you been in Derry, one time with another, since you joined the force?—I have been stationed over five years in Derry.

3450. Did you always hear music with those processions on the 18th of December and 12th of August?—Yes.

3451. Can you tell what tunes they played?—Well, "Protestant Boys," and "Derry Walls Away," and so on.

3452. They did not play "The Last Rose of Summer?"—No, or "Patrick's Day."

3453. Coming down to this unfortunate affair of the 28th of April, when did you go on active service in the town the first time that day?—I was in the party that went down to meet the Prince, at the arrival of the Prince.

3454. Did you see any band there?—No; we were in on the platform, and I heard that there was a band outside.

3455. Did you hear the music of the band?—I cannot say that I did.

3456. I suppose after you received the Prince you came up to the heart of the town?—The crowd was very dense at the railway station, and we were kept some time.

3457. The railway station is a very confined place?—Yes, it is.

3458. And a very small crowd there would create a great obstruction?—We were obliged to wait till the crowd got out before us, and then we went and deposited our arms, and came up to the Town Hall.

3459. And then you came up to the Town Hall, without anything but your side-arms?—Without anything but our side-arms.

3460. Do you recollect was the band there then?—Yes, there was a band parading the town during the evening.

3461. But during the afternoon. The Prince arrived, I believe, about ten minutes past three o'clock?—Yes.

3462. Did you hear the band playing any tunes at that time?—I did.

3463. What were they playing?—I heard that band referred to, from the Bog-side, playing "God Save the Queen" opposite the hotel, and they marched down playing "Patrick's Day," as they marched to the Town Hall. I was standing opposite the Imperial Hotel.

3464. What time of the day was this?—I think it was after the Prince left the Town Hall, and went up to the Imperial Hotel.

3465. Did you see any opposition offered to them at that time?—I recollect none. I think I recollect some groaning. When that band from the Bog-side was playing "God Save the Queen" there was some groaning from the opposite party.

3466. I believe for some reason or other the Britannia Band did not go out at that time?—No, they were not there at that time.

3467. Did you go home then?—No, we remained there till after six o'clock. We saw the Prince going to visit some places.

3468. Public institutions?—Yes, and the walls.

3469. Now, up to the time that you left the street was there any disturbance?—None whatever.

3470. Did you see the other band there at that time, the Britannia Flute Band?—That is, the Apprentice Boys' Band?

3471. Yes, with the blue uniform?—Yes, I saw them coming off the wall with their guns and colours, and so on.

3472. What time was that?—Well, I think it was after the Prince arrived in town; when he was at the Imperial Hotel.

3473. Did you hear any groaning then at all?—No.

3474. Did they perform at the Imperial Hotel?—Well, I am not certain.

3475. That is all that happened up to the time you left at six o'clock?—Yes.

3476. And what happened after that?—The men were sent out in twos and threes, to the different streets, with their side-arms only. When I was sent out there was no one sent along with me. I was sent to Ship-quay-street; if anything took place I was to make a report to the barrack; and I walked about the Town Hall till about eight o'clock, and I heard shots up in Society-street, or up high in Bishop-street, as I was walking to the Town Hall; and then I saw the people coming rushing down on each side of the Town Hall, and though it was not at my street it took place, I thought it would be right to report it to the barrack, as I saw the people rushing. I went across Richmond-street to report it to the barrack—to report what I saw there.

3477. That is the street opposite the News Room?—Yes; and when I was going down, turning the corner up to the barrack, I saw some of the men stationed in Bishop-street coming with a prisoner, and then I knew that they would report the occurrence, as it was where they were stationed, and then I turned back again. I walked up and looked towards Ferry-quay-street, and I saw Head-Constable Davis and some of the men under arms, and I went to meet him, and asked him if I would repair to the barracks and get under arms, and he answered very solemnly, "Oh, Lord, yes," and I went as quickly as I could, and there was a gentleman there belonging to the town, Mr. M'Monagle I think it was, saying that his house was attacked. And so I got under arms and proceeded to the Town Hall to join the other men, and I found that they were not there, for they went to the station-house with prisoners, and Constable Kennedy and I went down to where the house was attacked, and stones commenced to be hurled about me, and they were coming from each side; they were coming from Butcher's-gate, and they were coming from the direction where Walker's Pillar is, and there was one time that they came very thick about us, and I think I was struck; and there was another policeman there along with me, and we found the stones coming down from Walker's Pillar very thick; and as I was going up I saw a very large stone coming, and I looked up and left the place till it passed; and I got up on the wall again, and fixed my sword, and I told the other policeman to do the same, and he said it was better not at the present time, and he told me to unfix my sword again, and so I did, and we went up to where the Apprentice Boys were.

3478. Where were they then?—About opposite the Meeting-house.

3479. That is between Butcher's-gate and the Pillar, rather nearer to the gate?—Yes; we went up and I saw Mr. Ferguson there, and I spoke to him, and I asked him to use his influence with the parties that were busily engaged in preventing the Bog-side party from coming up; and during the time I was there I was struck with a stone from the opposite party; and Mr. Ferguson asked me how many men we had, and if we were fit to keep them back; and the Apprentice Boys shouted to be let down, and they would put them out of that; and I knew another of them besides Mr. Ferguson, and I spoke to him too, and I told him that we would keep them back, and for them to keep back and not to come down.

3480. Was that the Bog-side party that you speak of that were in Butcher's-street?—Yes; and Butcher's-gate.

3481. Those were the people that said they could not go down that way on account of the stones coming off the gate?—Yes, and after our speaking to the Apprentice Boys the stones ceased, and we went down again to the gate, and they were very annoyed about the other party, and I saw a few getting up on the wall again, and I was afraid that there would be a collision again, and I got up on the wall to prevent it.

3482. What party were they?—I consider of the Bog-side party—getting up. There were only two or three police there, and I commenced to run, and I had my rifle in one hand; I thought to frighten them, and so I did; and one man said that he would not leave, and another man struck me with a stone on the peak

of the cap, and it caused the blood to flow profusely at the time, and when I found I was struck I was fired to vengeance, and rushed upon the foe; some of them leaped down the wall; I cleared the gate anyhow before I left. I found the blood pouring on my hand, a very strong stream of it, and I shouted to one of the men underneath that I was badly hurt; and when I was turning back again another shower of stones came up, and one of the men was getting on the wall, and another shower of stones came again; and I thought it better to go and see the doctor, and then I went away into the barracks, and I saw no more that night; I went to the barracks, and when I was dressed and all I wanted to go out again, as I considered it a very bad night, and the number of men was very few, but the officer would not let me out again.

3483. After that you saw nothing more?—Nothing more that night.

3484. For the first time coming along your proper beat towards the Diamond you heard the firing of shots from towards London-street?—Yes, I considered them pistol shots, revolver shots; they were in quick succession.

3485. That was about eight o'clock?—Yes.

3486. Do you remember having seen the procession that took place here on the occasion of what we have known all through these proceedings as the Protestant meeting—Did you see that?—I saw it up from me in the field; but we were not allowed to go that way.

3487. Did you see the procession marching through the street—I am not talking of the meeting?—I did not.

3488. Now, on the 12th of July was there any disturbance here at at all?—Last July?

3489. That is what you have been already speaking of—that was on Sunday?—No; the last was on Monday.

3490. You are quite right. Did you see anything happen on that day?—No; I was out in Donegal on duty that day, but I heard of something.

3491. Can you give me the name of any constable who was on active service in town that day as far as you know?—I think Thomas O'Donnell, Acting-Constable.

3492. That is the mounted man?—Yes.

3493. Now on the 12th of August last were you on duty in this city?—The last 12th?

3494. Yes, the present month?—I was; yes.

3495. And I suppose you saw the procession?—Well, we saw them passing the Town Hall. The men that came in from the rural districts were kept in the Town Hall. I saw the procession passing by the Town Hall.

3496. There was a large force of constabulary here, was there not, on the last 12th?—Something about 170 men.

3497. What number of military would you consider 170 police equal to—would they not be worth 300 for work of that sort?—The military bear a very high character. I would not like to——

3498. Cut them down?—I would not.

3499. Mr. Commissioner Murphy.—There were enough here on that occasion to have prevented that procession?—Oh, yes, I think so; the Snider rifle is so good.

3500. They would not use that?—I don't think they would if they did not resort to extreme measures.

3501. Mr. *M'Laughlin.*—That is if they had to be driven back by the butts of the gun or anything of that sort?—Oh, I should think 170 men would clear all before them with the butts of the guns.

3502. Would not 170 police, acting on a procession of two or three hundred men, clear all away before them with the butts of the guns?—Oh, they would, a thousand of them.

3503. Had they any music with them—those processionists on the 12th of August?—Yes.

3504. Was that the band with the blue and gold?—Yes. I saw a strange band there; I heard it came from Coleraine.

3505. Were they all playing the same tunes?—I do not know what tunes they played that day. We were in the Town Hall, and were not let outside.

3506. They played some music, and you saw no attempt whatever to prevent them?—None whatever.

3507. On last Thursday did you see the band passing to the railway station?—No; I was in Moneymore that day; I came in in the evening.

3508. Mr. Commissioner Exham.—When you say the day the Prince came in here you heard groans at the time "God save the Queen" was played, was that flag with the band, that we have heard of?—I think it was, but we didn't pay any particular attention to it as we were looking towards the Prince.

3509. But you did observe that flag carried that day?—Yes; I saw that flag carried down, but we did not inspect it minutely.

3510. Have you seen that flag carried often here?—Well, no; I cannot say I have.

3511. Mr. Commissioner Murphy.—Though you used the words in vengeance you rushed upon so and so, you did not strike any one that night?—No; I had not my sword fixed.

3512. Were you loaded?—No.

3513. And all you used for your protection against the opposing numbers there was the butt end of your musket?—Yes; one man resisted, but I was struck by another. I only wanted to frighten them. I was afraid of a collision; I saw them getting up on the gate, and I went to put them off it. We were up with the Apprentice Boy party, and we advised them to keep back and we would keep back the other party, and I went up and looked down Butcher-street, and I saw those other parties again collecting at Butcher's-gate; I was in dread they would come into collision; I ran with the butt of my gun to frighten them, and I felt myself struck; I turned and ran, and there was only one young man, who put up his hands and prayed for mercy, and I did not strike him; I let him go; but had I known that the stroke was so nearly taking my life as what the doctor said it was, I would have followed the man—he was nine or ten yards from me—I would have followed him and certainly tried to stab him, or do something, or arrest him, sooner than let him go.

3514. And you went to the barrack?—I was the first man that was injured, and I saw the officer at the barrack; but I knew the danger the men were placed in, and there were so few of them out that evening, and I wanted to go out again, but the officer would not allow me.

Dr. *Barnewall White*, J.P., examined by Mr. *M'Laughlin.*

3515. You are a resident in Derry for very many years?—Yes, I have been all my life.

3516. I suppose you know Derry pretty well for the last thirty or forty years?—I know it very well for the last thirty-five years.

3517. You are a medical gentleman living in Derry and you have very extensive practice, I believe?—Yes.

3518. I suppose there would be no harm in saying that you have a more extensive practice than any other man here?—I am in large practice, at all events.

3519. And that extensive practice brings you into immediate communication with all ranks and classes of the population?—Yes, I am brought in connexion with all ranks of the population from the highest to the lowest.

3520. And I suppose you avail yourself of that professional communication?—Professionally I do.

3521. I mean you avail yourself socially of it?—I do.

3522. And do you apply your last answer, as regards the extent of your acquaintance, to the district about?—Yes. I know the people for a radius of about thirty miles round Derry.

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3523. And that, I believe includes portions of the county of Donegal as well as Derry?—Yes.

3524. I believe you are in the commission of the peace?—I am, for the county.

3525. I believe in politics you are a Liberal, and in religion a Catholic?—Yes.

3526. When you say you are in the commission of the peace, do you mean that you are a magistrate for the borough?—No.

3527. Have you ever been at any time offered the commission of the peace for the city?—Yes, I was offered it years ago, some time after Mr. Lyle was appointed Lord Lieutenant of the county, but I declined it.

3528. As a matter of fact—as a portion of our inquiry here is in reference to the magistrates—what was your reason for declining it?—Mr. Lyle said I was a very proper person to have appointed a magistrate of the borough. I said I could not give much time to it. He said that could not be expected, and pressed me to accept the commission. I said I would think the matter over, and give him an answer. After eight or nine days I wrote to him and said I would accept it, but subsequently, before the commission was issued, there came on a party display and proceedings were taken before the magistrates, and they were conducted in such a way that I thought them one-sided and partial, and I could not work with those gentlemen. I wrote to Mr. Lyle declining the acceptance of the commission, giving him my reasons, and asking him if the commission was not issued to stop it, and if it was issued to get it cancelled. Mr. Lyle wrote to me to say that he approved of my reasons, and that he wrote to the Lord Chancellor to have it cancelled.

3529. Fix the date of that as nearly as you can?—That was about the time there was a prosecution against the Apprentice Boys about some occurrences that took place after December, 1860.

3530. Do you remember the occasion that Mr. Major, Q.C., was brought down here specially?—No.

3531. Then that can't be the same occasion. Now, as a close observer of local history, and of men and occurrences, and all that, have you had any cause since that time to change your opinion?—None. Every year convinces me more and more that I judged wisely in not accepting the commission of the peace for the city.

3532. I need not say—because it is publicly known in Derry—you might have got it any time you liked in the mean time?—Oh, yes; it was offered to me afterwards.

3533. And not always by the one administration?—No.

3534. I believe you are not a man of extreme views on any point?—I believe not. I never took part in politics in my life, except to give my vote.

3535. And that very seldom, I believe?—I only voted twice in my life for a member of Parliament.

3536. Do you think the manner in which those party cases that have occurred within the last year or so have been conducted, confirmed you in the wisdom of the course you took in declining the commission of the peace?—Certainly.

3537. Did you hear or did you read Mr. O'Neill's evidence?—I read it. It was reported in the *Sentinel* newspaper.

3538. From your own opinion, and judging from your own intimate and exhaustive knowledge of the people of Derry, can you tell what is the impression of your co-religionists as regards the partiality of the magistrates?—As long as I recollect that I am in contact with them—for the last thirty-five years—in those cases in which religious or party feeling entered, the Roman Catholics were under the impression that they did not get fair play or justice. I never heard any one say they did, and I have frequently heard them say they did not.

3539. You are physician to the lunatic asylum?—I am.

3540. Did you ever hear anyone there say they did?—No, I did not.

3541. Because that is about the only place you would hear it. I ask you is that impression by the people, with reference to the partiality of the magistrates, right or wrong, and is your own opinion in concert with them?—Well, I read a little of local matters with reference to them, and I was not satisfied with the way things were investigated and decided.

3542. You were not satisfied?—No, I was much dissatisfied.

3543. And you say you coincide with the opinion of the people in this respect?—Yes, but not so strongly; in some degree.

3544. Now, had you had an opportunity of hearing what way the city police are held in public opinion?—The city police, as a body, are known to have connexions and relatives among the Apprentice Boys, and to take extreme views in politics, and they have not the confidence of the Catholic population, as undoubtedly anybody having the administration of the law ought to have.

3545. Could you, as far as opportunity of judging has enabled you to observe, give an opinion as to whether the Catholic population have ground for that opinion?—I think they should have confidence in those intrusted with the administration of the law.

3546. Mr. Commissioner MURPHY.—What Mr. M'Laughlin asks is, are they justified in that opinion?—To some extent I think they are.

3547. Mr. *M'Laughlin.*—You say it is of the utmost importance—and I agree with you—that the people should have the utmost confidence in every branch of the administration of the law?—Yes.

3548. You have travelled, I know, a great deal in many of the leading European countries, and have had opportunities of judging of the administration of the law?—Yes.

3549. Now, do you think the present magisterial and police arrangements in Derry will ever inspire confidence in the minds of a large portion of the inhabitants?—I should say not.

3550. Would you kindly tell the Commissioners your reasons, except so far as you have already disclosed them, for that opinion?—Well, the police who are engaged in carrying out the provisions of the law are suspected of strong partisan feelings, and the Catholic people believe the magistrates before whom they are brought, whenever they happen to be arrested, to have in a greater or less degree a partisan feeling.

3551. Was your attention specially called to that portion of the evidence of Mr. O'Neill where he says there exists an impression that the oaths of the Catholics are not believed so readily as those of the Protestants?—I have heard Catholics of the lower classes state that.

3552. But speaking generally, there is a prevalent impression to that effect?—That is in cases of political and religious views both combined. I would not say that in a question of money account, or a question of dispute between a master and servant, there would be anything of that kind of feeling; but wherever those feelings, political or religious, come in, there is a large amount of distrust.

3553. From your knowledge of human nature do you think it hard to keep out this feeling from any case even not in itself of a political nature?—Well, it is. If people are brought up with extreme views, it is impossible to disassociate themselves from early impressions and a religious or political aspect may be accidentally given to any case.

3554. Knowing in a higher degree than any other man in the city the feelings of the people, can you say are they not generally a kindly and well disposed people?—Very much so. The entire population I would say are disposed to live kindly and peacefully with each other if they were not aroused by these annual displays. They are a kindly and neighbourly people, and would live on very good terms only for that.

3555. I believe that although they are occasionally a demonstrative people, they would live kindly towards

each other only for these displays?—Indeed they would.

3556. But on the occasion of these displays I believe the public mind undergoes a change?—I have heard people say so. I cannot say I noticed it myself, but I have heard people say they see a difference in their neighbours some short time before these displays come on, and it remains for ten days or a fortnight after them. I was frequently told that.

3557. These displays to which you allude, of course, are the 12th of August and 18th of December?—Those are the principal displays.

3558. When you talk of the principal displays what others do you mean?—Those are the displays; I don't think there are others.

3559. I want to know beyond all possibility of doubt if there have been other displays than those you allude to—displays on the 17th of March?—Not for a great many years. I remember when a schoolboy seeing a procession on the 17th of March—nearly fifty years ago—and the people walking through town with flags, in procession after midnight, at twelve o'clock, on the morning of the 17th of March. They were eventually restrained by the authorities, and they died away. I don't know why.

3560. Coming back to these displays of local occurrence, do you happen to know whether the class of people of whom I am questioning you regard those displays as insulting and offensive?—They do so, and always have done it. These displays, as I understand, did not commence until towards the end of the last century—the centenary of the siege of '88. At that time there began a struggle to get civil rights for the Catholics and Catholic emancipation, and they (the celebrations) have been kept up from that time to the present. I looked over the file of the *Derry Journal* through curiosity one time, from '72 to '78, and I could see no mention of it; so that for a century after the siege there was no such thing.

3561. I must ask did you, as a Catholic, participate in the prevalent feeling in regarding these displays as offensive and insulting?—I would say any instructed man could think nothing else. These displays are intended to commemorate events that put down the Roman Catholic population of Ireland for more than a century, and made them the most degraded Christian population in Europe.

3562. Without education, or knowing the details, then, there does exist among the Catholics a feeling that brings them *per saltum* to the very result you reason out yourself?—Yes; they have that feeling—that it is to crow over them and make them feel that they are not on an equality with others; that they are beneath them in every way.

3563. You think it would conduce to the peace and harmony of the town if they were put down?—I think processions of any sort should not be permitted, and no loop-hole given for them.

3564. I was just going to ask do you apply that observation to all?—I would stop every description of procession.

3565. No matter from what side?—No matter from what side.

3566. And all banners and music?—Yes; all banners and music.

3567. Mr. Commissioner Exham.—In every part of Ireland?—In every part of Ireland.

3568. Mr. Commissioner Murphy.—In every part of Ireland in which you think they are regarded as triumphs of the past?—Yes.

3569. Mr. *M'Laughlin.*—In any locality where there was a specially excited feeling I suppose there would be a greater necessity for abolishing them?—Yes. I think this place would be very peaceable and very prosperous only that it is disturbed twice a year by them. The people of Derry are a kindly-disposed people, and were these celebrations prohibited I believe the result would be that harmony and good feeling would prevail.

3570. Do you think there ever will be peace and tranquility in Derry so long as they are allowed?—I do not think there will. There will be always bad feeling so long as they continue.

3571. Are these feelings you enunciate, with reference to all displays, opinions confined to Catholics alone?—I know a great many people—instructed people—among the Protestants and Presbyterians who disapprove of them, some strongly and others less. Some think well of them—some think that old historic recollections should be kept up—and others disapprove of them altogether.

3572. Talking of these celebrations, have you observed whether, of recent years, as regards the addition to them from rural districts, there has been any change?—A very great change. Since the railway system has extended, large numbers of people are brought in to them from rural districts, who could not come in before.

3573. And I suppose the opinion you expressed in reference to danger is increased by that?—Certainly.

3574. Has the use of music within the past fifteen or twenty years been made part of these processions?—They always had music. My recollection goes back to when the yeomanry used to come to the gates and fire in half companies.

3575. Mr. Commissioner Exham.—I do not think we need go so far back.

3576. Mr. *M'Laughlin.*—Very well. [To witness]—Confine your remarks to the last couple of years. I suppose the election created some excitement, as all elections do?—Yes.

3577. Do you think the feeling inspired by the election and its result would tend to make the town more peaceable?—There was a great deal of excitement on account of it.

3578. More than during the previous twelve months?—I think there was. I am not in the way of knowing very fully. It is only incidentally I would know. I cannot know accurately.

3579. But what do you believe?—I think the state of excited feeling is exaggerated.

3580. You think the state of public feeling is exaggerated?—It is increased; but I think it is said to be greater than it really is.

3581. Then, though it is increased, it is not increased to the extent those who talk and write about it represent?—I think not.

3582. Mr. Commissioner Exham.—And I suppose it is kept up or helped to be increased by all the writings?—Undoubtedly.

3583. Mr. *M'Laughlin.*—And I suppose the fact of two or three men being shot down in the Diamond would tend to keep it up?—That naturally caused great excitement.

3584. Do you know what the feeling of the Roman Catholic population is as regards giving physical opposition to these displays?—Well, I think there is a feeling getting up, or has just got up, that they will oppose them physically, and that these displays will some day lead to a sanguinary collision between the two parties.

3585. I will ask you another question. Do you happen to know, with reference to the tendency to offer physical opposition, that the clergy of your Church have been accustomed to inculcate peace and harmony on their flocks?—They have always done so, as long as I recollect.

3586. Do you think it would create confidence in the partiality of the magistrates, or in the administration of justice, if a stipendiary magistrate was stationed here?—I think to give confidence to the people they should have a stipendiary magistrate here, to act like the magistrates in Bow-street, London, and to decide all those cases having a political or religious tendency alone.

3587. Do you think the object would be achieved by the residence of one or two stipendiary magistrates here?—Well, if he did not decide these cases alone, and was over-ruled or outvoted by the other magistrates, what could he do?

3588. I was just going to ask you that question. Now, what do you think he could do if he was outvoted?—He could do nothing.

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3589. And what do you think that two could do if two were stationed here?—They could be still outvoted, and we would be still in the same position.

3590. Now, is it not a fact that on the most critical occasion that occurred here—the admission of Barker to bail—the resident magistrates have been outvoted?—Yes.

3591. I believe Mr. O'Neill joined with the stipendiary magistrates in remonstrating against it?—So the newspapers say. I knew nothing about it.

3592. In that case, I believe Mr. Rea (solicitor) and Mr. Crawford (solicitor) prosecuted the murderer of Craig?—I believe so.

3593. And I believe the stipendiary magistrate and other magistrates remonstrated?—Yes, I remember there were two cases in which they were outvoted.

3594. In that case they stopped the inquiry before they heard the case for the defence at all?—As to that I can't tell. I do not remember the particulars very accurately.

3595. Do you happen to know Captain Coote?—Yes.

3596. Mr. Thompson, who is in Court, says he went with the decision of the other magistrates?—Well, I do not remember accurately.

3597. Mr. Commissioner MURPHY.—Were the police admitted to bail?

3598. Mr. *M'Laughlin.*—The police were admitted to bail on their own recognizances.

3599. Mr. Commissioner EXHAM.—Who admitted them to bail?

3600. Mr. *M'Laughlin.*—The magistrates; but it was not a charge of wilful murder in that case. It was for a felonious intent to kill and slay. [To Witness]—With reference to your suggestion that a police magistrate should be stationed here to act like the divisional police magistrate in Dublin, or Bow-street, London, would you tell why you think that absolutely necessary?—Because he would be a magistrate responsible to Government, and I think a man acting in that way would restore confidence to the people, and be looked upon in the light of an assistant barrister.

3601. And is there always confidence in an assistant barrister adjudicating in reference to political or religious views?—I think so.

3602. Unless something occurs to yourself to mention I have no further question to ask?—Nothing further occurs to me.

3603. Mr. Commissioner EXHAM.—Not referring to Derry at all, is it your opinion that it is always best to have paid judges?—For political or religious cases, I would say yes, everywhere.

3604. I presume, from what you said lately, that your opinion is that it would be desirable to make a change in the constitution of the police force in Derry?—I think so. I think, to do away with the local force, who have connexions and friends here, and get the constabulary, who would be strangers, and would know nobody and nothing but their duty, would be best.

3605. Do you think that would conduce to the peace of this important city, and that the force to be here for the future should be the members of the Royal Irish Constabulary?—Yes.

3606. And officered in the usual way, of course. Now, tell me, you would calculate that such a force being here would tend in future to the repression of riot and disorder?—Yes.

3607. Having regard to that fact, and especially to the fact that a stipendiary magistrate was stationed here, you would not expect that then the same ground for this feeling of partiality should exist?—No. I think confidence would then be restored in the administration of justice; and then, if these particular demonstrations were put down at once, I think, in a short time, all would become and remain quiet.

3608. Is it your opinion that a stipendiary magistrate, with such of the local magistrates as are able to take their part of the duty at petty sessions, would carry on the business satisfactorily then?—I think on these particular questions the resident magistrate's opinion would be overruled, and I would sooner have him on these particular questions decide alone.

3609. We have referred to these two cases because you said you heard a want of confidence expressed with regard to the conduct of the magistrates, or some of them, in these cases. We have heard up to the present of but four of the political cases brought before the magistrates complained of, namely, two cases by Mr. Hempton, which are personal matters to himself, and the other two mentioned to-day. Were there any other cases to your knowledge?—I can only tell you of general impressions. The Mayor's office is a place I am not in once every fifteen years, and I know nothing of them except by reading the local newspapers.

3610. Have you considered the number of the police force that would be required here in the event of any change taking place?—No, I have not, nor would I be competent to form an opinion.

3611. I suppose you as an individual would have no hesitation to contribute towards an increased taxation for the payment of the constabulary force?—None. I would have no hesitation in paying an increased taxation for peace and quietness. They would be well worth paying for.

3612. You say that parties have come into the town from other districts to join these processions?—Yes.

3613. Do you think, in consequence of that new element being brought into them, that the processions are viewed as more obnoxious by the other party?—Well, I can't say.

3614. You think these displays have been always viewed by your co-religionists in the light you represent them—in the light of ascendancy, or as displays of triumph?—Yes.

3615. In reference to that feeling which you say exists with respect to the administration of justice, from your long experience among the Roman Catholic population, are you able to say that it is wide-spread and general?—Yes, I would say that it is very general.

3616. Among a certain class?—Indeed I would say among all classes of the Catholic population, but I would confine it solely to political and religious cases.

3617. I suppose you know as well as any one else that when that feeling exists, all decisions—decisions that would be right and proper in themselves—are viewed through that medium, and become much distorted, and are viewed in a questionable light?—No doubt of that.

3618. And regarding decisions that are very free from corruption, and from partiality, yet in the present state of feeling motives might be attributed to them?—Undoubtedly.

3619. Of course we know that it is not sufficient that justice should be pure and impartial, but that it should convey that feeling to the population?—Yes; I think it is of great importance to the community that that belief should exist.

3620. Mr. *Crawford* (solicitor).—You never personally knew of any partiality to exist among the magistrates?—I will not say that.

3621. Is there any case in which you knew of it to exist?—Well, there is, a long time ago, a case—within the last two years.

3622. Mr. *M'Laughlin.*—Would it not be right to ask for whom Mr. Crawford appears?

3623. Mr. *Crawford.*—I appear here for myself as a citizen.

Witness.—I have very little knowledge of these things—I am so busily employed.

3624. Mr. *Crawford.*—And it is only from reading the papers you know?—Yes.

3625. And personally you did not know?—Personally I do not know.

3626. Mr. Commissioner MURPHY.—His evidence has been distinct as to a prevalence of opinion in reference to the partiality of the magistrates. I think you said also that your practice is extensive, and as long as it has been so in this county and city, it is not

confined to the members of any religious denomination?—Certainly not. Three-fourths or three-fifths of my practice is among the Protestant and Presbyterian population.

3627. I think you have already told us that you were enabled to say that respectable members of the Protestant community are equally anxious for the suppression of these processions?—Several.

3628. Mr. Commissioner Exham.—From your own conversation with them you know that?—I know that from my conversation with many of them.

3629. Mr. Commissioner Murphy.—So far as you are concerned, it is your opinion, that for the well-being of the city, all the peaceful inhabitants would wish these displays should cease?—Every one of them almost desire that. Many of the better class of Protestants would be very anxious to have this sort of thing put an end to.

Mr. *James M'Bride* examined by Mr. *M'Laughlin*.

Mr. James M'Bride.

3630. You are a resident and merchant of Derry?—Yes.

3631. And in politics I believe you are a Liberal, and in religion a Catholic?—Yes.

3632. You never took any very prominent part in politics one way or the other?—Very little.

3633. I suppose from the position you occupy as a business man, and as a man long resident in Derry, you have good opportunities of knowing the feeling of the people?—Oh, yes. I have frequently had conversations with them.

3634. Whether rightly or wrongly, I believe a desire does exist among the Catholic population to look upon these exhibitions as insulting and offensive to them?—Yes, and to many others beside Catholics.

3635. I was going to ask you that question. You said by many others beside Catholics they are looked upon as offensive and insulting?—Yes. I have frequently had conversations with members of other denominations on the subject.

3636. And I suppose they think the peace of the city would be greatly increased, if these things were done away with?—There would be a tendency to that if these processions were abolished.

3637. Do you think there ever will be peace in the city until they shall be?—Well, I do not know, but it would help to attain that object much sooner if they were put an end to.

3638. With regard to the evidence given here as to the prevalence of a certain feeling among the people, do you happen to know does it exist very extensively among the lower classes?—Not that I am aware of.

3639. Supposing Mr. Cafferty and Mr. Lynch came up and proved it, would you have any reason to disbelieve it?—I would have reason to believe what either of them would say, but I do not know of it myself.

3640. Mr. Commissioner Exham.—As an inhabitant of the city, knowing the people well, and living amongst them, do you think it desirable that a change should be made in the constitution of the police force?—Certainly I do.

3641. And that change, what should it be, in your opinion. Should it be to a local force or to members of the constabulary?—The members of the constabulary force I would consider most suitable for the city at the present time.

3642. And then, I presume, you would say it would be desirable to have a resident magistrate here at all times?—Certainly; a police magistrate.

3643. A police magistrate. Do you mean a resident magistrate—one of the regular resident magistrates, such as Mr. Coote or Mr. O'Donnell?—Yes.

3644. Or Mr. Keogh, who, I believe, has been recently appointed?—Exactly. I think it essentially necessary for the preservation of the peace of the city.

3645. And have you considered at all the number of the police that you think would be requisite?—I never gave it a thought.

3646. As far as you know would there be any objection on the part of the inhabitants of the city to pay such an increased taxation as might be fairly necessary for the purpose of maintaining that new force?—That I cannot say, but I think it would be a disadvantage to themselves if they did object.

3647. And you, as an individual citizen, would not object to pay your proportion of that tax?—Of course not.

3648. And, I presume, when you say these processions should be abolished, you speak also of those bands going about playing party tunes, and anything that can excite the party that is opposed to them?—I would treat bands of every description in the same way as processions.

3649. And flags and banners?—And flags and banners, and bands of music of every description.

Sub-constable *Thomas M'Donnell*, Royal Irish Constabulary, examined by Mr. *M'Laughlin*.

Sub-Constable Thomas M'Donnell.

3650. I believe you were on duty at the time of the attack on the Corporation Hall?—Yes.

3651. And you have heard from time to time, the evidence that has been given here in court about it?—Nearly the whole of it.

3652. And your evidence would be merely a repetition of what we have heard?—It would be a repetition of what you have heard—except one part Mr. Stafford omitted with respect to the party on the gun-room—I was the person who carried the message between the officer and the magistrate, and Captain Peel placed a large force on the gun-room that night.

3653. Mr. Commissioner Exham.—Was that after Captain Stafford had been there?—Exactly—and in consequence of what he said Captain Peel placed a larger force on the gun-room that night.

3654. And that was for the double purpose of protecting the gun-room and preventing the guns being brought out?—Yes, one party was afraid lest the guns should be fired at them—the other party were afraid they would be attacked and taken from them.

3655. Mr. *M'Laughlin*.—Were you in Derry on the 28th of April last?—I was. I heard a question asked with respect to the constabulary watch on Ferry-quay-street.—I was at Ferry-quay-street that night.

3656. What night?—The night of the 13th of July, last twelve-months—I was in Muff-glen that day.

3657. Mr. Commissioner Exham.—How many men did you see in the Glen that day?—Previous to Mr. Stafford coming up, I counted the arms—there were seventy-one stand of arms with the Orange party—seven stands of colours-warrels.

3658. What is a warrel?—A warrel is carried between the two front men of each particular Lodge.

3659. Mr. Commissioner Murphy.—What arms do you say you saw?—Seventy-one guns, about thirty or thirty-five swords, and about twenty large horse-pistols, and some short smaller ones besides. I should say over one hundred stand of arms altogether.

3660. Mr. Commissioner Exham.—The party in the Glen, could you give us an idea of how much they had?—I could not, for I had to return. When the Orange party fixed colours, I had to return to get the military.

3661. But did you see the party in the Glen?—I did; I went down afterwards to the railway station, to receive the military and bring them up to the scene of

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action, when on the way I met numbers of persons inquiring the way—every man of them was armed—they were dispersing.

3662. About how many did you meet in that way?—I met between fifty and sixty—not in a body—but in twos and threes—that was later in the day, just as the military approached, when all was getting quiet.

3663. Was that the first you saw of the Muff Glen party?—That is all.

3664. I suppose you went another way?—I went out one road and came another.

3665. When you came into town in the evening what did you see?—When I came in—at that time I lodged in the Diamond, and from the room I lodged in I had a perfect view of Bishop-street and the north side of the Diamond—I was taking my dinner when I heard a cry in the Diamond, and I saw an appearance of people going up Bishop-street. I hurried over to Ferryquay-street—there was great excitement and a large crowd of people. Just as I approached a man was stabbed in the cheek. He fell on the ground, and remained there. Parties proferred their services to me—some civilians—to make arrests, but I did not consider it prudent to do so, not having help, but I said I would get the names of parties and have them summoned, and so I did. I returned to Bishop-street and there met our own force coming down after leaving prisoners up. All the city force moved together and remained in Ferryquay-street, and peace was restored in a couple of hours afterwards. The person who stabbed the man was brought before the Bench by me, and he was fined ten shillings by the magistrate; the name of the man who was stabbed was Doherty, and I believe the man who stabbed him was Tom Wright.

3666. About how many were in each opposing crowd that night?—The party that went up Bishop-street was a large party.

3667. What party were they?—Principally the Roman Catholic party.

3668. The Bog-side party?—Yes.

3669. The other side, were they a large party, too?—Yes, they were scattered in two places.

3670. And I suppose equally ready as the others to begin to fight?—That is just the way; on all occasions when they meet they generally pitch into each other.

3671. Did you hear any shots fired that night?—I did not hear shots fired that night, but stones were thrown freely.

3672. And thrown freely by both sides?—Yes.

3673. And glass broken by both sides?—Yes, there was plenty.

3674. Did you see anyone else arrested, or did you make any other arrests?—There was a man named Doherty arrested by a party when I was looking out of my room window. It was M'Donagh was stabbed in Ferryquay-street by Wright. Doherty was also arrested previously. He was fined 10*s.*; he belonged to the Bog-side party.

3675. Mr. *M'Laughlin.*—Did Doherty stab anyone?—Not that I heard. He was only returning from Abercorn-road.

3676. I believe Wright, who was charged with stabbing M'Donagh, was fined the same amount as Doherty who was not charged with stabbing anyone?—He was fined 10*s.*

3677. Were you present at the trial of Wright?—I was.

3678. Was evidence given of the actual stabbing?—M'Donagh himself gave evidence, and I corroborated his evidence.

3679. There was no doctor examined?—No.

3680. Where was he stabbed?—In the cheek.

3681. You saw it?—I did.

3682. Do you know, from your own knowledge, of what religion M'Donagh was?—I believe him to be Roman Catholic.

3683. Is Wright a Catholic also?—No.

3684. Doherty is a Catholic, I believe?—Yes.

3685. And I believe the charge against him was that he made use of some expression?—Exactly.

3686. And was acting turbulently also?—Just so.

3687. Were you out on the night of the 9th of February?—I was out mostly every night there was anything to be done.

3688. Were you at Bishop's-gate that night?—No. I was acting in the carrying of despatches between the magistrate and the officer. It occurred in this way—The men were all leaving, and Mr. Darcus asked me to go to the barrack. I said I could not leave the man's property and appointments without some one to take charge of them. He insisted on me going to the barracks to procure all the men I could. I did so. After him the late Mayor came running also. He also told me to go. Mr. Darcus sent his own son to Mr. Stafford to come to Bishop's-gate, and concentrate his force as soon as possible.

3689. Mr. Commissioner Exham.—Those two magistrates were on duty that night?—I saw them running.

3690. Do you mean the late Mayor, Dr. Babington?—I do, Dr. Babington, the late Mayor. He himself spoke to me, and told me to run as quickly as I could to the barrack, and gather up all I could. He told me where Mr. Stafford was.

3691. You saw him running?—He had to run.

3692. Why do you say he had to run?—He was running—making all the haste he could.

3693. Mr. *M'Laughlin.*—Now, that night were you at Bishop's-gate when some of the processionists broke in?—No; I was gathering the forces at that time.

3694. That is towards Bishop's-gate?—Yes; they were all concentrated beyond Bishop-street up to Bishop's-gate.

3695. I suppose before that you saw the tar-barrels inside the wall?—I was sent to reconnoitre.

3696. Was that the same night?—The same night—there were tar-barrels.

3697. You reconnoitred them outside the wall?—Yes.

3698. Did they send you to reconnoitre also on the 1st of January, 1869?—Yes, I was out on duty that night also.

3699. Did you reconnoitre the tar-barrels on that occasion, inside the wall?—Yes; I saw them.

3700. Were you reconnoitring also on the 5th of December, 1868?—Yes. I saw tar-barrels that night inside the wall.

3701. Do you know Pump-street?—I do.

3702. Did you see a tar-barrel there?—I did—it was burning there.

3703. Coming to the unfortunate 28th of April, were you on active service that night?—I was.

3704. What time did you go on service that night?—After the arrest being made in Bishop-street, word came to the barrack to turn out all hands.

3705. Is that the arrest which has been spoken of—that of the man who carried the ramrod?—Exactly.

3706. What is his name?—I don't know his name—Hugh Tobin, I believe, is the man. He was taken to the barrack. He had a large sponge-rod with him.

3707. A sponge-rod for ramming home a cannon?—Yes.

3708. Taken from others in London-street?—Yes.

3709. Did you see this Hibernia flute band with the white flag?—Not in the evening, but in the morning I did. It formed part of the procession before the Prince.

3710. Did you hear it said any one should be arrested in consequence of the flag not having the crown?—I heard the suggestion made, and the answer it met was that they had as good a right to carry that flag as the other party to carry theirs.

3711. Whereabouts was the suggestion made?—It was made by some people in different parts of the town. We met the Prince at the railway station. Mr. Stafford commanded the party. We met him at the platform and the Tradesmen's band waited outside just where the carriage was, and played "God save the Queen."

3712. That is the band that practices in Bridge-street?—I don't know where they practice, but they

played "God save the Queen," and we got the order—the four mounted men—to proceed slowly; we did so until we came to the turn where we met this Hibernia flute band with their flag. They fell in immediately close to the carriage; two or three carriages followed in the rear—the band played music round by the Abercorn-road, by Bishop-street, and down to the Town Hall.

3713. Could you say what it was the Hibernia flute band played?—They played "Patrick's Day."

3714. "Patrick's Day"?—Yes.

3715. Was "God save the Queen" played by the flute band?—"God save the Queen" was played by the Tradesmen's band immediately on the reception, the others played right after the carriage in Abercorn-road into Bishop-street.

3716. Did you see any other band there, waiting to receive the Prince?—No.

3717. You did not see the Britannia band?—No.

3718. The Britannia band have a blue uniform something like that of the artillery?—Yes.

3719. Have the Hibernia flute band any uniform?—They have.

3720. What is it like?—I think blue with facings of white.

3721. Blue and white?—I think so.

3722. The Tradesmen's band, have they any uniform?—No; I think they have a cap.

3723. But no actual uniform?—No.

3724. Did those two bands come up all the way?—I believe the whole way, and there was cheering going on—first and foremost, there was cheering for Her Majesty; next, for the Prince; then for the Liberal Government. There was also cheering for the city member, Mr. Dowse; then there was cheering and counter cheering—one party opposing the other. I do not think there was very good feeling between both.

3725. As they came up to the Imperial Hotel, one party was cheering, and the other party was groaning that party?—Yes; they all came up to the Hotel and remained there for some time.

3726. Now, during all this time, did you hear any party tunes played?—Well, I am a very bad judge of music. I heard "Patrick's Day," and I know that that is regarded here by some parties as a party tune, though it is sometimes played by the military.

3727. I may ask you is it your opinion, as a member of the force, that all musical displays from any party ought to be put down as dangerous to the public peace?—Well, I do not know as to that, but no matter what time the bands are brought out they are always creating a row.

3728. They came on to the Corporation Hall?—Yes.

3729. All that time there was no disturbance?—None but cheering; I think they were preparing for it.

3730. Had the guns been fired at that time?—I heard reports.

3731. That is the royal salute as the Prince was coming in?—Yes.

3732. The Prince I believe went to the Corporation Hall to receive an address?—Yes.

3733. Whereabouts were you then?—We were in Bishop-street the whole time.

3734. Keeping order?—Keeping order.

3735. Did you see any disturbance?—None whatever, except every person forcing his way to see the Prince.

3736. Do you remember being at night up at the Imperial Hotel?—I do.

3737. What time were you there?—After the arrest being made.

3738. What time was the arrest made?—About ten minutes after eight o'clock.

3739. That is the arrest of the man with the ramrod?—Yes; and there was an order given for all hands to turn out immediately. I had to go a considerable distance for my horse, and during my absence the Sub-Inspector was informed that things were in a very bad state, and he was down before me; while I was saddling my horse he was down before me. I took the nearest way to join my comrades, and before I got up near the street, both parties were at it very hot—stones were thrown freely.

3740. You mean at Butcher's-gate?—Butcher's-gate. Both parties were at it very hot—so much so that I was hit three times by stones myself. I heard shots fired; one man said "don't take his life." I understood this to be that I would be killed if I did not run away. I got a blow of a stone at the back of my head, which made me altogether insensible for two minutes or so. I did not want to retreat. So I turned and drew my revolver, and told them that the first man that threw a stone at me I would shoot. The moment I drew the revolver there was a volley of stones by six or seven persons. I immediately fired; the parties on the wall attacked me again with a shower of stones. I presented my revolver a second time, but did not fire. They retreated, and I pursued them, keeping them before me the whole time, till they got to the gun-room.

3741. Which party did you fire at?—I fired between both parties. I could not particularize which party.

3742. You meant by the stones coming so thickly?—So thickly, and they striking me. When I came as far as the gun-room I partly got frightened. I drew up the horse and made a sort of a halt. After a little time I gathered up courage again, and advanced a little further, and no stones were thrown at me after that. They turned down Society-street, and I turned down the corner and saw the same party bringing out the guns. I went towards them and said the first man that would bring out the guns I would shoot him.

3743. You mean the cannon?—Yes; at the corner of Society-street, where the gun-room is.

3744. At that time were there many men in Society-street?—There were a great many people in Meeting-house-row, towards Bishop's-gate, but there was no crowd before me; this was, I think, about nine o'clock. I then came across and joined my comrades, and told them what occurred. Some of them were badly wounded. I asked them had they a magistrate; they said not, that they could not get one. I said I knew the late Mayor was with the Prince, and that I would go to him. I went to the Imperial Hotel and called out and gave the alarm, telling every person that would not get out of the way that I would put them out of the way. Some persons said "Don't be alarmed," I replied, if they had got what I had got, they would be alarmed. Some of the parties then received me with a sneer—parties who were taking stock of what was going on. I spoke as loud as I could at the door of the Imperial Hotel. After some time—

3745. You did not dismount at this time?—No; at this time my three comrades were with me, and about ten or fifteen minutes afterwards a man made use of the expression, that if it was a thing a magistrate did not come there would be bad work, as he could not keep back the boys any longer—I gave the name of the man in Court. Mr. Stafford came then and he got no hearing—he was heard no more than myself, and I heard him say, he would not be accountable for either life or property in that state of the town. After about ten minutes I said I was ready to go for the military, and that they ought to be brought. A gentleman came then, whose name I knew afterwards, and he asked me did I fire bullets at the mob? I said, "yes." He said I had no right to do so; and I told him, if I were attacked again in a similar way, I would do so in my own defence. He then told me to return my revolver, and I said (I carried it still in my hand) that I would not take any orders from him. He said I had a right to do so.

3746. Was that man a magistrate?—No; I asked him was a man to stand up to be killed in the public street? He said that was what I was paid for. Nothing serious had occurred before then; but then they came down from Society-street, cheering.

3747. Who did?—The Orange party; and I saw the bad work commenced.

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Sub-Constable Thomas M'Donnell.

3748. When do you say the "bad work" commenced?—When they came out of Society-street, cheering.

3749. What do you mean by "bad work?"—That was what the gentleman who I believe to be the leader said—that is the expression he used towards me.

3750. Mr. Commissioner MURPHY.—Did you hear shots immediately?—I did—at once; there were shots from time to time all the evening.

3751. Did you hear many shots at that time?—I suppose there were six or seven shots fired there, and immediately after I heard the reports I told my comrades that I believed my own men were after firing, as the reports appeared to be louder and stronger than others.

3752. You were at the Imperial Hotel at that time—not in the Diamond?—I was immediately above Society-street. We came down afterwards. One of the bodies was lifted and carried in; the other was neglected for some time. In about five minutes not one could be seen in the street, except the party seen by the corpse. I wish to make a remark: Had I been attended to at nine o'clock, or ten minutes after, and been sent for the military, as I was prepared to go, I believe—it is my opinion, as far as I am allowed to give it, that no damage would have been done.

3753. Mr. Commissioner EXHAM.—If there was a force of men to prevent the two parties getting together?—If there was a sufficient force at hand.

3754. Mr. *M'Laughlin* (to witness).—Were you the constable that rode for the military in the night of the attack on the Corporation Hall?—I got the despatch; another constable went with it.

3755. At the time you were at the Imperial Hotel was there any band playing?—No.

3756. Can you form any idea of what was the number of the Society-street party?—They were running to and fro; they did not stop together any time.

3757. Did you see revolvers?—No.

3758. Did you see flashes?—I saw flashes occasionally.

3759. Was it very dark?—It was dark.

3760. I suppose the same body that came out of Society-street turned into Bishop-street and went down?—Yes.

3761. You were not in the Diamond?—No.

3762. When you went there they were taking away the dead bodies?—They were.

3763. I believe the shot you fired didn't harm anybody?—None, I believe.

3764. You are not one of the men returned for trial?—No.

3765. Mr. Commissioner EXHAM.—At the time you were holding that conversation at the Imperial Hotel do you know was fighting going on between the two parties?—The whole time. It never ceased from eight o'clock till half-past ten—from the end of the Diamond to Bishop's-gate—it never ceased.

3766. For how long?—For two and a half hours.

3767. Do not a good many magistrates live in the town?—They were looked for—a great many were looked for—but were not to be found. Mr. Thompson was the only gentleman that made his appearance.

3768. You yourself did not go for anyone, except to the Imperial hotel for the Mayor, and he was with the Prince?—Exactly; I went to get an order to go for the military.

3769. And you were not allowed to see him?—No.

3770. Were there not other magistrates close by?—We could see none whatever.

3771. But might they not be at their houses?—They were looked for, but could not be found.

3772. Mr. Commissioner MURPHY.—Mr. Stafford was with Mr. Thompson?—He was.

3773. And he did not succeed in getting admission?—No.

3774. Mr. Commissioner EXHAM.—Were you there when Mr. Stafford went up?—I was there previous to Mr. Stafford, and secondly, too, and thirdly.

3775. When was it you had the consultation with the gentleman?—After it was ascertained from Mr. Stafford that the men had to fire in their own defence.

3776. Then it was after the affair was over?—Not at all. There were three firings that night. This was the time Mr. Stafford's own men had to fire; some of them were stated to be badly injured. They were beat out of the gate—three or four of the foot men. I was there.

3777. Beat out of the Butcher's-gate?—Yes.

3778. Could you form any idea of the number at each side then?—Well, the wall was lined at both sides backwards and forwards.

3779. Was there firing then?—Shots were fired to my knowledge, besides stone-throwing; and the houses at each side of the gate were badly wrecked.

3780. Do you remember any by-stander saying there was no occasion to go for the military, and that the thing would blow over in a few minutes?—No, I did not. We were crying out as far as we were concerned, to get the military, but some people spoke to Captain Stafford at the door, and said there was no occasion. One man, I recollect, made the remark to us that, on account of the Prince being in the town, they ought not to be sent for. That was a gentleman who was speaking to myself.

3781. You say that, while the Hibernia Band were carrying that flag during the afternoon, you heard it remarked that they ought not to be allowed to carry the flag?—I heard the opposite party state it.

3782. Such a flag as that?—Yes.

3783. That particular flag?—That particular flag.

3784. And they said they had as good a right to carry it as the others?—Yes; and they said if the other parties would stop they would stop. They also remarked to us that as long as the other party got leave to march they would march.

3785. Have you been here long?—Two years and eight months, and eleven years in the county.

3786. Do you know anything of the arming of the population here?—No more than hearsay.

3787. And as far as you are able to get information do you believe they are?—Well, I firmly believe they are well armed.

Mr. John Casey.

Mr. *John Casey* examined by Mr. *M'Laughlin*.

3788. You have been a resident of Derry for very many years?—Yes.

3789. How long may I ask you?—From my birth.

3790. I suppose you know Derry pretty well?—For the last forty or fifty years.

3791. You are a Catholic?—Yes.

3792. I believe that Derry people, as a rule, are kindly people towards each other?—Well, I have reason to say so.

3793. You are engaged in business?—Yes.

3794. For how many years?—Forty years and upwards.

3795. And, I believe, from the position you occupy amongst the Catholic community, you have peculiar facilities for knowing their views?—Yes, I have.

3796. And, may I ask you, have you been a member of the Committee of the Catholic Church here?—I have, for the last thirty or forty years.

2797. Now, with respect to these local displays of any description, from any sect or party, are you of opinion that they are dangerous to the peace of the city?—Oh, undoubtedly—there is not a doubt of it.

3798. Whether they come from Protestant or Catholic?—Yes.

3799. Whig or Tory?—No doubt of it. One should be put down as well as the other.

3800. One should be put down as well as the other?—Yes.

3801. Of course you mean any procession with music, banners, or anything else?—Yes.

3802. No matter whether Catholic or Protestant?—Yes.

3803. No matter what tunes are played, whether originally called party tunes or other tunes?—Yes, of course; party tunes are most objectionable.

3804. But the others are objectionable in a less degree?—Yes.

3805. Mr. Commissioner EXHAM.—You would put down all music by bands in the street, as I understand it?—Yes.

3806. Mr. *M'Laughlin*.—I believe for a length of time past there has been no procession on the 17th of March, or anything of that sort?—No; there was one several years ago, when Dr. Miller was chief magistrate, and I think it was put down at that time.

3807. You are aware that there have been always two state processions in the year in Derry—the 12th of August and the 18th of December?—Yes.

3808. And sometimes on the 12th of July, I believe?—Well, there may be, but I don't recollect. It is not as usual as others.

3809. As far as regards the religious community you are connected with, and altogether apart from whether that opinion may be well founded or the reverse, I believe the opinion does prevail that those exhibitions are offensive and insulting?—Oh, no doubt of it.

3810. Now, is that generally prevalent or universally prevalent?—It is universally prevalent in the Catholic community of Derry.

3811. You yourself participate in that opinion?—I do, and I think every Catholic does, and a great number of other people too.

3812. It is not confined to the Catholic community, that feeling?—No; it is not, I have heard the same opinion expressed by liberal Protesants and Presbyterians.

3813. I suppose you would say, having regard to recent events, disturbances, and one thing or another, that it is peculiarly necessary that those exhibitions should be avoided now?—Undoubtedly; I think if they are not put down serious results will eventually follow.

3814. You think if they are not put down serious results will eventually follow?—Yes.

3815. I suppose you speak partly with regard to the recent event—the unfortunate affair ending in the loss of life—and partly with respect to the exasperated state of public feeling?—Yes.

3816. I suppose you have heard it stated that the people on both sides are armed to a very extensive and deadly degree?—I have heard so. I know nothing of it but by public report on the subject.

3817. Have you heard it?—I have.

3818. Have you heard it in such a way that you believe it?—I have; I have no doubt of it.

3819. Of course that would increase the danger?—Of course it would, parties being armed.

3820. I suppose you are aware efforts have been made by people connected with your side to prevent the Catholics offering any resistance?—Well, I have heard that they have been advised by the bishop and, I believe, other influential Catholics.

3821. Not to interfere?—Yes.

3822. Do you think it a desirable thing that the city police should be abolished, and the work now done by them should be performed by the constabulary?—Yes; I know the people have not the same confidence in the city police as in the constabulary. They are more under the influence of the different committees appointed by the Corporation; that is a reason to some extent for what I say.

3823. That the city police are more under the influence of the different committees appointed by the Corporation?—Yes.

3824. I suppose you mean the Police Committee?—Yes, just so.

3825. I believe you yourself, at one time, were a member of the Corporation?—Yes.

3826. You have not been so latterly?—No.

3827. Do you happen to know, of your own knowledge, that a good number, or at least some of the members, of the city police have sons or other relations members of the Apprentice Boys' clubs?—I don't know of my own knowledge. I dare say it is so, but I don't know.

3828. As far as you have had an opportunity of acquainting yourself with the opinion of your co-religionists, do you know have they a feeling of confidence in the impartiality of the local magistrates?—Oh, I think not. Recent events have shown that they could scarcely have confidence in them.

3829. I suppose in political and party cases there exists that feeling of want of confidence, whether rightly or wrongly?—I think in mere civil cases that the magistrates acquit themselves very fairly, as far as I can recollect.

3830. Do you think that this opinion I allude to does prevail as regards political or party cases?—Oh, no doubt of it.

3831. As far as regards your own independent opinion as one of the public, are you inclined to think there is some ground for that impression?—Yes; I think so.

3832. And, in point of fact, to some extent, you concur in that impression?—I do, in reference to political or party cases, but as to all civil cases, matters of account, and things of that sort, I think they do the work extremely well.

3833. In all civil cases of the ordinary character you think the magistrates do the work extremely well?—I do; there is no doubt of it.

3834. I believe the magistrates consist of some of the most respectable men in the city?—Yes.

3835. Do you think that the permanent residence here of one or two stipendiary magistrates, say two, each of them being of a different religion, would tend to beget public confidence in magisterial decisions?—I would say so; but at present, as the bench is constituted, there being a majority of what are called Conservative magistrates, I think two resident magistrates would have very little chance of deciding a case if it went by voting.

3836. You would be afraid, I suppose, that they would be outvoted?—Yes. That has been already the case in many instances.

3837. But suppose there were two stipendiary magistrates, each of a different persuasion, sitting here to decide on cases of a party and political character, do you think their adjudication would give public confidence?—It would, to a great extent; but the same difficulty arises if they have a majority of Conservative magistrates against them, to swamp them.

3838. I understand?—That would still give a great deal of dissatisfaction, even if the bench were so constituted. Are you aware of what happened of late, that on some occasions the stipendiary magistrates differed from the course taken by the majority of the bench?—I have understood so.

3839. In a matter of life and death?—I have understood so.

3840. Do you think that a magistrate, appointed and sitting to discharge the duties as a divisional magistrate does in Dublin, would be a better system?—I think that would be the best arrangement that could be made, that they should have jurisdiction over those police cases, and the city magistrates would not be allowed to interfere.

3841. Then the city magistrates would have nothing to do?—I mean by police cases political cases.

3842. I suppose you mean by police cases, cases of rows, riots, and disturbances of that kind?—Yes.

3843. Arrests made by the local force?—Yes, and riots arising through personal quarrels and matters of that sort.

3844. Do you think the decision of such a magistrate as you have been proposing would give public confidence?—Yes, I think so.

3845. Do you believe, if this arrangement for the reconstitution of the bench was attended by any

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greater expense in the way of taxation, that it would be cheerfully borne by the inhabitants, in consideration of the greater benefits it would confer?—I think it would.

3846. And as far I suppose as you are personally concerned you pay a good deal of rates?—A good deal.

3847. And you, as a man who pays a good deal of rates, would be in favour of it?—Yes, I should.

3848. And you think others would too?—Yes. I think every person who wishes well to the community ought to bear his share of the additional expense, if any.

3849. I suppose if the re-constitution of the city police, by giving you constabulary, also involved a greater expense in the way of taxation, the same cheerfulness would be exhibited to pay the additional taxation imposed?—Well, I think so.

3850. As far as regards your own opinion you have no doubt of that?—I have no doubt of it. It is my opinion.

3851. Mr. Commissioner EXHAM.—Have you considered your views with respect to the magistrates. You say these are confined to recent events?—Yes.

3852. Those cases lately?—Yes, that is just it. I have even seen in olden times the same sort of feeling, but I cannot charge my memory with anything particular.

3853. Have you ever been offered the magistracy of the city?—No, I was not.

3854. You are aware, you say, that that feeling is abroad. Now, may I ask you don't you think that if the bench was constituted so that there would be sixteen or seventeen Roman Catholic magistrates, and none of the Protestant persuasion, or only one or two, the same feeling would exist on the opposite side?—Undoubtedly; it is only reasonable to think so.

3855. Of course you are in favour of the abolition of the present local force?—Yes.

3856. And of placing the police duties in the hands of the constabulary?—Yes, they would give more satisfaction, I am sure.

3857. In your opinion that would have a very great effect in putting an end to rioting here?—I think it would. They would be more firm in their conduct.

3858. And they are better armed and drilled?—Yes.

3859. Having regard to that fact, and to the absence of what are called political rows in the streets, would not cases arising out of personal quarrels be likely to be reduced?—Very much so.

3860. Does that alter your view with respect to the local magistrates?—Well, I don't know. I cannot say it would. I don't think it would alter my view as regards them, if the Bench is still constituted in that way, in the objectionable manner I have alluded to.

3861. The objection would not be done away with by the alteration in the municipal force?—No.

3862. But, of course you are aware of this that, with the exception of Dublin, there is no place in Ireland in which magistrates of that kind are abolished?—I believe so.

3863. And are you aware of what happened formerly at Belfast, and how things are going on there now?—Yes, I know that.

3864. Well, what I want to know is this—Suppose the peace of this town was entrusted to the constabulary, properly officered, and that a resident magistrate were here, would you still adhere to your views—would you have two benches of magistrates, one to decide merely assault cases, and matters of that description, and the other magistrate to decide political cases?—I think that one or two police magistrates would be preferable, for deciding political cases, to a large Bench, if that is what you wish me to answer.

3865. But then I understand it is your opinion, that the placing of this city under the hands of the constabulary, with an ample force to prevent rioting or to put it down instantly, those political cases to be brought before the magistrates would be likely to decrease very much?—No doubt of that.

3866. You know with respect to paid magistrates they would cost a great deal to the inhabitants?—No doubt.

3867. And don't you think that, with the constabulary as a police force, and with a stipendiary magistrate and the ordinary magistrates, such as are in every town in Ireland, things would quiet down and all go right?—Well, I should hope so, but at the same time the decision of the magistrates would be open to the same objection. I still hold that the public would not have the same confidence in their decisions.

3868. Mr. Commissioner MURPHY.—You think that if the form which is called "polling the bench" was carried on, the desired effect would not be produced?—I don't think it would in those political cases.

3869. There would be no objection at all in any civil matter, or any case as between man and man?—No; in such cases I don't think we could get fairer magistrates than we have, apart from political matters.

3870. But if political excitement and the feeling of animosity between different parties was toned down, by the presence of an effective constabulary force, and the suppression of offensive displays, don't you think, then, confidence would begin to be restored, even in the other direction?—No doubt of it; and I think we might reach the time when it would matter little to us whether Protestants or Catholics were magistrates on the bench; but I think the magistrates are very much partizans, just as other citizens, in the town.

3871. You think the magistrates are influenced like the people?—They are. They have their feelings, and I suppose they can hardly divest themselves of them more than, perhaps, I can myself, and Catholics have the same.

3872. There is great excitement existing on both sides?—There is.

3873. I dare say both sides have heated tempers?—Just so; in political matters.

3874. Mr. Commissioner EXHAM.—You said it was your opinion, and you have large connexions with Protestants and Presbyterians, that it would tend to the future peace of this city if these processions were put down?—That is my opinion.

3875. Now, I ask you, does that feeling exist amongst Protestants and Presbyterians who are not members of the Liberal party?—Well, I am not sure, but, I think, some honest, straightforward men of the Conservative party, who, I believe, are as good members of society as could be got anywhere, desire it.

3876. But what I am anxious to know is, if you can tell us yourself that there are members of the Conservative party who take the same view?—I should hope there are. I have not had an opportunity of mixing much with them; but from my opinion of their character, some of them would, I am sure, be desirous to get rid of those party displays.

3877. Displays of every kind?—Just so.

3878. Mr. Commissioner MURPHY.—And we understand that you consider that the getting rid of these party displays is essential to the peace of the city?—Yes, undoubtedly.

3879. And you believe that those gentlemen are also concerned for the peace of the city, and would concur with you in that opinion?—I think so.

3880. No matter what their politics are?—A great number of them. Without getting an expressson of opinion from them personally—I think so.

3881. Mr. Commissioner EXHAM.—You have told us that those processions or demonstrations, if permitted, for the future, would tend, in your opinion, to dangerous consequences?—No doubt of it—I think they would.

3882. And very serious consequences?—I fear that.

3883. Then, I suppose, you think it would require a very large force, for the future, if those demonstrations were permitted on such anniversaries, to prevent the parties who are opposed to the parties making the demonstration from interfering with them, and having a conflict?—It would, undoubtedly. I think it would require a very large force indeed to keep the two parties asunder.

3884. That is, in other words, from what you know, from what you have seen of the past, and from what you have heard, you feel that there is a deter-

mination on one side that, if these demonstrations are persisted in for the future, they will be opposed by force?—I fear so, from what I have heard.

3885. And then it would take a tremendous force on the part of the constituted authorities to prevent lamentable consequences?—Just so.

3886. Mr. *M'Laughlin*.—You have been asked by one of the Commissioners whether you have ever been offered the magistracy of the city. I believe one of the branches of your trade is a branch the connexion with which prevents you from being a magistrate?—Yes, being a spirit merchant and also a retailer; I have a wholesale and retail license.

3887. Mr. Commissioner EXHAM.—But, may I ask you, are there not a number of Roman Catholic merchants in this city, and also merchants, both Protestants and Presbyterians, who are of liberal opinions?—No doubt of it.

3888. And some of your Protestant and Presbyterian neighbours that the Roman Catholics would have as much confidence in as if they were of their own persuasion—men fully entitled to obtain the commission of the peace?—No doubt of it.

3889. Are you aware whether the Lord Lieutenant of the county offered the magistracy to any of those gentlemen. We heard to-day of its being offered to Dr. White; Mr. Bond mentioned it was offered to him. Dr. White had it offered to him by the Lord Lieutenant of the county, Mr. Lyle, nearly nine years ago. Are you aware whether the Lord Lieutenant of the county has, or whether the executive for the time being have, offered the magistracy to any of the residents of the city who are opposed in politics and religion to the majority of the members of the magisterial bench?—I am not aware of the fact. I have no doubt that the commission of the peace was offered to one or two parties, but it is only lately that those liberal appointments have been made. It may have been offered to others, but I don't know anything about it.

3890. For instance, I believe the late mayor, Sir Edward Reid, is a magistrate of the city?—Yes.

3891. I believe it is a fact he was appointed to the magistracy since he ceased to be mayor?—Yes; and very properly too.

3892. Mr. *M'Laughlin*.—I believe at the same time Sir Edward Reid was appointed, two other gentlemen, Mr. Adam Hogg and Mr. M'Carter, were also appointed for the city?—Yes.

3893. You were asked by Mr. Commissioner Exham, whether there was not a number of Catholic merchants, and Presbyterians, and Protestants of liberal politics, qualified for the commission of the peace?—Yes. And, I think, you limited your answer by saying that a great number of Presbyterians and Protestants were very well suited for it, and in whom Catholics would have as much confidence as in men of their own persuasion?—Yes; I think so.

3894. I believe there have been magistrates on the bench, not Catholics, in whom Catholics had as much confidence as they had in their own party—the late Mr. Haslett, for instance?—Yes, no doubt of it.

3895. But I believe there are few Catholics whose social position—I mean few relatively—would entitle them to be offered the magistracy?—That is so.

3896. You said a moment ago, as regards yourself, you would be disqualified by reason of your own connexion with a certain branch of the retail trade, the wine and spirit business?—Yes.

3897. Was there any other Catholic member of the Town Council when you were in it?—There are since.

3898. I know there is at present a Catholic member, Mr. Charles O'Neill?—Yes.

3899. He is a merchant very extensively in business?—Yes.

3900. And I believe he has another establishment connected with his wholesale establishment?—Yes.

3901. And I believe he also has a business of the kind that incapacitates him?—Yes, he has.

3902. You have said in answer to one of the Commissioners that it is only recently any of those appointments have been made by the Liberal party?—Only recently.

3903. But, even with these appointments, as the bench at present stands, there is an overpowering majority of Conservatives?—Yes.

3904. Coming back to the question of Catholics in connexion with this, I believe the only professional man in town of that religion, in addition to Dr. White, is Dr. Harkin. Was he offered the commission of the peace?—Yes, I know it from himself.

3905. And he declined it?—He did.

3906. For that identical reason?—Yes.

3907. So you would say that the suggestion that the bench might be equalized by a number of appointments of Catholics is not possible?—No, I think not.

3908. And Catholics would have as much confidence, as a body, in a straightforword honest Protestant or Presbyterian as in a Catholic?—I think so.

3909. Fully as much?—No doubt of it.

Mr. *Patrick Maxwell* examined by Mr. *M'Laughlin*.

Mr. Patrick Maxwell.

3910. How long have you been resident in Derry?—Upwards of twenty years.

3911. You carry on the tailoring business?—Yes.

3912. And reside where?—In Linenhall-street.

3913. Do you remember the night of the 28th of April?—I do.

3914. Were you in the Diamond about the time the men were shot?—I was.

3915. Whereabouts in the Diamond were you standing?—I was standing in the centre of the Diamond, at the back entrance to the Mayor's office.

3916. The front entrance is opposite Ferryquay-street, and the back entrance is at the side of the Hall near Butcher-street?—Directly opposite Butcher-street and Gate.

3917. What time was this?—After ten o'clock.

3918. That was immediately at the time of the firing?—Yes.

3919. Did you see the constabulary at Hagerty's corner?—I did.

3920. Did you see a lot of people of the Bog-side party in the lower part of the Diamond, at the corner of Butcher-street?—I saw a great crowd of people; I don't know what party they were composed of.

3921. Did you see those people moving up Bishop-street for a little?—I did.

3922. And suddenly turn and come back again?—Yes.

3923. Did you see, when they passed down by where the police were at Hagerty's corner, where they ran to?—The majority went down Shipquay-street—some went down Butcher-street. They made their escape in every way they could as quick as they could.

3924. Did you see from whom they were escaping?—I did not.

3925. Did you see a crowd that came after them?—Yes.

3926. Did that crowd, when it came into the Diamond, past Hasting's corner, spread itself out where Stephens used to live and where M'Donnell's-place is?—It did.

3927. Did you see that crowd doing anything?—I could not see them doing anything, but I heard shots and saw flashes.

3928. And at that time, I believe, the constabulary fired?—Immediately in reply to the fire from the upper part of the Diamond the constabulary fired.

3929. That is the fire of the crowd that came in from Bishop-street?—Yes.

3930. Was it an extensive fire?—I could not say it was very extensive; it might be ten or twelve shots.

3931. I suppose you do not know much about revolvers; you are not quite up to music of that sort;

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you would not be able to know a revolver shot from the shot of an ordinary pistol?—No; it is much the same.

3932. Was it immediately after that you saw a man fall?—I saw a man fall at Butcher-street.

3933. Was that the tall man on the extreme of the line of constabulary?—Yes; young Mr. Bond he was said to be. I did not go to him; I saw him lying in the street; I saw the police remove him from where he fell.

3934. Was it after that the police fired?—It was after the firing I saw, for the crowd dispersed.

3935. You did not see him fall?—I did not see him falling; but I saw him lying in the street.

3936. Did you see the bodies of Moncrieff and Craig?—I did not; I did not go that way at all.

3937. Had you been standing long at the back entrance to the Corporation Hall?—Not ten minutes.

3938. I suppose that is all you know about that part of it?—That is all of that part of it.

3939. You are of the same persuasion as the last witness?—Yes.

3940. About those displays from time to time, I believe the Derry people are kindly people except when these things are going on?—Decidedly so.

3941. Parties of different religious views act kindly towards each other in distress?—Yes, they do.

3942. Would you be in favour of putting down party displays of all kinds, no matter what?—I would be in favour of anything calculated to maintain the peace of the city; and I think nothing else can be the cause of these riots but the displays.

3943. You would be in favour of putting them down?—I would.

3944. Whether they come from Protestant or Catholic, Whig or Tory?—They cannot assemble in any number in the city but it appears to give offence.

3945. And consequently you would put them all down?—Yes.

3946. Do you think the substitution of the constabulary for the city police would be generally approved of?—Well, I think if the peace of the town was restored by some means or other it would be very easy to keep the town in subjection.

3947. Do you know whether there are much arms amongst the people?—I do not know; I simply hear it reported. I hear it talked about.

3948. Mr. Commissioner Exham.—Is it your opinion that the constabulary would be a desirable force?—I have already said, if the peace of the town could be restored by some means, it would be very easy to keep the town in subjection.

3949. Have you considered at all whether the present force ought to be got rid of, and the police arrangements of the town put into the hands of another and larger force?—I never looked at it in that way. I looked more to the restoration of peace than to the constitution of any force.

3950. In your opinion, if these demonstrations take place for the future, are they likely to endanger the public peace?—Well, disturbances are on the increase these last twelve months.

3951. You think them likely to continue if something is not done?—No doubt at all about that.

3952. And you think if these processions are in future indulged in, it would take a very large force from the Government of the day—whoever may be in power—to stop and prevent hostilities between the two parties, and bloodshed?—Well, I do think so.

3953. Mr. Commissioner Murphy.—I understood you to say to Mr. M'Laughlin, that, independently of these processions, the people are on friendly terms, one with another, of different religions?—I did.

3954. Do you think if those processions and displays, which are clearly of an offensive character, were put a stop to, that the people of different religious denominations would mix together more harmoniously?—I think they would.

3955. Have you yourself heard any expression of a determination on the part of the Roman Catholics to put down these displays by force?—I did not.

3956. You did not?—I did not.

Wm. Tillie, esq., J.P.

William Tillie, esq., J.P., examined by Mr. *M'Laughlin*.

3957. I believe you are a member of the firm of Tillie and Henderson?—I am.

3958. You carry on the shirt trade?—Yes.

3959. You are a large exporter?—Yes.

3960. Are you not extensively in business here?—Yes, pretty extensively.

3961. I believe you have branches in London, Glasgow, and Manchester?—Yes, we have places there.

3962. I believe you are a very large employer of labour?—Yes; we employ about one thousand hands indoor, and two or three thousand out of doors through the country.

3963. How long have you been residing here?—Upwards of seventeen years.

3964. I believe you are at present in the commission of the peace for the city?—I am.

3965. Is it long since you became a magistrate?—Four or five years.

3966. I believe you are not now a member of the Town Council?—No, I am not.

3967. But you are a member of the Harbour Commissioners?—I am.

3968. And a governor of the District Lunatic Asylum?—I am.

3969. And a member of the Bridge Commissioners?—Yes; I am the representative of the Corporation on the Bridge Board.

3970. Either as being your own opinion, or as collecting what you believe to be public opinion, do you think the substitution of the constabulary for the city police would be a desirable step?—I think it would.

3971. Do you think it would tend to inspire more confidence in the administration of the law?—Yes; I think it would.

3972. I believe, rightly or wrongly, there does exist some feelings of dissatisfaction as regards the city police?—There does, in many quarters.

3973. I forgot to ask you of what religion are you?—I am a Presbyterian.

3974. I suppose you don't approve of public processions through the city?—No, I do not. I would have no objection to them if they could be conducted without causing any disturbance.

3975. But, having regard to recent events, and to the excitement that is prevalent here, political and otherwise, do you consider it a wise thing that these processions should be kept up?—No.

3976. I need scarcely go through the form of asking you whether your disapproval would extend to them, no matter from what sect or party proceeding?—Certainly; I would suppress them all.

3977. No matter whether they were processions with music or banners, or without music or banners?—Yes.

3978. Or ringing of bells or firing of cannon?—Yes.

3979. No matter under what pretence such displays were indulged in, you would apply the same inflexible rule to them?—Certainly.

3980. Would you think, from your experience as a large employer of labour, and a man extensively engaged in business, that such a step would create a more healthy state of public feeling?—Yes, I think it would. I would not disapprove of public displays on suitable occasions to manifest feeling at a great victory or anything of that sort.

3981. Yes—but I am talking of party processions of any sort?—Yes.

3982. You think the discontinuance of party processions, would tend to make the humbler classes pull more harmoniously together?—I think it would.

3983. Now, so far as you know the views of the better classes—merchants, men in business, and the like—how far does your opinion prevail amongst them that it would be better to avoid all party displays? Is that opinion confined to one religion, or one party?—I could not speak to the opinion of the Conservative party generally—but I know some gentlemen who are strong Conservatives and who would join with me.

3984. In the view you express?—Yes.

3985. And I believe also a great number of the leading Presbyterian gentlemen?—They may be—I cannot say from my own knowledge.

3986. But I believe there can be no doubt that the great body of the Presbyterian leading men are of your view?—I believe they are.

3987. You are a magistrate, and you occasionally sit on the Bench?—I do—not very often—business transactions do not enable me to sit very often.

3988. I purposely abstain from asking you any questions with respect to the administration of the law?

Mr. Commissioner EXHAM.—I may tell you Mr. M'Laughlin that I have reason to believe that some of the other magistrates intend to come forward and tender themselves for examination. My friend and I feel it to be only due to every single one of those gentlemen, who will come forward, to give them the fullest opportunity of saying whether there is any foundation for the impression that is alleged to be abroad respecting them. We cannot shut our eyes to the fact, that the first witness produced undertook to say positively that, in two instances at least, the magistrates decided partially and corruptly. A magistrate may be under a misimpression as to the law—or he may as a juror, or a judge sometimes does—differ strongly from others—but where a man is charged with acting partially, that involves of course that he acts corruptly. We, therefore, as I say, think it to be our duty to give every magistrate that may come forward the opportunity of saying whether there is any foundation for that charge which we understand to be, in these particular cases, not that there was an impression abroad, but that it was the deliberate opinion of the witness that the majority of the magistrates acted in the manner he stated.

Mr. *M'Laughlin.*—Not a doubt of it.

Mr. Commissioner MURPHY.—He did not use the words himself, but of course the charge involves them. Every decision that is prejudiced, implies more or less partiality. I think the witness, who is a magistrate, and presides occasionally, might be asked whether or not in his opinion, so far as his experience goes, there is confidence felt by the Roman Catholics in the administration of the law, by the city magistrates.

Mr. *M'Laughlin.*—I may just be allowed to say that I feel very strongly the force of Mr. Commissioner Exham's observations as to the desirability and justice of the magistrates being allowed to speak for themselves, and I am glad to hear officially that they will.

Mr. Commissioner EXHAM.—We have heard that one or two will come forward, and we will give them the fullest opportunity of stating whether they ever acted otherwise than what they believed to be in accordance with right and justice, in the particular case before them.

Mr. *M'Laughlin.*—Well, as Mr. Tillie is a magistrate, the Commissioners had better, in the first instance, ask any questions they think fit.

3989. Mr. Commissioner MURPHY.—Mr. Tillie, from your observation of the administration of justice in this city, and from what you know of that administration, do you think that it is fairly and impartially administered?—I do. Any time that I have been on the bench I never saw anything but the most anxious desire on the part of all the magistrates to do equal justice between man and man.

3990. Influenced solely by the case and not by the parties?—Of course there are many divisions of opinion amongst us, and perhaps sometimes there is a going to a side that might indicate political leaning, but after making every allowance, I believe every one of the magistrates is anxious to do what is just and right.

3991. Then you do not think, if there is a conviction abroad to the contrary, that it is well founded?—I do not.

3992. But as far as your experience goes is there that conviction abroad?—I have heard that feeling whispered, I cannot say I met it openly; on account of my position they would not mention it to me.

3993. I suppose it would be very hard for any amount of personal purity to escape censure in a place like this where there is such strong political feeling?—I fancy so.

3994. Mr. Commissioner EXHAM.—As far as your own wishes and feelings on the subject would go, and as far as you know the wishes of your brother magistrates, you would not have the slightest objection to a stipendiary magistrate being here?—Not the slightest.

3995. On the contrary, you would be glad to have the benefit of his assistance?—No doubt of it. I think that no case of a political or party complexion should be adjudicated on by the local magistrates at all.

3996. Mr. Commissioner MURPHY.—Do you not think where the local magistrates were occupying the bench with the resident magistrate, and a case of a very marked political character arose, the local magistrates, in the exercise of their own discretion, would almost leave the case to him?—I don't think that would be right, unless there was a rule that all sides should leave it.

3997. I mean that?—I think it would be right, provided it was understood that there was to be a rule in all such cases. I myself happened to be a witness to some disturbance, and the opposite party wanted to prevent me sitting on the bench. I did not think that right, but I would have been quite willing to have quitted the bench, and have left all to the stipendiary magistrate if the local magistrates had retired.

3998. Mr. Commissioner EXHAM.—What Mr. Murphy means is this—do you not think if there was a stipendiary here, after a short time, when he was fully in work, the magistrates would probably be anxious to leave to him the trial of these unpleasant cases?—I think they would not be sorry—that they would be pleased to do it.

3999. Mr. *M'Laughlin.*—With respect to one matter you mentioned, arising out of the examination of Mr. Commissioner Murphy, was that the case where you saw some disturbance, and sitting as one of a very large bench of magistrates, it was sought to compel you and Mr. Bigger, Mr. Foster and Mr. O'Neill, to leave the bench?—It was.

4000. Was that at the hearing of the case against the parties accused of connexion with the attack on the Corporation Hall?—It was.

4001. Even with Mr. Tillie, Mr. Bigger, Mr. Foster, and Mr. O'Neill on the bench, was there not still an overwhelming majority of persons, rightly or wrongly, supposed to be of Conservative politics on the bench?—There was; I don't say an overwhelming majority, but there was a majority.

4002. Was that suggestion pressed somewhat earnestly?—It was.

4003. And repeated on a second day?—It was.

4004. Suppose that suggestion or pressing application had been acceded to, would there have been a single Liberal magistrate left on the bench, except Sir Edward Reid and Mr. Haslett?—I think not.

4005. Then except Sir Edward Reid, who was not a magistrate, save as Mayor, then there would be no Liberal magistrate but Mr. Haslett?—Yes, that would be the effect of it.

4006. Now do you remember the counsel who appeared there, in the course of the argument, strongly pressing on the magistrates that the adoption of Mr. Crawford's suggestion would reduce the bench to the condition of a sub-committee of Lord Claude John Hamilton's general committee?—Yes.

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4007. And notwithstanding that, was not the application repeated the same day?—Yes.

Mr. Commissioner Murphy.—That came from the advocate.

4008. Mr. Commissioner Exham.—To get a more favourable tribunal. (*To witness*)—How many magistrates sat on that occasion?—About ten or twelve.

4009. If there were twelve, according to what Mr. M'Laughlin said, would they not be six to six?—No; seven to five.

4010. Mr. *M'Laughlin.*—There were thirteen magistrates there altogether. (*To witness*)—On ordinary occasions how many magistrates preside at petty sessions?—Six or seven, sometimes four, sometimes three—they vary very much.

4011. What is your experience as to the despatch of business, is it more expeditiously or more effectually done, or the reverse, in proportion to the number?—I do not think it makes much difference; there are not many cases come up in which there is a difference of opinion.

4012. Is thirteen an unusually large number?—Oh, it is. It is an unusually large number. It is double the number that usually is there. There was great excitement in town at the time.

4013. Mr. Commissioner Exham.—Of course gentlemen attended that day who do not ordinarily attend?—Oh yes, a great many.

4014. Mr. *M'Laughlin.*—You have intimated to us your opinion that the magistrates, although they may take opposite sides, to the best of their ability wish to do everything correctly and proper. From something that occurred in the course of this inquiry, I wish to ask you does your observation include a gentleman now no more, the late Mayor, Dr. Babington?—Certainly it does.

4015. In justice to his memory, I wished to have that answer from you, his brother magistrate?—Yes.

4016. I suppose you have not thought at all of the number of the police force that would be needed in the city?—Not at all.

4017. But you, as one of the largest tax-payers in the city, would cheerfully contribute your quota of whatever increased taxation would be necessary, for the sake of preserving the public peace?—Oh, I suppose so. I think if you have the constabulary you will not have much trouble, and I believe a smaller number of constabulary would be quite as efficient as the present number of the city police.

4018. Mr. Commissioner Exham.—We have had the views of some gentlemen, that the force should be largely increased?—I don't think that at all necessary if those party displays can be suppressed.

4019. You do not think such a large increase would be necessary if the causes of disturbance were removed?—Yes.

Mr. Patrick M'Monagle.

Mr. *Patrick M'Monagle* examined by Mr. *M'Laughlin.*

4020. I believe you live at the corner of Butcher-street, inside the wall, at Butcher's-gate?—I do.

4021. You carry on a pretty large business?—Not answered.

4022. One part of your house looks into Butcher-street, and the other into Magazine-street.?—Yes.

4023. I believe on the night of the 28th of April, the night the men were killed, your house was attacked?—The first attack was on the night of Dowse's lecture in the Corporation Hall.

4024. Some of your windows were smashed that night?—Most of all the front was smashed.

4025. I believe that night of the 20th of July, 1868, was the first night there was any window-breaking inside the walls?—Yes.

4026. Are you aware that Michael Doherty's windows and the windows of the *Standard* office were broken?—I don't know of any windows but my own. I had to keep to my own place.

4027. But nothing happened on the night of the attack on the Hall beyond the smashing of the front part of the house?—A little affair happened with myself. I had to remove my children out of their bedroom, which was in the part of Butcher-street. They were asleep. And when the stones began to come in they awakened, and of course they got nervous fits, and I had to take and put them out of the house altogether. That was the first night. The second night I will answer as to now.

4028. I believe you voted for Mr. Dowse?—I did.

4029. The night the men were killed tell the Commissioners what happened?—On the night the men were killed, that was the night Prince Arthur was here, I went up as far as the Diamond; and when I saw a mob of two parties like, I thought it was better for me to make my retreat back into my own house. It was not far from my own house, the corner of the Diamond. I got back and put up my shutters. I heard shots fired. I had to put my wife and children out through a passage into a neighbour's house next door; she fell in going, and lay for a month afterwards. I came down to the shop again, and the people were coming in from the fire. There were shots fired from Butcher's-gate. I saw Constable M'Donnell. He fired wide outside of the gate. I asked him what that was for. He said of course they could not get through the gate, one side or the other. The constabulary, that were beat back by stones from the top of the gate. No man could hardly stand at the side of the gate from the stones. The parties had picked up the stones that were where the water runs, and they beat the constabulary back; and the constables had no charge of the place at all. I spoke to Sergeant Wilson, one of the city police. I told him he had better take the top of the gate, for they were beginning to break and smash everything, and it would be a bad job. I think Sergeant Wilson and three or four of the city police did go to the top of the gate; and from the time they went on the top of the gate the parties would not budge a peg—they would not go a foot further.

4030. What party was this?—I could not tell you. I was at my own door. The party at the top of the gate, I would not say they were the Apprentice Boys or anything else, but if I was going to say anything, I would say they were the Apprentice Boys.

4031. Were they calling out anything?—"To hell with the Pope." Then one of the constabulary, Mr. Reilly, who was examined here, went up on the top of the gate.

4032. Did any of the stones that were thrown come in the direction of your house?—They did; they smashed the front of the house that night also.

4033. About what time was this?—About half-past eight o'clock.

4034. How long did the stone-throwing continue from the top of the gate?—Backwards and forwards that night it continued nearly an hour.

4035. About what time did it end?—It was half-past ten o'clock before things were cleared away.

4036. I suppose the stones sometimes came thickly, then lightly, and then thickly again?—They did.

4037. Did you see any one on the top of the gate—you need not mention names—endeavouring to get those people to leave the gate?—I did.

4038. Was it a constabulary man?—It was.

4039. I believe the constabulary, besides being peppered with stones from the gate, were also pelted by the people in the street?—They were. They should be more than most men to stand it. If I was a constabulary man I would not stand it.

4040. You say a good number of stones were flying—did you see any heap of stones there?—There had been a heap of stones across the street, and they were

all used, and the next morning Dr. Ball and, I think, Captain Stafford, and a few of the parties came down, and the street then was actually in a condition I cannot describe it. It was all covered over with stones for a great distance.

4041. Did you go to the top of the gate the next day?—I did.

4042. Did you see the condition of the little drain or channel made of stones for the passing of the water running down?—I saw it.

4043. Was it in the usual condition?—It was removed. It was all torn up.

4044. Do you know the large coping stone at the top of the gate on one side—it has an analogous position to the wall on which it rests to the despatch box in front of the bench?—There is a coping stone between the railings and the building work.

4045. And that stone might be thirty or thirty-five pounds, or even half a hundred weight?—I do not know exactly the weight, but it was loosened on the top of the gate, and I called out from my own door—my door is underneath the gate—"Don't throw that over."

4046. If it went over what would happen to anyone it fell on?—Whoever it fell on would be sure to be killed. I called out to them not to do it, and I called on Sergeant Wilson to go up and prevent them.

4047. What time was this?—Between half-past eight and nine that night.

4048. You saw some people with their hands near it?—I saw two or three parties near it.

4049. Did Wilson go up?—He did go up, if I am not mistaken.

4050. I believe your shop was crowded with people seeking protection?—The people rushed into my shop, and I could not turn them out in the face of such stone-throwing. My family were all out—there were only myself and Mickey—and we kept the people in, and would not allow them to go out, during the stone-throwing. When things got a little calmer, I put them out of the door in Magazine-street.

4051. During the time you kept them in, Butcher's-street, about the gate, was in such a condition by reason of the stone-throwing, that it was not safe for anyone to go up or down?—Indeed, it was not. The whole street was crowded, and down the turn into Magazine-street, and towards Meetinghouse-row all was crowded.

4052. Was the gateway crowded?—It was. It was so crowded under the gateway that you could not pass through one way or the other.

4053. What way was the Cowbog outside the wall?—I did not go through that. I had enough to do to watch my own house. I could not go down.

4054. You were not up in the Diamond that night?—I was not. I went up as far as the corner, but when I saw the crowd, and the appearance of the place, I retreated back and got up my window-shutters for fear of my own front sashes being knocked in.

4055. Are you of opinion that all party displays should be put an end to, so that you may be able to keep your shop open quietly in future?—In my opinion all such things should be done away with. I am a man that pays £27 a-year rent, and I have to feed a family, and I say these things are doing a great deal of harm on all sides.

4056. You would apply your prohibition to all party displays, no matter from what party or sect they might come?—I don't care whether they are Roman Catholic, or Protestant, or Presbyterian, I say they ought all to be put down, no matter what they are, because they raise disturbances against people who have to strive to live by their industry.

4057. Have you seen any display in Derry since the men were killed?—I saw a display on the 12th of August.

4058. Would you put down that for the reason you have already given?—For the reason I have already given. I do not know why they should bring people from a distance to annoy the citizens of Derry, who have to pay rent and taxes and everything else.

4059. Now, I believe you know the town tolerably well, and you have been accustomed to travel a good deal as a flax buyer?—Yes; I have been travelling for the last twenty-five or twenty-six years, and I was reared inside the wall.

4060. I believe there is a very strong feeling about these displays amongst one class of the community?—A very strong feeling about them; one neighbour can hardly look at another, before the displays and after them.

4061. Although as cordial as may be during the rest of the year?—Oh, as to that—I know very well about the sort of people we have here—one look at them, during and after the displays, will show what is in their hearts. We have seen what people can do with other people when they have them in their power.

4062. Do you think there exists amongst the opposite party, that is the Catholic side, anything like a resolution to put down these displays by force?—Yes; I do.

4063. Do you know anything of some society that has been organizing called "The Working Mens' Defence Association"?—I do.

4064. About how many are in it, can you say?—About 300.

4065. That has been mentioned in the papers about a week ago?—Yes.

4066. Do you know whether there are more arms in Derry than there were a year ago?—As to that I could not say; I am not much acquainted with the arms department, but I believe there are a great number of people now have arms that never had them before. That is my belief.

4067. Mr. Commissioner MURPHY.—And do you think they would be just as well off without them?—I think they would be just as well without them; I think a great many people that have them don't know how to use them.

4068. Mr. *M'Laughlin.*—That is the reason?—That is the reason.

4069. Mr. Commissioner EXHAM.—That night you saw constable Wilson and three or four of the city police?—Yes.

4070. Were they trying to prevent those parties fighting?—They were, and doing their best.

4071. And did they go up when asked upon the wall like men to do their duty?—I believe they did; I told Wilson to go upon the gate as a good deal of damage had been done, and he did.

4072. Mr. Commissioner MURPHY.—And was exposed to peril?—Yes; they were throwing stones at the top of the gate, as I told you.

4073. Mr. Commissioner EXHAM.—They pelted the constabulary, and, I suppose, they pelted the police, and pelted him as well as the rest?—The two sides were pelting at one another at the time. The party under the gate were throwing stones just the same as those at the top of the gate.

4074. You think the best way to stop this work for the future would be to stop these processions of every kind?—That is my opinion.

4075. Is it your opinion that it would require a very large force to prevent the two parties from coming into conflict if they are persisted in?—Well, I think it would require a large force, if they get liberty to carry them on.

4076. Do you think it desirable to have any change made in the police force?—Well, I think it has come to that now, that it is to the constabulary the peace of the town should be entrusted. They would be more effective in preserving order and peace. They are armed and drilled, and parties are more afraid of the constabulary. I live at a very conspicuous gate, and I know if a person is taken up by the local force it requires a great many more of them to make him a prisoner than it would of the constabulary.

4077. In point of fact they don't appear to be as much afraid of them as of the constabulary?—They do not.

4078. Does that apply to both parties?—Both Catholics and Protestants.

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4079. The city police have not in fact the training and organization to enable them to be effective amongst both parties?—Indeed they have not.

4080. But the constabulary are properly armed and drilled?—They are.

4081. So far as the other duties of the city police, night watching, patrolling the streets, keeping order in the markets, and preventing robberies?—Oh, they get on uncommonly well.

4082. Uncommonly well?—They do. I can say myself that for nearly twenty years they rap me up in the morning to attend market.

4083. They are always on patrol doing duty?—No doubt of it; they are on duty any time I ever saw them at my place.

4084. And as far as you know they are a respectable force?—I do not know anything else about them.

4085. Mr. *M'Laughlin.*—Do you live at the head of Bog-side?—I do not live at Bog-side. I live inside the Butcher's-gate.

4086. Whenever you pass through Butcher's-gate and turn to the left where are you then?—I am in Bog-side.

4087. Mr. Commissioner Murphy.—You are situated near the critical point of junction between the two parties?—I think there has hardly been a row in Derry that some part of it is not at my door.

Constable Patrick Duffy.

Constable *Patrick Duffy*, R.I.C., examined by Mr. Commissioner Exham.

4088. Were you at Muff Glen on the 13th of July?—I had to accompany the military out there. There was a detachment of military here on Sunday night, and on Monday morning they had to go out.

4089. Mr. Commissioner Murphy.—Did you see the crowds going out in the morning?—At the time the military arrived there, when within two miles of the place, we could see what you might term scouts, or men on the look out.

4090. Mr. Commissioner Exham.—On Sunday night?—On Monday morning. We saw them leave on Monday morning early, in bodies of five or six, and in twos and threes, looking out in a way that no one could cross the road unknown to them.

4091. At the Derry side of the bridge?—At the Derry side of the bridge, looking out for the enemy. When the military went there they were halted, and I met this ammunition [produces a packet of ball and charges] and showed it to Mr. Hewitt.

4092. Where did you get it?—At Clondermott. I was informed afterwards that 500 men left Derry that morning and went in a body to the Glen. This is the ammunition I found. [The packet was handed up to the Commissioners.]

4093. Whereabouts did you find it?—In the centre of the road. I reported the matter to Sub-Inspector Hewitt and to Mr. O'Donnell.

4094. Is that rifle ammunition?—It is rifle ammunition. It has a London mark. There are nine rounds here; there were ten.

4095. What is the amount of powder?—The amount of powder is two and a half drachms, and there is then the bullet, a rifle bullet for a muzzle loader.

4096. Mr. Commissioner Exham.—They are Eley's cartridges, London?—Yes; there were 800 men in the field that day.

4097. Did you see the force in the field?—Oh, yes.

4098. Mr. Commissioner Murphy.—Could you see the 800?—Decidedly.

4099. Were the whole 800 armed?—They were indeed; every man had arms in his hands, and they had sentries thrown out in every direction.

4100. Did you see the Orange party that day?—They did not appear that day.

4101. They did not appear that day?—Not the last Twelfth; but the time before that they did.

4102. Mr. *M'Laughlin.*—You say there were sentinels. Did the sentinels march from one another, look into each other's faces, and then return?—Yes.

4103. And they had scouts?—They had scouts.

4104. I suppose you have seen some service yourself?—I have. I was out in '65 and '66 in Dublin, amongst the Fenians. There I saw some service.

4105. I suppose you believe the position at Muff Glen was taken up with some pretence to military skill?—Indeed I do.

4106. Were you present in court when the officer gave evidence that there were natural breastworks there?—Yes.

4107. And that the intrenched force had availed themselves of the natural strength of their position?—There was no necessity for that, for they were well armed on the field as a regular body, and there were three or four hundred smaller boys not armed, but they had sticks.

4108. These were the camp followers, I suppose?—Not answered.

Mr. Commissioner Exham.—Perhaps they were the *commissariat.*

4109. Mr. *M'Laughlin.*—Were there any bread carts there?—I think they had a fair supply.

4110. Mr. Commissioner Exham.—Had they any cannon with them?—I did not see cannon. I heard they had cannon with them. I said to the stipendiary magistrate I would go see, but it was not thought safe to let me, and I did not go.

4111. But you had information that they had cannon?—Yes, that cannon were there.

4112. Mr. *M'Laughlin.*—You have been a good while at Water-side?—I have been two years.

4113. Were you stationed at the same place as Mr. Samuel M'Laughlin?—Yes.

4114. Do you know that locality well?—I know it very well now.

4115. Does your jurisdiction ordinarily extend as far as Tamnaherin Bridge?—No.

4116. Suppose you were on ordinary patrol duty about your district would you now go as far as Tamnaherin Bridge?—Not so far.

4117. You cannot, I suppose, tell the political opinions or religious views of persons by looking at them?—No.

4118. You did not know what party these people you saw belonged to?—But there was information got that morning that 500 men had left Derry.

4119. What party were they?—The Bog-side party.

4120. How far are you from a place called Dromahoe?—About a mile and a quarter.

4121. Do you know were rifles ever seen amongst the people of Dromahoe?—Yes; there are some rifles out there, I believe.

4122. Some rifles and rifle ammunition?—Oh, I don't know for that.

4123. Do you think the rifles are there without ammunition?—No.

4124. Are these people of the Bog-side persuasion?—No.

4125. Not in the slightest?—No.

4126. Is not that the most Orange district in this neighbourhood?—Well, I believe it is.

4127. Well, now, I believe that district is equally as bad as Tamnaherin?—[Not answered].

4128. Is it not about as warm a country as from this to Purgatory?—Well, Purgatory is the highway to pass through going out to them. It is beyond Tamnaherin; you go down straight from Dromahoe and Tamnaherin is right to the left.

4129. You go down to Purgatory from Dromahoe?—Yes.

4130. Mr. Commissioner Murphy.—How do you get out of it?—At the other side.

4131. Mr. *M'Laughlin.*—[To Witness]—I believe, jesting apart, there is no doubt it is a very Orange district along there?—Yes.

4132. And I believe the peculiarity of Tamnaherin Bridge is that it marks the boundary of a particular district, where the Catholics gather together?—The place goes under the name of the Glen.

4133. I believe there is no objection on the part of the Tamnaherinists to allow the Orangemen to go anywhere they like, provided they don't come into the Glen?—Not as far as I have seen.

4134. Did you see the Orange party on the road about to contest the passage?—None of them were on the road on the last 12th.

4135. But on the previous 12th?—On the previous 12th I had to go for the military.

4136. Do you think there are much arms in the Bog-side at present?—I think, from what I hear, that they are all armed at each side.

4137. Were the 500 that went out that day armed?—They were, so I heard. I am sure of it; although they did not carry arms that day. They left them at different houses—they put up some at one house and some at another.

4138. Mr. Commissioner EXHAM.—Those seven or eight hundred persons you spoke of, had they any rifles such as this ammunition would suit?—Oh yes, there was a lot of rifles there.

4139. Did they appear to have cartridge pouches?—No; they did not.

4140. Mr. Commissioner MURPHY.—Is that a district that is at present proclaimed?—No, but it is in a bad state.

4141. Mr. *M'Laughlin.*—There is no part of Dromahoe proclaimed?—No.

4142. It is only due to you to state that you did your work most effectively and properly on the occasion?—That the country should be left in that state is very bad. If you saw it, as I did, you would consider it in a state of rebellion entirely.

[The Court then adjourned till the following morning].

SEVENTH DAY.

WEDNESDAY, AUGUST 25, 1869.

The Commissioners sat at eleven o'clock.

County Inspector *Plummer*, R.I.C., recalled and re-examined.

4143. Mr. Commissioner EXHAM.—In case of any sudden outbreak or sudden disturbance in the city of Londonderry itself or the immediate neighbourhood, what auxiliary force could you call in on an emergency, at a moment's notice; what force have you under your command to call in from out-stations?—Well, Waterside Station is the only station immediately near.

4144. But, independently of Waterside, the county men, for instance, and the men from the adjoining county?—Well, I could send out to Claudy, which is eight miles beyond this, and to Eglinton, which is six or seven. Those are the nearest stations.

4145. And about what force could you get in from those?—About eight men. There are stations further than those, but it would take a long time to get in men from them.

4146. But you could telegraph. Now, in the course of a day, for instance, what is the amount of the force you could get in here—in the course of twenty-four hours, with the assistance of telegraph, railways, and so on?—I think I could get in about forty or fifty men.

4147. And that is the maximum of force that you could get in on an emergency?—I think so.

4148. Then, I presume, when you speak of those forty or fifty men, you mean men under your own command in the county of Derry?—Yes.

4149. Where you are County Inspector?—Yes.

4150. Could you yourself get in the men of the county of Donegal or county of Tyrone?—By applying to the County Inspectors I could.

4151. By applying to the County Inspectors of those counties?—They would send them, but I would not call them immediate.

4152. They are adjoining in one sense?—Yes.

4153. Now, what force can you tell me, or about what force, could you get in on an emergency by applying to them?—Oh, I could get in a very large force. There are over 600 men in Donegal, but some of them very far away.

4154. Mr. Commissioner EXHAM.—Then, you would be able on an emergency to get in a large force from the county Donegal by applying to the County Inspector?—Oh, yes.

4155. And, I suppose, also you would be able to get help from the county Tyrone?—Of course.

4156. And large help?—Yes.

4157. Mr. Commissioner MURPHY.—That hardly applies to what we call an emergency—a sudden and unexpected call?—Exactly.

4158. You could not in that case?—No.

4159. I suppose the only force so available would be those you could order yourself, from the immediate outposts?—Yes.

4160. Mr. *M'Laughlin.*—I suppose you would not call the occurrence of the 12th of August or 18th of December an unforeseen contingency?—No.

4161. You would not know it was coming?—Oh, we would. I generally send to the Inspector-General on those matters, and he very often sends down men direct from the depôt, part of the reserve.

4162. I suppose at that time it is equally desirable that your own men should not be taken from their own districts?—In this county we cannot take them at all.

4163. Mr. Commissioner EXHAM.—That evidence is very important, because it is easy to provide against foreseen occasions, but no one knows when something may occur, and then it would be very hard to saddle on the community, and make them pay for it, a very large force like that. For any unforeseen thing that might spring up any of these days you would be able to get in about fifty immediately yourself?—Yes.

4164. And from the County Inspectors of the adjoining counties you could get more?—Yes, but they would take some time in coming.

4165. I mean within twenty-four hours?—Yes.

4166. Mr. Commissioner MURPHY.—Having regard now to the situation of the county—without, of course, our inquiring into it exactly, you are able to form general views as to its situation and to the aid you might get from Donegal or Tyrone, or from your own county—having regard to it and to its peculiar situation, and the present state of the city and the adjoining neighbourhood, are you of opinion still that a force of 100 men would be required at present for Londonderry and the neighbourhood?—I do not think there could be less if they have to perform night duties and keep up night patrols, and have them properly relieved and all that kind of thing. I think it could not possibly do with less.

4167. Mr. Commissioner EXHAM.—Do the city and the district outside, say for a certain circuit outside the

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parliamentary and municipal boundary of Londonderry itself, for instance, the Muff Glen and any portion of the county Donegal affect your calculation in making that estimate?—The Muff Glen, except upon the anniversary of the 12th of July, is as quiet as any other place.

4168. Mr. *M'Laughlin.*—Suppose you had a sufficient force here in Derry, there would be no difficulty in preventing those displays on the 12th of August or 18th of December?—It all depends on what is considered a sufficient force.

4169. I would take your opinion on that. You would have no physical difficulty if you had a sufficient force?—If I had a sufficient force the difficulty could be overcome, but I think it would be a very arduous undertaking to stop them.

4170. Do you happen to know that there are large forces of police brought in here every anniversary?—Yes there are.

4171. Do you know whether it is any part of their duty to protect the processionists on those days?—It is their duty to prevent rioting, or to prevent a collision between any parties, and if the processionists were attacked it would be their duty to prevent any one attacking them.

4172. That, in the result, would seem to me very like producing the effect of protecting the processionists?—Of course, they are all protected.

4173. Mr. Commissioner EXHAM.—That is, of course, the duty of all Governments—to protect and to see the law carried out, when people are not acting illegally?—We should be of no use if we did not do that.

4174. Mr. *M'Laughlin.*—With reference to the question of Mr. Commissioner Exham, do you think the people engaged in a procession like that were carrying out the law?

4175. Mr. Commissioner EXHAM.—That is a question Mr. Plummer ought not to be asked to answer. The Government of the day have the power to give certain directions to those in authority under them, and Mr. Plummer and those sent out from Dublin either obey those orders or not; if they obey them well and good, and if they do not obey them they are dealt with for that?—*Witness.*—We generally act under the orders of the magistrate, and I think if we were to go out without a magistrate's order and prevent any procession we should cause a greater row than by letting the procession go on.

4176. Mr. *M'Laughlin.*—I think you said that you generally act under the direction of a magistrate?—Yes.

4177. And when you say magistrate I presume you mean a local magistrate?—Magistrates I say; there is generally a resident magistrate sent down on those occasions.

4178. Not always?—I think there has been as far as I recollect.

4179. Would you be surprised to hear that it has been the rare and curious exception when a stipendiary magistrate has been sent down on those occasions?—No; I recollect Mr. Fitzmaurice here, since I came here, constantly. He was a resident magistrate.

4180. He was a resident magistrate in ordinary parlance, residing in Derry, but he did not live here?—He was a magistrate for Derry and Donegal.

4181. Now is not the history of Mr. Fitzmaurice's connexion with the city this, that he was originally resident in the city of Derry?—I cannot tell you.

4182. For a short time?—I cannot tell you.

4183. Did you ever hear that he was?—No; I do not know whether he was or was not.

4184. And then he resided at a distance just outside the borough boundary——?—I do not know that.

4185. You do not know of your own knowledge that it was a rare and curious exception, as I before phrased it, when any stipendiary was here at all on those occasions?—Well, I have not been very long here. I have generally seen stipendiary magistrates. There is Captain Peel, and——

4186. You have been only here for a very short time?—About a period of three years.

4187. And that a period of special excitement here—the last two-thirds of it?—Yes.

4188. Now I will ask a question if you please with reference to a matter very elaborately inquired into here, that is to say, what took place on the 12th of August last year. Now suppose for a moment there had been a large and effective police force, would not the officer in command of that police force have acted under the directions and by the authority of the local magistrates on that day, supposing there was no stipendiary here?—Certainly; and on the occasion of the visit here, and on all occasions, the magistrates have all met and considered what force would be prudent to bring in, and I saw them always unanimous.

4189. Always unanimous?—Always.

4190. As to what force would be prudent to bring in?—And the disposition of them.

4191. I thought the disposition of them was a thing left to the military genius of the officer?—Oh, no.

4192. Now you have mentioned that you have always observed on those occasions that the magistrates were unanimous?—Always.

4193. Is it your opinion, as a matter of experience, that if part of the proposals to be decided on at the meeting was to put down the affair they would be unanimous?—To preserve the peace, I think.

4194. But if the proposal was to prevent the celebration, do you think they would be unanimous?—I cannot—I never heard it discussed. I never heard the matter discussed. When anything did occur I heard the local magistrates most anxious to give every assistance.

4195. Then the only question would be in what direction the assistance should be given?—To preserve the peace.

4196. But is not this the fact—I may take it as generally proved by your evidence—that the police would do nothing except what they were directed to do by the magistrates?—The police would obey the orders of their officer, but their officer I think would not take it on himself to ——

4197. To disobey the magistrate. But in point of fact supposing there was no stipendiary here, the police would obey the local magistrates—the local magistrates would direct the action of the police?—Certainly, the mayor, or other magistrates.

4198. Then supposing there was a stipendiary or two stipendiaries here, and a large number of local magistrates, would there be a conflict of jurisdiction in that case?—Oh, I cannot tell you—I never heard of it.

4199. Can you have any doubt that if there was a meeting of magistrates under such circumstances the majority would carry the day?—I think the majority would carry the day. That is a question I should hardly think capable of dispute.

4200. If the majority then were in favour of acting as the majority have acted heretofore, in allowing the procession to go on, then the presence of the stipendiary could not stop that?—I suppose not.

4201. Nor would the presence of the most amazing force ever seen in the constabulary depôt in the Phœnix Park prevent it?—Well, I don't know that either, because if the Government sent down magistrates the police would act under these magistrates.

Mr. Commissioner EXHAM.—What right have the magistrates to stop those processions?

Mr. *M'Laughlin.*—By the enforcement of the law. Let any other party try it and you will see them stopped.

Mr. Commissioner EXHAM.—They have to prevent riots going on. If it is the law of the land that these processions, under certain circumstances, may occur, what can the magistrates do but, as Mr. Plummer says, meet and deliberate with him as the County Inspector, or the stipendiary magistrates here, to take

the best precautions they can with regard to calling in an additional force, and posting that force to prevent the law being broken. It is another thing whether these things are to go on, or Government to interfere, by Act of Parliament or otherwise.

4202. Mr. *M'Laughlin.*—I don't think it is necessary to interfere by Act of Parliament, when this gentleman has stated that heretofore the constabulary have prevented anyone from interfering with the processionists; and it has been shown that by direction of the magistrates, on the 9th of February, while the constabulary allowed one portion of the people to have a procession inside the gates, they successfully kept another portion of the people from coming in——?—*Witness.*—I do not think they did successfully.

4203. Mr. Commissioner MURPHY.—We must consider it in its other bearings, as to what the magistrates considered they had authority to do, and what they were at liberty to do, and what were the most prudent steps to take. If you are able to bring before us cases where persons came forward and made informations with respect to an intended procession it might be important. Even then, with the force they had available, it would be another question to consider whether it would not be better to let the thing go on——?—*Witness.*—The magistrates gave every assistance.

4204. Mr. Commissioner EXHAM.—Is it or is it not the fact that, during the time you have been here, prior to those anniversaries, there have been meetings of the magistrates with regard to taking precautions for the protection of the public peace?—It is.

4205. Have you been present at those meetings?—Always I may say.

4206. In conference with these magistrates?—Yes, and gave such suggestions as I thought fit, which they generally adopted.

4207. Have you seen precautions taken as far as the available force at your command and the command of the magistrates would admit, with regard to protecting the public peace, during the time you have been there?—Decidedly.

4208. And that action was not confined to a particular magistrate, but you speak of the magistrates generally?—Oh, not at all; they were all unanimous.

4209. Have you seen anything done by the magistrates with regard to the disposing of the police, and with regard to giving protection to one set of processionists and not to another—for the purpose of giving protection to one set of processionists and not to another?—No; I never did. Sir Edward Reid, who was mayor for two years, was most anxious, and poor Dr. Babington, and others, to give us every assistance to preserve the peace.

4210. I think it right to ask you if they consulted with you as the County Inspector with regard to the available force, gave you directions, acted on your advice and called in auxiliary aid, and availed themselves of that auxiliary aid as you recommended?—The plan was, they generally sent me either a printed or written circular, saying that there would be a meeting of the magistrates to consider what steps should be taken for the preservation of the peace, and requesting my attendance; and I always attended, unless prevented by ill health, or something of that kind, and I never saw any side taken by one more than another on those occasions.

4211. And you swore the other day that these processions were dangerous?—I did not swear anything; I stated it; and my word was quite as good as if I had sworn it.

Mr. Commissioner MURPHY.—Surely the fact of those meetings being considered necessary prior to their taking place is itself an indication that the magistrates thought so.

Sir *Edward Reid*, J.P. examined.

4212. Mr. Commissioner EXHAM.—You have been a magistrate of this city for some time?—I was requested by the Corporation to appear here to-day, together with the Mayor, to give you any information that you thought proper to ask. The Mayor, I am informed, is unwell, and I have attended here to give you any information so far as I am myself aware.

4213. Now, you have been Mayor of this city?—I was Mayor of this city for two years, 1867 and 1868.

4214. And I believe since you ceased to be Mayor you have the Commission of the Peace?—I was not a magistrate for about three months subsequently. I obtained the Commission about three months after I had ceased to be Mayor. I am now a magistrate for the city.

4215. During the time that you have been Mayor of this city, and therefore acting as a magistrate, have you seen the magistrates of the city use their best endeavours for the protection of the public peace?—They have always done the best they could. I may say that there was the greatest unanimity among the magistrates during the time I held the office of Mayor; it was very seldom, indeed, that we had any difference of opinion.

4216. And was that unanimity of the magistrates with regard to taking precautions for the public peace?—Well, with regard to taking precautions for the public peace, the town, during the time that I was Mayor, was generally quiet, and we did not deem it necessary to take any particular precautions for the preservation of the public peace, except on certain anniversaries, such as the 12th of August, the 18th of December, the 12th of July, or other such occasions. On occasions such as those I generally summoned a meeting of the magistrates, to ask them what steps should be taken for the preservation of the peace.

4217. And as we have heard from Mr. Plummer you used to invite his co-operation, and assistance, and presence as the County Inspector?—Always; the County Inspector and the Sub-Inspector were always present during the deliberations of the magistrates; they always were summoned to attend.

4218. That occurred during the two years that you were Mayor, in anticipation of these anniversaries?—I think as far as I can recollect, at first when I was Mayor, it was not the practice—at least I cannot speak of what the magistrates did, because I was not a magistrate before I became Mayor, so that I cannot speak of what the practice of the magistrates had been; but I was not aware that it was necessary to summon a meeting of the magistrates on those occasions. Mr. Fitzmaurice, who was the resident magistrate of the district, a gentleman for whom I have a very high respect, and a most efficient magistrate as I consider, volunteered that if at any time he could be of any use to me he would be most happy to attend at Petty Sessions if I would write to him. He said that he did not see any necessity for coming here except I did write to him; and it was only, I believe, on such occasions when there was a riot, or something of that kind apprehended, or where an occurrence might take place that might lead to a breach of the peace, that I wrote to him. I think I had only to write to him three or four times during the time I was Mayor.

4219. At those meetings preparatory to, or in anticipation of, those anniversaries, had you the benefit of Mr. Fitzmaurice's assistance?—Mr. Fitzmaurice was sometimes not present at the meeting of magistrates; but he attended in his official capacity at the anniversaries to give any assistance in preserving the public peace.

4220. When you state that the magistrates discussed and took the best precautions, am I to understand that that was done irrespective of party?—Clearly.

4221. Or without any favouritism to one side or the

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other?—Clearly so; I never knew of them favouring one side more than the other, as far as I was concerned, or knew of it.

4222. And was the question of preserving the public peace, and of calling in an additional force, and of posting that force honestly and *bonâ fide*, discussed by the magistrates as far as you saw?—Every gentleman who was there had an opportunity of speaking his mind on the subject, and any suggestion that was made was always attended to.

4223. Then may I take the liberty of asking you whether the arrangements that were made, and the precautions that were taken, in anticipation of these anniversaries, from time to time, met with your approval as chief magistrate?—Certainly; I approved of them, and, as far as I am concerned, I presided over the largest meeting of magistrates that I believe was ever held in the city of Derry—I think there were seventeen or eighteen borough magistrates there—and they were unanimous in intrusting to me, as chief magistrate, the authority for the day, with the assistance of the stipendiary magistrate.

4224. What anniversary do you allude to?—I cannot say whether it was the 12th of August. No; it was before the election; I think that was the meeting.

4225. That is, they intrusted all the arrangements with regard to the preservation of the peace to you?—With regard to the preservation of the peace.

4226. To you and to the stipendiary magistrate?—Yes.

4227. Mr. Commissioner MURPHY.—How long have you been residing in the city?—I have been residing in the city for a great many years—upwards of thirty years.

4228. Mr. Commissioner EXHAM.—And know the people, and I suppose are pretty well known by them?—Yes.

4229. Probably of all shades of politics and religion?—Yes; and I may state that I have received congratulations from one side just as much as from the other during the time I held office. I never knew any distinction so far as I was concerned myself.

4230. In consequence of something that has taken place here, we think it our duty to ask you some questions about the conduct of the magistrates, when sitting as magistrates. Is there, to your knowledge, or has there been, a feeling amongst any portion of the population that you know of, or have heard of, as to partiality on the part of the magistrates in their decisions?—Well, I never heard it till this commission.

4231. Did you ever hear it even whispered?—Never heard it before, and I never saw it.

4232. I was just going to ask you, were you in the habit, during the two years you were mayor, of presiding from time to time at the petty sessions, where the magistrates sat and adjudicated?—I always consulted the magistrates.

4233. Were you in the habit of sitting there every petty sessions?—Very regularly; very seldom absent.

4234. Well, from your knowledge of what occurred on those occasions, no matter what classes of cases were brought before the magistrates, did they, to your knowledge, act fairly and impartially?—I believe they were as fair and impartial as any magistrates could possibly be.

4235. I should like to know with regard to one occasion in particular, the occasion on which a man was charged with an assault on Mr. Hempton, do you recollect that occurrence?—I do.

4236. Do you recollect Mr. O'Donnell, the magistrate, sitting on that occasion?—Yes.

4237. As far as you know, did Mr. O'Donnell express any dissent from the ruling of the magistrates, fining that man 10*s.*?—I do not remember him expressing any dissent; I do not recollect. If a magistrate does not express his dissent, it is supposed that he assents to the judgment.

4238. Mr. Commissioner MURPHY.—That is the interpretation of silence?—Silence gives consent.

4239. Mr. Commissioner EXHAM.—And, as far as you saw, from the facts of that case, did you and your brother magistrates honestly award the punishment that you thought that the case deserved, without fear, favour, or affection to either party?—Certainly.

4240. Do you recollect the occasion on which a borough constable arrested a man who it was alleged had stood by, or aided or assisted, another in breaking a window belonging to Mr. Hempton—do you recollect that transaction?—I do not remember that case in particular.

4241. Mr. Commissioner MURPHY.—You have no recollection of being present at it—it was stated, I think, by Mr. O'Neill, as well as Mr. Hempton, that the borough constable was reprimanded?—I have no recollection of the occurrence at present.

4242. Are you in a position to give us your opinion with respect to the feeling entertained towards the existence of these processions, or allowing their continuance?—Well, I think it would be a very great matter that all processions were done away with. As far as I am concerned, I think it would do away with a great deal of the animosity that exists, for, I believe, it is on such occasions that ill feelings are excited; and without something of that kind to cause that excitement the people would be always peaceable and quiet. I never presided over a quieter or more peaceable people than the inhabitants of Derry.

4243. And do you think that that opinion is shared by a great many of your brother magistrates in this city?—I do indeed; I cannot speak for other magistrates, but I know that there is a general feeling.

4244. But, do you know that it is shared by a good many of even different politics?—I think there is a general feeling; I think the feeling is pretty general, but I cannot speak for all.

4245. You have already said that you think it is pretty general among persons of different political feelings and of different creeds?—I think the general feellng is that it would be desirable.

4246. To have these put an end to?—That they should be put an end to.

4247. And you have heard the opinions of some Protestants and Conservatives on this subject—not of all, but of some—with respect to it?—I cannot generalise more than I have done the opinions of other persons. The question was never started in such a way before the magistrates as that I could give you the opinions of individuals. We never discussed the question—the magistrates never discussed the question of putting down the civic anniversaries or any other processions; they simply meet for the preservation of the public peace.

4248. But you believe that, outside the magistrates altogether, the feeling very generally prevails amongst the inhabitants of this city?—I think there is a very general feeling amongst the inhabitants that it would be a wise step to stop all processions.

4249. That it would greatly tend to promote good feeling amongst the different classes of the community here?—That is the feeling amongst a great number of people, but there is nothing at all almost that you will not get opinions on both sides.

4250. But putting a stop to the processions would, in your opinion, tend to promote good feeling amongst the different classes of the community?—I think it would; I speak individually.

4251. And your own opinion is also that they are dangerous to the public peace of the city and neighbourhood?—I am of opinion that processions of any kind are not for the public benefit.

4252. Mr. Commissioner EXHAM.—And I suppose you include in that the playing of bands of any party, or any denomination, through the streets?—Clearly.

4253. Now, being chief magistrate last year, did it ever come to your knowledge that arms were distributed to any persons in the community here, then?—Never; there was a telegram received by one

of the city magistrates, which he showed me, and we could learn nothing more about it. We never could ascertain that such arms had come into the city at all.

4254. What was the purport of the telegram?—I think that some 500 revolvers had been sold in Limerick, I think it was, to come down to Derry, at the time of the election, or sent to Derry.

4255. And you never could trace anything about it more than that?—Never could trace their arrival here at all.

4256. And never heard of it till you heard it stated, probably, at the Commission here?—No; not till I read the account of the Commission here.

4257. And, of course, you took no steps about it?—It never came to my knowledge, as a magistrate.

4258. Mr. Commissioner MURPHY.—You heard all the evidence that has been given here with respect to this formidable armament at Muff Glen?—I heard all that, but it was outside my jurisdiction altogether. I have heard of it. I believe the police and others who were there saw it, but I knew nothing about it.

4259. But it is very close; there was a sort of encampment there, and two hostile parties?—What I heard through the town was that they were mostly strangers who came from different parts of the country; but I know nothing of that from my own knowledge.

4260. You know Mr. M'Cafferty, and Mr. Lynch, who were here?—I do; they are both very respectable gentlemen, and I place every reliance on any statements that they would make; I am quite satisfied that they would know.

4261. Of the perfect reliance to be placed on them we have no question; but do you think that they have singularly good opportunities of knowing ——?—I am quite satisfied that those gentlemen might have a knowledge that would never reach me. They are both very respectable gentlemen, inhabitants of the town.

4262. They would have opportunities of ascertaining the state of things that you would not?—They might have an opportunity that I could not.

4263. Mr. Commissioner EXHAM.—You are a member of the Corporation also?—I am.

4264. And you have been kind enough, or the Corporation have, through their Town Clerk, to send us a copy of a resolution that was passed at the meeting of the Town Council on Monday last?—Yes, the Town Clerk was requested to do so.

4265. I think I may read the resolution now—[Reads resolution.]

"That this Corporation consider it desirable that the Royal Irish Constabulary should be substituted for the local police force, upon the understanding that all the duties as discharged by the present force are performed by the constabulary, and that the expenditure be limited to the sum of £1,500 per annum, being the maximum sum the present taxation of the city would permit. For several years past this Corporation have been endeavouring to have that arrangement carried into effect, and it was entirely owing to the difficulties raised by the constabulary authorities that it was not adopted. That the Mayor, Alderman Skipton, Councillor Sir Edward Reid, the Town Clerk, and the Solicitor, be now authorized to wait on the Commissioners at present in this city, for the purpose of giving such information as may be necessary for carrying into effect the proposed change in the police force, and making arrangements in accordance therewith."

That was the resolution that was passed, and it was in accordance with that resolution that I have attended here to-day. Our reason for limiting our expenditure to that sum was that our rate was also limited.

4266. Have the Corporation at all considered, or have the magistrates, as far as you are aware, considered the number of the Irish Constabulary that would be requisite and necessary for performing the duties here?—It has been several times talked over, and we generally were of the opinion that we ought to have twenty-five men. I think it is about seventeen we have at present. But our opinion was that our proportion should be about twenty, and with the assistance of forty other men the magistrates would be quite prepared to preserve the public peace on all ordinary occasions. I, as a magistrate, consider that a divided responsibility is not so good as where the responsibility rests entirely in one quarter; and the constabulary being a trained body of men, and men who have on all occasions discharged their duties remarkably well, the advantage must be obvious to everyone.

4267. When you say that a force of sixty altogether would be sufficient, has that question been discussed between yourself and your brother magistrates?—I have heard the matter discussed before the magistrates on former occasions. I may say that one mode in which it happened to come before us was this, that there was lately a number of extra police ordered to the city of Derry, and I think it was 100 additional men we had. I am not quite certain, but I think it was 100. At the first meeting of magistrates we ordered fifty away at once. We asked the Government to relieve us of fifty, and the other fifty remained for a short time, and we still found we had far too many, and we asked the Government to relieve us from one half; and, at the time of that discussion, we were of opinion that with forty constabulary and the others we would at any time preserve the peace of the city, except when a riot would be apprehended.

4268. That is forty of the constabulary added to the local force?—We should have forty of the constabulary without the local force at all.

4269. Do you mean forty in addition to the twenty that you have?—In addition to the twenty that we have. You will observe that the Corporation has explained by that resolution that the police should take the same duties as are now performed by the city police. One of those duties is that of night-watching, and for that purpose they would require more sergeants. We have always two sergeants for it under the Corporation, and it still would require them. But with one sub-inspector and forty additional police here we think it would be quite enough. We do not think it would be necessary to add an additional sub-inspector.

4270. I presume you think it desirable, or is it so, that a resident magistrate should be always in Londonderry, where there was such a large force?—Well, I have not the slightest objection to a resident magistrate. As I stated before, when my friend Mr. Fitzmaurice was wanted, I wrote to him, and he was always ready to attend; but we could do without them if they were not here.

4271. But from your knowledge of the state of feeling here, do you not think that it would be calculated to give satisfaction, at all events, to a certain portion of the community, and a very large portion, to have a stipendiary magistrate?—It does not appear from the evidence that the presence of two stipendiary magistrates has one iota increased the confidence in the magistrates.

4272. I say only one?—We had for a time only one, but it does not appear to have bettered the state of things at all. So far as I can observe the magistrates, they always co-operate with the stipendiary magistrates sent here.

4273. Have you ever seen any disposition on the part of the magistrates not to take the advice of, and pull together with, the stipendiary magistrates?—Certainly not; everything was discussed amicably and peaceably for the general good.

4274. Now about the city force, before we come to the question of city taxation, have you had opportunities—of course you have had during the two years you were Mayor here—to observe that force?—To observe which?

4275. To observe your local force?—Yes; we have no complaint whatsoever to make against the local force, no complaint whatsoever; but we think, at the same time, that a divided responsibility is not good, and we are of opinion that if they were all under

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proper training and responsibility, that is, commenced a very early period of life—in fact, men who are entirely devoted to the duty—they would be superior to men who come from the country at an advanced period in life.

4276. Well there is one thing I want to ask you about that force. It has been stated here that that force, or members of it, were in the habit, either occasionally or from time to time, of marching as a sort of vanguard to one party here. Do you consider that there is any justification of such a charge?—I am not aware of such.

4277. And never heard it before?—Never heard of it.

4278. Nor as far as your experience goes?—As far as I know the local police I have no charge of the kind to make against them. Our feeling is entirely that a divided responsibility is not good, and we cannot get the same regulations enacted.

4279. You think that the other force, with their training and all that, would be superior?—It is very easy to see that a person whose life has been spent in things of that sort would have an advantage over other men.

4280. Now with respect to the occurrences of the 20th of July, a deputation of gentlemen waited on you that day with respect to the precautions for the preservation of the public peace?—In July?

4281. In July last year—the Corporation Hall night?—Yes; Mr. Dowse wrote to me a note to request that I would have some of the police to attend at the Corporation Hall. I then gave intimation to the Superintendent of our local force, and also to the constabulary, that it was my wish that they should attend at his request and go to him.

4282. And did you yourself—we have heard——?—I was outside the Corporation Hall the whole time, going round the Diamond. I attended on that occasion at the request of Mr. Stafford. I had made other arrangements; I live in the country, and not imagining for a moment that a lecture could not be delivered in the city of Derry without the public peace being broken, I never dreamed that there would be any riot on that occasion.

4283. However, when asked by the officer of constabulary——?—When asked by Mr. Dowse I at once communicated the contents of his letter to them, and requested that they would attend and look after the preservation of the peace.

4284. And then at the request of the officer of constabulary you actually stayed in town?—Yes; the officer of the constabulary and I in the morning had a conference, and we thought that there would be no disturbance. Something occurred during the day—something did occur to change the officer's opinion, and he at once communicated with me, and asked me to remain in town, and I said "I will do so with pleasure," and accordingly I attended at the Corporation Hall that evening, and was round the Diamond the whole evening.

4285. Were you there when this rush was made at the front door?—I was not at the front door at that time.

4286. Had you left just at that moment?—Oh, I was coming round.

4287. But you were actually on the spot?—I was actually on the spot.

4288. And had been there before?—And had been there before.

4289. Using your best endeavours there to preserve the peace?—Yes; and I believe on that occasion that the weapons they had were concealed under their clothes—that is, the statement made to me was that the weapons were concealed, and that they did not produce them until they appeared at the front door.

4290. And then, as far as you saw the conduct of the local force that night, did they do their duty?—I have no complaint to make against them. I cannot charge any of them with neglect of duty. You must bear in mind that our local force is a very small body of men for the preservation of the peace, and I think quite too small for a case like that.

4291. Before the corporation came to this conclusion, I understand that they got their town clerk to write to the authorities in Belfast also, to see how things were working now?—They did; that was some time ago; the town clerk wrote to the authorities there. The reason for inquiry there was to ascertain how the system was working, and the answers we got were that it was working very satisfactorily.

4292. Now from what you know of Derry—you say the cost should not exceed £1,500—is that the maximum sum that you say?—That is the maximum sum that we would be able to give out of the rates, and we have a great objection to any increase in the rates, and I believe that that objection is general all over the town; for they have been again and again hammering at the corporation to reduce the rate. We are at the maximum, and we cannot see our way to spending more than £1,500 upon police.

4293. That is, in other words, if a larger force of police is supplied, you must increase the rates of the town?—Yes; and that would be very objectionable.

4294. And you think would give general dissatisfaction?—It would give general dissatisfaction.

4295. I suppose utterly irrespective of parties?—Clearly.

4296. Mr. Commissioner MURPHY.—It is well to get some subject on which all are agreed——?—We do not differ so often as you think on many points. The people of Derry are very quiet and peaceable, and they have got a character that they do not deserve; they have got elsewhere a name that they do not deserve.

4297. So far as that goes, all the gentlemen who have been examined here on both sides—even Mr. M'Cafferty, Mr. O'Neill, and Mr. Lynch—said there would not be a more kindly-disposed people in the world if these unhappy causes of disagreement were removed. It is right to say they all expressed the same opinion as you do——?—I am sure I never had the least trouble in the administration of justice in the city of Derry with either one party or the other.

4298. Mr. *M'Laughlin.*—Both you and I, as Derry men, would be sorry that the city had got a character that it did not deserve?—I think we would—both of us.

4299. Then I suppose it is the recent occurrences that have led to the misconception that has publicly prevailed?—Well, I take it for granted. They have largely increased it at all events.

4300. And I believe the origin of it was on the night of the attack on the Corporation Hall, when you took such effectual measures to preserve the peace?—That was about the first of it.

4301. Now on that occasion you sent for the superintendent?—Yes; I am speaking from recollection.

4302. Then certain men were placed on the Hall?—Certain men were placed there.

4303. And now we will assume for argument sake, or at least for the sake of brevity, that these men did their duty as well as they could?—I assume they did.

4304. And yet, notwithstanding that, some of the attacking party were able to break into the Hall, and were only prevented from getting into the interior by the lay protectors inside?—I did not see that; but I believe that was the case—that they were repelled from within and could not make their way in.

4305. You, when you heard this report at first, did not believe it possible that any body of men should be so lost to a sense of propriety as to try to break into the Hall with bludgeons?—Indeed I did not believe that they would do anything of the sort.

4306. And, I believe, you honestly and fairly, as any Derry man, remained of that opinion till you saw the men?—If I did not see what occurred when they turned up, I would not have believed it beforehand.

4307. I think a while ago you mentioned the names of Andrew M'Cafferty and Edward Lynch?—Yes.

4308. As men on whose word every reliance should be placed, and who would have better opportunities than you would have of knowing the opinions of certain parties?—Yes.

4309. And, I believe, it is a fact that during that day, the 20th of July, the precautions that resulted in putting a number of working quay porters in the Hall were precautions taken by the people that M'Cafferty and Lynch were acting with—by Mr. William Young?—I do not know anything about that at all. Those who were inside knew.

4310. Now, I suppose, you would have no objection as a gentleman knowing this city and its merchants well, to couple Mr. William Young, at least in the description as to respectability and veracity in which you have included M'Cafferty and Lynch?—A most respectable man.

4311. Then, I can tell you, he came up and swore he engaged the men as a precaution?—Well, I have no doubt of anything he says—not the slightest.

4312. Now, I think you guarded yourself, very properly I may say, in answering the question whether there was confidence in the city police among the public; you confined your answer to what was suggested, to your knowledge?—Clearly; why should I speak for what I did not know.

4313. But I suppose you would not be much surprised to hear that Mr. M'Cafferty and Mr. Lynch had stated that, rightly or wrongly, there was not that confidence in the city police that one would desire?—I certainly should be surprised to hear that they had stated it; but I have no doubt at all that they stated what they thought.

4314. Now, in answer to a question put by one of the Commissioners, as to the desirability of having a stipendiary magistrate or stipendiary magistrates, I believe that you would have no objection to that?—Certainly.

4315. But no special necessity, you think, exists for them?—For a long time they wanted them, and I did not see any necessity, and—

4316. And they have been no benefit since they came?—I do not see that it has benefited us since; but we do not object to them.

4317. Mr. Commissioner EXHAM.—Particularly if you got them for nothing?—If we have not to pay for them.

4318. Mr. *M'Laughlin.*—They are very pleasant when they do come down?—They are as agreeable men as can be.

4319. There is one thing at all events that must be said in their favour, that they always act harmoniously with the magistrates when they come here?—So far as I have seen.

4320. So that, in point of fact, whatever might be the views of the magistrates in any case, the views of the stipendiaries would be much the same?—Very much the same; we very rarely have had a division on the magistrates' bench.

4321. And I suppose never in a case of any consequence?—Except some serious case, but generally in ordinary cases there is no division.

4322. In cases of wilful murder?—In a case of wilful murder there might be a difference.

Mr. *M'Laughlin.*—A case of wilful murder is, by reason of the eccentricity of the popular mind, regarded as of some considerable importance.

4323. Now, in the case of admitting to bail of a gentleman of the name of Barker, who had the misfortune to be accused by a dying man of having committed the crime of wilful murder, I believe there was some difference of opinion?—There was some difference of opinion among the magistrates on that occasion.

4324. I believe that man had previously been committed for trial by Captain Coote, the stipendiary, sitting alone?—I do not recollect exactly.

4325. And I believe those stipendiary magistrates who ordinarily co-operate so harmoniously were against admitting this man charged with wilful murder to bail?—Well, when the matter was discussed, the stipendiary magistrate simply said that it was not a bailable offence in his opinion, and therefore he could not agree with the opinion of the other magistrates, that it was not a bailable offence.

4326. The scruple that existed on his mind was, that it was in antagonism to the law of the land?—He said it was not a bailable offence.

4327. In that case the harmony was rather broken in upon?—Well, there was a difference of opinion, that is all. They sat afterwards on the bench very harmoniously together.

4328. Now, have you seen Mr. John Rea at all?—Oh, indeed, I have seen Mr. John Rea, and I have had the pleasure of shaking hands with him since he came to town.

4329. Well, he was present, I believe, during the long magisterial inquiry into the deaths of Mr. Moncrieff and Craig?—Yes, he was.

4330. And you heard him during those days?—Well, I did not attend all the time.

4331. However, you were there several days?—I was there twice—two days.

4332. That was considered, was it not, a rather important inquiry?—Well, I do not know what may be the opinion of the magistrates, but for myself I found I could not attend during the time, and had to absent myself. Anything of the kind ought to be considered important.

4333. Now, I believe that notwithstanding your occasional absence, with which I do not find the slightest fault, there was a very full attendance during that inquiry?—Well, according to what I saw in the newspapers there appeared to be generally a very considerable number of magistrates.

4334. A much fuller attendance than you would have in the ordinary course of business?—I think I saw about six; I think about six magistrates.

4335. Do you remember, in passing about, how many magistrates were present during the inquiry before the magistrates that followed this attack on the Corporation Hall?—Well, I cannot recollect, but the local papers always published it.

4336. Twelve or fifteen?—I should say there was a great number.

4337. In the ordinary course of business such a large number of magistrates seldom attend?—Very seldom.

4338. I suppose the average attendance would be something like four?—No; nearer six, I should say.

4339. I believe in that case Mr. O'Donnell expressed his regret that the magistrates were not acting as he would have acted?—Well, I do not remember hearing him say so.

4340. Do you not remember this, that the magistrates suddenly determined not to go further into the investigation of the case, but to send the police for trial, without hearing those that represented the police?—I do not recollect whether I was present on that occasion.

4341. But do you not know it, as it was notorious as that the sun rose to-day—did you not read it—and that he remonstrated?—I think it was stated in the papers; the only knowledge I have of it is that it appeared in the papers.

4342. I believe Captain Coote was also one of the dissentients and Mr. John O'Neill?—I could not tell who were the dissentients on that occasion, for I did not attend the meeting of magistrates during the whole time. I was not there except at the preliminary part, so that I cannot tell you.

4343. I believe the only one of the local magistrates that concurred with the stipendiaries on that occasion was Mr. John O'Neill?—I cannot tell.

4344. But if Mr. John O'Neill was the only man who agreed with them, then it would follow that the only one of the local magistrates who agreed with the stipendiaries was a Roman Catholic?—Certainly, if that were the case; there is no question of that.

4345. Now, you have expressed very fairly a pre-

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ference as regards the police force, for men who have been regularly trained to police duties as a profession?—I have, and I think there is but one opinion about it as far as I know.

4346. I suppose that opinion is formed in the ordinary way that men of the world form an opinion, by seeing men brought up to a thing, and constantly at it, doing it best?—Yes, I should think any person best adapted to a business who was brought up to it.

4347. Well, in a matter more or less connected with the police arrangements as regards the keeping of the peace of this city, to wit, the magistracy, would you not be inclined to say that a stipendiary magistrate who was regularly brought up to that business, and constantly at it, would be rather preferable to a man who only attended to it now and then?—I will tell you what, Mr. M'Laughlin, during the election I had the assistance of Captain Slack; I think it was his first appearance as a stipendiary magistrate; and I can assure you that the assistance that he rendered me on that occasion here in preserving the peace was very great, and I could not ask from a man of forty years' experience greater assistance.

4348. Mr. Commissioner EXHAM.—Captain Slack had army training for a long time, for he was in the 10th Hussars?—Is that so.

4349. Mr. *M'Laughlin.*—Very few of the local city magistrates have been in the army at any time?—I am aware of that.

4350. Would you be surprised to hear that Captain Slack had been trained as a military man, and would you say that would account for his great efficiency?—Well, he was a man of great efficiency.

4351. Do you not think that if Captain Slack had superadded to his other qualifications natural and acquired, the additional advantage of ten years' experience here, there, and everywhere, in times of peace and disturbance, as a stipendiary magistrate, he would be still the better of it?—It would be no loss to any man to have experience.

4352. I suppose you do not say Captain Slack was the only thoroughly good stipendiary magistrate?—No, certainly not; but he was the gentleman deputed by the Government to assist me on that occasion.

4353. Was not Captain Peel in the army, too?—I believe he was, but I do not recollect exactly whether Captain Peel was here at the time.

4354. And I believe Mr. Fitzmaurice was in what we may call the national army, to wit, the police?—Yes, he was in the police force.

4355. And I believe a great number of the men, begotten and generated in the police force, eventually developed themselves into stipendiary magistrates?—I cannot tell.

4356. Would you not say, upon the whole, that it would be only fair to extend your opinion to the stipendary magistrates, as men who were brought up to the thing they do?—It is no loss to any man, as I have said already, to have experience.

4357. But is not it a gain to a man?—It ought to be, but sometimes men of experience may err just as much as others.

4358. Human nature is always fallible?—Yes.

4359. Although it is said that experience teaches?—Experience is a good thing.

4360. Now I think you said that you would be in favour of putting an end to all those celebrations?—Yes.

4361. Because they were more or less inimical to the public peace?—I think it stirs up public feeling, and I would much rather they were done away with.

4362. Would you put down all processions under whatever pretence?—Oh, every kind.

4363. One might, I suppose, venture to say, in talking of processions generally, that the civic or Apprentice Boys' processions have been the most general and most regular?—The most regular.

4364. I mean the most regular in the order of their occurrences; they are every year, twice a year at the least?—They are twice every year.

4365. And it is the exception when there are local processions of any other sort—no other sect in the community regularly indulge in processions twice a year?—No; I think that the 12th of July is a celebration day as well as the 12th of August.

4366. But that party are not in antagonism to the Apprentice Boys?—But sometimes there is some disturbance. I am for stopping all.

4367. I mean to convey that there is no regular processions by the Catholic party?—I am not aware—unless you call going through the streets occasionally with a band.

4368. Would not you be in favour of putting down those also?—Decidedly.

4369. So would I. Now the local magistrates I think you say are so numerous that the largest meeting you ever presided over was a meeting of sixteen or seventeen?—Sixteen or seventeen; they were nearly all there; I think nearly all that were in the county were there that day.

4370. Now the opinion that you have given as to the desirability of putting down those celebrations—you have given partly as a citizen and partly as a magistrate?—I gave it in both capacities; I wish to see peace.

4371. And you think that would be a desirable way of promoting it?—I do.

4372. I think you said that there existed a pretty general feeling among the citizens—I am not now for a moment talking of the magistrates—that there existed a pretty general feeling among the citizens corresponding with your feeling?—Well, I think there is. But there is nothing at all that there will not be opposition to.

4373. Now do you think that there exists among the magistracy an equally general feeling, by way of disapproval of the Apprentice Boys' processions?—Well, the question of approval or disapproval was never discussed by the magistrates in my presence, and I will not speak of what I have had no opportunity of hearing. I will speak my own opinion, but I will certainly not speak as to the opinion of others.

4374. But we will take the other persons as citizens and not as sitting and deliberating in magisterial conference. Would you say that the men who have the commission of the peace, if polled, would show a majority in favour of doing away with those celebrations?—I really cannot tell you; I have answered the question, that I have no opportunity of forming an opinion; you are asking an impossibility.

4375. You think it is impossible to form an opinion on the subject?—I do.

4376. Now we have had already some evidence as to the relative strength of political opinions among the magistrates; are the great majority of the magistrates what is commonly called, and rightly, Conservatives?—The great majority? I don't think they are; I think each side is very fairly represented in the magistracy at present. It is very seldom the magistracy are as fairly represented as they are here.

4377. Eh?—It is seldom that the magistracy, as a rule, are more fairly represented than in that list, if that be the list that you hold in your hand.

4378. How long is it since you were appointed magistrate?—About three months after I ceased to be Mayor.

4379. That would be about the month of March?—About the month of March.

4380. I believe Mr. William M'Carter and Mr. Adam Hogg were appointed about the same time?—Yes.

4381. You still think that they are fairly divided?—I do, indeed, very fairly.

4382. Do you apply that to the city magistrates generally or to those who usually take part in the administration of the law?—Well, I think both ways it would apply. I think we have a very fair representation whether in the attendance or in the total numbers.

4383. Now I want to ask you again, if you please, do you think are the local magistracy, as a body, de-

sirous of putting an end to those celebrations?—I have already told you that I cannot speak for the opinions of people that I have never heard express any, and I am not going to express an opinion for other people. Where there was no opportunity of noting the feeling how could I do so.

4384. Mr. Commissioner EXHAM.—What you say is fair enough. You never heard the matter discussed among the magistrates. All you heard discussed among the magistrates was the means of preserving the public peace, and protecting it as far as they could?—Clearly.

4385. Mr. *M'Laughlin.*—Now, I take the gentleman whose name stands at the foot of the list—Mr. James Murray. Does Mr. James Murray, do you know, occupy any public or prominent position as President of the Apprentice Boys?—I see it in the newspapers, but I have not any knowledge of that.

4386. You have no doubt that what you see in the papers is the fact?—Well, I suppose if it is not contradicted it is correct.

4387. Have you not over and over again seen in the papers, James Murray, esq., J.P., presiding on all those occasions?—I have seen that he presided at the Corporation Hall at a public meeting or something of that kind.

4388. Mr. Commissioner EXHAM.—He says that he has seen the name of James Murray, esq., J.P., presiding at a meeting in the Corporation Hall——?—*Witness.*—Yes.

That is a very different thing from saying that he has seen anything in the papers as to James Murray, J.P., heading a procession of the Apprentice Boys.

4389. Mr. *M'Laughlin.*—I never asked him such a question. [*To witness.*]—Give me leave to ask you what was the character of those meetings—Apprentice Boys' soirees?—You might call them soirees.

4390. You have already testified to the veracity of Mr. M'Cafferty and Mr. Lynch; now, if they said there existed a wide-spread want of confidence in the decisions of the local magistrates do you think they were telling what they believed to be true?—Well, I will tell you what, I have no doubt that they believe what they say, but I would not at all agree in that opinion. I say that they are gentlemen whose credibility I do not at all doubt, but it is all a matter of opinion; and I certainly, as far as I am concerned, express my opinion very strongly that there is no favouritism in the administration of justice in the city of Derry.

4391. Mr. Commissioner EXHAM.—Mr. Tillie himself said that he heard the thing whispered. Mr. Tillie said that he was not aware that there was an amount of public opinion on the subject until he heard it stated by those gentlemen, but he knew it had been whispered of.

4392. Mr. *M'Laughlin.*—Now, I ask you do you believe, from what you know of the magistracy, if the Catholics turned out with banners and music on the 17th of March, would they be allowed?—That is asking me a question on which I had not an opportunity of forming an opinion;—it is time enough to answer a thing when it occurs, and I do not like to be going into the clouds.

4393. Mr. Commissioner MURPHY.—If you were asked now to form an opinion could you form one?—I would much rather form an opinion from occurrences.

4394. Mr. *M'Laughlin.*—I quite agree with the rule as you lay it down—form your opinion from occurrences. Suppose you were told that certain processions, with tar-barrels, had taken place inside the walls a month previously by the Protestant party, and suppose you were told as a fact that on the 9th of February the Liberal or Catholic party, as they are sometimes somewhat erroneously called, were kept outside the walls by a previous arrangement of the magistrates, would that be a fact that would enable you to form an opinion on the question?—Well, I was not a magistrate at that time, and I cannot tell you whether there was any deliberation of the magistrates.

4395. Then you can form a more impartial judgment?—If I were to give my opinion on that subject I would say—it is easier to form an opinion after the occurrence; and if I were giving my opinion I would say that they should not have been prevented coming into the city on that occasion, so long as there was no breach of the peace.

4396. Now, who was mayor at that time?—The late Dr. Babington was mayor. I was not a magistrate then, and I cannot tell what local arrangements were made on the subject.

4397. Now, that fact being admitted——?—I am forming my opinion from what occurred afterwards; and if it had taken place before I might have had a different opinion; but I always consider that we have a better opportunity of forming an opinion after an occurrence.

4398. Then it would be only after another attempt of the Catholics on the 17th of March, and after you had seen the action of the authorities, that you would feel sure that you could form an opinion?—After things had occured. I mean to say also that if such a procession was to occur, and that it partook of anything of the nature of a party procession, I certainly would take the same steps, with regard to the preservation of the peace, as on any other occasion.

4399. What would be the steps you would take?—The steps generally taken by the magistrates were to order more police into the town, and to tell them to put the law in force.

4400. That was to put the law in force, by preventing anyone interfering with the processionists, for that is the evidence of the last witness?—The police have their own arrangements—they are not under ours—they do what is best for the preservation of the peace.

4401. Now, with reference to the possible existence of an opinion that the magistracy do not act impartially, I suppose you would say that Mr. John Casey was a decent man?—Indeed I would; I have known Mr. Casey a length of time, and no one that knows him can say anything else of him.

4402. And Dr. White, I suppose?—Indeed I would.

4403. Now, if Dr. White and Mr. Casey deposed that there existed a feeling to the effect that the magistrates were not, in party and political cases, impartial, would you think they were right in that?—I have told you what I thought in answer to the same question being put as regards other parties.

4404. Mr. Commissioner MURPHY.—You think that they are gentlemen who state what they believe?—They state what they believe, but they may make mistakes as well as others.

4405. But then they have a good opportunity of knowing the feeling of the class of the community to which they belong?—They ought to have a good opportunity.

4406. Still your opinion is, that that opinion of theirs is not rightly formed?—That is mine; I differ from them in opinion.

4407. Mr. *M'Laughlin.*—Did you ever hear any anger or dissatisfaction, on the part of the Catholic community, at these displays?—Never.

4408. You never saw it stated in newspapers representing their opinions?—Very often newspapers state things that are not facts.

4409. Do you not know that Mr. James Casey and Mr. William Kennedy, merchant, and Mr. Gallaugher, butcher, and Mr. William M'Laughlin, now a member of the bar, all swore that it was offensive to the Catholics?—Well, I do not know; they may have done so, but it was not to my knowledge.

4410. And have you any doubt that the Catholics so regard it, whether rightly or wrongly?—I cannot say that; I say let all have their own opinions, and let them judge for themselves.

4411. Mr. Commissioner EXHAM.—Did you ever, during the two years you were mayor, call a meeting of the magistrates with respect to any intended procession on the 17th March?—I have no recollection of

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any, and I do not recollect any procession in Derry on the 17th.

4412. Or you would have a notice of it?—The course always was, if any respectable person, on whose credibility I might depend, came to me and would say that he thought the peace was endangered, I would endeavour then to take such steps as were requisite for the preservation of the peace.

4413. And, I presume, you, in the discharge of your duty, if any person had come to you and given you any information about a procession on the 17th of March, would have called a meeting of the magistrates on that occasion?—The same as any other.

4414. And, not having had to call that, you cannot tell what precautions were taken by the magistrates with regard to a matter which you were never asked about?—I cannot.

4415. Mr. Commissioner MURPHY.—With reference to the occurrence that Mr. M'Laughlin reminded you of, with respect to accepting bail in a particular case, Mr. O'Donnell, the stipendiary magistrate, did state that, in his opinion, it was not a bailable offence?—He said that it was not, in his opinion, a bailable offence.

4416. But the magistrates said that, in their opinion, it was a bailable offence?—No, they did not; they simply——

4417. And what did they say in answer to that objection of Mr. O'Donnell's—did they say it was a bailable offence?—Well, as far as I recollect, I think that the decision of the magistrates was come to before Mr. O'Donnell had expressed that opinion, and that by the decision or opinion already come to by the magistrates they abided.

4418. The bail had not been completed at the time he made the objection, had it?—I think the mayor said at the time, as well as I recollect, that the man was in great danger at the time in the infirmary, and that he could not be cross-examined, and that it would endanger his life to cross-examine him on the question.

4419. That is, the man who made the information?—That is, the man who made the information; the mayor, who was also surgeon of the county infirmary, stated that his life would be endangered by asking him any further questions, and I believe that that had its weight with the magistrates; seeing that they could not get any information out of him, except what was down in the paper itself, or ask him any questions on the subject, they did not like to commit a person on such a charge as wilful murder, without having an opportunity—particularly as Dr. Babington thought that he might be able in a few days to answer the questions, but it so turned out that he was never able. But that had its weight with the magistrates, seeing that they could not get any counter-information.

4420. Mr. Commissioner EXHAM.—And was not the question as to whether the man should be admitted to bail discussed by the magistrates—when you say that a vote was taken or something—was there a discussion before that vote was taken?—I think the application was made outside, and the magistrates decided on admitting him to bail. There was not very much discussion. There was simply a division of the magistrates. As far as I recollect Mr. O'Donnell and Mr. O'Neill dissented from that decision. Captain Coote was there also, and he dissented.

4421. And the rest of the magistrates thought otherwise?—The rest of the magistrates thought that they would admit him to bail.

4422. And you think, from the discussion that took place, that what operated on the minds of the magistrates was that there was no opportunity of cross-examining the man?—That there was no opportunity of cross-examining the man, and that he was in such a state, according to the evidence of Dr. Babington, that he was in such a state that he hardly knew what he was doing.

4423. As a matter of fact I would like to know, was there a verdict found by the coroner's jury at that time of wilful murder against the man?

4424. Mr. *M'Laughlin.*—There never was any coroner's verdict there, because that was the case in which the original coroner's jury summoned was discharged afterwards on the application of Mr. Rea. There was an open verdict in the case of Craig. On the bodies of Moncrieff and Craig an inquest that terminated regularly was held. That inquest resulted in a verdict having two clauses. One of those clauses was a verdict of manslaughter *quoad* Edward Moncrieff, and the other an open verdict in the case of Craig. Subsequently Murphy, the other person shot, and who eventually died, made a deposition while in the infirmary identifying a man of the name of Barker as the man who had shot Craig, and it is with reference to that that the whole matter is.

4425. Mr. Commissioner EXHAM.—Then, on the day that the bail was taken, as I understand, he was not ultimately committed for trial—was he ultimately committed for trial on that day?—I do not recollect.

4426. The way it arises is this, that Sir Edward says that the late Mayor suggested that if the inquiry was postponed the magistrates might be in a position in a few days to answer questions, and then the magistrates postponed the case, and the man was admitted to bail in the meantime?—Exactly so.

4427. Because it would be one thing if the man was actually committed to take his trial for wilful murder. Then the question might arise.

4428. Mr. *M'Laughlin.*—I think you may take it that the man was regularly committed for trial.

4429. Mr. Commissioner EXHAM.—That is not Sir Edward's recollection?—I do not recollect; I cannot say at present.

Of course the information of the dying man was taken at the infirmary, and then on that information the man was arrested, I presume, and brought before the magistrates.

Mr. *M'Laughlin.*—No.

Mr. Commissioner EXHAM.—Then on that inquiry that took place before the magistrates Dr. Babington stated that the man might be in a few days in a position to be cross-examined.

Mr. *Colhoun*, Clerk of the Crown.—I have got the bail-bond that was entered into, and that would fix one day at all events.

Mr. Commissioner MURPHY.—At some time or other he stood committed for murder.

Mr. *Colhoun.*—There was an indictment found against him at the assizes, and I have got the informations that were sworn, and the bail-bond that was entered into. There was a true bill found, but the Crown did not prosecute. He's out on bail to attend at the next assizes.

Mr. Commissioner MURPHY.—Mr. Colhoun, you are able to give us this information from the calendar that was laid before the Judge at the assizes. No matter whether he was prosecuted or not, on what charge did Barker stand there?

Mr. *Colhoun.*—I could not say, but I shall be able to give you that information certainly within half-an-hour.

Mr. Commissioner EXHAM.—You can give us the Crown book.

M. *Colhoun.*—Yes.

Mr. *M'Laughlin.*—The trial of the police was postponed, and it was thought unfair by the Crown to prosecute one man while the trial of the others was postponed.

James William Gregg, Esq., Town Clerk, examined by Mr. Commissioner EXHAM.

4430. Mr. Gregg, I believe you are town clerk?—I am town clerk, clerk of the peace for the city, and deputy-clerk of the peace for the county as well.

4431. May I ask you what is the number of the local force here at present?—There are at present altogether thirty-eight men, including sergeants and the head constable.

4432. And an inspector, I suppose?—And an inspector.

4433. What is the present cost of that force?—£1,500 a year.

4434. They cost you?—Yes.

4435. And we heard that is the maximum amount that the rates are available for at present in Derry by a local law?—Certainly; that is the maximum sum.

4436. That you can apply to the payment of the police?—Yes.

4437. Is there any register kept of the ages of the men?—Oh, yes, I have got it.

4438. And the names and ages of the men you can give us?—Certainly I can. One half of the men are very young men, who have been lately appointed—within the last two years, I believe.

4439. By whom are the local police force elected?—By the corporation.

4440. Well, of course after the resolution of the corporation, which has been communicated to us by the town clerk, we think it is not necessary for us now to go into the question of election. When the body who have that power come in and say they wish them to be removed, and an alteration made in the constitution of the force, and that they prefer the constabulary, I don't see what object can be effected by going into the *minutiæ* of the appointment of the force.

4441. Mr. *M'Laughlin* said that the question of the partiality of the police was so intertwined with the partiality of the magistrates that something might turn upon that point.

4442. Mr. Commissioner EXHAM.—If you go into that, in justice to the force that may be going out, many of whom are young men, and might or might not wish to get places in the constabulary, we will be bound to ask whether these charges of partiality have been made on any foundation, so that if they have not they will not affect the men hereafter.

4443. Mr. *M'Laughlin.*—I will not say a word about the Town Hall good, bad, or indifferent, if you don't like.

4444. Mr. Commissioner EXHAM.—We cannot shut our eyes to this fact. We have the names of the men who were there on duty, and on the common principles of justice, when they are charged with making a way for the attack to be made, we cannot help asking them whether that statement is accurate or not, and giving them the fullest opportunity of vindicating themselves.

4445. Mr. *M'Laughlin.*—I cannot have the slightest objection to that, and I think the Commissioners may depend upon my professional character that I will not ask any question that I do not consider a correct and proper one.

4446. Mr. Commissioner EXHAM.—We are sure of that, Mr. M'Laughlin.

4447. Mr. Commissioner MURPHY.—[To Witness]—You have great knowledge and experience of the city and county of Londonderry?—I have.

4448. And have you a good opportunity of knowing the state of feeling between the different political or religious parties in it?—Well, I think I have.

4449. What is your opinion, as a citizen anxious for the peace and prosperity of the community in which you live, as to the continuance or discontinuance of these processions about which we have heard so much?—I think it would be for the benefit of the country if all processions in Ireland were put down; but I think so long as they are tolerated in Dublin, Drogheda, Waterford, Cork, and other places of that kind, they will be continued in Ulster. I think they have been increased of late years in consequence of that, and of the M'Manus funeral; but I think it would be for the benefit of the country if processions of all kinds were put down in every part of Ireland.

4450. But confining yourself to this district, do you think the continuance or repetition of these processions endangers the peace of the community?—Well, from the evidence of Mr. Lynch, I should say so. I cannot speak of it myself, but I believe Mr. Lynch, who is a most correct, honourable, and proper man. I have seen celebrations conducted for years peaceably and quietly.

4451. I suppose you say you would wish them put down in all parts of the country, because you think they are calculated to disturb the public peace, and here you think they equally disturb the public peace?—Well, I think they cause bad feeling; but I am convinced, unless they are put down generally all over Ireland, the processions will still be carried on in Ulster, and that if the others were discontinued these would cease also.

4452. Then you think it is a question as to who should first begin?—I think it ought to be simultaneous, and have the two put down at once.

4453. Mr. Commissioner EXHAM.—And do you apply that remark to band-playing in the streets also?—To anything.

4454. Mr. Commissioner MURPHY.—To everything partaking of a party procession?—Yes. I would like to see the people living amicably together, as fellow-workmen and fellow-citizens, working for the good of the country.

4455. Mr. Commissioner EXHAM.—And is it your opinion that if these processions were put down everywhere, from what you know, happy consequences would follow in a short time?—Well, I cannot say that.

4456. But you think it would be a great means of securing them?—I think it would be a most desirable thing that no procession was tolerated anywhere.

4457. Do you know anything about the 28th of April last—were you in town that day?—I was.

4458. Did you see that flag we heard of on that day?—I saw it just as Prince Arthur was coming towards the Corporation Hall, but not till then.

4459. Do you know yourself did the exhibition of that flag, carried after the son of our Sovereign, give offence or not?—I heard several people express offence at it.

4460. And people of the respectable class, did you?—I did.

4461. What was the state of feeling among the people in the street up to the time that flag was carried?—Everything appeared to me to be peaceable and quiet, and I had not the smallest idea that any disturbance would take place.

4462. Was ill-feeling openly manifested against that flag while it was there?—I heard it expressed in the street that if it was seen again the flag would be torn down. I heard that stated in the street, and I think it was fortunate that up to that time the Apprentice Boys were on the walls.

4463. Is it because it would be considered offensive by them?—Yes; carrying a flag with a harp without a crown after one of the Royal Family.

4464. And that was what you heard expressed in the street?—Yes.

4465. And not anything about the colour?—No.

4466. You kindly furnished us with this document which contains on it certain queries sent by you to the authorities in Belfast on the part of the Corporation, and the answers?—Yes; these are the answers I got from them.

4467. And these queries are as to the constitution of the police force in Belfast, and as to whether the change there had given satisfaction or not?—Yes.

4468. And we have got the answers here?—Yes.

4469. Mr. Commissioner EXHAM.—(Addressing Mr. M'Laughlin.)—The answers state that all the duties heretofore performed by the local police in Belfast are

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now discharged by the constabulary force, and express great satisfaction with the result of the change in the constitution of the force and things of that kind.

4470. Mr. *M'Laughlin.*—As far as I am personally and professionally concerned, I would be anxious the precedent of Belfast should be followed here in reference to the change of police, for it is one of the things for which I am contending; and I now express a hope that Mr. Gregg will follow the model of the Belfast police return that he will find in the appendix of the Blue Book. *Witness.*—I have not seen it.

4471. Mr. Commissioner EXHAM.—We will show you a copy of it.

4472. Mr. Commissioner MURPHY.—The existing police force were elected by the Corporation or Town Council?—They were elected by the Town Council and Corporation.

4473. Is there any feeling of dissatisfaction entertained by any portion of the community as to the men selected for that office?—I never heard any, either as an indivdual or an official.

4474. Is it a fact that any of these men—are you aware of it yourself—being in any way connected with the opposing party, with the Apprentice Boys, has created a want of confidence in the other party?—Not that I am aware of.

4475. Is it a fact that some of these men are locally connected with members of the Apprentice Boy party in any way, and that that has caused the want of confidence alleged by the other party?—Not that I am aware of myself.

4476. Was it a fact that such relations did exist between them that necessarily would arise out of the fact that the police were selected from the neighbourhood?—I never heard any objection to the men made anywhere.

4477. You did not hear objections arising from the fact, but was it the fact that these local connexions did exist?—I did not make any inquiries as to whether there were any connexion between members of that force and the body called the Apprentice Boys, and I am not aware of it.

4478. Mr. Commissioner EXHAM.—And no complaint was ever made as far as you are aware, either to yourself officially or to the Corporation?—Never.

4479. Mr. Commissioner MURPHY.—You heard, I suppose, the opinions expressed by Mr. O'Neill, Mr. M'Cafferty, and Mr. Lynch?—I read them in the newspapers.

4480. Did they come by surprise on you?—They did, very considerably.

4481. You were not aware that such a feeling as they stated had existed previously?—Not generally.

4482. But I suppose you think they have good opportunities of ascertaining the feeling of a particular portion of the community?—I certainly think so.

4483. They are respectable men?—Most respectable men.

4484. And, of course, they naturally have more opportunity of ascertaining the feeling of people of their own creed than you would have?—Certainly.

4485. Mr. Commissioner EXHAM.—Do you know whether it has ever been made the subject of observation and complaint in Derry, that whenever quarrels take place both the police and magistrates act partially?—I never heard it before this Commission sat.

4486. You had never witnessed it?—Never.

4487. Mr. Commissioner MURPHY.—Mr. O'Neill said, in reference to an occurrence that struck me as somewhat remarkable, that on the occasion of the display at the time the election petition was decided there was a procession of the party known as the Dowse party, and that that procession was kept outside the walls. We thought that an order very properly given to prevent a collision between the parties, but what Mr. O'Neill said was, that in keeping out the people at the gates wanting admission, the constabulary were placed in a false position; and in answer to my question he further said, that the opinion amongst a large portion of the inhabitants was, that if it had been the Apprentice Boys who were marching in that procession, exhibiting their joy or triumph at the success—that if that was the party they would not be excluded and prevented entering the gates, as the Bog-side party were. Do you think that there was any foundation for that opinion?—I think if the Apprentice Boys had gone out—I saw them going out before—they would not be interfered with.

4488. That is, if they had gone outside the town?—I never knew them to be interfered with.

4489. Is it the fact that Mr. O'Neill's fears are well founded or not? He said in his evidence that the opinion not only existed, but what is much stronger, in his judgment it was well founded, and that measures would be taken to prevent a procession of the Bog-side party that would not be taken to prevent a procession of the Apprentice Boys' party. First, now, do you think does that feeling exist among the Roman Catholic population?—If he said it I suppose it does, but I really do not know.

4490. Does your experience enable you to say that there is a foundation for that opinion?—Well, I saw a procession of the Roman Catholic party prevented on several occasions myself.

4491. On several occasions, and successfully prevented?—Yes.

4492. And you have not seen a procession of the Apprentice Boys prevented?—Not for some years; but they were two or three times prevented when the authorities thought to stop them.

4493. When was that?—I think it was about the year '42 or '43.

4494. They were prevented in '42 or '43?—Certainly.

4495. And by the authorities?—Yes, in apprehension of disturbances, and by the present mayor.

4496. In apprehension of disturbances?—Yes, I presume it was.

4497. And was it at that time considered that they gave offence to an important portion of this community?—Well, I should suppose some people considered they did, but I could not say so myself.

4498. And, acting on the existence and prevalence of that opinion, at that time measures were taken by the authorities to prevent them?—There were on these occasions—once or twice.

4499. And you have seen on recent occasions processions of the Bog-side party also prevented?—Several years ago I saw them prevented—many years ago, I have not seen them prevented of late years though.

4500. Well—in fact I believe it is in evidence already—they were not attempted of late years. Now, tell me, you have great experience in this city, both officially and otherwise, as an inhabitant, and you have a knowledge of the facts you mention of what occurred in '43 and '44?—I have, and I saw processions since then.

4501. And is it your opinion that if processions of the Bog-side party were attempted in the city of Derry on the 17th of March—St. Patrick's Day—they would be allowed by the authorities, in the same way that the processions of the Apprentice Boys are allowed on the 12th of August?—I think they would, if there was no disturbances.

4502. How could you give a guarantee for that before-hand? Suppose, now, the Bog-side party had music, and the authorities knew that on the 17th of March, last year, they intended to march in procession, with music and green boughs through the city, would they have been allowed, in your opinion?—I could not say.

4503. What is your opinion?—I think they would be allowed, as far as I can personally judge.

4504. Just in the same way as the processions of the Apprentice Boys would be allowed?—I think they would.

4505. Mr. Commissioner EXHAM.—You mean, I suppose, by that answer, so far as the authorities were concerned, they would allow the procession to walk through the city, taking such precautions as they thought necessary to prevent a collision between the two parties?—Yes.

4506. And they would have allowed that procession of the Bog-side party, you think, just as well as they allowed the Apprentice Boys' procession?—Yes, I think they would.

4507. You told us that on three or four occasions the Apprentice Boys were prevented marching in procession by the present Mayor?—They were.

4508. How long ago is it since you know of these processions having been prevented?—I think it was about the same time as the others were prevented, in 1843.

4509. That is, the present Mayor prevented both sides?—He did.

4510. And they were in the habit of going in procession on both sides then?—Yes.

4511. And conflicts, I suppose, resulted?—Yes, and considerable smashing of windows in the town invariably followed. It was shortly after the passing of the Municipal Act that they were discontinued. I may be wrong as to the year, but I know it was somewhere about then.

4512. Mr. *M'Laughlin.*—Mr. Gregg, the Commissioners have asked you whether you have an opportunity of getting information on these points?—Yes.

4513. And have you?—I think I have.

4514. I believe you were President of the Apprentice Boys yourself for many years?—For nearly a quarter of a century.

4515. And you always marched at the head of their processions during that time?—Well, occasionally I did, and——

4516. I am not blaming you for it at all—quite right?—And I am not ashamed of it.

4517. And I suppose there is little connected with any portion of the history of the Apprentice Boys you do not know?—Indeed I know a good deal of it.

4518. You were in court the day I was examined, I believe?—I was.

4519. And you heard me swearing what I thought the opinions of the Catholics are about these processions?—Yes, I did.

4520. And did you doubt after that, and after all you heard that day, that there was a feeling among the Catholics that these celebrations are both offensive and insulting to them?—I did believe there was.

4521. And you believe it still?—Well, I must believe what was stated here, but I have no actual knowledge of it myself.

4522. Now, you mentioned something about an attempt that was made to put down the Apprentice Boys' processions in '43?—Yes.

4523. I believe that was the time Mr. Coulson, the resident magistrate, was sent down here?— I believe it was.

4524. And I believe he was near dying on that day?—Oh, I don't know anything about that.

4525. He was not popular here, I believe?—I don't know anything about that either.

4526. You were not on the walls that day?—No.

4527. But there has been many a procession since, which you were with?—Oh, yes.

4528. And haven't you given the order to fire now yourself many a time—I heard you myself give it?—Yes, I have.

4529. Now, from your experience on that day you would not doubt—whether right or wrong is another matter altogether—that there was some dissatisfaction at all events about these displays?—There was dissatisfaction about them.

4530. I think you stated to the Commissioners, when asked whether the celebrations of the Apprentice Boys should be put down or not, that you were of opinion that all processions should be put down, but that when they were permitted and continued at Dublin, Drogheda, Waterford, and Cork, you thought they should not and would not be put down in Ulster?—I did not say they would not.

4531. Mr. Commissioner MURPHY.—Oh, no, he did not. What Mr. Gregg said was, that when they are allowed in these places he did not see why they should be put down in Ulster.

Witness.—Precisely. I said they could not be put down here and allowed in other places.

4532. Mr. *M'Laughlin.*—And do you still hold that opinion?—I do. I believe if processions are put down in one place they should be abolished in all parts of the country. I think they ought to be put down everywhere.

4533. I believe it is not the first time that that opinion has been expressed by the party you are connected with?—I don't know.

4534. Of course, when you speak of processions in other places you mean displays like the M'Manus funeral and things like that?—Yes; and also such demonstrations as that which took place the other day at Cork.

4535. And, I suppose, you would also add the procession that took place in Dublin some time ago, on the occasion of laying the foundation stone of the Catholic University—you would call that an offensive assembly, I suppose?—I don't recollect that, but I should say it would not come under the heading.

4536. What you allude to then are those processions connected with a class called Fenians in this country—such as the Manchester procession?—Precisely.

4537. And those displays connected with Fenianism?—Yes, these are what I mean.

4538. There was no Fenianism in '42, I believe?—Not that I am aware of.

4539. No, there were Young Irelanders then, I believe. Would you call the existence of those processions a justification for the Apprentice Boys' insulting and offensive displays?—I do. I think they increased processions all through Ireland.

4540. Then, it is the exciting cause of those processions?—Yes; I think it has increased them.

4541. Then, give me leave to ask you, as a gentleman of education and intelligence, whether it is possible for a cause to operate before it comes into existence. How could these processions justify the continuance of the Apprentice Boys' processions when they were not in existence in '42?—I mean of late years; they have increased them.

4542. There was no Fenian procession at the time I say, '42?—No.

4543. Then there was nothing at that time that would account for them?—No.

4544. Mr. Commissioner MURPHY.—Was there, what Mr. M'Laughlin refers to, some years ago, an exertion made by some gentlemen, concurring in opinion with Mr. M'Laughlin, to put an end to these processions here?—There was a number of summonses issued before the magistrates on the occasion of one of the anniversaries, but I can't recollect what happened to them.

4545. Mr. *M'Laughlin.*—I believe that was the time Mr. Major, Q.C., was sent down to prosecute?—Yes, it was.

4546. Mr. Hayden has just reminded me—do you remember about twenty years ago, that there was another prosecution instituted against the Apprentice Boys, when the Grand Jury threw out the bills?—I think I do.

4547. That was in Dr. Millar's time?—I think so.

4548. It was a prosecution at the time of the Coulson business?—Yes.

4549. The election, you say, tended to increase public feeling?—I think it did increase it.

4550. I may ask you with unfeigned respect, and not as a matter of discretion, whether you still persist in saying that if the Catholic party thought fit and proper to march in procession through the city on the 17th of March, they would be allowed by the authorities to do so?—I do. I can't, of course, say what the magistrates would do, but it is my opinion that they would be allowed.

4551. Supposing now, Mr. Gregg, that next month was March, and that we were now in the month of February, and that it was known the Roman Catholics intended to march in procession on the 17th of next month, do you believe they would be allowed?—I think they would. I do not know why they should not.

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4552. Nor I either. But supposing they would, would you like to see them do it yourself?—I would not have the slightest objection, so that they did not break the windows. That was the only thing got them kept out. They never could go through the town without smashing the windows. I recollect myself that, at the time of the election, I was standing in the street talking to a gentleman, when one of them deliberately fired a revolver at a window, and I saw the shot going in through the window and smashing it.

4553. That was in Clarendon-street, I believe?—It was.

4554. Clarendon-street had no existence when the map which I produced in court was made?—I did not see it.

4555. I believe outside the walls at one time was all a swamp?—It was.

4556. And if Clarendon-street was there now, that could not be properly called breaking glass inside the walls?—Certainly not.

4557. As you mentioned this matter now about the breaking of windows, do you happen to know that the first breaking of windows, in connexion with the election, was the breaking of the windows of the Corporation Hall?—I do not know.

Mr. Commissioner MURPHY.—We heard it was, you know, and it is on the notes.

4558. Mr. *M'Laughlin.*—Supposing now that you heard Mr. MacPherson state his windows were broken by the Apprentice Boy party, what would you say?—I heard Mr. MacPherson state it, but I did not see it done myself.

4559. But, if Mr. MacPherson did state it, would you have any doubt of it?—Certainly not; if he stated it I would have every reason to believe him.

4560. I think you were asked by one of the Commissioners whether you could form any estimate of the opinion in which the local police are held?—Yes.

4561. And, I think, then you were asked whether there did not exist—rightly or wrongly—a feeling among the Roman Catholic population of dissatisfaction with the police, and of want of confidence in their impartiality?—Yes, I was; but I knew nothing of that.

4562. You did not know anything of that?—No; I did not.

4563. You read the evidence given at this inquiry up to the present?—Yes; I did.

4564. And, I suppose, the expression of that feeling came upon you by surprise?—Well, it did.

4565. And with equal surprise, I suppose, the statement, testified to by Mr. Casey—as to these displays being regarded by Catholics as offensive and insulting—came upon you?—I did not say that.

4566. I thought you did?—No.

4567. And what was the opinion that came on you by surprise?—I think it was the statement with reference to the police and magistrates I said came upon me by surprise.

4568. Mr. Commissioner MURPHY.—I put that question to him in consequence of what Mr. O'Neill said about the different treatment.

4569. Mr. *M'Laughlin.*—But the evidence, as given here before the Commissioners, about the processions being regarded as offensive and insulting, do not come on you by surprise?—No.

4570. That matter then, as to the city police, you say, comes on you by surprise?—Yes; I never heard any objection to them before.

4571. And I suppose, as a means of explaining a question put by the Court, as to the Apprentice Boys being connected with the police, you know nothing of that either?—No; I have not been connected with the Apprentice Boys or their council for a good many years—I think since 1860—and I never heard of any complaint being made to the Corporation, that there were members of the municpal force connected with them.

4572. Mr. Commissioner EXHAM.—How long is it since you ceased to have connexion with the body?—I think about 1860 I ceased.

4573. Mr. *M'Laughlin.*—But I would say you know more or less about them yet?—Nothing whatever.

4574. Nothing whatever?—Nothing whatever.

4575. At all about their proceedings?—When I left them I gave up my connexion with them entirely, and that was in 1860.

4576. But I suppose you saw the newspapers from time to time?—I saw the newspapers certainly.

4577. Slip of paper handed to the witness by Mr. M'Laughlin.

4578. Mr. *M'Laughlin.*—Look at that?—I don't know anything about that.

4579. Would you be surprised to hear that one of the sons of the gentleman whose name is on that paper is an office bearer in that club?—I was not aware of it.

4580. Would you be surprised to hear it though?—Well, after all we have heard, it would be hard to say what would surprise me, but I assure you I have not, for many years even before I gave them up, attended meetings of the Apprentice Boys.

4581. Second slip handed to the witness.

4582. Mr. *M'Laughlin.*—Just look at that?—I don't know him at all.

4583. Did you ever see the name signed to any public declaration?—I saw a name signed the other day.

4584. And that name corresponds to the name there?—Yes, but I don't know him either personally or otherwise. I don't think I would know him if I saw him.

4585. Third slip handed to witness.

4586. Mr. *M'Laughlin.*—Now, there is a single name?—I never saw him or heard of him. There is no such man now in the force. I don't know him at all. I know very few of the present Apprentice Boys. They are changed since my time, and for years past they are all nearly a set of strangers to me.

4587. Mr. Commissioner MURPHY.—I suppose the fact of these men being selected from the neighbourhood of the city, and living in the city when they join the borough police, would render it nearly impossible for them not to have connexion of some sort with the Apprentice Boys unless there was a positive rule against it, and I suppose there is not?—Not that I am aware of.

4588. Mr. Commissioner MURPHY.—I know among the constabulary there is a rigid rule against their being connected with any society.

Witness.—The city police are not allowed to join any body at all.

4589. They are not?—No.

4590. Mr. *M'Laughlin.*—I suppose it is true what Mr. Ferguson said—he succeeded you, and now holds the position you formerly occupied?—Yes.

4591. And I suppose what he says is true—that there are no members of the police members of the Apprentice Boys' Society?—Oh, yes.

4592. You said they are not allowed to join any society?—Oh, yes.

4593. Supposing now a man was a member of the society before he became a policeman, you would not require him when joining to produce any evidence to show he was not a member?—I don't know anything of that kind at all.

4594. With regard to the list of names I handed you up, the description of one of the men has been since given to me. Perhaps that would refresh your memory (paper handed to witness)?—I recollect a young man about twenty years ago of that name.

4595. How long are the city police in existence?—Since about '49.

4596. Was he an Apprentice Boy?—I recollect a person of that name.

4597. You were in court when I examined Sir Edward Reid?—I was.

4598. And you were kind enough to set me right as regards something about the magistrate?—Yes.

(Slip of paper handed to the witness.)

4599. Can you distinguish in that list the names of those magistrates who are absent from those who are not?—The first is James Murray, then George

Tomkins, Joseph Ewing Mullen, Alexander Lindsay, Henry Darcus, Bartholomew M'Corkell, John Mehan, William Finlay Bigger, John Hamilton, John O'Neill, William John Foster, William Tillie, Samuel Smyth, William Dysart Porter, William Thompson, Sir Edward Reid, Adam Hogg, William M'Carter.

4600. Now read the names of those magistrates whom you know to be absent?—George Tomkins and Alexander Lindsay.

4601. You see the name of the brother of the Recorder. He is a Catholic?—I do.

4602. Why didn't you put the word absent after his name?—Because I do not know whether he is absent or not. I saw some time ago that he sat at Petty Sessions.

4603. Well, now, I will take the case of Mr. Lindsay. He does not live here, but you would know him if you saw him?—I think so.

4604. When did you see him? Did you see him at the last Assizes?—No.

4605. At the Election?—No. I am not sure; I might have.

4606. Perhaps I am wrong. I may be confounding some other gentleman with him?—I don't think Mr. Lindsay should be ranked as a resident. I have not seen him for some time.

4607. Let me ask you is Mr. Darcus a Conservative?—He is what is called a Conservative, but sure there are none now.

4608. What name would you give them?—I do not know how to style them. There is nothing to conserve, and I don't understand either Liberals, Tories, or Conservatives at all; but I will give the popular opinion, if you like.

4609. I may take it, I suppose. I won't ask a word about anything else.

Witness.—I'll answer anything you like.

4610. Mr. *M'Laughlin.*—Well, now, from your extraordinary knowledge of the city, as town clerk, and from your knowledge of the magistrates, and corporation, and the state of public feeling, do you think that any effort, if matters remain as they are, will be made at the next anniversary to prevent the celebration?—Not so far as I know.

4611. Not so far as you know?—No.

4612. Do you think the peace of the city will be secure if there is any display?—I should say, as I said before, I think it would be better to have no public display anywhere.

4613. And you would put down bands, too, I suppose?—I would, and I have said so for years.

4614. You did not say so at the time you directed the Apprentice Boys?—It was my opinion for many years, but I was overruled. I was at few meetings of them for many years.

4615. Now, there is only one other question that I will ask you, and I ask you that because of some explanation you were kind enough to give me when examining the last witness. Mr. James Murray, I fell into the mistake of believing was President of the Apprentice Boys?—He never was. He was often asked but he always declined it.

[Mr. Ferguson said that when Mr. Murray declined the presidency Mr. Hunt was appointed, then Mr. Lindsay, and within the last three or four years he had himself presided.]

Witness.—There is one thing I wish to say with respect to the city police before I go down. Of course they were never intended as a force to suppress riot and preserve the peace of the city. They are really a force only to prevent robbery and drunkenness in the city, watch markets, &c. Men like them, undrilled and unarmed, cannot be supposed to be able to resist any mob violence.

4616. Mr. Commissioner EXHAM.—They are, in the case of any disturbance of the public peace, to do their best, and call on the bystanders to assist them. Have they the power to call for assistance?—Certainly; and they were never intended to supersede the constabulary force. I understood they were merely to assist them. The small number of police we have is merely to keep order in the city.

4617. Mr. *M'Laughlin.*—Mr. Lindsay's name has been mentioned. Now is that letter [letter produced] in Mr. Lindsay's handwriting. It is a letter in which Mr. Lindsay begs of the Apprentice Boys not to persist in not firing the cannon on the occasion of the Prince of Wales's marriage?—I think it is Mr. Lindsay's handwriting.

James Hayden, Esq., Solicitor to the Corporation of Londonderry, examined by Mr. Commissioner EXHAM.

James Hayden, esq.

4618. The local force is appointed, as the town clerk has stated, under the 10th & 11th Vict. cap. 89?—So I understand.

4619. Before this Act was in force you had constabulary?—I cannot tell you very much about that. I became solicitor to the corporation about 1860, I think, and previous to that I knew very little of the working of these things. I was a member of the corporation for some time, but I knew very little of the constabulary.

4620. At all events you know a good deal about Derry yourself, and it is desirable we should have the benefit of this acquaintance. Do you, as an individual, concur in the opinion that it would be desirable to have one consolidated force for the city of Derry?—Oh, yes, certainly. I remember advocating that when a member of the corporation, many years ago, before I became their solicitor.

4621. In fact, I believe that force was intended to be merely an auxiliary force to the constabulary, and to perform the ordinary duties connected with the town?—So I understood—to look after the markets and things of that kind.

4622. In that view I ask you—is it from any feeling of dissatisfaction at the conduct of the local force you think it desirable to have the police duties done by the constabulary?—It is not. I believe they (the local force) do their duty well enough; but they were never intended to act in cases of emergency at any time, beyond keeping the peace as well as they could; and I do think it would be well to have one force.

4623. Did you ever consider the question at all as to the number that would be necessary for Derry?—No I did not; I never went into that question at all.

4624. Mr. *M'Laughlin.*—You are here only as solicitor to the corporation?—That is all.

Mr. *William Warnock*, Clerk of Petty Sessions, examined.

Mr. William Warnock.

Mr. *William Warnock*, Clerk of Petty Sessions Court, Derry, at the request of the Commissioners, produced the informations in the case of James Barker, and also the Petty Sessions books. After the Commissioners had perused the informations and inspected certain entries in the sessions books—

4625. Mr. Commissioner EXHAM said—It is necessary the statement I am about to make should appear on the minutes of evidence. In the case of the Queen at the prosecution of Arthur Willoughby Stafford *v.* James Barker, the prisoner was brought before the magistrates on the 8th of July, 1869, the charge against him being "that he the defendant did shoot at and kill one William Craig near the end of Bishop-street, on the 28th of April, 1869," and the ruling was that the informations should be returned for trial to the next

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assizes, and the prisoner was admitted to bail, on the same day, himself in £200, and two sureties in £100 each. On the 2nd of June, 1869, ten of the constabulary were brought up before the magistrates, the charge against them being "that they on the 28th of April, '69, at Londonderry, did recklessly, unlawfully, and feloniously kill and slay Robert J. Moncrieff," and the ruling of the magistrates was that the informations should be returned for trial at the assizes, and the defendants to enter into their own recognizances to take their trial at the next Londonderry assizes.

4626. Mr. Commissioner EXHAM.—State from your book how many persons were brought up for assaults on the police on the night of the 9th of February, the night of the judgment of the election petition?—Sixteen were brought up on the 18th of February, 1869. I have here "James Quigley, James M'Nally, and George Maher." The defendants were charged "that they on the night of the 9th of February in the city of Londonderry, with divers other persons, to the number of three and more, unlawfully and riotously assemble to the disturbance and terror of her Majesty's subjects, and did then and there assault and wound, and did aid, abet and assist in the assaulting and wounding of divers members of the constabulary force when in the execution of their duty." Dismissed without prejudice.

4627. Mr. *M'Laughlin.*—You are the Petty Sessions clerk?—Yes.

4628. Who were examined?—Constable Patrick M'Donough, Constable Thomas Reilly, Constable Thomas Ballentine, and John Burns.

4629. Did these men identify the parties charged, or did they fail in their identifications?—I think they failed in the identification. I can look as to that. I have the whole of the evidence in another place.

4630. I may take it that it was so?—I don't think they could identify any of them as having thrown stones.

4631. Mr. Commissioner EXHAM.—Tell me the charge against the men who were fined 2*s.* 6*d.* each for the affair at the Toll-bridge?—The charge was for getting through the toll-gate without paying the toll.

4632. Was there no charge of assault upon his men or himself?—The toll-keeper had a charge of assault against one or two, but he withdrew it.

4633. And the fine was only for what you say?—The fine was only for passing through the toll-gate without paying.

4634. There was a man named Doherty charged for something that took place on the 13th of July, what was that?—He was fined 10*s.*

4635. What was the charge?—Here it is. He was charged by William Bailey, late Head Constable, and it was tried on the 23rd of July. The charge was "being one of a disorderly mob, and throwing stones and assaulting, and aiding and abetting the assaulting of divers persons at Carlisle-road and Ferryquay-street, 13th July." Fined 10*s.* The police were examined against him—Hamilton, Davis, Wilson, Campbell, and another.

4636. Mr. *M'Laughlin.*—There was no charge of stabbing there?—No charge of stabbing.

4637. Mr. Commissioner EXHAM.—What was the case of M'Donagh and Wright. Was there a charge of assault?—It was a summons. Michael M'Donagh summoned Thomas Wright for an assault, and he was fined 10*s.*

4638. What was the nature of the assault?—I think it was giving the complainant a severe wound on the head. I think with a knife. Wright, I think, had a cut on his head, too.

4639. Mr. *M'Laughlin.*—How long have you been in your present office?—Since the 10th of December, '68.

4640. I believe your father for a long time filled the office before you?—Yes.

4641. But you, for a good while before your father ceased to be officially clerk of Petty Sessions, were acting, as you knew all about the duties?—Yes, I was for a number of years.

4642. Do you remember a charge brought on the 13th of this month against persons of stone throwing at the city police?—Yes, that was on last Thursday.

4643. I suppose that would be the Petty Sessions day following the 13th?—I think so, the 19th.

4644. Look to the book corresponding to that period?—I have it here. "Hugh Reilly, City Constable; Samuel Doherty, Francis Kelly, Hugh Doherty and Charles Kelly; that the defendants at Bishop-street, on the 13th of August, being members of a disorderly and riotous mob, did aid, abet and assist, divers persons, in assaulting complainant in the execution of his duty, by throwing stones at him in the public street, and in that case the constable was fined 5*s.*

4645. Was that constable Reilly?—Constable Hugh Reilly.

4646. He is a city constable?—Of course. Then there was a case, arising out of that, of Reilly against Samuel Doherty.

4647. Tell us about that?—Hamilton, Davis, Pat M'Gowan and others.

4648. What was the evidence?—Anne Hagerty and Ellen Doherty came and swore that Hugh Doherty was in his own house some time about the hour of the offence, and two constables directly swore he was in the place. That was the state of the case.

4649. Mr. Commissioner EXHAM.—What became of the case?—They were all fined 10*s.*, and 2*s.* 6*d.* costs, and the constable was fined 5*s.*

4650. Who were the magistrates?—Sir Edward Reid, Mr. Thompson, Mr. John O'Neill and Mr. Hamilton.

4651. Mr. *M'Laughlin.*—The magistrates did not believe the *alibi*?—No; I believe Ellen Doherty was a sister of Hugh's.

4652. And therefore she could not tell the truth—affection predominated and took the form of perjury.

4653. Was a man named Howley examined?—It was only Miss Hagerty and Miss Doherty proved the *alibi* for Hugh Doherty.

4654. Did you see Edward Howley examined?—No, I did not see him—I beg your pardon—I did; he was examined on behalf of a man named Daniel Sweeny.

4655. Was Pat M'Gowan examined on behalf of Samuel Doherty?—He was. He swore he was not in the mob but at John Robinson's.

4656. And the result was that the magistrates believed nobody but the city constables?—They fined the parties 10*s.*

4657. The evidence against them was that of the city constables?—It was.

4658. No civilian was examined?—Not on behalf of the constables.

4659. And any civilian examined against the constables might as well have stayed at home so far as regarded the result?—Not answered.

4660. Was there a city constable of the name of Thompson who gave evidence against these people?—There was.

4661. I suppose you know from your experience the city constables well?—Pretty well. I have sometimes to transact business with them.

4662. Mr. *M'Laughlin.*—It is only right to say that Mr. Crawford suggests that there were civilians examined in sustainment of the evidence given by the city constables.

Mr. *Crawford.*—I was in the case; Elizabeth Galbraith and Thomas Mooney were examined.

Witness.—That escaped my mind.

Mr. *M'Laughlin.*—It is only fair to have that stated. But we will now go to the cross case.

Mr. Commissioner MURPHY.—What do you propose to prove by this inquiry?

Mr. *M'Laughlin.*—That in a much more serious case a smaller fine was inflicted.

Mr. Commissioner MURPHY.—How can we enter into that?

Mr. Commissioner EXHAM.—Sir Edward Reid and Mr. O'Neill concurred in the fine of 10*s.* and the fine of 5*s.*

Mr. *M'Laughlin.*—With great respect that is assuming the fact. We say Mr. O'Neill, so far from assenting, did not.

Mr. Commissioner MURPHY.—Suppose he did not. Any general evidence you give as to dissatisfaction felt by one portion of the community is very material. But the idea of putting the magistrates on their trial, in relation to every little case in the petty sessions book, would never occur to us.

Mr. *M'Laughlin.*—I did not produce the petty sessions book, or the witness.

Mr. Commissioner MURPHY.—We produced him; for it was very important to investigate fully the allegation—a very serious one—that, in a case where the charge was wilful murder, bail was accepted for the accused. It appears now on the informations that that was not so. Of course on the informations you might say "I will not bail that man, I think the offence charged is wilful murder;" another man might say "I will bail him, I do not think this is a case that ever could be called a case of wilful murder," and if I myself were called on to give an opinion, on reading the informations, although I might say it was a case of aggravated manslaughter, I would say a jury would never find the accused guilty of wilful murder.

Mr. *M'Laughlin.*—I have no hesitation in saying, as one who knows something of criminal law, that that is my opinion too.

Mr. Commissioner MURPHY.—If I, as prosecutor, had to put the man on trial, I would never put forward a case of wilful murder, I would put forward a case of manslaughter. Although in law the charge of wilful murder is not sustained, still it may have been imprudent to have accepted bail; but then the magistrates were at liberty to exercise their discretion, and they did take bail—bail of a very substantial character—the accused in £200 and two sureties in £100 each.

Mr. Commissioner EXHAM.—The reason why we entered into this matter was this. I confess I was very much struck by the statement that in a case of wilful murder, and against the remonstrance of a resident magistrate of the experience of Mr. O'Donnell, the magistrates admitted this man to bail, although informed they had no power to do so. My mind was greatly affected by that allegation, and I was most anxious to have the real facts of the case before us. I understood that the man was committed for wilful murder by Captain Coote, and I certainly was astonished that, after the committal, the man should be bailed, against the opinion too of Mr. O'Donnell. I was greatly impressed by it, and I confess it would have weighed very much indeed with me in the view I would take of the conduct of the magistrates. I say that most candidly and fairly. Well, the matter has been investigated, and I am very glad it turned out otherwise. It relieves me in a part of the case upon which I would have felt extreme difficulty. For what could I think, if it were the fact that magistrates, in the face of a caution that they were doing an illegal act, did deliberately do that illegal act.

Mr. Commissioner MURPHY.—We believed the facts could be established by the record of the petty sessions book and the informations, and therefore we availed ourselves of the opportunity to look into these to satisfy our minds on the matter. But, as to saying that we should inquire into every petty case of assault tried before the magistrates, and consider the amount of fine imposed in one case and in another, that is a matter we could not think of entering on at all.

Mr. *M'Laughlin.*—A word or two if you please. First as to the case of Barker. I am sincerely gratified that the Commissioners have referred to the records to see exactly what is the nature of the charge against the man; because the result does certainly put the conduct of the magistrates in a light somewhat different from that in which it was previously regarded. There is no doubt, as Mr. Commissioner Murphy has stated, that upon the facts stated in the information, one man might say the charge should be wilful murder, and another that it should be only manslaughter; and I repeat what I said before, that as a lawyer, knowing something of criminal law, if I were prosecuting, I would never think of putting the man on trial for wilful murder. I would indict him for manslaughter. So far as that goes I am at one with the Commissioners; but with respect to the last observations of Mr. Commissioner Murphy, where he says, and properly says, that we are not here to go into petty cases of assault heard before the magistrates, or into cases heard on a particular day, while I agree with that, I must remind him that Mr. Commissioner Exham thought it right to ask the witness, when he was in the box, as to what occurred before the magistrates in relation to the cases of the 26th December, 1868, which certainly had *primâ facie* nothing to say either to Barker's case, or to the other cases of the 28th of April, 1869. Therefore, if I sinned, I sinned with a precedent.

Mr. Commissioner EXHAM.—The reason why I asked about the 26th of December was, that the fine being only 2*s.* 6*d.*, it might be material to know whether the parties were charged with an assault, besides evading the toll. It appears they were not charged with assault, and only with not paying the toll.

4663. Mr. *M'Laughlin* (to witness).—I do not ask you about the principles of the magistrates, or their political views, nor as to individual cases; but I ask, must ask you, what is about the average bench of local magistrates at petty sessions?—I think the average is about six.

4664. About six?—I think so, five or six.

4665. What is the largest number you have occasionally seen on the bench?—Well, at the time of the attack on the Corporation Hall we had the largest number. I think we had thirteen or fourteen. I remember Mr. Haskett had to come and sit beside me at the desk.

4666. Was there a large bench on the occasion when Mr. Rea appeared on behalf of the relatives of Moncrieff, at the inquiry into the occurrence of the 28th of April?—Yes, we had a pretty large bench, but not so large as the previous one.

4667. Now, who were the magistrates that most constantly attended during the last six, or say twelve months?—I would say the late mayor, Dr. Babington; he attended very well.

4668. Before he was mayor?—He did; and Mr. John O'Neill, and Mr. Hamilton, and Mr. Thompson. He does not attend as frequently as he did before.

4669. But I believe the regular, steady, working bench; you were sure to have at all times, and under all circumstances, were —— ?—Mr. Darcus was very regular at petty sessions.

4670. But these four would be the stock company, so to speak?—Well, I think so. Sir Edward Reid used sometimes turn up at sessions.

4671. That is since he was appointed a magistrate?—He was very attentive during his year of office.

4672. Have you often seen another gentleman, Mr. Tillie; I believe he is not very often there?—Indeed, we have not had much of his company.

4673. Have you seen him four times on the bench in your life?—I would not like to say the number of times.

4674. Mr. Tillie has one of the largest businesses in town?—I am happy to say he has.

4675. Dr. Miller has extensive professional engagements; he was not very often on the bench, was he?—Well, not previous to his being mayor.

4676. Do you remember saying that at the Corporation Hall inquiry there was a very large bench?—Yes [a folded paper was handed to the witness].

4677. Do you know the constable whose name is there?—I do.

4678. Turn the other fold of the paper. Do you

SEVENTH DAY. *August* 25.

Mr. William Warnock.

know the gentleman mentioned there?—No, I do not know him.

4679. Did you ever see that name signed to a public announcement of any body—as secretary, or anything of that sort?—I did not. I do not pay much attention to these things.

[A second folded paper is handed to witness.]

4680. Do you know the gentleman on the first line there?—I do not.

4681. Do you see the other three names there?—I do.

4682. The eldest of these would be heir-at-law of a real property?—Yes, I think so.

4683. Do you know whether you have seen the persons bearing these names in public processions, or anything of that kind?—I could not say, one way or the other.

4684. I will not ask your belief?—I have seen one of them—a son of his.

4685. One of them. He is an Apprentice Boy?—Yes.

[A third folded paper is handed to witness.]

4686. Look to the first name there. Have you ever seen him in any of these things?—Well, I don't recollect.

4687. Is he still regarded as one of them?—Well, I look upon him myself as one, yet I have no substantial ground for believing it.

4688. In point of fact some of the members of the city police. On the strength of these papers would you not say so?—I do not know that I would.

4689. It almost follows from the paper, does it not?—I would rather not answer that question.

4690. Mr. Commissioner EXHAM.—You have only one day at petty sessions, and once a week?—That is all.

4691. About how long is the average sitting?—It is about from eleven o'clock till one; that is the average sitting.

4692. Do you not think there should be more frequent sittings?—Well, indeed, it would facilitate business greatly.

4693. And if there was a resident magistrate here he would have ample time to sit a second day during the week?—Yes.

4694. I mean that other gentlemen would not be taken away from their business, while he would have nothing but his regular duties to perform?—Yes.

4695. I presume when you say the magistrates are only required from eleven o'clock till one o'clock once a week, that is for the ordinary business?—The ordinary business does not occupy more than two and a half hours each petty sessions day.

4696. Some of the magistrates assemble each day in the week to try prisoners?—That is merely for cases of drunkenness, parties taken up during the night by the city police.

4697. If a stipendiary came here he would be able regularly to get rid of those cases every day?—The late mayor was very attentive in the discharge of his duties with respect to the cases to be tried at petty sessions; and Mr. O'Neill and Mr. Hamilton always assisted him.

4698. There never was any lack of magistrates to do duty in that respect?—No.

4699. No man was kept in custody an unreasonably long time?—No.

The Court then adjourned till the next morning.

EIGHTH DAY.

EIGHTH DAY. *August* 26.

THURSDAY, AUGUST 26, 1869.

The Commissioners sat at eleven o'clock.

James William Gregg, esq.

James William Gregg, Esq. Town Clerk of the city of Londonderry, was recalled and said—

I want to correct a date I gave yesterday.

4700. Mr. Commissioner EXHAM.—What date is that?—The date which I should have given yesterday, when the celebration was suppressed by Dr. Miller, was 1851. I confounded it with a previous year when he had been mayor.

4701. We forgot yesterday to ask you one thing—I believe the fact is so, but it is better to have it on our notes—are the Municipal and Parliamentary boundaries the same here?—They are, since the passage of the late Act extending the Parliamentary franchise; that Act made both the same.

4702. And what is the valuation now?—The rateable value, for municipal purposes, of the city of Londonderry, is £52,888; but there is a certain portion only liable to one-third rates and, when you take off that, it reduces the rateable value of the property to £48,900; and, on the other hand, there is unoccupied property to the average of £4,000 not rateable, at present it is £4,500. So that we may take the valuation probably at about £50,000 in round numbers, or very near it.

4703. Mr. *M'Laughlin*.—Does that estimate refer to the new borough?—It does; this list was returned to me last April from the Valuation Office.

4704. Mr. Commissioner EXHAM.—I think we have it from you also that £1,500 is the maximum that can be spared from the rates towards the police?—It is, decidedly. Then I made up a calculation as to what the constabulary would be likely to cost, according to the idea of the corporation. I do not know whether you may be desirous I should give it to you.

4705. Oh, yes; what does the present force cost?—The present force costs us £1,500.

4706. It does?—Exactly; sometimes a little under it, but that is the average. And what we calculated then, or rather the calculation of the corporation the other day, was that if we got fifty constables, one moiety, twenty-five, would be £1,250. Then I was calculating that if we had to pay as they do in Belfast, 6*d*. per head, and I should think that twenty-five constabulary ought to do the duty very well that is at present discharged by sixteen local men—indeed I should think one constabulary man is equal to three or more local men, probably half a dozen—if we had to pay that, it would cost us £228 more; and then if we had to pay for a Sub-Inspector £200, or say £400 for all, that would bring up this expense to £1,678; and then it would take £300 a-year to pension the city police force.

4707. And that would make it £1,900 a-year?—Yes; I am afraid it would take that, on looking over it.

4708. Then is that £1,500 which you propose, exclusive of the pensioning of the men?—Oh, certainly not; I do not think the taxation could admit of more than £1,500 a year.

4709. Then the corporation would take upon themselves the pensioning?—Well, I should be afraid that they could not afford it out of the present rates.

4710. Because, you know, the resolution of the corporation is that the police are not to cost them—that is, the new body—more than £1,500, and we should know distinctly whether that is not to be exclusive of any pensioning at all?—It just exactly, I was calculating yesterday, takes 6*d*. in the pound to raise £1,250; so that if there was an Act brought in, and if it was the wish of the citizens that there should be an extra police force in Derry—and some of them stated in evidence that they would rather pay additional taxation for the purpose—about 6*d*. in the pound would cover it. I have seen it stated by several respec-

table citizens here that they were quite willing to pay an additional rate.

4711. Mr. *M'Laughlin.*—Do you think that there would be a general conformity to such a rate?—I have heard strong opinions against it; but I saw it stated in evidence here, and that is the reason I remarked it.

4712. Mr. Commissioner EXHAM.—Is that £1,500 to be taken as the clear available sum from the rates as they at present exist, for paying the police?—The rates would not admit of paying the additional £300 a-year, the present rate of pension.

4713. Then, was it by that resolution of the corporation intended in any way, or did the corporation understand by that resolution, that provision was to be made for the local men, out of that £1,500 a-year, by way of pension?—All was taken into account.

4714. If you calculated £300 a-year for pensioning the existing force, that would only leave £1,200 available?—That is all.

4715. And that makes a great deal of difference?—But that was giving us fifty men, and some of the corporation consider that forty could discharge the duties well.

4716. That is equal to twelve men extra?—And then if we had our proportion, as they have in Belfast, for instance—where there is a population of 150,000, and where they have 130 men for nothing—our proportion in Derry, where there is a population of 30,000, would be twenty-six free, which would make a great difference. I may say that there are only twelve constables at present free in Derry, so that if they gave us even twenty men free, you will see the difference it would make.

4717. Mr. *M'Laughlin.*—Would not the proportion of the city constabulary be more now than it was before the city boundary was extended?—I think it ought to be; but then there were no men allocated in the Act of Parliament to the city of Derry at all; it was for the county; 120 men for the whole county; and in 1865, when they were passing this Act, which I handed up yesterday, a memorial was sent to the Government, to Sir Robert Peel, requesting them to give a proper force to the city of Derry, in this Act of Parliament, in the same proportion with other places; and they utterly repudiated the idea, and said that we did not require it, we were so peaceable.

4718. There was nothing expressly allocating to the city proper any particular amount of constabulary?—Nothing whatever in the Act of Parliament.

4719. So that after the extension of the boundary, taking in some of what was formerly in the county as contradistinguished from the city, you should be entitled to the constabulary that were formely appointed to the part of the county which is now the city?—I think we ought to have it. I may mention that some time ago there was a question raised here whether there should not be an additional constabulary force placed at Pennyburn, which was rather a troublesome district before the Act was passed, extending the city boundary; and at that time we were unable to get that additional police force.

4720. Now the part you speak of as Pennyburn is included within the city boundary?—Yes.

4721. Now, what proportion, may I ask, does the part, added by the recent Act of Parliament to the city, bear to the city as it previously existed?—It takes in a very large area indeed.

4722. One-third?—I cannot say what it is;—but I would not say one-third in population; it is a great deal more than one-third in size.

4723. And particularly the north-western portion; is that beyond all doubt the most improving part of the city?—It is, decidedly; up towards the strand.

4724. And up towards the asylum?—Certainly.

4725. Now, the description of houses erected there is beyond all question the most valuable?—The most valuable.

4726. A very superior class of houses?—Very superior indeed; and also the Waterside.

4727. Now, as regards the character of the additional ground taken in within the city boundary on this side of the water, I believe it corresponds, as regards the very valuable character of the houses and the improving character of the district, with the portion taken in on the Waterside?—It does, decidedly.

4728. And inasmuch as the rates that put the Corporation in funds, or at least one source of revenue here, is a poundage rate; of course the more valuable the property the larger the rate?—Certainly.

4729. And, I suppose, the same amount of watching and police attention, properly so called, would do for a large house as a small one—there would be no greater difficulty in keeping the peace in a large street of first-class houses than there would be in a small one?—The force was increased after the passing of the Act, considerably.

4730. Mr. Commissioner MURPHY.—What Mr. M'Laughlin says, and very fairly is, that there would not be a proportionate increase in the police force necessary for the districts in the improving part of the city?—Oh, certainly; but the repairs of the roads swallow up a large portion of the rates of those districts. One portion of them only pays a one-third rate.

4731. In consequence of being more than 100 yards beyond the public lamps?—Yes.

4732. Mr. *M'Laughlin.*—But have not the lamps been a good deal extended down the Strand-road of late?—They have.

4733. And the effect of that—I will not say what the object of it was—is to make the houses thereabouts subject to the borough-rate?—Yes, certainly; and to light the place.

4734. Now, you say that a great deal of the borough-rate, in respect of these new houses, is swallowed up by the formation of the streets and keeping them in repair?—No, but in the roads outside the lamps.

4735. But, of course, that is only a temporary source of extra expenditure?—Oh, no, it is a continual one, and a very heavy one.

4736. But you do not take charge of the road until it is properly formed?—Certainly not.

4737. Till your City Surveyor certifies that it is properly formed?—Yes.

4738. And when it is properly formed, and when in the course of a year or two it is thoroughly consolidated like other roadways, the same necessity for extra expenditure would not exist?—Well, the metalling is a very heavy portion of the one-third taxation; and we have got some of the roads in wretched order from the county.

4739. And your remark extends, so far as the repairing of the roads, to the property more than 100 yards from the public lamps, and consequently subject to only one-third taxation?—Yes.

4740. And, therefore, if the land is made valuable for residence, by the erection of houses, there would be a resulting necessity for lamps there?—Certainly; but there are some places that will never be built on in the city.

4741. He would be a bold man to prophesy that?—At least not in our time, at all events.

4742. That is a very serious opinion, coming from a man in your position?—I think there are some by-roads not likely to be built on.

4743. Now Clarendon-street is one of the best streets in the city?—It is a very good street.

4744. And the Bogside property, so called, if there is anything proper about it, that is, Fahan-street, from Butcher's-gate down to Fox's corner there—that is about one of the lowest streets in the city?—It is.

4745. Now the taxation coming from Clarendon-street would be immensely greater than the taxation from the corresponding extent of street in the Bogside quarter?—Of course it would.

4746. The income would be greater; now, confining your attention for a moment to the expenditure applicable to the preservation of the peace, would not it

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James William Gregg, esq.

require a greater force to preserve the peace in the lower district than it would in Clarendon-street?—Oh, I think so.

4747. So there would be a greater yield of taxation, and *quoad* the police expenditure a smaller necessity for outlay, would not there?—Yes.

4748. Now, coming to the question of the probability of certain ground being built upon, I suppose you are old enough to remember that the lower part of Clarendon-street was not only a morass, but there was absolutely a river there?—I remember that I could not pass it when going to school sometimes.

4749. Unless you swam part of the way?—Yes.

4750. And I believe those substantial houses at the foot of Clarendon-street, one of which is occupied by Mr. Hogg, of the shirt factory, were originally built on piles?—I am not sure of that; it was a very swampy place; I do not know how it was built.

4751. Now there are several other ranges of houses on the seaward side of the Strand-road as you go down to Pennyburn—Mr. Clement's range, and other large houses?—Yes.

4752. And these are subject to borough rate at present?—They are.

4753. And are not these, in point of fact, built upon what was the mud-covered sea shore there?—Yes.

4754. Now does not the lower end of the public quays in that direction take a bold sweep seaward?—Yes.

4755. As an embankment?—Yes.

4756. Down towards Clement's and the Graving Dock?—Yes.

4757. Now, between the new houses on the seaward side of the Strand-road, as I have called them, the houses that are near the roadway—between those houses on the seaward side of the Strand-road and the embankment that forms the quays down to Clement's mill—there is a great deal of unoccupied property there at present, is not there?—There is.

4758. And on some of which the water flows?—Some of which the water flows into.

4759. And I think goes out again?—I do not know whether it flows in and out or not; but there is a large vacant space covered with water.

4760. And is there not an immense space there that would be available for building ground?—Yes.

4761. The reason I have drawn your attention to that, particularly with regard to the formation of the land there, is to ask your attention to the other extreme of the city, out towards the pond?—I know.

4762. The Londonderry and Enniskillen Railway takes rather a bold sweep there?—Yes.

4763. And there was a triangular piece of ground there, for a long time covered with water, between it and the public road?—Yes.

4764. At present is not there a very large and extensive rope-factory being erected on that?—There is a rope-factory on it at present.

4765. By Alderman M'Corkell, I believe?—Yes.

4766. Mr. Commissioner MURPHY.—We may take it for granted that the city will increase, as you say, and that there will be a greater available fund for the preservation of the peace, with a proportionate increase of police.

4767. Mr. *M'Laughlin.*—That the ground within the city boundary is likely to be built upon?—There are some places where it will not be built upon, certain by-roads; but the value of property increases about £1,000 a-year in Derry upon the average.

4768. Then the resulting increase of the borough rate would be £200?—Yes; a thousand times four shillings.

4769. Now that was the average increase for the last five years, I suppose?—Yes; for the last fifteen years, I should say.

4770. Now might I not assume that the spirit of enterprise, developing itself in building, is greater now than it was ten years ago?—Well, latterly, you see, there has been a great deal built upon; I don't know whether it continues; those large factories have considerably increased the value, but, of course, they are not being built now.

4771. I think it might be, perhaps, more or less bearing on the inquiry if I asked you, prior to the imposition of the borough rate in Derry, what particular taxes were imposed upon house property, or what are the taxes that are now comprised in the borough rate?—They were police tax, pipe water tax, and county cess, I think.

4772. No county cess is now paid except a small proportion for the county at large?—Exactly. The taxation then altogether amounted to 3*s.* 4*d.* in the pound only.

4773. So that the borough rate of 4*s.* in the pound is in excess of that?—It is.

4774. But that is still your maximum of existing taxation?—It is, but, of course, the taxation is now much larger, and houses are now valued, which were not then.

4775. And you think it would require 6*d.* in the pound of an increase to the borough rate to pension the city police to the extent of £300 a-year?—Oh, no; but if you increase the force to 100 men. But I think if we have fifty men to do the duty, and if we get twenty of those free, there will not be the least difficulty at all.

4776. Mr. Commissioner MURPHY.—Fifty added to the twenty?—No; fifty altogether. The corporation consider that forty would do the work well; but I think a smaller force of men would do.

4777. Mr. Commissioner EXHAM.—Will not that district that pays only one-third of the taxation require watching as well as any other?—Well, I have never known of any disturbances there; it has never been watched heretofore. They are county districts entirely, where there is no police—principally by-roads.

4778. But, if it pays any portion of the taxation at all should not it get its share of watching?—No; the only places watched are those within our lamps. The police do not go beyond our lamps, that is, the city force.

4779. But ought not the new force to watch the whole of the district?—Oh, certainly; I think it is most desirable.

4780. Then I was thinking, *quoad* the police, whether that portion ought not to pay the full tax?—I don't think that it should be expected that a night watch should be charged on county districts where there are no lamps or houses.

4781. The only thing I was thinking was whether that district ought to pay its full share of the police rate with the other?—We cannot make it until it is brought within the lamps.

4782. But by Act of Parliament?—I think it would be most desirable, if that rate was put on for police purposes, that it should pay.

4783. These alterations cannot be made, of course, without an Act of Parliament; and then what I was thinking was this, whether, *quoad* the police, if it is to be a thing done for the protection of the whole city, all that is within the parliamentary and municipal boundary should not pay its full proportion of police tax?—I should certainly think so.

4784. Mr. Commissioner MURPHY.—Of course, if there is any tax to affect the borough at all, it must be uniform in its operation, and you will have all the places that enjoy the privileges subject to all the liabilities?—Yes; and then with regard to police stations, there should be one, for instance, at Pennyburn, at the extreme end of the city, and one at the Waterside—there is one there at present—and one in the centre of the town.

4785. Mr. Commissioner EXHAM.—The principal one should be in the centre of the town, decidedly, and then there should be out stations.

4786. Mr. *M'Laughlin.*—What was the date of the Local Act in reference to the appointing of the city police?—1848.

4787. That was the first Private Act?—Yes.

4788. Mr. Commissioner EXHAM.—It is the general Act?—Yes; it is the general Act.

4789. Mr. *M'Laughlin.*—It was incorporated with our private Act of 1848?—It was.

James William Gregg, esq.

4790. Is there anything with respect to the financial matter that you have given us such valuable information upon that you would like to add, that I may have overlooked?—No; I think not.

4791. Now, I have got here the flag that I called for yesterday [a large flag was here produced having a white ground with a blue fringe, and in the centre a harp and the words "The Hibernia Flute Band."] Is this the flag that we were speaking of yesterday, that you saw carried through the town?—It looks like it. What I said about their causing indignation by it was that they did so by carrying a harp without a crown before a member of the royal family. If it carried a crown I should not say anything about it.

4792. You would not say that if this was a harp with the crown over?—No, I would not.

4793. Then I should say, on the whole, that with these colours, instead of being disloyal, the aspect is rather the other way?—Oh, certainly; I say nothing about the colours; but I do not like to see the harp without the crown.

4794. Have you ever seen the trade mark of the celebrated linen manufacturers of Lisburn, Barber and Company?—No.

4795. Then, it is exactly like that.

4796. Mr. Commissioner MURPHY.—It is a very innocent looking flag and a very handsome flag. It is a great pity that men associated together during their hours of labour could not, after their work is over, enjoy themselves in peace and quietness on both sides.

[*Maguire*, Inspector of the local police force was called] and

Mr. Commissioner EXHAM, addressing him, said—Mr. Maguire, my friend, Mr. Murphy, and I wish to inform you, as you are Inspector of the local police force, that though we do not think it necessary to examine you, as the head of the force here, still that if you should like on the part of yourself, or the men, to give us any explanation with regard to the constitution of the force, or the way they perform their duties, or as to the charges that have been brought against them, of partiality, we shall be very happy to hear you at any time.

Maguire.—I am quite willing, but I would rather decline after what I heard, and the Corporation ordered me and the men two days out of court after they decided that we were to be abolished; but I am ready to be examined.

Mr. Commissioner EXHAM.—That is another thing; but we only wish to tell you that if, on your own behalf, or on behalf of the men, you should think it right to give us any explanation with regard to the conduct of the men in the force, while they have been in it, we think it an act of justice to let you have an opportunity of giving us that explanation yourself.

Alderman *William M'Carter*, J.P., examined by Mr. *M'Laughlin*.

Alderman William M'Carter, J.P.

4797. You are resident, I believe, in the city—you reside at the Water-side?—Yes, I live within the borough.

4798. How long have you resided there?—Nearly all my life.

4799. You know it pretty well for the last thirty years or so at all events?—Yes, fifty years.

4800. Now, what is your occupation and business?—I am a tanner and merchant.

4801. I believe you are a large importer of wholesale goods?—Yes.

4802. And I believe you are an alderman and member of the Town Council?—Yes.

4803. Are you also one of the Port and Harbour Commissioners?—Yes.

4804. Are you a Commissioner in respect of anything else—are you a Bridge Commissioner?—A Bridge Commissioner and a Railway Director.

4805. Of the Irish North Western Railway?—Yes.

4806. Now, you are also, I believe, in the Commission of the Peace for the city?—Yes.

4807. The date of your appointment is recent, I believe?—March last.

4808. You were appointed at the same time when Sir Edward Reid and Mr. Adam Hogg were appointed?—I was.

4809. Now, I suppose as a member of the Corporation, you were and are in favour of the substitution for the city police of the constabulary?—Oh, yes; we were quite unanimous for a number of years. We discussed that question on several occasions, and the Corporation were quite unanimous.

4810. Did the unanimity of the Corporation, with reference to the substitution for the city police of the constabulary, arise from considerations of financial economy or the greater efficiency of the desired force, or what?—From both, of course. We thought it would be better, on account of the great efficiency of the constabulary, and also from considerations of economy. The representation made to us was that we could have the constabulary force cheaper than our local force; and certainly the inhabitants of the city—all with whom I came in contact—have invariably expressed a great desire to have the constabulary.

4811. Mr. Commissioner EXHAM.—Those were people of all creeds?—All creeds and all shades of politics.

4812. All shades of politics and religion?—Yes; in fact there is no question on the matter. We have amongst the present city force some excellent men, but on the whole I do not think they are an efficient force.

4813. You are a member of the city police committee?—I am.

4814. Do you know whether there exists on the part of the public a feeling, so far as you know the public feeling, that the existence of the city police as a force is desirable?—Oh, certainly not.

4815. I think you stated that for several years there was unanimity in the Corporation as regards the desirability of the substitution for them of the constabulary; when did that unanimity cease?—Well, the only question that was ever raised was at the meeting that was called for last Monday, and there, for the first time, I heard that there was any desire to alter the resolution that we had come to, and the request that we had made of the Government to have a constabulary force. There was a difference of opinion with regard to the extent of the force we should require. I was one of those in the Corporation who thought forty men would be sufficient, and I think there is a large majority of the Corporation in favour of that number—not to exceed forty men. Our present force is thirty-eight, I think; and no doubt exists on the mind of every member of the Council that a force of forty constabulary would be far superior to a force of thirty-eight local men; and a force of forty constabulary would come within the limit of our means. We cannot exceed £1,500, inasmuch as we are at the maximum now of our taxation; and by taking ten men off, at £25 a-year, it would just about bring us within that limit; that is, reducing the number to forty instead of fifty, as proposed by the Town Clerk.

4816. Mr. Commissioner EXHAM.—But putting out of consideration the financial part of it, is it your opinion—and very few men ought to know better than you—that such a force would be sufficient?—Yes, I think that forty constabulary, with a standing force of twenty or so free, are quite sufficient.

4817. Mr. *M'Laughlin.*—That would give a gross force of 60?—From 50 to 60. The gross force, I should think, ought not to exceed 60 men.

4818. Have you any undue prejudice against the city police?—Certainly not.

4819. You are a Presbyterian, are you not?—Yes; and some of them are my own tenants; and many of them I respect very much indeed—most efficient men.

4820. Now coming to the question of local peace,

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would you be in favour of putting an end to all displays on the streets, of every description?—All. Indeed I think there is a necessity for discontinuing all celebrations from the feeling which has unfortunately arisen in Derry.

4821. When you say "unfortunately arisen in Derry," I presume you refer to some change of feeling that has occurred?—Yes; within the last few years all those demonstrations have assumed a very strong party character.

4822. Changed their character very much?—Very much.

4823. I believe you at one time subscribed to them?—I did. Up to within the last two or three years I always gave a contribution to the expense of the celebrations.

4824. And there was nothing singular in your doing so?—Nothing at all. I did not conceive that there was; and up to a little time ago I did not hear any persons express themselves dissatisfied.

4825. And I believe many other leading citizens, magistrates and others, were accustomed to subscribe in that way?—Yes.

4826. Mr. Commissioner EXHAM.—Up to the last three years?—Yes.

4827. And you have never heard any dissatisfaction up to that?—No.

4828. Mr. Commissioner MURPHY.—And you have ceased to subscribe because you considered it was——?—Because I considered that it was giving offence to the citizens.

4829. Mr. *M'Laughlin.*—Do you think that those exhibitions, no matter from what party proceeding, tend to endanger the public peace?—Oh, certainly.

4830. Now, I need scarcely go through the form of asking you would you extend this prohibition to all classes and ranks?—Most assuredly.

4831. And all processions, no matter under what pretence?—Yes.

4832. Mr. Commissioner EXHAM.—And all this band-playing?—And all this band-playing and street-marching—every procession of every kind.

4833. And, I suppose, to push that further, you would do that anywhere where it gave offence?—I would, all through the kingdom, where it gave offence.

4834. Mr. *M'Laughlin.*—And there is no reason why Derry should have exceptional privileges to have celebrations?—Certainly not. I think if these anniversaries are to be celebrated now, it would be better to do it in a religious manner; and people could do it in a devotional way without giving offence; and I believe, that would be the proper way to continue it, if it is continued at all.

4835. Now I venture to ask you if you are singular in those opinions?—I think but one opinion is generally expressed, except by ultra-politicians.

4836. It is not confined to the Roman Catholic portion of the population?—Oh, it is not.

4837. And I believe the prevalence of the feeling corresponding with what you express was very much the result of recent proceedings on the part of the Apprentice Boys?—Very much.

4838. I mean within the last three or four years?—Very much. I must say in favour of Mr. Gregg, the late President of the Apprentice Boys, that during the time he had charge of them I never heard a single dissentient voice with regard to the celebrations. After that it changed hands, and I did hear great discontent expressed.

4839. Do you remember one time there was a prosecution here?—I do.

4840. At that time there was—I believe it is as well to give you an opportunity of saying it—a strong sympathy among all classes of Protestants for the celebrations?—There was, as far as I knew.

4841. Mr. Commissioner MURPHY.—Now, I think, you have said that there is an anxiety for their discontinuance. Of course it is desired by the Roman Catholic population and by a good many of your own congregation; do you think it is also desired by a good many of the Protestant population?—Well, I never heard Episcopalian Protestants express a desire to have them discontinued; but I have certainly heard very many Presbyterians and many more Dissenters of various kinds, and there are a great number of that class of people in Derry.

4842. Mr. *M'Laughlin.*—I believe, in point of fact, you have never been what is called a party-man?—Never; but I may tell you I had strong sympathies for the commemoration of the event of the siege of Derry.

4843. And you still entertain those sympathies?—Yes, if it was properly conducted.

4844. But you entertain stronger sympathies for the public safety?—Yes, for the public peace; I do think every sacrifice ought to be made to attain its preservation.

4845. And I suppose that arises from your anxiety that the entire population should have every confidence in the law, and in the administration of the law?—Yes, and live in harmony with one another, which, I think, the people are well disposed to do here. I do believe there is not a place in the world where there is more cordial good feeling existing, were it not for those celebrations.

4846. And I believe they are pre-eminently—holding strong opinions—as kindly a population as any in the world?—No doubt of it; entertaining the most cordial feelings to one another.

4847. Prostestants and Catholics, Presbyterians and Episcopalians, living together on terms of private friendship of the most sincere and earnest kind?—Exactly.

4848. Is it not the fact that when it comes near those celebrations, at the time of the celebrations, and subsequently, a great change comes, for a while, over the local feeling?—I regret to have to say it is.

4849. And I suppose that change would lead people to suspect partiality where really there never was intended any partiality?—Quite so.

4850. Everything is looked upon with a jaundiced vision?—Yes; quite so.

4851. With reference to that, I wish to ask you your own opinion on that subject; you are, I believe, extensively acquainted with the feeling of the middle and labouring classes as well as of the higher classes?—Yes, I think I am.

4852. You are a large employer of labour, as you have said; you carry on farming also?—Yes.

4853. And I believe you have for your constituents in the municipal council the entire of the Waterside portion of the city?—It is one of the largest wards. The city is divided into three wards, and I represent the east ward.

4854. Although Waterside does not form the whole of the ward, the whole of the Waterside is in the ward?—Yes; the ward takes in a part of the city.

4855. It comes into the centre of the city?—It comes into the centre of the Diamond; it takes in Foyle-street, and in fact the best part of the city.

4856. And, of course, in your canvass you have a great opportunity of forming an opinion with regard to public feeling?—And as member of the Harbour Board which takes in the whole of the city.

4857. Do you happen to know whether there exists among these people, rightly or wrongly, that confidence that one would desire should exist, in the decisions of the local magistrates, as far as you know their feeling?—Well, I have heard occasionally, but it was, I may say, before I went to the bench myself—some dissatisfaction expressed. At the same time I did not mind it; I thought, perhaps, it was mere prejudice; that some person had come off second best; and such a person would often express an opinion unfavourable to the decision of the bench.

4858. Mr. Commissioner EXHAM.—And to the verdict of a jury also?—Very often; it is not easy to satisfy every one. I think it is very seldom you will get the man who is beaten to be satisfied.

4859. Mr. *M'Laughlin.*—Now, of course, a great deal of the prejudice that exists against the local magistrates, if it does exist, might be caused by what you

say, that one party is always beaten?—Well, I think so, except probably in some cases—political cases.

4860. Now do you think that the feeling is so utterly groundless as the application of the last theory solely would lead one to believe, with reference to political and party cases?—Well, it really would not be fair for me to express an opinion with regard to my brother magistrates in that way; but I fear that there may be some men largely influenced by political feelings, if it did not involve a matter of conscience.

4861. You have spoken of your position with reference to the magistracy—and very fairly—as a reason for not going very analytically into the subject; now have you sat much since you were appointed a magistrate in March last?—Not very often; I have been a good deal from home since I was appointed.

4862. Very seldom, I suppose?—On a few occasions.

4863. And I may say that those magistrates who are in extensive business, such as Mr. Tillie, Mr. Bigger, and Mr. Hogg, are seldom or never there?—I think I never met either on the bench.

4864. It is almost impossible for those men, with reference to their business, to be there, and the same thing applies to yourself?—Unless there was something of very great importance, and we were summoned specially. I have always attended the summons of the chief magistrate to consultations.

4865. Now, when you speak of the summons of the chief magistrate to consultations in the way you mention, it just occurs to me to ask you whether you were on the bench when the investigation was held into those recent and unfortunate deaths?—I sat the first day of the investigation of the charge made against the police for shooting people.

4866. Did not that investigation extend over a great number of days?—It extended over the entire week, I think.

4867. Did not most of the magistrates who sat on the first day continue to sit during the remainder of the investigation?—Well, I think not all. I think Sir Edward Reid did not sit regularly. I think he only sat one or two days. I left the bench after the first day. I will tell you the reason I did not continue to sit.

4868. I was going to ask you for it?—I felt that it was assuming a party aspect, that the attorneys on both sides were conducting it in such a way that it was likely to prejudice the local magistrates, perhaps myself among the rest, and I thought it was better to leave it in the hands of the resident magistrates, who were there, Captain Coote and Mr. O'Donnell. I thought that the investigation would be better conducted by them—freer from any prejudice.

4869. Mr. Commissioner Murphy.—You thought so from the decided political aspect it was assuming?—Yes; in fact the attorneys gave it that aspect.

4870. And that therefore anything the local magistrates did might be misinterpreted?—Quite so.

4871. And that it would be better that gentlemen not locally identified with any party should hold it by themselves?—Yes.

4872. And do you think that rule should prevail in every political case?—I think so.

4873. Mr. Commissioner Exham.—And then no one can say there was partiality?—And then no one can charge any one with partiality; but I must say that any decisions when I was present in other cases I considered most fair and upright.

4874. Mr. *M'Laughlin.*—Your remark then evidently applies to party and political cases?—Yes.

4875. And those you would think it desirable to leave to the resident magistrates?—I should, for the sake of the local magistrates themselves.

4876. You refer to the efforts of the advocates on either side, Mr. Crawford and Mr. Rea were on one side, who were on the other?—Mr. O'Rourke, of Belfast.

4877. Now, I suppose you did not form your opinion on the subject on a sudden impulse—that the proceedings had been continued for some little time before you formed your opinion?—I did not form any opinion. Do you mean with regard to the decision?

4878. I mean to say that you did not form an opinion of the danger that you thought existed with reference to those suggestions of prejudice coming from the advocates, until those suggestions had occurred over and over again?—Oh, no; during the course of the investigation; during the course of the proceedings of that day.

4879. Mr. Commissioner Murphy.—The proceedings of that day were sufficient to convince you——?—Quite so.

4880. Mr. Commissioner Exham.—That it was taking a party turn?—Yes, quite so.

4881. Mr. Commissioner Murphy.—And of the prudence of the step you took?—Yes, quite so.

4882. Mr. *M'Laughlin.*—Were there any efforts made by the magistrates to check that?—Oh, yes. The Mayor made efforts, but quite unavailingly. There was no heed paid to any effort he made, by either party.

4883. And you think that your own greater confidence in the adjudication of the professional magistrates, in party and political cases, as regards the amount of public satisfaction that it would inspire, is an opinion that would be approved of by the populace generally?—Oh, indeed, I think that the populace would prefer cases of that sort being tried by resident magistrates. I do not in any way impeach any of the magistrates.

4884. And I suppose you would confine the jurisdiction of professional magistrates to those cases?—I would certainly.

4885. Mr. Commissioner Exham.—As I understand what you say is this, that from the turn things took there—owing to the advocates at each side—you withdrew from the bench, feeling that no matter what decision you came to it might possibly be misconstrued?—Clearly so. That I was sure to get blame from some party if I joined in the decision.

4886. Though you acted according to your conscience?—No matter how conscientiously I acted, that I could not give satisfaction to both parties—that one party must feel offended.

4887. Mr. *M'Laughlin.*—I suppose that the same danger would exist with reference to the management of the local police force on the occasion of one of those celebrations out of which those trials sometimes arise—that the public would misconceive the acts of the local magistrates?—Well, I cannot say. I cannot answer that question.

4888. Suppose now, for a moment, that one of those processions which have been regarded as inimical to the peace of the city—this is merely hypothesis, but supposing it were to be put down—do you think that more confidence would exist among the inhabitants of Derry in the management of the means of putting it down if those means were managed by two resident magistrates or by two local magistrates?—Oh, I think it would be better managed by the resident magistrates, and by the constabulary, of course; there is no doubt about that.

4889. I asked another witness a question which I will venture to repeat to you, whether or not, supposing the entire of the repressive measures, if repressive measures were determined on, were left to the local magistrates as at present constituted, do you think it likely that any attempt would be made to stop those processions, which have been described as dangerous to the public peace?—I think they would only be stopped if they assumed a party aspect, that is if they violated the Party Processions' Act. That was clearly the decision of the magistrates when they consulted last as to what they would do at the last celebration. They agreed that they would not attempt to stop the procession, provided they did not carry party emblems, or play party tunes, or fire artillery.

4890. Mr. Commissioner Exham.—And was there a consultation of the magistrates?—There was.

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4891. And you took part in it?—I took part in the consultation.

4892. And did you agree to that with the rest of the magistrates?—Well, I agreed for the present that there would be nothing further done; but it was distinctly and clearly understood that if any persons carried fire-arms of any kind, that is, having such fire-arms without a license, the arms were to be taken from them, and they were to be arrested, and if known to the police the names of those who might have fire-arms with licenses were to be taken down, and a report was to be sent to the Government to deprive them of such licenses.

4893. And was it determined on that neither flags nor banners should be allowed?—It was—that no party emblems should be allowed.

4894. Mr. Commissioner MURPHY.—Was it considered by the magistrates in consultation that the procession might take place without party emblems?—So it was stated by the President of the Club, the Governor. We had the programme before us, and in this programme it was clearly and distinctly stated that no party emblems would be carried; that parties forming in the procession would wear the city colour, crimson, and have rosettes of crimson. That is not considered here a party emblem.

4895. Mr. Commissioner EXHAM.—And then that no party music was to be played?—That no party music should be played.

4896. And no arms carried?—And no arms of any kind carried.

4897. And the programme having been sent they met on it?—Yes.

4898. And consulted?—And consulted.

4899. And was there any resident magistrate present?—The two resident magistrates, Mr. O'Donnell and Captain Coote, were present, and we had a large meeting of local magistrates.

4900. And was the programme submitted to the meeting?—It was submitted. The Mayor was in the chair.

4901. And can you say was it a unanimous determination?—A unanimous determination—no dissent from it at all.

4902. And that as long as the parties kept within that programme, and did not depart from it, the authorities were not to interfere with them?—Quite so.

4903. That met with the approval of the resident magistrates?—That met with the approval of the resident magistrates.

4904. Mr. *M'Laughlin.*—Did the Governor of the Apprentice Boys communicate with the magistrates personally?—I think it was Captain Coote said he had been in communication with him personally, and that he gave him—that Mr. Ferguson gave Captain Coote—that programme. Mr. Ferguson is the Governor of the Apprentice Boys.

4905. And Captain Coote brought that programme to the meeting of the magistrates?—Yes.

4906. He said he had had an interview with Mr. Ferguson, and Mr. Ferguson had given him that?—Quite so.

4907. And it was submitted to the magistrates?—Yes.

4908. It was unanimously agreed that that programme should be allowed to be carried out?—Unanimously.

4909. There was no dissent?—No dissent; provided that there should be no departure from the rules laid down.

4910. Mr. Commissioner MURPHY.—Were you there the day of the procession?—I was not in town that day; I was very ill.

4911. Mr. Commissioner EXHAM.—But it was distinctly understood that if party tunes were played, or flags carried, or there was any person bearing arms, it was to be stopped at once?—Quite so. I have already stated that; and the Sub-Inspector of the police was to receive orders to carry out the directions of the magistrates.

4912. Can you say whether the carrying out of those arrangements was left to the stipendiary magistrates?—They were left generally to the superintendence of the Mayor and the stipendiary magistrates; and the military, I may tell you, were ordered to be in readiness, in the event of further assistance being required.

4913. That was all arranged at the meeting?—That was all arranged at the meeting.

4914. And then the disposal of those forces was left to the arrangement of the Mayor and the two stipendiary magistrates?—Yes.

4915. And that was the arrangement unanimously come to at the meeting?—Yes.

4916. Mr. *M'Laughlin.*—Do you know, as a matter of fact, whether party tunes were played?—I cannot tell.

4917. Because we have had some proof here that they were played?—I heard it stated, and I saw it in the papers, that they were played, and that guns were fired.

4918. The firing of guns being as directly in conflict with the law as the having of arms in one's hand?—Yes.

4919. Did you see it also stated, and rather boastfully, that flags were carried?—Yes; and I may say that I saw, myself, men coming by the Coleraine line by which I went down that day. I met a party coming from Belfast, of excursionists—Orangemen, I believe—and they were waving party flags out of the carriages coming along. I saw them at the station.

4920. Then the procession having carefully, fully, and exhaustively violated the conditions on which, and on which alone the magistrates would tolerate it, are you aware that any effort was made by the magistrates then to prevent it?—I know nothing but from the reports I have seen in the papers.

4921. But nobody ever suggested that there was the slightest effort made?—No.

4922. Mr. Commissioner EXHAM.—What Mr. M'Carter says is this, that it was left to the two stipendiary magistrates and the Mayor to carry out the arrangements, a part of those arrangements being that the military were to be in readiness to assist the authorities——?—I may say that there were 180 of the constabulary force in town.

4923. Mr. *M'Laughlin.*—I do not care for my part if it had been left to the Cabinet of England. Was not that affair merely regarded by the common-sense people of Derry as a transparent humbug?—It was considered decidedly a breach of good faith, and a violation of the contract entered into.

4924. Mr. Commissioner MURPHY.—Mr. M'Carter does not answer that in the way you put it, that it was a transparent humbug. I think he says that the magistrates acted with the most perfect good faith, but that perfect good faith was not kept with them. (*To witness.*)—Am I right in that?—Yes.

4925. But then he answered yes—that was, that that not being observed by the processionists, was looked on as a breach of faith on their part?—I may say that, although we came to that determination, as magistrates we did not approve of processions of any kind, and it was only as a matter of necessity that we yielded to this arrangement. We thought it would be very much better if there had been no procession, or no attempt at a procession; but we thought we had not power, or that the magistracy was not clothed with sufficient authority to suppress the procession in any shape or form.

4926. Mr. Commissioner EXHAM.—As I understand, what the magistrates thought was this—they feared that the law at present did not enable them to prevent the thing altogether?—Quite so; we went as far as the law would enable us.

4927. And as long as the parties did not transgress the law they were not to be interfered with?—Yes.

4928. And if they did it was left to the stipendiaries and the Mayor to put it down?—Yes; and

you all know the difficulty in a crowded assembly of preventing anything of that sort. I do not think there was any attempt to wink at a breach of the law. If Mr. M'Laughlin wishes me to answer that question I will answer it in that way, that I believe there was no winking, or disposition on the part of the magistracy, to overlook the offence, if they could in any way have got at the offenders.

4929. You think the arrangement come to by the magistrates at that meeting was a perfectly *bonâ fide* and honest one?—It was; but their desire was altogether that there should be no procession, and they very much preferred that there should be none.

4930. Mr. *M'Laughlin.*—And then all their arrangements came to nought, as a matter of fact, as you have mentioned?—Yes.

4931. You say, and it is patent on the face of it, in one sense at all events, that they did not wink at the procession. What I understood you to say was this, that for the reasons you have stated they did not interfere to prevent it?—I have answered that question as well as I could. The charge was given entirely to the stipendiary magistrates, and to the Mayor of the city; I cannot tell you as regards their conduct—what they did or why they did it.

4932. Mr. Commissioner EXHAM.—That is, the magistrates as a body delegated to the two stipendiary magistrates and to the Mayor the charge of the public peace?—Yes, the entire charge; arming them with sufficient power in the shape of constabulary and military.

4933. And delegated to them to carry out honestly their instructions that the public peace should be preserved at all hazards?—Quite so.

4934. Mr. *M'Laughlin.*—And the result was that nothing was done?—I believe that there was a violation of all good faith towards the magistrates by the Apprentice Boys on the one hand, and a disregard of the laws on the other.

4935. Now with reference to the last answer, do you think it likely that if a similar pledge of good faith were made to the local magistrates on the 18th of December next, the local magistrates would give the Apprentice Boys another chance?—Well, I think there are local magistrates who would be very glad to see the celebrations continued, if it could be done legally and inoffensively; but I think I may speak for the magistrates as a body, that they would very much rather the thing were given up altogether.

4936. Now did you see it stated in the public prints, or did you see it stated as part of the proceedings of this inquiry, that no longer ago than this day week, the band of the Apprentice Boys marched through the city at a most critical hour of the evening playing "No Surrender"?—I did.

4937. It was only a force of about a dozen bandsmen, I think?—I do not know how many they were, but I saw that reported; I saw it stated.

4938. You did not hear that any one had been summoned for that breach of the law?—I did not.

4939. I suppose you go with me in thinking that that was most dangerous?—I do, and I think they ought to have been summoned, and if I had been the chief magistrate of the city, or a stipendiary magistrate, I certainly should have had them summoned.

4940. Can you conceive anything so nearly resembling the throwing of a live coal into a barrel of gunpowder as what was done that night?—I think it was very wrong and highly improper.

4941. I think you said something about the city colour, crimson, not being regarded as a party emblem—of course that means by those who are in favour of the celebration?—Well, that is generally stated.

4942. But I believe some classes, rightly or wrongly, do take offence at it?—Well, people do say that it is a mere evasion of the law.

4943. You were in court to-day when it was sworn very fairly that a flag which has a blue fringe has been regarded as the emblem of the Catholic party by reason of something that is in it?—I heard that stated.

4944. So that in point of fact it is not what the colour intrinsically is that constitutes it a party emblem?—I did not hear Mr. Gregg say so, but I heard this flag called a party flag.

4945. Did you hear it stated to-day that this flag had given offence, notwithstanding that it had a blue fringe—there was something in it that was thought offensive?—Oh, I can answer that I heard it stated so; and not only that, but when the Prince came into town, when the Corporation were waiting to receive him in the hall, and when this band that were marching down were carrying this flag, I heard many members of the Corporation and other gentlemen who were in the Round-room express themselves very dissatisfied.

4946. So then it comes to this, that it does not matter so much what the colour is of the flag carried by a party as of the persons who carry it?—So it appears.

4947. Mr. Commissioner EXHAM.—Was it with respect to that particular flag, having a harp without the crown, that you heard the expressions of dissatisfaction?—Yes, the white flag having a harp without the crown.

4948. Mr. *M'Laughlin.*—And the yellow or gold letters and the blue fringe, bearing a close analogy to "orange and blue," did not carry it clear of the difficulty?—I am just telling you what I heard. I made no observation about it.

4949. Mr. *Gregg.*—What I said was that that was carrying the harp without the crown, and if I saw an Orange flag with the harp without the crown, carried over the head of Royalty, I should say the same thing.

4950. Mr. Commissioner MURPHY.—I should think that if the Royal personages themselves were consulted, they would not mind it much.

4951. Mr. Commissioner EXHAM.—Do you think it would conduce to public peace to have stipendiary magistrates?—Yes, I think it would be quite right.

Mr. *William Gallagher* examined by Mr. *M'Laughlin.*

Mr. William Gallagher.

4952. You have resided in Derry for the last half century and more?—Yes.

4953. I believe you carry on a large business here as a butcher?—Yes, they commonly call me that; but where they speak more properly they call me a victualler—about Dublin.

4954. Well, I believe you are a victualler in a very large way of business?—Yes, pretty fair.

4955. You occasionally victual the fleet?—Sometimes.

4956. And have done so more than once?—Yes.

4957. Now, I will ask you further, whether the people engaged in that trade in this city are not people that are almost exclusively of one way of thinking?—Principally, there are very few exceptions.

4958. I think that is a general characteristic of the north of Ireland?—Yes.

4959. And I believe the secret of it is that that was not a trade that required a regular apprenticeship many years ago?—Oh, indeed it did require it if it had got justice.

4960. You are a Catholic in religion, Mr. Gallagher?—Yes, I profess that religion.

4961. And you know the feelings of your co-religionists well?—Well, I have a pretty good guess of them.

4962. And notwithstanding that I believe you are a man who have always lived in peace and amity with your Protestant and Presbyterian fellow-countrymen?—Upon the very best terms, with few exceptions.

4963. You were in court when the last witness, Alderman M'Carter, was examined with reference to the celebrations, with respect to which I will ask you some questions. Do you happen to know whether they are offensive to your co-religionists?—Not a doubt of it; not the slightest doubt of it.

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4964. I believe they excite very strong feelings and deep animosities?—Very.

4965. Now, you speak of the feelings of that class of the community, but I believe it is also a fact that gentlemen not of their persuasion, theologically, also disapprove of them?—Not a doubt of it, and I think it is not confined to that class you mention at all, for I think it is extended to the well-disposed and well-meaning Protestant portion of the community.

4966. Mr. Commissioner MURPHY.—It extends to them?—It does; and I have been several times in conversation with my Protestant, and Presbyterian, and Dissenting neighbours, and all that, and all were of opinion that the thing was a curse to society, and that the sooner it was done away with the better, and that the compliment would be all paid to those parties that were so anxious for the celebration of those days. That was the conclusion that was come to by those I spoke to, and I spoke to a great number.

4967. Mr. Commissioner EXHAM.—And does that feeling apply to processions of every kind?—Of every kind, without distinction.

4968. And to all band playing?—And to all band playing, and everything of that nature; I see no distinction, but to cut them away from the root, or pull them up.

4969. Mr. *M'Laughlin.*—When you have spoken of the opinions of your co-religionists, and of the opinions of those Episcopalian, and Presbyterian, and other gentlemen with whom you have been in contact, of course your own opinion is the same?—Yes, the same.

4970. You are in favour of doing away with every procession, no matter from what side it comes?—No matter from what side; and I would feel more for any expression that would come from what is called my own side, if I might term it so—I would feel more for that than for what would come from the Apprentice Boys or Orangemen.

4971. Mr. Commissioner MURPHY.—You would be more desirous that it should be suppressed?—I would be more scandalized by expressions coming from one of them than from the others; and my opinion would be that it would be a blessing to society if those displays were put down, and those parties, I think, would not be two years older till they would say that it was a very happy day when it took place.

4972. Mr. *M'Laughlin.*—I believe, except as regards those celebrations, the people of Derry live most harmoniously and kindly together?—There is not a community, I think, in the world to surpass them, as far as everything that constitutes a well-disposed people goes.

4973. You, in the course of your business, which is very extensive, have correspondingly extensive opportunities of knowing the feeling of the people round about?—I have.

4974. I believe your business calls sometimes take you out of this province to Roscommon, Sligo, and Westmeath?—Yes.

4975. The Ulster counties you know very well?—Yes; I know them well.

4976. The county Tyrone and the county Derry?—Yes.

4977. Have you read any evidence that was given here?—I have both read and heard some.

4978. You have heard it stated that there exists a determination to prevent those displays physically?—Indeed I do not know that of my own knowledge; I have heard it, but I do not know a single thing about it.

4979. Mr. Commissioner MURPHY.—Have you heard it independently of the evidence given here?—Nothing, except the voice of the people outside.

4980. Mr. *M'Laughlin.*—But the voice of the people outside is, beyond yea or nay, a voice that corroborates the evidence given here?—Oh, not a doubt of it; but I think the feeling outside is one that is scarcely known—the extent of it.

4981. Now, I suppose, you, occupying the position in your trade that you occupy, would have several opportunities of knowing if that was the voice of the people?—Yes.

4982. And, I suppose, you agree in thinking that, if it is not put down, there will be bad work?—Oh, indeed, that is so.

4983. You are a man not easily alarmed?—I am sometimes not easily nervous.

4984. And that is your deliberate opinion?—It is; not a doubt of it.

4985. Did you see or hear the procession on the day of the great Protestant meeting?—I did not; I don't know that I was much away from my own shop during the day.

4986. Did you see the bandsmen, or hear them, that played "No Surrender" on Thursday night last?—Well, I did not.

4987. Do you think that a very dangerous thing to do?—Well, I should think so.

4988. But you know nothing about it personally, one way or the other?—No.

4989. As far as the public feeling goes, I suppose it would be in favour of having the constabulary instead of the city police?—Oh, I think so.

4990. Now, you are a man who are intimately acquainted, I may venture to say, with many of the local magistrates?—Yes.

4991. Know them well?—Yes; I think I know them all.

4992. And, I suppose, as far as you are concerned personally you have no charge against any of them?—Oh, not the slightest. I come as little in contact with them as possible.

9493. I suppose you have never been in contact with them officially, except that time eight or nine years ago when you appeared to testify on your oath then, what you have testified here, to-day, about the feeling of the Catholics?—Just the same thing. I would give the same class of evidence then as now.

4994. And yet, notwithstanding, they have gone on in the meantime with the same thing, with the result seen on the 28th of April last.

4995. Is not it, however, a deplorable fact that among a community so large, as regards the Catholics, there is not the confidence that there ought to be in the local magistracy, touching party or political cases?—I have often heard that, but, as I told you before, I have no experience.

4996. But as to the existence of the feeling, whether it be well founded or the reverse, there can be no doubt?—Oh, I think, anything of a party nature, there is sometimes reason to make remarks on it.

4997. Now, do you not think that if those displays were at an end, and that the excitement resulting from them was allayed, a comparatively small force of constabulary would keep the peace in Derry?—Oh, yes; it would be very easy to keep it. I venture to say that even one-half of the number mentioned would keep it. If you were to throw those few firebrands that I mention out of them, you would not get a better community in the whole world.

4998. And I believe some of the firebrands are not originally Derry men at all?—Indeed they are not.

I may say that I do not in any way allude to Mr. Ferguson, who is a Derry man, although, I believe, he was for some time in America.

Mr. Commissioner MURPHY.—It is right, Mr. M'Laughlin, to state, in justice to Mr. Ferguson, that so far as any actual interference with these disturbances has been brought before us, several of the gentlemen have stated that when he was appealed to, he did all that he could to allay the disturbance at the time. As to his being President of the Society, I think he does not care about that charge; but, so far as particular occasions were brought before us with respect to the disturbance, the evidence given before us by gentlemen here has been that Mr. Ferguson, when appealed to, did all that he could to allay the disturbance. You recollect the occasion when he urged the men to go home, when he ordered them to cease stone-

throwing. It is a different thing, how far you or others may disapprove of a gentleman being President of that Society.

Mr. *M'Laughlin.*—I think it shows great fair play on the part of the Commissioners to illustrate their respect and anxiety about private character, by the remarks they have made touching Mr. Ferguson; but until the Commissioners allow me to examine Mr. John Courtenay as to the party who attacked the Hall on that night, I cannot quite agree in the observations that have been made.

Mr. *John Guy Ferguson*, Governor of the Apprentice Boys.

Mr. John Guy Ferguson.

We have no advocate here; it is no matter what has occurred previously; we are destitute of an advocate; but I have heard statements so comparatively untrue, so biased by a particular phase of political opinion, that I am quite ready to answer you any questions that you may put to me, pertinent to these celebrations. I do not submit myself to answer any questions put to me by Mr. M'Laughlin, but I merely come forward voluntarily.

Mr. Commissioner MURPHY.—That is perfectly right.

Mr. *Ferguson.*—I am come here against the express wishes of our legal advisers, and against their directions, because I cannot sit still while those statements are made.

Mr. Commissioner EXHAM.—In the observation that Mr. Murphy made I most fully concur. As far as the evidence goes, as yet, I am entirely of the same opinion as Mr. Murphy that on every occasion on which Mr. Ferguson has been brought in connexion with the parties engaged in these celebrations, whenever he was appealed to, he appears to have done his best to try and prevent a breach of the peace, and disorder; and I for one, and I am sure Mr. Commissioner Murphy will be most happy to hear any explanation or evidence he may desire to give, and we shall ask him some questions by-and-by, and I am sure that Mr. M'Laughlin will not inconvenience him in the slightest degree.

Mr. *Ferguson.*—What actuated me in coming forward was an expression Mr. M'Carter made use of. I should like to state what occurred at my interview with Captain Coote, in relation to the celebration of the 12th of August, and to say that, as far as I am concerned, there was no breach of faith whatever with the magistrates.

4999. Mr. Commissioner MURPHY.—You had an interview with Captain Coote?—I had, in my own office, nine days previous to the 12th. Mr. Henry Darcus was with him.

5000. And I suppose Captain Coote expressed his anxiety with regard to the proceedings?—Yes; he produced a programme signed with my name, and said that having seen my name there, he thought it right to state, coming from the meeting of magistrates, that he held me responsible to some extent for what was stated there.

5001. The procession consisted that day of a great number of persons who came from other places?—To the celebration?

5002. Yes?—For the last two or three years cheap excursion trains have been run along the different lines, and the Belfast and Northern Counties Railway have made a custom of running an excursion train without any correspondence with us on the matter. It was not our arrangement, I think, but originated with themselves at the Belfast end of the line, and a large number of people availed themselves of the excursion.

5003. And so far as your individual action went you adhered to the programme?—I did, most implicitly; but I told the magistrates that I could not be accountable for individual acts. There was a story or rumour that had obtained, that the guns which are at Newtownstewart were brought into the neighbourhood of Derry, to a place called Milltown Lodge, and that the Apprentice Boys were to go out and bring them in by force; I gave an authoritative contradiction to that, and I pledged myself, moreover, that neither would the Apprentice Boys' guns be brought in on the occasion of the celebration nor fired.

5004. And in point of fact were they?—They were not. I understand that there was firing from the Cathedral, and I may state to you, most unreservedly, that with that act I had nothing whatever to do, nor had the Apprentice Boys.

5005. Firing from the Cathedral?—The firing from the Cathedral was no act of theirs. I was appealed to on the streets, by parties not members of the Apprentice Boys' Society, to have party airs played—by gentlemen—or airs that I thought were party airs—and I declined, and I stated I had pledged myself to the magistrates and I would observe the pledge, and I believe there was one violation of it on the wall which I was powerless to prevent.

5006. Now you have a good deal of experience of things for some years back in this city and neighbourhood, and you have heard a good deal of the evidence here, and no matter how anxious you—being President of this Society, and standing of course in a peculiar position with respect to it—may be for the continuance of that celebration, and no matter with what feelings of either national regard or devotion you may view it yourself, are you not of opinion that, whether rightly or wrongly, it does give offence to a considerable portion of your fellow citizens. You know, you may be of opinion, or I may be of opinion, that they ought not to take offence at it, but still as a fact do you not believe that they do take offence at it?—I believe for the last year or two there has been more excitement of feeling than ever previously; and as far as my experience, with the short interregnum to which Mr. M'Laughlin refers, of these celebrations extends—over 25 years—I have never known a riot except a very trifling one on one occasion, for which I considered I was myself to blame.

5007. A riot has never taken place?—Let the records of the Police Court be looked to, and see what the result of that will be.

5008. We may say nothing serious has occurred on those days; for instance the riot of the 28th of April did not occur on one of these celebrations at all?—It did not, nor from any feeling connected with the celebration; but it was simply from political excitement, and I think I could throw a good deal of light upon that. It was brewing from the time of the election, the 20th of November.

5009. Perhaps so; still whether the mischief arose or not upon particular occasions, do you not think that a feeling exists among the Roman Catholic population that that celebration is indicative of either triumph or vaunting over them—do you not think that that feeling exists?—I believe that that feeling has been cultivated—that it did not heretofore exist.

5010. But that it has been cultivated, and that it exists now?—And I believe that the people with that feeling are from the neighbouring counties, comparatively new in Derry. I may tell you, that from my own knowledge, I have seen the Roman Catholics assist in these celebrations within the last 5 or 6 years; and I have been congratulated afterwards by them on the way they passed off.

5011. Mr. *M'Laughlin.*—Ask him to give the names?—One occasion referred to was at Bishop's-gate; they helped a hand to get the guns up the steps. I could give the names.

5012. Mr. Commissioner MURPHY.—No matter how the feeling has been produced, or cultivated, or increased, are not you of opinion that it now exists?—Oh, it does exist within the last 12 months I think. I have first seen symptoms of it within the last 12 months, to any perceptible extent.

5013. And do you not think now, that, supposing a celebration of that kind took place, and that there was

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no police force in this city on the particular day—suppose that on the 18th of December next the police remained in their barracks, and that the celebration took place, do you think it would pass off without a breach of the peace?—I cannot say as to that.

5014. What is your opinion?—I would not be afraid of it.

5015. But now——?—I would not—from past experience, I may state to you, Mr. Commissioner.

5016. You would be apprehensive, now, yourself?—Oh, I would have the apprehension that any person having such a responsibility would naturally have, and I always have.

5017. It is another thing whether you are afraid of them or not; a person may say "We will maintain it and oppose any person who may wish to check it;" but do you think it would pass off without a breach of the peace, supposing, as you say, that feeling has been cultivated?—I believe that if the Apprentice Boys confined their celebration to the inner part of the city they would meet with no opposition.

5018. That they would meet with no opposition?—If they did not go outside the city gates I believe the celebration would meet with no opposition.

5019. Do you think that any persons would be anxious to come inside the city gates to oppose them?—Well, I heard a great deal of talk about an immense body at Butcher's-gate, on the occasion of the late celebration. I saw about 30 or 40 people, a great many of them women and children. Mr. O'Neill magnified it to a great number. I was very anxious to see it, and in the evening of the celebration I saw about 40 or 50; and about 10 o'clock they left it perfectly quiet.

5020. Then if you were apprehensive that it would lead to a breach of the peace, I suppose you would not desire to lead it yourself?—I should think that as long as the celebration is legally celebrated, in a manner that was not intended to be offensive, as an old civic custom, it ought to be maintained, but I would not wish to maintain it at the hazard of bloodshed. But I believe, at the same time, that if the custom were legal and proper and peaceable, we should not be crushed by any armed and organized force of an illegal nature; I believe that it would be the duty of the law to protect us.

5021. Mr. *M'Laughlin.*—Do you still persist——? —I do, because we are unrepresented professionally, and I simply came here to——

You cannot answer a question before it is put. I was about to ask you, with very great respect, do you still, having regard to the effect of it on the weight of your evidence, persist in refusing to let me put to you a few questions as to the evidence you have given?

Mr. Commissioner MURPHY.—He has not stated that, now.

5022. Mr. *M'Laughlin.*—Do you refuse?—The reason I intended to address myself altogether to the Commissioners was, that I came here against legal advice, and I came here destitute of a legal adviser.

5023. Mr. Commissioner EXHAM.—We stated the other day here, when you had a legal adviser, that any question we thought fair to be put to the witness we would allow, and that any question we thought not a proper question, we would not allow to be put; and of course we would do the same with any other witness; and I am sure you would have no objection to answer any question Mr. M'Laughlin might put, that we should think a fair question?—Well, I waive my objection.

5024. Mr. *M'Laughlin.*—Now, you say, and I am sure correctly, that you exerted all your influence to prevent any disturbance?—When—at any particular time?

5025. At the last celebration?—Well, I believe I did. I did not see any symptoms of disturbance. I say I was very watchful as to seeing any gathering storm. I was in consultation with Mr. O'Donnell throughout the day, and I had spoken to him on the previous evening, and I told him unreservedly our plans, and he met me in the most courteous manner.

5026. When you say "our plans" you naturally refer to yourself as a member of the party?—I made reference solely to the programme and the route that we were to follow; and the route was made shorter to have this celebration closed an hour or two earlier, in order to have the thing over before the approach of evening.

5027. I mean that you occupy a very prominent position in the organization?—Oh, yes.

5028. Now, I think you have stated that you would not be apprehensive of any opposition to the Apprentice Boys, if they confined themselves to the walls and the inside of the city, and did not go outside the city gates; that is your opinion?—Yes; that is in what they esteem an altered state of things as regards these celebrations. It seems to be stated that there has been an alteration in public opinion regarding these affairs recently—at least, many witnesses have testified that.

5029. Mr. Commissioner EXHAM.—That is, from what you have heard during the progress of this inquiry you are now afraid that within the walls there might be an attack?—I have heard Roman Catholic gentlemen express an opinion regarding their co-religionists as to an armed force and an immense amount of arms in the city. I was quite horror struck to hear of such a thing, quite unanticipated on our part, that people should arm themselves with deadly weapons to put down an inoffensive celebration.

5030. Mr. *M'Laughlin.*—An inoffensive celebration?—I think the offence is imaginary. It should be also stated that there is great political excitement that has never before taken place. I have known instances of Apprentice Boys, before the question of the Church Bill, having voted for what is called the Radical candidate, and yet continue members of the club. Mr. Greer got the vote of several Apprentice Boys. The difference of the position now as to then—that is, two or three years ago—should be taken into account.

5031. I think you said you were perfectly horrified to hear that these parties were armed?—Yes.

5032. Were you equally horrified to hear that the Apprentice Boys are generally armed?—They are not generally armed.

5033. Were you armed yourself?—I was, unfortunately; but on the 12th of August I took particular care not to be armed.

5034. For fear of what might happen?—I thought it better not to put a weapon into my pocket. We have always plumed ourselves on the nature of these celebrations. I have unfortunately been, for reasons best known to myself, in the habit of carrying a revolver—for reasons known to the resident magistrate; but on this occasion I altogether dispensed with it.

5035. And did you consider that prudent to do on the 12th of August?—I did; I had no fears on the 12th of August. I may have been mistaken certainly from what has transpired since. I tell you, certainly as far as we are concerned, that if an attack had been made upon us it would have been made upon a perfectly unsuspecting body.

5036. And a perfectly unarmed body?—And a perfectly unarmed body.

5037. At any time of that day?—Sir?

5038. At any time of that day; you do not limit it to any particular time?—No.

5039. Do you think that if an attack had been made on a body of men with a park of artillery, of twelve or fourteen guns, they would have been a perfectly unarmed body?—We have no guns.

5040. You had?—They would have been loaded with blank cartridge. I believe that the sponge-rods, scrapers, and tiller hammers would have made far more effective weapons than the guns themselves.

5041. But even with those things that you have described with such technical accuracy——?—They are part of the equipment.

5042. Suppose that the proclamation was removed, as the papers have suggested that it should be removed,

and that there was nothing illegal in firing a gun?—I certainly would rather recur to the guns, for I think it was more in unison with the celebration, and more of a Derry character, if I might so term it, than this carrying of banners. I would wish to see the guns firing on the walls—confined to the walls.

5043. That is on those days?—The firing on the walls merely, at different points of the bastion——

5044. On two days?—And then removing the guns through the streets to their gun-room, without going to the outside circuit of the walls.

5045. And that to be confined to two days?—Most undoubtedly; I never remember that I have seen the 12th of July celebrated in Derry by a procession.

5046. Supposing for a moment the proclamation were removed, and you recurred to the guns, being a more Derry way, and that a body of the people of the other side attacked them, a great body of men in command of a park of artillery could scarcely be described as defenceless men?—I cannot see how you could fire upon defenceless women and children, a great proportion of them being our own friends. I do not think that people could do such a thing as fire on a whole mass of people, the majority of them being sympathisers with themselves, in such a contracted place as Derry. But if you went out to a place like Muff Glen it would be different.

5047. I suppose some people were anxious to have a day at Muff Glen?—They had it reported that I was there, but I was in Edinburgh at the time.

5048. Is it your evidence that under no circumstances you believe that the Apprentice Boys, if displaying themselves in the Derry way for instance, having guns, and firing them, if they were attacked by the populace would fire upon them if they got the chance—would they not do it for self protection?—Well, I do not know; I cannot say.

5049. You think they would deprive themselves of the instinct of self preservation?—If a party were attacked and had the means of defence at hand they would probably use them; but unless those guns were larger they would be comparatively useless. Some of them are only two pounders, and the highest of them is not over six.

5050. Two pounds of solid lead fired into you would injure your digestion materially?—Yes.

5051. You think that they ought to be fired from the wall?—I think that is most appropriate.

5052. And that is where it generally takes place?—Yes.

5053. And some men were killed there some years ago?—There were some men killed there twenty years ago.

5054. And firing that cannon in the way that usually takes place, in obedience to the law of nature, I believe they are usually fired over the Bogside?—They are.

5055. And I believe there is no other portion of the wall whose physical features would afford the same opportunities for artillery practice?—They pay for less broken glass there.

5056. And it would not be as convenient, with reference to the position that one party occupies to the other, to remove the Bogside out of the way for that day?—It would be rather difficult.

5057. You are a man of education and reading decidedly—a most distinguished man, to my knowledge, for the last twenty years; I ask you now in that character, as a man and a gentleman, if the Protestants of Derry inhabited the Bogside to the extent of making it the Protestant quarter, and if the Catholics were in the habit of twice a year bringing cannon to the Mall wall to commemorate an event which the Protestants down in the Bogside described as having reduced them to the condition of brute beasts, as far as political laws could do so, for the last 100 years, would you, as a Protestant living in the Bogside, like it?—I would not like it if I entertained those feelings that I was reduced to a state of serfdom; but I read the history of 1688 in a different light—that it gave freedom and constitutional liberty to all classes.

5058. You have no hatred of Catholics personally?—No.

5059. You would trust your life in the hands of a Catholic?—Yes.

5060. And would you not trust your life if you were in bed ill to Dr. White?—Yes I would, undoubtedly.

5061. Is he not a man of peculiarly moderate political views?—I have never known him to interfere at all in politics, and, I think, as regards the outer world he knows very little of it. I think he is very studious, and occupies the foremost rank in his profession.

5062. Is not Dr. White peculiarly inquisitive as regards every opportunity he has of asking questions of patients?—Oh, he has been talking to me about architecture.

5063. Do you believe that he overstated the case when in that box yesterday he made a statement of which what I have given you is a paraphrase?—Well, I would not expect an answer like that from Dr. White. I look at the matter on broader grounds. I could understand people who have suffered, in former times, what they ought not to have suffered having that feeling; but those in the higher classes of society I should think would have read history with more instruction.

5064. Mr. Commissioner MURPHY.—But as a gentleman of education and experience, and considering the respect you have for Dr. White—a gentleman of very high education, having means of ascertaining the opinions of a great many of his co-religionists—does not the expression of his opinion very much affect your consideration—do you not attach a good deal of weight to it?—I do; but at the same time I say that the feeling is mingled with surprise.

5065. That may be so; but you attach a good deal of weight to it. Now, supposing that Dr. White's house was situated in the place that Mr. M'Laughlin described, and that he came to you at any day after these displays and expressed his own feelings, and said, "You have been firing over my head to-day, celebrating the triumph of such and such a party; it is insulting to me; and if I could I would put a stop to it;" would not that affect you now, as a gentleman in discontinuing it?—Its discontinuance?

5066. You might reason with him for a long time——?—I would try to obviate any annoyance that I reasonably could to prevent an over-sensitive feeling being hurt, but I would not be prepared to give up a celebration that I thought was right in itself; and I may state at present that these celebrations are no celebration of triumph. We naturally as Derrymen feel considerable pride, and since the publication of Macaulay's history that feeling has been considerably increased.

5067. Mr. *M'Laughlin.*—You would expect from a man of Dr. White's reading more enlightened views?—If he was reported correctly in the papers, I do not think Dr. White would say—I do not remember the exact passage—that the revolution of 1688 reduced Catholics to a state of brute degradation and serfdom.

5068. "Brute" is my word; but you think it is not correct?—I hope not; and I feel now that the Roman Catholics are on a perfect equality in every way, and that now less than ever should they take offence.

5069. Now you know it is the historic recollections that fill the hearts of Derrymen, when they think of the noble struggles their fathers made in 1688, that lead their descendants to celebrate these anniversaries?—To a great extent. You know yourself that it is impossible in all large societies to——

5070. And you as a gentleman of education and reading are under the afflatus of that feeling when you do that?—I feel naturally a pride in it, and I have been used to it from infancy, and my absence from Derry temporarily only increased the feeling.

5071. Then the historic recollections, although the

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matter that history has preserved for us occurred long since, still have their power at the present day in the minds of the celebrants?—They have to a great extent.

5072. And do you not think that Catholics, although the penal laws have been abolished, still have some recollection of their pressure on them at a more recent date?—I do not think they have, because they are guided by tradition as we are, and if they look back to 1788 they will find their bishop and leading Roman Catholics taking a prominent part in our celebration; and I am sure that the Roman Catholics are quite as conversant with that fact as with our ancestors in 1688.

5073. Did you find that Dr. White expressly referred to that very time?—I did not notice that; I have seen so many reports so differing from one another, one suppressing one portion and another another—I suppose for the purpose of condensing the evidence.

5074. Dr. White is a man whose ability is very great?—Yes.

5075. And he might instead of going to the profession of medicine have come to the bar?—Yes; he would undoubtedly have been an honour to any profession.

5076. Now, suppose Dr. White, as a man of reading, knows that if he had been thinking of going to the bar in the year 1790, he could not go to the bar because he was a Catholic, do you not think that it would be a strange thing that he, eighty years afterwards, should celebrate that, or ask to remind Protestants of that fact?—I do not know.

5077. Do you not think it very unlikely; and, another question—just taking him away from the case altogether, do you not think that the great bulk of the Catholics are, as compared with Dr. White, men that have not education?—Yes, many; I believe that there are a great many.

5078. And do you now believe that the feelings that have been handed down along the stream of time, by tradition, have greater power with that class than with the class that Dr. White belongs to?—I believe that is so with the lower class of any sect.

5079. And do you now believe that this feeling against the celebrations is recent?—Yes, comparatively recent.

5080. I think you confined it to a year, or a year and a half?—Yes; I think I have not seen any extra precaution taken on the occasion of a celebration till within the last year or two. Our police and twelve constabulary were always sufficient. They were never seen on the streets at all until within the last two years. There was never an extra police force drafted into town except in one or two crises in the history of our celebrations, when there was an attempt to extinguish them. I remember in 1850 there was an attempt made, on the passing of the Party Procession Act, after the unfortunate occurrences at Dolly's Brae and elsewhere. Mr. Coulson attempted to stop the firing of the guns, and he was attended by Dr. Miller, our present mayor, and the Apprentice Boys were prosecuted, and some of them were sent for trial; but the Grand Jury found no bills; and in 1860 again Mr. Coulson came here, and a proclamation was issued to put the celebration down, and the Apprentice Boys conformed as far as the cannon were concerned; but Mr. John Hempton, at that time the president of one of the clubs, tested the law by firing a gun, and gained their good opinion for it; and the result was that there was no further interference with us until the last time when Mr. M'Laughlin appeared, and the magistrates dismissed the case. So we have survived so far.

5081. Those are all the circumstances that you think it right to mention?—All that I can remember.

5082. Then, in point of fact, Hempton fired that gun through the Party Emblems Act?—He did.

5083. And earned the thanks of the party?—He was the most popular man I ever knew, at the time.

5084. Now, you are well acquainted with the history of the Apprentice Boys, I gather?—To a great extent.

5085. You were surprised, I gather, to hear what Dr. White stated as regards the feeling of dissatisfaction that exists with respect to these celebrations?—Well, I didn't feel so much surprise at what he stated as to the celebrations being offensive to Catholics. That was a matter of judgment. But I felt surprised at what he stated with regard to the history of the revolution; as to the way in which he interprets it.

5086. Mr. Commissioner MURPHY.—You were not surprised at what he stated with regard to the celebrations being offensive?—Not so much so, because that would depend upon one's own mind; but I was with regard to the other matter.

5087. Mr. *M'Laughlin.*—Were you ignorant of the fact that eight or nine years ago, as Mr. Gregg has mentioned, a number of Catholics of some little position, and supposed to know the feelings of their co-religionists, publicly appeared in Court to testify to it?—They did, and several appeared in Court that would rather not have come up at all if they could help it.

5088. You are quite right in that. Were they not warned by one of the local newspapers, owned at that time, I believe, by the Sub-Sheriff of the county, that they would be marked as informers if they came up to give evidence in respect to the proceedings that summonses were issued for?—Really, without any attempt at evasion, I have not the slightest recollection.

5089. And was not it because they were told that they would be regarded as informers if they swore against their fellow-citizens that they were afraid to come up—bear in mind I was there?—I have not the slightest recollection.

5090. You were not in the country, but I was there?—I was there, and I was one of the parties summoned.

5091. Do you not recollect that it was specially pointed out to these people by the newspaper, in your interest, that they would be regarded as informers if they came forward?—Without any attempt at evasion I say, as I have stated already, that I have no recollection whatever.

5092. Mr. Commissioner MURPHY.—Some of them you stated, would rather not come forward?—They seemed reluctant to come forward.

5093. To what do you attribute that—was it that they would gain odium by it?—Well, I thought they would rather let it alone, and not come forward. There was not any excitement at that time.

5094. Mr. *M'Laughlin.*—But when they did come forward there was no difference between the evidence they gave then and what they have given here?—Well, I heard some at the other side whose evidence was rather favourable, I thought.

5095. I want to know whether you say that all this excitement dates from the 20th of November last, the day of the declaration of the poll?—Yes.

5096. Do you think so?—I do.

5097. But the declaration of 1868 had not occurred in the month of August, 1860?—It had not.

5098. When we had the other prosecution?—Yes.

5099. I think that was the time of the prosecution you have been speaking of?—The 12th of August, 1860, happened on a Sunday, and we attended in the First Presbyterian Church, and the Rev. Mr. Smyth preached to us, the present Moderator of the General Assembly.

5100. Now, do you still think that the local excitement dates from the 20th of November?—I believe that this excitement, that leads people to arm themselves, and to threaten the extinction of all opposed to them by an exhibition of force, dates from the 20th of November.

5101. Then you would not think that what took place on the 20th of July, which generally goes before August, had anything to do with the excitement. Would you think that the attack that was made on the Hall had anything to do with it; would you think

that that [producing a bludgeon] had anything to do with it, when there was a forcible attempt to break into the Hall?—I believe that should be put in the category of election matters. In the beginning there was a good enough feeling in the canvass, till after the election was over, because I myself accompanied the Conservative candidate into the Catholic neighbourhoods, and he told me once or twice that he was surprised I was so popular with the Catholic party, going about with him; and since the election there has been no man more unpopular. There has been a total change in public opinion, as I can tell by the way in which I am received in various localities.

5102. With reference to the last answer, did you notice any change in the popular esteem between the 20th of July and the 20th of November last year?—Oh, everything was comparatively quiet. I never saw a canvass conducted with more goodnature.

5103. But I am now on the personal fact. You say that the popularity you previously enjoyed, prior to the 20th of November, was afterwards changed, after the 20th of November. Do you apply that also to the period after the 20th of July?—I have been unjustly stigmatised since the occurrence of the 20th July, and I noticed a change of opinion on the part of persons whose opinion I very highly respect; but they were Presbyterians and not Roman Catholics. I may state that one of the magistrates spoke to me about going into the Mayor's office and controverting a statement that I was the leader of the attacking party. It was Mr. Hazlett, now deceased, who was on the bench, that spoke to me about it; and you advised me not to make that statement.

5104. I was on the opposite side?—Yes; you advised me as a friend. The case had closed, you told me, and there would be further proceedings.

5105. And that it would be wise for you, as a friend, not to say anything?—Yes.

5106. An application for a summons against Mr. Ferguson was previously directed, and the Mayor refused it. That clears your mind of the impression against me?—The impression is not at all altered by it. I quite agree with you in your view of it, that that was the reason I did not make the statement; the parties on the opposite side had been friends of mine and clients of mine, and that was the reason I wished to make the statement.

5107. Mr. Commissioner MURPHY.—They spoke to you about the night of the 20th of July?—Yes; and I replied circumstantially; and Mr. Hazlett said I should have made the statement in the Court of Petty Sessions. It was with reference to the evidence of a man named Courtenay that I was the leader of that party, and I unhesitatingly declared I was not.

5108. Mr. *M'Laughlin.*—Were you in the room that night?—I was.

5109. In the room out of which the party proceeded?—I was. I was going down to Moville with my wife, but at the request of Captain Stafford I came into the town, and remained here that night.

5110. Mr. Commissioner EXHAM.—I believe Captain Stafford told you when he went to you?—He did, before the sailing of the boat.

5111. Of course; and you left your wife on board?—Yes.

5112. And he asked you to come and assist him in keeping order that night?—Yes.

5113. That was publicly testified?—I do not like to impute any motive to any person, no matter what his position is. Courtenay may have seen me there, but he is entirely mistaken. I do not at all deny my having been in the room.

5114. The Moville vessel sails at five o'clock?—She does.

5115. And it must have been a little before five o'clock?—I was going down Shipquay-street when Mr. Stafford spoke to me.

5116. Mr. *M'Laughlin.*—You then were at the room from which the attacking party proceeded before the attack was made?—I was, and I saw a party of people there, and they told me they were going to get into the Town Hall. I spoke to them and tried to dissuade them, and their answer was—and I will just state to you in two or three words the whole affair, and have done with it—the answer they made to me was this, that "there was not going to be another Muff's Glen affair." They alluded to the preceding 12th of July when the Orange party had been dissuaded from going through the Glen (and the fact of their not coming up to the scratch was considered by the Roman Catholic party as if they had yielded), and that on this occasion they would not like me to act a similar part in dissuading them. They passed out before me, and I had nothing more to do with it. And I may state, in the same connexion, that there were some very prominent parties members of the Apprentice Boys' Society; but I think at least two-thirds of them were parties unknown to me.

5117. But I believe that those who made the attack were Apprentice Boys?—I do not know. They went down in a body, down the staircase, and I was very much annoyed that I was overruled.

5118. You were there after their return, though?—I was.

5119. You say that your persuasion failed of its effect, because these people said that the fact of the Catholics having ——?—No; they said they were not going to have another Muff Glen affair.

5120. That was a sort of triumph that the Catholics had?—Yes. As they were going down one man said rather waggishly, that they had as good a right to go in and hear Mr. Dowse as anyone else; he was applying for their suffrages. I did not see any bludgeons, I may state, at all. When I was on the street afterwards I saw sticks.

5121. Did you not see dozens of these at the Mayor's office afterwards [producing some bludgeons]?—Oh, afterwards; but at the time I could not tell that they had sticks. When I came out into the street the party were at the Corporation Hall door.

5122. Mr. Commissioner EXHAM.—Did you see these in the room?—I did not.

5123. At the time you tried to dissuade them from going out did you see any of the parties armed with these weapons?—No, I did not.

5124. Or had you any idea that they were?—I do not know; they may have been armed.

5125. But you neither saw them nor were aware of it?—I believe I saw two or three light sticks; I saw nothing of prepared articles like that.

5126. But I mean bludgeons?—No, but short sticks I mean—three or four.

5127. I did not mean that, I meant bludgeons. But did you honestly that night try to dissuade them from going?—I did.

5128. And was that your object in getting out of the steamer?—I would rather not have stayed, and I regretted afterwards having stayed at all.

5129. That is, because you exposed yourself to observation afterwards?—I did; and as I stated before two-thirds of them were not Apprentice Boys at all; and in a body of twelve or thirteen or fourteen there may be political partisans as well as Apprentice Boys.

5130. You regretted you stayed because it might be thought you were there leading the party?—And I may go further than that, and state that I was in the room afterwards, and that there was an excited crowd of people in the room, and I did not know one-half of them, or where they came from. Previously to this I had had a conversation with parties as to getting the streets cleared; and at this time there were two mobs in the Diamond, and stone-throwing was very free. The police were doing their best, and I saw Constable Kennedy and Mr. Stafford there, and it was suggested that I should try to get these people back into the room; and I recollect that while I was there I was standing on a table, doing a little of the part of a mob orator—at least, I was trying to get their attention, to cause them to keep in the place—when there came a party shouting to the place that the First

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Presbyterian Church had been attacked, and that the windows were being smashed. I then went out with the crowd to the meeting-house and the crowd charged on the party down Meetinghouse-row, towards Butcher's-gate; and the rush was so great going down to rescue the meeting-house that I was left in the rere of the crowd, and when I got across Society-street the crowd were down, and a struggle had taken place, and I saw the broken panes in the windows of the meeting-house afterwards; and on the parties coming to the Butcher's-gate on the wall we were met by Constable Bailey and a party of constabulary, who ordered the party at their peril to return, and I then stated to the party that the police were there now and that there was no person on the wall; and they returned with me then; and that was, practically, the end of it.

5131. Mr. *M'Laughlin.*—There did exist an impression, rightly or wrongly, that it was the Catholic party, that had attacked the First Presbyterian meeting-house?—I heard it stated that it was done by what were called the Hamiltonians; that was a phrase at that time.

5132. And I suppose that impression, delusive as it was, that the Catholics did not attack the meeting-house gained more or less consistency from the fact that the senior minister of the First Presbyterian Church was a leading voter for Mr. Dowse, and that Mr. Dowse was proposed by Professor Smyth, who had previously been an assistant minister there. Now, you stated that you did not see any weapons that night when you went there?—Not at the first time. I saw a few sticks. I have before stated that if there were weapons they were concealed; but then it is a different thing if they were concealed. I have not any doubt of it.

5133. You saw some of them afterwards when they came back?—Oh, I saw some of them when they came back; not that peculiar article [referring to a notched bludgeon]; but I saw a kind of short sticks like batons in the crowd. I saw portion of the attack on the Hall from the top of London-street after this party had gone out.

5134. Now, you honestly and fairly gave an honourable promise that there should be no flags displayed or party tunes played or guns fired on the 12th of August?—Oh, no; there was no exception as to flags. Flags were stated in the programme. I am sorry that I have not a copy of the programme, because it stated that the processionists were to be preceded by band and colours. It was understood that the crimson was to be recognised; and Captain Coote told me that, as far as that programme was concerned, he believed that there would be no interference by the magistrates; and we went over the route; I told him the route we were to go.

5135. Now, what was the route they were to go?—He said to me that he hoped we were not going into the Bogside. I told him I had not the slightest idea of anything of the sort. He asked me could we not confine and shorten it; and I stated that a great part of our celebration, and a part that had been most attractive, had for various reasons come to be left out of the programme, and, in consequence, we must employ the day; and I stated that on these occasions where so many people meet I was always in favour of keeping my party fully employed, not allowing them too much time for refreshments.

5136. What was the route?—I think we went round the walls and made the circuit of them; that could not be dispensed with.

5137. That was a *sine quâ non*?—And then we came down Bishop-street, through Ferryquay-street, along the Carlisle-road, and into Bishop-street, by the Abercorn-road at the junction, up Bishop-street and through Bishop's-gate, down through the city and out to the strand back again.

5138. Now, is not it a fact that the going of the Apprentice Boys outside the gate is a thing not at all usual? Oh, we did so before; we went down to the Strand Presbyterian Church.

5139. Ay, but unless when you were going to a place of worship, tell me how long it is since the Apprentice Boys ever did, at a previous celebration, what they did on the last occasion?—For the last seven or eight years we have gone through Shipquay Gate. There being a difficulty in getting the guns over the steps at the Constabulary Barracks we were obliged to make some changes; and we have this time gone along the strand.

5140. That is while the wall was in course of reconstruction?—No; generally.

5141. Would not a man be telling what was true if he stated that it was the usual practice of the Apprentice Boys to march inside the walls—usually?—Well, do you know the reason we went outside this time?

5142. Is not it the fact?—We kept inside the walls to a great extent for the last six or seven years. We were compelled to go outside.

5143. What were the circumstances?—On the late occasion?

5144. Yes?—There was no street in Derry, hardly, that could have held our procession; we could not turn; it assumed far more gigantic proportions than hitherto. You know this town and the little space it has. As we had no guns and had a procession we wanted to show it off to the best advantage.

5145. And the local excitement increased as you increased—did it not?—Well, I believe, as I stated before, that it is within a very recent period that local excitement has arisen to any perceptible extent. I cannot tell what is passing in people's minds.

5146. But, at all events, you honourably and fairly, and in the full confidence of doing what you said, promised to prevent them playing party tunes or firing cannon?—I did, but I said I would be responsible for no individual acts; and the question was also put to me about the carrying of rifles or arms by rifle companies and the firing of salvos over the gates (that would have been a revival of a very old custom); and I stated that such a thing was not at all contemplated, and that that would not be done, and that no cannon of the Apprentice Boys would be brought into the city or fired, and that no small arms would be fired, which I look on as more reprehensible than the firing of larger guns. The firing of a pistol in the street is more calculated to excite than the firing of cannon is.

5147. But on this occasion, the 12th of August, you were powerless to do what you had promised to do?—There was a party tune played on the wall; that is the only place I heard it.

5148. You were there at the time?—I was. The procession was broken up at the time. The procession as a procession was over.

5149. Would you be surprised to hear that there were party tunes played in Bishop-street?—Well, I will tell you two tunes which I do not consider party tunes, "No Surrender," and "The First of August." One is a march adapted from a Prussian march, and the other is a march of the 18th Royal Irish.

5150. Now, do you think that, if the whole of the human race that understand English were assembled in the Valley of Jehosaphat, there would be a man there but yourself who would say that "No Surrender" was not a party tune?—I do not think it is a bit more a party tune in that connexion than crimson is a party colour.

5151. I ask you again, would any man but yourself say "No Surrender" was not a party tune?—Oh, I do not believe it is a party tune taken in connexion with the city of Derry. I believe "Boyne Water," "Croppies Lie Down," and "Protestant Boys" to be party tunes, but that "No Surrender" is not.

5152. Mr. Commissioner MURPHY.—What you say is that this "No Surrender" accompaniment is a local air?—Yes. The reason that I do not consider "No Surrender" a party air is because it is local; it is not in general use, and I have never heard it any place but in the city of Derry.

5153. Mr. *M'Laughlin.*—The words of it are something like this—"We are the boys that fear no noise"?—That is an old version. There was another version made by Dr. McKnight some years ago.

5154. Mr. Commissioner MURPHY.—What was it?—He adapted words to the music in the early days of the——

5155. Mr. *M'Laughlin.*—The tenant-right agitation?—Yes; it was a favourite little morsel.

5156. This tune of "No Surrender" was the tune that violated the compact?—I do not consider it did.

5157. What did you mean awhile ago by saying with some gravity that some of the party did play a party tune, if the tune they played was "No Surrender," which, according to your present gloss is not a party tune?—No; I may state unhesitatingly that "Protestant Boys" was played on the walls.

5158. Did you remonstrate with the people that played it?—I told them not to play it. I was asked in the course of the day, as I said before, by parties not Apprentice Boys, that some party tunes should be played. I said that I had pledged my honour to the magistrates that no party tunes should be played.

5159. Mr Commissioner EXHAM.—Was that played by the Apprentice Boys' band?—It was not the Apprentice Boys' band. The Apprentice Boys' band did not play that air during the day—not to my knowledge.

5160. Mr. *M'Laughlin.*—The Apprentice Boys' band are very much in blue uniform?—Yes; the Britannia and the Hibernia are the two great rival bands.

5161. The Britannia band are the band that are dressed like a cross between a heavy artillery man and a light dragoon?—They have a blue uniform which is very like an artillery dress.

5162. Now, did you ever remonstrate with those people for playing "No Surrender" through the streets on Thursday night last?—I sent word on Thursday night last—(this Commission was pending and I did not wish at all to go to the railway station)—I should state that the party were away on the excursion to Omagh, and that I was not with them at all—I sent word to them that I deemed it altogether unadvisable that tunes should be played through the streets that night. I sent the message to the railway station. I went to the Carlisle-road myself, but I did not wish to go down to the crowd; and I heard them starting playing from the station, and the tunes that they played were certainly some airs that were not party airs; and I came along the constabulary barracks and down by the wall, and I was exceedingly anxious about it on account of the hour of the evening, and I turned down Foyle-street, and joined it up Foyle-street, through the length of the street. I found a large crowd of people, and I thought it was a mixed crowd, but I found that it was nearly all of one class, and I never saw so many——

5163. Of what class were those people?—They were Protestants; they went down to Ship Quay-gate, and passing Ship Quay-gate they played "No Surrender," and then they went up to the Imperial Hotel, where they dispersed.

5164. And they passed through the Diamond?—Yes, they did. I may state also that, until a few years ago, this band was not under my control, though it was connected with the body, and that there was another gentleman who undertook the management of it; and some two years ago, Captain Stafford spoke to me one day on the strand about the practice of bands going out in the evening, and I said I entirely concurred with him that it was a thing that should be altogether stopped. I remonstrated with the leader of the band about it, and he did not treat me with very much respect indeed. I had a meeting of the general committee of the Apprentice Boys summoned, and an order passed that on no occasion whatever should the band appear after nightfall in the street; and with two or three exceptions, such as the occasion I have mentioned, when they played returning from the excursion, the band has never gone out playing on the streets.

5165. Now, about Derry—you have prevented them playing "No Surrender"?—I am entirely opposed to any displays in Derry, except on two great occasions, the 12th of August, and 18th of December.

5166. In the course of your answer, you specially separated into two portions the progress of that band, from the railway station?—Yes.

5167. You were a little anxious and went down a certain length?—Yes.

5168. And you said they played airs whilst they paraded the street?—Yes; going up Ship Quay-street.

5169. And then they began to separate, and played "No Surrender;" and now they did continue playing from the middle of Ship Quay-street, and through the Diamond, and up to the Imperial Hotel, tunes of a character that they had not previously played?—I should have preferred them not to play at all. As far as the playing of "No Surrender," I would much rather they did not play it, but I do not recognise that, however, as a party tune.

5170. There is something about it that would make you think it better not to have it played?—It is identified with the Siege—that is all.

5171. On the 20th of July, doing all you could, you were unable to prevent this attack on the Hall; on the occasion of this procession, doing all you could, and doing it in the fulfilment of a solemn promise, on the faith of which you got liberty to go out through the streets, you could not do it either?—There was no breach of faith by the Apprentice Boys on the 12th of August. It was that brought me into Court—to correct a passing statement of Mr. M'Carter, whom I believe to be honest and sincere, that there was a breach of faith. There was no breach of the engagement made, except on the wall by a band belonging to the city. There was no infringement by the Apprentice Boys.

5172. Mr. Commissioner EXHAM.—He stated that he was not in town that day, and then Mr. M'Laughlin asked him did he read it in the papers or hear it stated that certain things were done, and he said he did?—What I remarked was about the flags, because flags were down in the programme. I will furnish you with a copy of the programme if you think it necessary. I pledged myself as to firing of guns, but individual acts I had no power over, and disclaimed them as a public act.

5173. Mr. *M'Laughlin.*—I think you stated, in answer to a question from the Commissioners, that you considered, in the present state of the law, the ordinary proceedings of the 18th of December and 12th of August perfectly legal?—I do.

5174. And, if the proclamation were removed, you would also consider the firing of the guns?—I would.

5175. And, if the proclamation were removed, you would also consider legal the marching in procession with crimson banners?—Yes.

5176. Not orange?—No; not orange.

5177. Crimson banners and bannerets with "No Surrender" and all that, and firing on the wall, and marching through the town in that way with music—you would consider all that perfectly legal?—Yes, I would, because we have tested the law on two separate occasions.

5178. Now, would you alter your mind, supposing the tune played by the band of the perfectly legal procession that I have been supposing was "No Surrender"?—Oh, I should think this and I would do this—so as the principle of the celebration was preserved. If exceptional circumstances required a slight suppression of any of its details, or if the magistracy requested a certain amount, in certain contingent circumstances, to be dispensed with, I should be ready, and so, I am sure, would the Apprentice Boys be ready, to meet them to the utmost of their power, provided the principle of the celebration was still maintained—to do all in our power to prevent a breach of the peace.

5179. Mr. Commissioner EXHAM.—But as "No Surrender" is looked upon in other places as a party tune——?—I would abandon it at once.

5180. Though you would not call it offensive, if the

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magistrates thought so you would give it up?—Yes, I would.

5181. Mr. *M'Laughlin.*—You think these processions should continue, notwithstanding the state of feeling outside the gates—going on in that legal way?—I do; I see no reason why they should be abolished. I tell you I do consider the Party Processions Act an invasion of the liberty of the subject. I think every class of people have a right to celebrate.

5182. You disregard it now in order to celebrate ——?—There was another matter on which you put a wrong meaning. It was on the occasion of the examination of Mr. John O'Neill. You overheard me when he was giving evidence about the crowd trying to come through Bishop's-gate; I said to Mr. Rea beside me, "I wish they had come," and you took it in a wrong sense.

5183. Yes, as if it was used as a threat?—Yes.

5184. Mr. Commissioner EXHAM.—What was it?—On the evening of the celebration I had an interview with Mr. O'Donnell about the firing of a gun, and he said that all had passed off well with that single exception, and that he was afraid that it would create a spirit of retaliation on the part of the other party, and I said I thought not; and he said that the Hibernia band would come in, and I said I wished they did come, that I would guarantee that there would be no opposition to them. I agree with Mr. Gregg in his evidence.

5185. Mr. *M'Laughlin.*—Then, so far as you can, you will have the usual celebration on the next 18th of December?—I will not answer that question exactly, but I will tell you what I will answer unhesitatingly. There is a far stronger determination to maintain these celebrations now, since the evidence of Mr. M'Cafferty, than there ever was. I know this feeling is very strong, that these celebrations, if they are to be put down, are not to be put down by an armed organization, and I think the Derry spirit would be absent otherwise. I think we ought to be protected.

5186. You think, that so long as the procession is legal, the authorities should protect it?—I believe they should; and I believe they should protect anything legal.

5187. Do you believe that the authorities should protect you on the 18th of December next?—They should.

5188. Although, with reference to the evidence of Mr. M'Cafferty, there exists a stronger determination than previously existed to put it down by force?—I believe that is the feeling of the Protestants of Derry. It is not an unnatural feeling when you read of 700 or 800 revolvers, and 5,000 organized men. I think we are not just exactly the class of people to be put down. I think that is calculated to increase the excitement, and that there has been a great increase of excitement.

5189. Mr. Commissioner MURPHY.—I think you and a great many would be fired with the notion that "We won't be put down in this way," and "We won't be afraid of them;" but supposing you, as a sensible man, attached any belief or credit to what is stated by Mr. M'Cafferty, and apprehended that there would be an armed opposition to it, do you think it would be worth celebrating such an event to have more civil strife between persons who are not natural-born enemies one to the other, between fellow-Christians living in one city—do you think it would be worth while celebrating such an event, no matter if it were the greatest in Europe?—Well, if it were legal I would not be a party to consenting to an abandonment of the celebrations.

5190. No matter what the consequences?—Well, I think the authorities are the parties who should protect us. Then, no matter how innocent a thing it is in itself, or the contrary, people are not to take the law into their own hands and crush it by force. But I will candidly tell you that I feel that the Apprentice Boys will not surrender the celebrations; they may modify them to some extent, but still, especially after the evidence that has been given, I believe they will not give them up.

5191. What would be the consequence if, on the next 18th of December, the authorities did not interfere, if there was no military or constabulary force here (your celebrations may be a great source of gratification to you and others, but yet the authorities of the country are not bound to maintain them, at least one does not see any moral responsibility thrown on them to incur so much expense—if it was nothing further than an illustration); supposing now that the authorities said on the next 18th of December, "We shall have no constabulary force here; we shall not interfere; celebrate your event as you have been used to hitherto;" and if you thought then that there was any truth in what was stated by Mr. M'Cafferty, what would you think would be the natural consequence?—I would go on with the celebration.

5192. Suppose you did, what would be the consequence?—I would keep it in such a way—I would leave out of it anything that would be calculated to give offence; I would dispense with the playing of tunes, or going outside the walls.

5193. Do you think there would be any armed opposition?—I do not.

5194. Then it comes round to this, that you attach no importance to what is stated by Mr. M'Cafferty and other witnesses?—I believe it is slightly exaggerated.

5195. And, if you believed that there would be armed opposition, and that shots would ensue in consequence of it, would you then persist in it?—I cannot say. The parties that I act with are parties that generally act and think for themselves. I only exercise a certain amount of legitimate influence with them, but it is by the vote that all these things are determined; and if I might state candidly my opinion, I believe that the opinion of two-thirds of the Protestant population of Derry would be, "Do not abandon the celebration."

5196. But, supposing the 12th of August came round, and that that event was being celebrated, and that those who were engaged in the celebration were encountered by armed opposition, and that a conflict with deadly weapons ensued between the two parties, and that two of your men were left dead on the wall after that conflict, and two of the opposite side, and that you came over the dead bodies there, what would be your opinion that evening?—My opinion would be that the magistrates and authorities were to blame in not taking the necessary precautions.

5197. In not taking the necessary precautions! But tell me this:—When you had looked at the men there, your own fellow-citizens, lying cold and stark and stiff on the summer evening, would not you regret all the days of your life that you had not exerted yourself that morning to prevent that celebration?—I cannot look upon it in that way at all, sir. I should regard as wholly and solely in fault those that had made an armed invasion upon a peaceful body of celebrants.

5198. Suppose I go with you to the fullest extent in that, that the other parties were in fault in daring you; but still—these are the consequences of this day's celebration, and what would your own conscience say to you looking at them—would you celebrate the 18th of December following, thinking the same consequences would ensue?—I would not; but I would not recede from the position of a celebration.

5199. I know that you would not if you thought that your pride and honour were involved; but still ——?—I certainly cannot see how I should be a party to—— I am engaged in a peaceful celebration of an event celebrated for the last 120 years; we are doing this thing which we have always done; these people taking the law into their own hands come as an organized armed mob on a party without arms, and in the exercise of what is undoubtedly a legal right, and the celebration would rest on that.

5200. But do you think that if you could have prevented the celebration yourself, you would feel in your own conscience exempt from all blame?—I should feel an amount of responsibility; but there are certain

positions that a man is to take because there are great principles of liberty involved in them.

5201. And do you think that your principle is so much at stake that you are free to celebrate it, no matter what the loss of life may be?—I think there are greater matters at stake than that, because I think that if everything is yielded, even the right to meet and celebrate an event, other demands will have to be met—perhaps the wall itself taken down shortly or Walker's Pillar.

5202. Mr. *M'Laughlin.*—Did you ever hear that suggested?—I say that with this yielding to everything every little demand is made afresh.

5203. Mr. Commissioner EXHAM.—You say now that as long as it is legal you and the Apprentice Boys look to the protection of the Government?—We do; but we consider that the force of police brought here on recent occasions were not at all required. There was nothing in our experience to require it.

5204. You assume that the law will be carried out by the Government; but suppose, as my friend put it to you, that you were apprised that no police would be here at all, would you think it more advisable not to hold that demonstration, and to appeal then to the constituted authorities?—I do not know what action would be taken by the body, but I believe they would hold the celebration as usual. They have done it without any police force here.

5205. Is it or is it not your opinion, that it would be more advisable, in all and every part of this country, from Cape Clear to the Giant's Causeway, to put down demonstrations of every kind?—I think that the demonstrations being held at present in the South of Ireland are most distasteful to the loyal population in the North.

5206. Then do you not think it advisable to put down demonstrations of every kind, which may give offence, or do give offence, to other people?—No; I think that every party should have the right to celebrate their anniversaries under certain restrictions, so that there should be nothing offensive to other parties—— that both Catholics and Protestants should have a perfect right. I do not think that the Party Processions Act would be tolerated in any other country but Ireland.

5207. Mr. Commissioner MURPHY.—You said provided that there should be nothing offensive to other parties?—No; I said provided that no insult was offered. I believe that if a person utters an offensive shout or plays an offensive air that that is wrong—or yelling or groaning at persons of a different political opinion; because those are things in a procession calculated to make it offensive.

5208. Mr. Commissioner EXHAM.—You stated that you yourself took the precaution of getting a resolution passed against band playing in the street?—I did.

5209. You think it would be right to put that down?—I will tell you why. Here is a book of the rules and regulations of the Apprentice Boys, and the celebration is only on two days [hands in book of rules and regulations].

5210. There is another matter to which I wish to ask your attention. You have already stated to-day here that you came to answer any questions that we might think right to put to you. I do not know whether you are aware that it was stated here that some time in the course of last year you made a personal threat yourself with regard to——?—Shooting?

5211. With regard to shooting, I believe?—I was——

5212. I want to know if you did that and if you wish to give any explanation about it?—Well I do not know; I cannot at all tax my memory with having made use of that expression. I have repeatedly gone into Mr. Hempton's shop to buy my illustrated London paper, and we have had a great deal of talk about many subjects, a great deal of what is vulgarly called chaffing; but to the best of my memory I did not say that, and I do not know there is any of my Catholic fellow-citizens who would at all tax me with such a thing. I recollect on one occasion I had a conversation with Mr. M'Cafferty in Mr. Hempton's shop, and Mr. Hempton was present—on the occasion of the riots in 1868. It was all about a covered car that had been stopped at night in Foyle-street by some of the Dowse party. Mr. M'Cafferty said he was glad he happened to be there, because Lord Claude was in the car with Mr. John Munn, since deceased, and he was very happy to be present to prevent him being annoyed. I asked what right had they to stop a covered car at midnight in the street with a body of roughs. He said they had a perfect right, and I said they had no right, and I said that a man was entitled to shoot another who should stop him under such circumstances, with a revolver; and he said that I had no right to make use of such an expression as that; and I said that when a party stopped a car at midnight it might be lawfully assumed that personal violence or robbery was intended. That is all I ever remember having occurred in Mr. Hempton's shop. But I remember conversations having occurred between Mr. Hempton and myself, when I went in for the paper, about the election, and the constabulary—I had always kept on friendly terms with Mr. Hempton—and we talked about growing tobacco.

5213. But the statement made was that you said that in a certain event the Apprentice Boys would shoot down the Catholic electors?—Well, I do not remember having made use of the expression.

5214. Mr. *M'Laughlin.*—Will you say you did not?—I do not believe that I could be capable of making use of such an expression—so gross.

5215. Mr. Commissioner MURPHY.—Did you say any such thing seriously?—No—never.

5216. Mr. Commissioner EXHAM.—Was there such a thing contemplated?—Never; I should be content to take the most solemn oath as to that.

5217. Mr. *M'Laughlin.*—Let Mr. Hempton say what he says he said——?—I am positively certain that I made use of no such expression as what was attributed to me.

5218. You had no such intention?—I made use of no such expression as what is attributed to me. There may have been something capable of being twisted; but I never made use of such an expression as that.

5219. Mr. Commissioner MURPHY.—Did ever any such thing enter into your contemplation?—Never, so help me God.

5220. Or the Apprentice Boys', to your knowledge?—Never; they had no means of doing it. I attribute the excitement that has occurred to the elections, and not to the celebrations. There has been no inquiry at all as to those occurrences that took place on the 2nd of November, nor the riot which resulted in the loss of life, and I think I am in a position to throw some light upon those matters. There is something in regard to the gun-room, and the loaded cannon, and the state of affairs there, that I am quite competent to speak to you about, and also in regard to the night of the riot, when I was thirty feet in front of the men shot, when I saw the constabulary firing—not as constabulary. I could not identify them, but I saw the flash of the guns.

5221. Mr. Commissioner EXHAM.—About that night, and about those guns, will you tell us what occurred?—The evening of the election—I want to state in justice to the party with which I am connected—on the evening of the election, when Lord Claude's prospects of success had altogether vanished, about four o'clock in the evening, at the committee-rooms, he asked me to use my influence with the parties who were friendly to him, and the working classes, to retire to their homes. He said he was most anxious that nothing in the shape of violence should occur. There were four or five hundred sympathisers with his party that I took down a lane to the rere of the Imperial, to this gun-room; and I suppose you know it was used partly as a gun-room; it was formerly a coach factory; and I took this party down there and dismissed them, and begged of them to return home,

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stating that an express injunction was laid on me by Lord Claude Hamilton to that effect; and there was a crowd or procession with tar-barrels came up Bishop-street, opposite the Imperial.

5222. Are you speaking of the night of the election?—Of the night of the election. I was standing on the steps of the Imperial Hotel, and one of the stones fired from that crowd as they passed struck me. I addressed the crowd in front of the hotel, who were very much excited from the crowd passing, and begged them to go home.

5223. Mr. *M'Laughlin.*—The hotel was Lord Claude's committee-room?—Yes; I asked them to go home, and the tar-barrels passed, and some very excited individuals cried out, would that be allowed, or something of that sort. However, I and some other gentlemen asked them to go home, at the request of the defeated candidate; and at this time I had dismissed this party from the gun-room and returned to my own house, and was sitting at tea with my wife and family, when my house was smashed in, and a tar-barrel was thrown into the hall. The hall-door was smashed in; the panels were smashed in.

5224. Mr. Commissioner EXHAM.—Do you mean a lighted tar-barrel?—A lighted tar-barrel. I had gone home very much fatigued after the day. I live at 9, Queen-street, immediately opposite Mr. Hogg's factory. I came out, and, in consequence of what happened, there was a guard of police came down, and I went up to the Cathedral, where was a party of very respectable people, with the two churchwardens, guarding the tower of the church, and I then went to the gun-room, and was informed that there was an attack made upon it, and a great deal of glass broken by stones, thrown by this procession with tar-barrels, on the wall. If they got at the guns, they could easily have run them out into the street. There was a great deal of excitement at the gun-room that evening, and I was myself a good deal excited by the progress of events and the fatigue I had undergone that night, and I remember clearing that room out, and I remember there were drunken individuals in it—some of the tag-rag that always follow in the wake of an election, wanting money and drink—and I was disgusted with some of them, and took some of them by the neck and flung them out of the room. Some quiet people who were present said that they did apprehend a recurrence of the attack, and I made a representation to Captain Stafford, that a sufficient force of police should be put upon those rooms, and I would have the rooms cleared out, and they were cleared out; and I am prepared to state unhesitatingly that there were no guns loaded on that occasion. I know it for the very best of reasons, that I tested them afterwards.

5225. Do you mean the same evening?—The same evening. I put the rammers into three or four guns that were mounted. There were fourteen or fifteen guns in the place, and there was barely room for them, and there were three or four of them in a mounted position; and those are the guns referred to; and there was a number of brickbats in the room, and a number of pieces of crockery in the room. I remember that distinctly; and I remember that several of the brick-bats were gathered up in the windows, and put there to repel those outside; and they had more faith in them than in the guns.

5226. On the next night were you in town at all?—On the next night, Saturday evening, after the declaration of the poll, there was a scene in the court-house here, and some of Lord Claude's supporters were thrown at and badly used by the mob, and I was myself attacked, and escaped through the kindness of political opponents. On that evening a large crowd attacked the gun-room again, and it was with the utmost difficulty that the police succeeded in preserving them; and at the time the attack was made I was engaged in giving some money to some parties engaged in the election, and word was brought to me by a party on whom I could place implicit reliance, that the gun-room was again attacked, and on that evening, after I had settled my financial affairs, I went up, and I found that in Society-street the windows of the Protestant residents had been broken, while the Roman Catholic houses were not touched. Our room had been attacked, but there was very little glass in it to smash, and the panes were broken, and we had them barricaded up. Under those circumstances, I got some people that I could have some dependence on, that were neither drunk nor wanting in intelligence or moderation, and made arrangements with them to remain in the room that night, and take what precautions were necessary for the defence of the place. As to whether they loaded the guns or not I cannot say, but I say this, that there were seven or eight people of a quiet, determined disposition, that could be depended on, placed there in the possession of the rooms during the night, with instructions from me to allow no fellows in there who were drunk; and I can mention the names, if you please, because the names of the parties that were there are a sufficient guarantee that they would not do any overt act except in self-defence. On Sunday evening, after returning from Church, coming up through Waterloo-place again to the town, I saw a body in military array, who came up through the city; they were supporters of Mr. Dowse, and they turned and they came up through the streets and paraded through them, three or four deep; and I went to look for the stipendiary magistrate, Captain Slack, but I missed him, and came down to where Head-Constable Bailey I was told was, in Mr. Warnock's; and at this time this body, led by a man who was convicted for it, and suffered two months' imprisonment, came down Society-street towards the gun-room. There was no excitement in the street, nor one of our party in the room at the time. When I was going to Bailey the respectable Roman Catholics were running past, and they shouted—"Hurry, get the constabulary, or you will be too late; they are getting the cannon out into the street." I went up, and the constabulary, under Captain Stafford, arrived, and were placed facing the mob; the ringleader was arrested; one constable, I am sure, got a severe wound. It was with great difficulty Captain Stafford got the mob thrown back out of that street, and, at my request, he put a sufficient force on to guard the room. Now that is the history of the affair, and I think it right to say that our room was attacked on three several occasions. Now, as to the 9th of February, it was correctly stated by some witness that a determination had been expressed by the inhabitants inside the town, that if that procession came in they would defend themselves. I told the late Mayor so.

5227. Mr. *M'Laughlin.*—By the inhabitants inside the walls, do you mean the Apprentice Boys?—The inhabitants—the Apprentice Boys if you like. I told the Mayor they would protect the gun-room—would protect their property.

5228. Mr. *M'Laughlin.*—The idea of calling the Apprentice Boys the inhabitants inside the town, when there are a large number of Roman Catholics inside the wall, is really too good?—The Apprentice Boys are a portion of the inhabitants.

But they are not all the inhabitants.

5229. Mr. Commissioner EXHAM (to witness).—No matter. Do you say on the 9th of February you apprehended another attack on the gun-room?—We were attacked, as I said, on three several occasions.

5230. But you say you informed the Mayor of that attack?—I did, the night before.

5231. And measures were taken to prevent the procession coming in—constabulary were placed on the gate?—Yes. They did not come in that night.

5232. Mr. Commissioner MURPHY.—We need not go into further particulars as to that. Come now to the 28th of April. Were shots fired that night in the street?—There were.

5233. Were the shots fired before the policemen fired?—I heard not where the policemen were. The shots that I heard fired were in Society-street, after

eight o'clock in the evening. I was in my office, when I saw what is called the Fenian Band—the Hibernia Flute Band come up, followed by a crowd. I should tell you that in the early part of the day the Apprentice Boys fired a salute of honour on the arrival of the Prince, as he passed through Bishop-street. He had come down from the railway by Abercorn-road. Intelligence was brought to them on the Wall that there was a party at the railway station with a flag with a harp without a crown, and a number of the Apprentice Boys instantly refused to fire the guns. They stated their dislike to be employed that way. They would sooner be an escort, or continue with the Prince, and preferred to get off firing the salute. At my request I got them, somewhat reluctantly, to come back, stand by the guns, and fire the salute; and accordingly the royal salute of twenty-one guns was fired when he entered the Corporation Hall, and after the presentation of the address twenty-one rounds were fired. They then came down Bishop-street, and stopped opposite the Imperial Hotel, and the Tradesmen's Band, which I don't hold to be a party organization, which I don't at all class with the Hibernia Band, came inside the gates. I believe that band is exclusively of tradesmen, but it has never been accused of any party proclivities of one kind or another, nor do I believe that they play tunes which give offence to the Apprentice Boys — the Protestant party. It is desirable I should tell the Court about the carrying of this flag. A number of respectable citizens told me afterwards that they were almost about to tear it into atoms. I will not mention names, but one of the parties was formerly in Her Majesty's service, and I believe it was on that account he said it. I was in my office, about eight o'clock in the evening, when this band, carrying the flag they had in the earlier part of the day, passed. Some person before that had told me this band was going out; and I sent the Britannia band some money to get a glass of ale—that is the fact,—and I told them to go home and take off their uniform, so that their going through the town would not create any excitement of animosity. Well, as I said, I was in my office, about eight o'clock, when this band passed up, playing "Patrick's Day." They came up Shipquay-street, and passed through the Diamond, where there was a large crowd (previous to this the town was perfectly quiet), and as they passed through the Diamond there were shouts for "The Irish Republic." It passed up towards the Imperial Hotel. I saw a number of parties with girls near the flag; and knowing there was no necessity for the flag to be out, and feeling that perhaps some fighting would go on, I came out. The greater portion of the crowd passed along and went towards the Wall, some of them accompanied by female friends. I was then, I believe, at the Wall when I heard those shots fired, which was the first part of the transaction. On the return of the band it went out of the town through Butcher's-gate, and the result it left after it was excitement and rioting between that and half-past nine o'clock. I went up at one period to the Corporation Hall, where Sergeant Kennedy and a force were drawn up alongside the Round-room, and I asked them to come with me to try and avert bloodshed. One or two parties opposed to me in politics and religion were present, and they can corroborate me if necessary. The police refused. They said they had been badly treated before, and they would not move without the order of a magistrate. I went three times to the Imperial Hotel. The hotel-keeper peremptorily refused to take a message. I saw Mr. Stafford and Mr. Thompson there on the last occasion. Previously I had gone to the Wall, and I found it completely quiet. I heard party cries—political ones. I heard one side shouting for Dowse, another for Hamilton; but I heard no cries of "To Hell with the Pope." I heard exclusively political cries.

5234. Mr. Commissioner EXHAM.—As far as you heard?—As far as I heard there were no cries that could be identified with anything but politics. When I went to the Wall it was a little before eleven o'clock. It was completely quiet. There was no crowd at Butcher's-street at all, as far as I could understand. I went to the Imperial Hotel again; and seeing there Mr. Thompson and Mr. Stafford going down towards the Corporation Hall, I went on the Wall and acted with Mr. Thompson and Mr. Stafford in calling the parties off. Captain Stafford thought they had gone into the gun-room. Unfortunately, I myself prevented them going in, for the obvious reason that I did not want a crowd to congregate there; but I thought of the guns at ten o'clock, and that there was a possibility of some of the parties getting them out. This was after ten o'clock. I succeeded in getting them away, and they went down Society-street cheering. I came down the street towards the Diamond, in the rere of the crowd, talking with some person, as well as my memory serves me, not connected with any party, but a young man in a commercial establishment. At the end of the Diamond, in the rere, we came to a temporary halt, and I crossed the street. I had a view of the crowd as they turned along the foot-path, and there seemed to be like some people between Hagerty's corner and the Corporation Hall. There might be a large or a small number; and those that were in front called out, "Put them out of it," and there was a little rush of the party towards the corner. I ran backwards, keeping by the gutter, till I got in front of the crossing, where the men were shot, and immediately in front of the crowd. My object was to prevent a collision between the parties. I found no one in the Diamond. I would say no one except a few running on by the corner, but I saw no opposing crowd. I saw dark figures down towards the lower end of the Diamond. There is an iron railing connected with the Corporation Hall, and I was standing beside that railing peering into the Diamond, at least thirty feet in front of the crowd, which, in my opinion, never went over the crossing into the Diamond proper. I was in that position when the firing commenced. I was perfectly innocent of any intention of firing, and I was not at all disconcerted. I saw eight or nine men immediately in front; and I saw the flashes; and then I saw two bodies lying across at Butcher-street, near to Hagerty's or Donaghey's corner, and another lying extended on the crossing. Instinctively I thought the men were dead.

5235. Mr. Commissioner EXHAM.—Before you heard that firing had you seen any flashes from the people?—There was not. There were two or three dropping shots before—they came from the same direction—then there were six or seven shots. I could not make it out at all. I had not the slightest idea at the time that the constabulary were firing, and when I turned round and looked I saw the bodies lying on the ground.

5236. I would wish now to ask you a question about the local force. Is it the fact that the local force have acted as the vanguard of Apprentice Boys' processions?—Never. I never saw them as the vanguard. They have acted, on various occasions, in the preservation of order as they should do.

5237. Have the constables ever walked in front of the procession?—I remember some six or seven years ago, when there was a great crowd, some of the constables were in front of the procession, clearing the people out of the way.

5238. They were not protecting it?—They were there merely in the exercise of their duty.

5239. Mr. *M'Laughlin.*—In all these transactions, you have volunteered to tell us about, it has happened that you were there?—I was. I am speaking from my own personal knowledge.

5240. You say when you heard the shots in the Diamond you were not disconcerted?—I was not. I did not think it was the constabulary. I did not think till the firing began. What I mean to say is this—I was not personally disconcerted. I did not think that the shots—that there was danger I would be shot myself.

5241. Then, shots fired that way were so usual from your experience of the last six months that they

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did not disconcert you in any way?—They might if I was in the party.

5242. You were thirty feet in front of the crowd?—I was twenty or thirty feet from the crossing where the men were killed.

5243. In front of the advancing crowd?—At the time of the firing I cannot describe my sensations.

5244. Would you think it a great delusion that people, who do not know the real facts, should think you were there as something in the nature of a leader?—I was not in front of the party on their approach to the street; but in the rere, and until the cry was raised—"Put them out of that, boys," I did not come to the front; when that was said I ran to the front of the crossing.

5245. Is it not the fact that you are one of the securities for Barker?—I am.

5246. Is it not the fact that you had charge, to a great extent, if not exclusively, of the prosecution in which Mr. Rea appeared for Moncrieff at the Mayor's office?—For the first three or four days; during the whole of the rest of the time the expenses of the investigation were paid out of a fund of which I was trustee.

5247. Now, with respect to these drunken and ill-conducted men that were with the cannon—they were there?—I called them out, and they came out; they had no more to do with the Apprentice Boys than you have.

5248. But, at all events, they were drunken men? It was just on the night of the election—there were drunken loafing fellows following me through the town in every direction.

5249. You had charge of the financial matters?—I was not so financially engaged as Mr. M'Cafferty.

5250. You had a good deal to do with the election?—I had, but I did not consider myself in the light of an agent. I acted from principle; not for pay.

5251. From mere love and affection and for the love of the thing?—Well, from principle, and personal attachment to the candidate.

5252. The Bog-side party could easily, you think, get down the street and run out the guns?—No doubt, very quickly, and we were very glad to get protection.

5253. But those inside the room could run them out just as quickly?—They could; but when run out they would meet a blank dead entrance-wall within six or eight feet.

5254. Suppose they were run out within a perch of the dead curtain wall?—Well, suppose they were.

5255. Would they not be near the front of the city wall?—I think you want a little engineering turn—that is to say, if they brought them out of the door and fired them in that position; why, they would have killed themselves—that is all they could do.

5256. Pardon me. If brought out and turned any way you like, could they not be made in one direction to command Butcher's-gate and the other way Bishop's-gate?—They could.

5257. Did not Inspector Stafford say that on the 19th of February the Apprentice Boys' party in Society-street, when the Catholics were running down Bishop-street, were in such force that he had to drive them back at the point of the bayonet?—I believe he is correct in that statement.

5258. Were you there at that time?—I happened to be unwell immediately at the time that occurrence took place, but I may tell you that the Apprentice Boys, or a portion of them, thought they were very badly treated by the police. The expression some of them made use of to me was that they were charged with the bayonet, by Captain Stafford, at the very time they were going up to prevent the police being murdered at Bishop's-gate. There was an attack made by the procession on the police, and they sustained very bad usage. Men came running to Society-street saying that the police were beaten back and attacked by the Bog-side mob, and the Apprentice Boys, or some of them in Society-street, ran up to save the police, and were charged by them.

5259. The Apprentice Boys suddenly appeared in the room, they not being there before?—They were in the room. As I said before, I told the Mayor before that I anticipated an attack.

5260. You put the rammer into the guns to see whether they were loaded or not?—I did.

5261. Why did you do that?—I thought it was a precaution to do it, because I was not always in the room during the time, and I will not conceal that some very hot people were for charging the cannon, and I got the room clear of all those excitable individuals—people, the majority of whom were not connected with the body at all—people with whom I had nothing to do, and whom I put out of the room for they were a disgrace to any society—the hangers-on at every contested election.

Mr. Commissioner MURPHY.—We have had evidence of these particular facts before, and really the evidence given by Mr. Ferguson now is only in explanation of his own conduct, to show he had nothing to do with the loading of the cannon, and that he does not believe they ever were loaded at all.

5262. Mr. *M'Laughlin.*—I would think it important to ask the witness whether all the cannon were on the same floor in the coach factory?—I think they were.

5263. At all times during the excitement of the election?—I should say that none of them were up stairs.

5264. Do you believe they were?—I don't believe they were.

5265. Did you hear it stated publicly that the upper room was shored up, the house weak and old, and that the meetings of the street committees were held in the two upper floors, and that guns were there too?—No. I was often on the upper floor, and I never saw guns there.

5266. Mr. Commissioner MURPHY.—You did not direct them to be taken there?—No.

5267. Nor did you see them?—No. It would be nearly impossible to take them up or down the stairs, the place is in such a wretched state.

5268. It is right, I should say, with respect to one matter that was in issue before us, namely, the part you took in the transactions on the night referred to. Mr. Stafford and the constable stated that you aided them in the preservation of the public peace, and I must say your coming forward yourself and making the explanations which you have made confirm that statement in the fullest manner, and we are very glad to find that you had no part either in the firing of the pistols in the street or the loading of the cannon, which, if it was a fact, is certainly a very alarming proceeding?—I certainly had no idea at all that these guns were ever loaded in that room.

Mr. Commissioner MURPHY.—I think it is only fair to say that, as Mr. Ferguson is the commander of the Apprentice Boys' party. But as to the acts they did—certainly some of the acts deposed to would I hope make him think it would have been more desirable if he had not been their commander—and whether for the future he would not disconnect himself from them.

Witness.—I will give you my candid opinion that I never saw anything in the conduct of the Apprentice Boys that would make me at all anxious to dissolve my connexion with them, but very much to be proud of. I think there is not a better conducted and more moral set of men in similar societies, or in the world.

5269. Mr. *M'Laughlin.*—Is it not the fact that there are many persons who wish their sons or relatives had never seen the society, from the facilities for getting drink, being out late at night——?—No doubt there have been parties connected with the Apprentice Boys who kept open houses for young men of tender years, brought them into places and gave them whiskey. I believe it is notorious that such things have been done, but that does not apply to all. I have known a young man's father to come to me and ask me to keep his son from the meetings, but I never saw him at the meeting, but there were years ago certain parties connected with the body who made a practice of keeping those young men at their houses and giving them whiskey, and that, no doubt, was most reprehensible.

William Thompson, esq., J.P., examined by Mr. *M'Laughlin*.

5270. You are a magistrate of this city, and have been so for some time?—I am, for some months past.

5271. You have resided for a long time here I believe?—For about forty years.

5272. And I suppose had many opportunities of knowing the state of feeling among the different persons residing in the city?—To a certain extent I have. I am a close man of business, and I attend to my business.

5273. You have heard a good deal of the evidence given here?—I read a good deal of it, and I heard a portion of it.

5274. Having heard the evidence then, or read it, and forming an opinion upon it, as a gentlemen of experience in the city, who, I am sure, is anxious for the peace and well-being of the city, and that the members of all different communities should, as far as possible, live in harmony the one with the other, what is your opinion with reference to the continuance or discontinuance of those processions—in the first place, do you think they give offence to the Roman Catholic people?—I have no doubt that the Roman Catholic population do take offence at them.

5275. Do take offence?—Yes; and I think it would be a great matter for the town if these celebrations were put an end to.

5276. And of course the celebrations at the other side too?—I think if both parties could come to an understanding in reference to their discontinuance, it would be the best thing that could be done.

5277. That is for neither party to have any insulting display?—Yes; and I think that could be best done by the parties uniting together and arranging it, without an extraordinary enactment towards Derry at all.

5278. Don't you think reasoning among themselves would lead them to the abandonment of these displays?—I think it would—these outer displays.

5279. And you think it would be desirable to have this done?—No doubt of it.

5280. I suppose you concur in the proposition for the substitution of constabulary for the city force?—I am myself a member of the Corporation, and that is a question that has been before us frequently, and we did consider it would be a beneficial thing to have done three years ago; and I am still of opinion that the local force are not as efficient as they ought to be, and if we had a proper arrangement with Government, to give us the constabulary at a moderate cost, I think it would be of great advantage to the city.

5281. So far as the local force are concerned are they as efficient as they ought to be, as an organization who are not armed or properly trained?—They are not; but, so far as the discharge of the duty coming under their particular line is concerned, such as watching the town and preventing burglaries and larcenies, they have been effective, I believe, and have done their duty as well as they could.

5282. Mr. Commissioner MURPHY.—I think that a very satisfactory opinion to have expressed of the police.

5283. *Witness.*—I was just going to refer to a statement made at the beginning of the proceedings by Mr. Hempton, where he charged the magistrates with partiality. My opinion is, from the time I first took my seat on the bench up to the present, I never saw anything but the greatest care evinced by the magistrates, in the investigation of cases, to discover, if possible, who was to blame, and which were the guilty parties. I don't suppose that every decision they pronounced gave satisfaction to all parties. I suppose, in the highest Court of Law in the land that would not be the case, for the defeated party is generally fond of finding fault. Mr. Hempton complains particularly of the Lord Mayor and myself, for having found fault with two constables for arresting a man. The facts are these:—A man was brought before the magistrates, and Mr. Hempton preferred a charge against another man for firing stones through his window. This man that was brought before us did not seem to have taken any part in the offence, and what we blamed the constables for was not arresting the man who threw the stones. The fact was, the man who did throw the stones ran away, and the constables arrested a man that was standing by his side. Mr. Hempton said this man was in company with the other, but he gave no positive proof, and we thought it would be rash in us to treat the man, who was merely standing quietly by the side of the other, as if he was the person who was guilty.

5284. Mr. Commissioner MURPHY.—That is what I thought myself. You could not say that the case was proved sufficiently clear to warrant you in sending it before a jury in a box. However, Mr. Hempton went further, and said that the constable was censured by the magistrates; but now, when the facts are detailed to us, it bears a different complexion—that what you censured them for was for not arresting the proper person?—Exactly, for not taking the proper person, and arresting a man who was merely standing in the Diamond. The man who threw the stones escaped, and this man did nothing.

5285. You are a Conservative in politics, I believe?—I am.

5286. And Sir Edward Reid is a Liberal in politics?—I believe he is.

5287. And Mr. Tillie is also a Liberal?—He is also a Liberal.

5288. He gave evidence concurring with yours as to the anxiety of the magistrates so far as they can to do their duty; but with reference to the impression being abroad that the magistrates are not impartial, do you think there is such a widespread feeling as he heard of?—I never heard of it until in this Court, and I think the magistrates are done a great injustice to. I believe, than the magistrates in Derry, in the discharge of their judicial functions, none could be more impartial. I never heard the contrary even hinted at.

Mr. Commissioner EXHAM.—Of course we could not help the evidence being given; but we are now giving the magistrates every opportunity of clearing themselves.

Witness.—I think it is a very serious charge, and I think it important that the magistrates, above all others, should be kept above suspicion, otherwise, I think it would leave a very bad impression in the country. Another case mentioned by Mr. Hempton was that where a man was fined 10*s.* for striking him. I was not on the bench on that occasion.

Mr. Commissioner MURPHY.—The fact was proved, and the magistrates convicted and fined him 10*s.*; and the only question is whether they should have imposed a larger fine, or sent him to prison without the option of a fine; of course we look at the thousand things that must operate with magistrates. In the first place, if a man's parents are respectable, and he has never been brought up before, they may not like to send him to gaol for the first offence, and would rather inflict a fine, and perhaps they considered a fine of 10*s.* sufficient. There are a thousand and one things of that nature that must operate on the minds of magistrates. But with respect to the case of Barker, who was admitted to bail on the production of the information, it appears that the man was not charged with wilful murder at all; and I think it was a case in which one magistrate might fairly think it was a case for bail, and another that it was not.

Witness.—It was just such a case, and there was a difference amongst the magistrates.

Mr. Commissioner EXHAM.—And you thought it was a case for bail?—I did; and Her Majesty's Government thought the same, for the man is out yet.

5289. And you allowed him out on bail?—We did; on solvent bail.

5290. Mr. Commissioner MURPHY.—Do you think,

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considering the state of things, and the bitter party feeling prevailing undoubtedly among certain parties in this city and borough, that, in cases having a political character or aspect, a stipendiary magistrate should be allowed to act alone. I mean that the other magistrates, as Mr. Tillie said, would prefer he should act by himself in such cases, and that that would be more satisfactory to the magistrates for a short time?—That the stipendiary should decide solely?

5291. Yes; supposing you were on the bench and a case of that kind arose, that you would allow him to act by himself?—Well, I do not know. In any case where I acted with Mr. O'Donnell, the stipendiary magistrate, we got on very pleasantly together. He has given us great assistance, and it is a great thing that we had it; but I am not prepared to say that we would leave these cases entirely to him. Of course we would rather have his assistance on these occasions, for it is valuable at all times. There is another matter I would take the liberty of referring to and giving my opinion upon, namely, that Roman Catholics say they are not believed on their oaths so readily as the Protestants. I can speak for myself on that point, that from the time I was twenty years of age I have treated the Roman Catholic the same as the other, and have always treated their oaths with equal respect since I became a magistrate. I would make no difference between theirs and any other man's, and I would believe the one just as implicitly as the other.

5292. Mr. Commissioner MURPHY.—Whatever credibility could be attached to one man more than another, it is not his religion you would inquire into as the cause for believing him?—Decidedly not.

5293. And all the other magistrates are of the same opinion?—I believe them to be. They have not any feeling against their Catholic fellow-citizens at all.

5294. Were you at the meeting on the 12th of August?—I was, and it was there decided that if the programme submitted was carried out there should be no interference at all.

5295. It was understood there was a large force of constabulary and military at hand?—Yes, there were 170 constabulary and some military in readiness, lest anything should occur.

5296. And the carrying out of the arrangements then entered into was entrusted by the borough magistrates to the Mayor and Captain Coote, R.M., and Mr. O'Donnell, R.M.?—Well, no. The other magistrates were there too, to take charge at the different places in the town. I was obliged to go to Liverpool myself. Mr. O'Neill was in charge of the constabulary at Butcher's-gate, and we took every precaution we could for the preservation of the peace.

5297. Mr. *M'Laughlin.*—It would not be quite correct to say that the stipendiary magistrates demanded control?—I don't think it would. I think that we all acted with great unanimity; and, as far as I know, I never saw anything demanded on the part of Captain Coote or Mr. O'Donnell.

5298. Mr. Commissioner MURPHY.—What he said was that the other magistrates conceded the power to the Mayor and Mr. O'Donnell, and Captain Coote to act in any emergency. As they would not have any other meeting they deputed to these gentlemen the duty of doing the best they could in case anything should occur?—Yes.

5299. Mr. Commissioner EXHAM.—That was at the meeting the day before?—Yes.

5300. Mr. *M'Laughlin.*—But the local magistrates had the sole power, subject to that arrangement?—Certainly; there was no power taken from the local magistrates by the stipendiaries at all.

5301. Mr. Commissioner EXHAM.—Was it not decided at the meeting of the magistrates that these gentlemen were to carry out the arrangements agreed upon?—Yes.

5302. And there was no difference of opinion on the subject?—No. The magistrates were anxious for the preservation of the peace, and did all they could.

5303. Mr. *M'Laughlin.*—See, now, I want to establish this and place it beyond any doubt, that it would not be correct to say that the local magistrates deputed all the power that day to the stipendiary magistrates?—No, certainly not.

5304. Mr. Commissioner EXHAM?—I did not understand that they did.

5305. Mr. Commissioner MURPHY.—It is Mr. M'Carter's evidence Mr. M'Laughlin points to.

5306. Mr. Commissioner EXHAM.—What I understood was—that it was left to the two stipendiary magistrates and the mayor to take measures for the next day; and then in the morning, by some arrangements made by them, A B was at one place and C D at another; in fact, they were all about?—The result of the arrangement was that they were all scattered about.

5307. Mr. *M'Laughlin.*—Do you think that if the local magistrates are left to themselves on the 18th of December, the display will be permitted?—On the 18th of December last?

5308. No, next December. Do you think that, having regard to what has been sworn here, the local magistrates, if left to themselves, would in any way interfere with the display?—I think they would interfere to prevent the peace of the town being disturbed.

5309. That is, they would not interfere with the Apprentice Boys?—I don't know. The local magistrates do all they can to protect the peace in every way.

5310. Mr. Commissioner MURPHY.—What Mr. Thompson means is—that they would not take it upon themselves to prevent them. I think it would be a great risk of life if they did?—It would be a risk of life. The magistrates do all in their power to preserve the peace.

5311. Mr. *M'Laughlin.*—You say it would be a risk of life if they did?—It might.

5312. That would not arise from the Catholics, but from the magistrates' attempt to put down the displays?—Yes.

5313. And you think they would be resisted with force?—They might.

5314. I suppose you heard Mr. Ferguson examined about putting them down?—I was in Court then.

5315. When Mr. Commissioner Murphy appealed to him as to what his feelings would be if a collision took place next December between the parties; and that afterwards he went round the Wall and saw four of his fellow-citizens lying dead on the road: how would you like that?—I would not like it at all. I would be very sorry to see anything of the kind, and I don't think Mr. Ferguson would like it either.

Mr. Commissioner MURPHY.—What I put to him was—that if for a mere matter of principle he did not yield, and that four men were shot on the 12th of August next, would he the following December celebrate the day, and he said he would not. I am sure Mr. Ferguson, no matter what he said as to determination to uphold this principle, if he contemplated such a sad occurrence for the sake of an idle display, would not persevere.

5316. Mr. *M'Laughlin.*—I think it right to put this question—would you, Mr. Thompson, believe the Roman Catholic on his oath as readily as you would the Protestant?—Indeed I would.

And I believe you when you say it.

Witness.—There is another matter in reference to the police investigation and the charge of partiality against the magistrates. I don't know how that could be; and I think it should be understood that Captain Coote was one of those who decided with the mayor. I was not there at the moment of the decision, but I thought that Mr. O'Rorke did not get an opportunity of producing any witnesses; and I spoke to Captain Coote about it next day, and he said Mr. O'Rorke got an opportunity but did not accept of it.

5317. Mr. *M'Laughlin.*—I suppose the magistrates were tired out with Mr. Rea?—I was not tired of him. I thought he was useful. He saved the Mayor and myself from Mr. O'Rorke.

Mr. Commissioner EXHAM.—I believe you are right. It was decided that they would not accept evidence, and Mr. Coote agreed with the Mayor in that decision.

5318. Mr. *M'Laughlin.*—And are you in earnest that Mr. Rea gave you assistance?—He gave us a great deal of assistance, and protected us from the attacks of Mr. O'Rorke.

5319. Mr. Commissioner MURPHY.—On that occasion the magistrates accepted solvent bail for the police, and I do not know what else could have been done under the circumstances?—If we sat there till now we could come to no other decision.

5320. Wherever human life is lost, *prima facie* the case is one that ought to be investigated before a jury?—Certainly.

Mr. Commissioner MURPHY.—No matter under what circumstances, if the fact that human life is lost be established, the proper course is to send the case before a jury for investigation, and not go into a defence before the magistrates at all.

Mr. *M'Laughlin.*—With great respect, I never found any blame with the magistrates for sending the case for trial at all; and I further say with reference to your views, and it may be also said with reference to Mr. Thompson's, that the attempt to re-open the facts of the case was made by Mr. Rea and not by Mr. O'Rorke.

Mr. Commissioner MURPHY.—I believe, Mr. M'Loughlin, if you had been there defending the constabulary yourself, you would have told the magistrates you reserved your defence until it went before the proper tribunal for investigation.

Dr. *James M'Knight* examined by Mr. *M'Laughlin.*

5321. You have resided in Derry for a good while past?—Yes, first in '45 for four years, and since then from '54—fifteen years nearly.

5322. I believe, doctor, by profession you are a literary man—the editor of a newspaper?—I am the editor of a newspaper.

Mr. Commissioner MURPHY.—Oh, Doctor M'Knight is a gentleman well known. He is well known at the Irish press.

5323. Mr. *M'Laughlin.*—And in that capacity, Dr. M'Knight, I believe it is part of your official business to be acquainted with the feelings of the public as far as practicable?—I am not very much out among the mass of the public, but it is incidental to my business to know public feeling as accurately as possible.

5324. I believe you are a newspaper editor of long experience?—Yes, I believe it is about forty-two years since I became first connected with the press.

5325. And your operations at the press, so far as newspapers you were locally connected with, have been exercised all the time, first in Belfast and Derry afterwards?—Yes.

5326. I believe in politics you are a Liberal, and in religion a Presbyterian?—Yes.

5327. Now do you think it desirable, or the reverse, that these local displays, no matter from what party proceeding, should be avoided?—Well, in answer to that, if the Commissioners permit, I should like to mention a general principle, I think it necessary to apply in all cases of this kind, that whenever these periodical displays are intended as a commemoration of the victories of one political party in the State over another they tend inevitably to perpetuate the original feud, and whenever there are parties who fancy themselves, or who may happen to be representatives of the original party to the quarrel, that then the effect is to create a periodical violence and animosity which is totally inconsistent with the safety of the State, and is, in fact a species of suicidal policy directed against the life of a nation, as a unity, with respect to any armed movement from abroad; and I conceive it to be the imperative duty of every administration, whether called by one political designation or another, to put down historical celebrations no matter by whom instituted, or by whom observed, that are of that specific character. I may add, if permitted, that so far as my own knowledge either of ancient or modern history extends, there is not and never has been any civilized state or government under the sun, ancient or modern, in which the victories of any party over another in civil war was allowed, with the single exception of poor Ireland itself. I believe there is not at the present moment on the face of the globe any government, civilized or otherwise, that permits such celebrations, and that no statesman who really understands the importance of national unity and of keeping up what I call the living defences would allow it. No matter by whom originated, or under whatever pretences they may be put forward, such permission is a thing which I cannot comprehend.

5328. Mr. Commissioner MURPHY.—I believe that feeling amongst a number of nations, although under different governments, wanting to live on good terms with each other, makes them consider these displays as objectionable, and it is deemed advisable to abolish celebrations of that kind?—It is.

5329. I believe it is because of that feeling the celebration of Waterloo has been discontinued?—I was about to refer to that. I am perfectly certain it would have provoked, and naturally, a war in course of time, if for no other reason than only to prove the superior or inferior manhood of the respective parties; and so it is in the city of Derry and throughout the north of Ireland, every celebration of that kind, both historically and otherwise, is regarded by conquered party as a triumph of the representatives of the opposite party over them; and in some of our platform oratory lately, at least within the last twelve months, I am sorry to see a wish repeatedly expressed to fight the battles of Aughrim and the Boyne over again.

5330. Mr. *M'Laughlin.*—Is there anything in the local circumstances of Derry, historically or otherwise, to take it out of the scope of the general rule you have been laying down so emphatically?—No, it is pre-eminently within it. Looking historically at the position of the parties at the time it was a war to some extent between what may be called the British colonized population and the aboriginal natives who wished to recover their own autonomy, and thereby recover the property of which they had been deprived by previous great confiscations. In the next place, King James, although not liked by the Catholics of that period, was adopted by them as a means of getting rid of oppressions under which they laboured, while, on the other hand, King James in his policy was believed to meditate a Roman Catholic Establishment, and then in this way it came round that there were two elements mixed up—the political element, or the element of antagonism of nations, and the religious element—and that is the worst element of bitterness even at the present day. There might be no dispute, and I am sure there could be none between educated men, whether of the Roman Catholic or Protestant persuasion, in relation to the extent of civil, political, and religious liberty that we at present enjoy, yet if these celebrations are kept up for the mere sake of rivalry and, as I said before, to see who is the better man, if I may use such an expression, constant feud would be kept up; and it has always appeared to me that selecting that portion of the Wall, or any portion of the Wall permanently, that overlooks what we may really call the Roman Catholic section outside the City Wall, and firing in practical triumph over the heads and houses of these people, I say I can conceive nothing more intensely calculated to aggravate than that practice, which I think every good man in the city ought to wish to see abolished. I am certain of this, that just supposing a change of places, and that my Presbyterian co-religionists

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were in the position of the people outside the Wall, and that the Roman Catholics were once a-year, or perhaps oftener, to assemble with similar demonstrations or triumph over me or my co-religionists as a conquered race, although Christianity ought to restrain me, I am afraid poor humanity would hardly endure it.

5331. Do you think, speaking with reference to poor humanity, to which you so touchingly allude, that men of education would be more calculated to exercise the virtue of self-control than the ordinary working people?—Well, I am quite sure they ought to be, and I think they would be.

5332. Then, you think the danger that would arise from these proceedings is such a danger as always places us in imminent risk of local disturbances?—I am persuaded if it were not for the overwhelming force placed by the Government at the disposal of the local authorities, that may be placed in command, a chronic civil war and bloodshed would be, humanly speaking, inevitable. There is no doubt of it at all. I know it.

5333. I suppose it has been your duty to read something of the proceedings here. From the testimony given by men, whose veracity was corroborated, have you any doubt that arms are extensively in the hands of those opposed to the celebrations?—I have no personal knowledge. I do not know except from the statements in the newspapers and what I heard outside. I have no knowledge at all of the arms.

5334. Do you think that, with reference to the administration of justice here generally, the present magisterial bench enjoys that popular confidence that one would desire to see it enjoy?—I am not in a position to give an opinion from personal knowledge. But there is one thing certain that the principle on which the commission of the peace is repeatedly disposed of is truly very lax. It is principally given for political favours, without any reference to personal qualifications. I have heard the evidence, and I heard it stated that the Catholic population, in matters relating to political and party matters, have no confidence in the bench. I have heard some of them state it; but I know it principally by report. I have not other means of knowing.

5335. Do you think there would be more confidence in the administration of justice, with regard to party and political cases, by one or two stipendiary magistrates than by the local tribunal—the local magistrates?—Well, I think so, because the truth is that the local magistrates, however well disposed to put down these celebrations and matters, could not possibly act against their neighbours and the parties with whom they are on friendly relations. They really could not act with vigour—neither the police or magistrates. I consider in order to secure a strong and efficient authority it would be absolutely necessary to place the preservation of the peace of the city entirely in the hands of a Government official, responsible to Government for his acts.

5336. Then, you would not think it desirable, or at all events so effectual as the arrangement you pointed out—to have a stipendiary acting in conjunction with the local magistrates?—There is a certain class of cases—ordinary cases of petty larcency and drunkenness—as to which they could sit together and hear and adjudicate. But, in order to secure the peace of the city, I think the supreme power should be in the hands of parties completely independent of all local associations. I am satisfied of that.

5337. Which of the two arrangements would be preferable—to have one or two stipendiary magistrates at petty sessions?—I should say that the two would be the preferable arrangement if it was not too expensive.

5338. If not objectionable on the score of expense?—Yes.

5339. You know this city well, being here as newspaper editor for the last fourteen or fifteen years continuously, and five years before. Do you think that any proceeding, such as is ordinarily carried out on the 18th of December, can be indulged in on the 18th December in the present year with any safety to the public peace?—I have a very decided opinion that it is impossible. I think it is the duty of a Government to put down every celebration, imperatively, of the historic nature I have described; and, I think, with regard to voluntary displays on gala days that that particular matter may be safely left to the operation of the common law of the land. But it is in the others the whole sting of party spirit consists, both on the political and religious ground.

5340. Mr. Commissioner MURPHY.—Caused by periodical celebrations and their associations?—The date and the occasion, and the speeches in the public journals, in some cases, are even worse than the proceedings.

5341. Mr. *M'Laughlin.*—Have you read any of the speeches of a gentleman named Ferguson, who was examined here to-day?—I am sure I must in the course of looking over the ordinary local reports, but I have no distinct recollection of the substance of them.

5342. But your description applies to the advocates generally, and not to any particular individual?—Yes; just so. As given in the journals, attached to the particular party, the speeches are in the very coarsest terms of the day; very strong, high Tory speeches; true Tory and "No Popery" speeches. That is the character of the oratory we are regaled by.

5343. When you say you believe you would leave certain gala days to the operation of the common law, of course, you do not refer to the 12th of August and 18th December?—Oh, no; these are included within the general principles.

5344. But so far as your experience of Derry enables you to define the fact, and give an opinion, has it not been hitherto found that the want of power or, at least, non-accomplishment in the result of putting down these celebrations, has been attributable, not to the weakness or inefficiency of the law, but to the weakness and inefficiency of its application, locally?—Well, I think, perhaps both.

5345. Which in a greater degree?—The question has sometimes arisen whether, provided certain accessories were omitted, the procession itself would not be legal under the Party Processions Act as it stands.

5346. Mr. Commissioner MURPHY.—The magistrates are placed in a difficulty in interpreting the law, or putting a decided interpretation upon it?—That is the case, I understand. I am not a lawyer.

5347. Although you are not a lawyer you speak with very great, indeed, extreme accuracy.

5348. Mr. *M'Laughlin.*—And you have very clearly and very fairly pointed out, with the instinct of a lawyer at all events, the difficulty that would arise in determining whether certain facts would come within the power of certain Acts, or come within the scope of the common law?—Yes; I believe the difficulty is felt, and renders persons indisposed to act where, perhaps, they otherwise would. The Party Emblems Act is an Act very specific in relation to the prohibition of party banners, emblems, cannon, fire-arms, &c.

5349. Are you long enough connected with Derry to know there was a special clause put in the Party Emblems Act with the view of meeting the case of the cannon in Derry?—Yes, I remember seeing it in the Bill in the printed form, but my plan is not to legislate against individuals, or for mere localities. I contemplate what I may call an imperial statute, prohibiting a certain class of demonstrations that are really dangerous.

5350. Then you think that the magistrates honestly, fully, fairly, and impartially attempting to discharge their duty, must be placed in difficulty by the uncertainty of the law?—I think so.

5351. Is it your opinion that if the opposite party, the Roman Catholic party, had a corresponding display with accessories of the same character on the 17th of March, the authorities would not find means to overcome the difficulty?—I could not say what the authorities would do.

5352. Would you be surprised if such a procession was not allowed?—I am certain it would not be allowed to pass through the streets of Derry, inside the walls.

5353. Notwithstanding the dubiousness of the law?—I am not speaking of what the authorities would do—the authorities would come in secondarily—but I am persuaded, if that was attempted, the opposite party would assemble, a conflict would be the result, and the authorities should interfere.

5354. But supposing, for a moment, that the opposite party did not interfere with the procession, don't you think the authorities would of themselves interfere and prevent the 17th of March procession, in view of the possibility of a collision—don't you believe they would?—Some of them would be disposed.

5355. From the two proceedings and the two sets of accessories being the same, how do you account for the comparative ease with which, as regards the 17th of March procession, the magistrates could get over the difficulty by interfering with that, while they allowed them on the 12th of August and 18th December?—It would arise from this, that the magistrates might suppose they had a species of prescription for one, while the other was only a novelty.

5356. And that would lead them to give the benefit of the doubt to those in August and December, and against the one on the 17th of March?—Yes, I think that would be the natural process of reasoning under the circumstances, independent of political leanings.

5357. That would be the natural process of reasoning under the circumstances, independent of political leanings, but have you any doubt that superadded to that there would be a political leaning preponderating very much in favour of the Protestants, and very much against the Catholics—would they not be more inclined to give the Protestants the benefit of the doubt?—No doubt—undoubtedly, under the circumstances you mention.

5358. Unless you think of something that you yourself would wish to mention, I will not ask you any further questions except as to some matters of statistics which I ought to have taken from some other witness. I suppose your attention has been called to the fact that in '61 the gross population of the city of Londonderry was 20,875, including those in public institutions?—Yes, I have seen that on paper.

5359. The relative number of those as regards the different religious denominations as returned by the Census authorities was as follows:—Episcopalians of the Established Church, 3,657; Presbyterians of the General Assembly, 4,420; Roman Catholics, 12,036; Methodists, 289?—There must be more Methodists in Derry I am sure.

5360. There may be since that?—Yes.

5361. Independents, 179; Baptists, 72; Quakers—I don't know that I ought to use the connexion in the plural—1; all other persuasions, 221. Now, applying the rules of arithmetic, the result is 20,875, including those in public institutions. Now the boundary at that time did not include the workhouse, and this does include the workhouse. Are you aware that the boundary has been considerably extended by force of recent enactment?—Yes.

5362. And Mr. Gregg, who is a good authority on the subject, says that the extension of the boundary would produce the effect of incorporating a space of additional ground representing about one-third of what might be called the existing city?—Yes.

5363. Allowing for that and for all the increase of manufactures and all that, and allowing for the time that has intervened from '61, we being now in the year '69, what do you think would be the increase of the gross population, it being an important thing to know that with regard to the number of constabulary that it may be considered necessary to have here—would you say to 30,000?—My attention has not been directed to the subject, and I could give no satisfactory estimate; but I know this that the factory employers employ a large portion of the population, probably 4,000 or 5,000.

5364. Four thousand or 5,000?—Yes.

5365. And, I suppose, having regard first, to the factories, secondly, to the lapse of time, thirdly, to the improvements, and fourthly, to the general extension, 30,000 would be a fair estimate?—I think it would be a little over.

5366. But in round numbers, it would be nearer than 25,000?—I think it would be from 25,000 to 27,000. I think I saw a calculation some years ago—how long I do not recollect—that made the population of Derry and boundary 26,000—between 25,000 and 26,000.

5367. That was prior to the extension of the boundary?—Well, I do not recollect the date of it.

5368. No doubt it was so.

5369. Mr. Commissioner EXHAM.—Including the new boundary, the increasing population, and new factories, we might take it to be about 30,000?—Yes, I think so. I think that might be a little over it, but not much.

5370. You spoke of an imperial measure—tell me, don't you think it would be better to put down band playing and demonstrations of every kind in the country which give offence to the other side?—Decidedly—most certainly.

5371. For I thought you appeared to confine it to celebrations on stated days, such as the 12th of August and 18th of December. But would you not think it right or advisable to put down demonstrations everywhere—processions and band playing—that would give offence to the other side?—Certainly; but this special class of demonstration to which I refer is capable of being defined, and it leaves very little room for legal ingenuity in a case of offence under such an Act of Parliament.

5372. Mr. Commissioner MURPHY.—I apprehend you distinguish between those which take place on fixed and well-known days, and what occur on occasions of casual public displays. For instance, you would not class those displays on the 12th of August and the 18th of December with such a display as was held here to protest against the Church Bill?—No, that was a special occasion.

5373. And would you not say that was as offensive as the other?—Not *per se;* it would depend entirely on the circumstances which accompanied it, and which circumstances would be a matter of evidence on the special occasion.

5374. Precisely so?—The authorities would avail themselves of the law to prevent them according to the circumstances. I wish to add that I lay down the general principle for this reason and for no other, that I am not actuated by any animosity towards the Apprentice Boys or towards any others; but I speak upon grounds entirely independent, and as I regard it a matter of imperial policy, which I believe, in fact, essential to the public safety.

5375. Mr. Commissioner MURPHY.—And supposing there were in England two opposing parties—say the Puritans and the Cavaliers—and if the Puritans chose to have a celebration on a particular day on which they had a victory, you think that should be put down in a similar way?—Yes; so as not to divide the people. I think Sir John Davis, if I recollect his political tract, alludes to this policy of division as having existed at the time James the First effected the settlement of Ireland, and he states that if the principle had been acted on in England it would not have been civilized from the days of William the Conqueror. The country would have been broken into factions, and never would have become an united nationality as it is now. No community ever could in any part of the world. Neither Greeks nor Romans ever tolerated the celebration of any civil war victory, nor any other government that I know of.

5376. Mr. Commissioner EXHAM.—Do you recollect when these stated days processions were not looked upon as being offensive here?—Well, my time dates pretty far back—nearly to the commencement of the present century—and unhappily they were very prevalent then.

5377. No doubt prevalent; but were they looked

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Dr. James M'Knight.

upon as offensive?—Indeed they were; from the nature of such celebrations they could not be otherwise.

5378. Mr. Commissioner MURPHY.—Even although not so strongly manifested, the feeling existed?—In my young days in my native county—the county of Down—the Orange processions were very prevalent, and they invariably ended in collisions, and bloodshed frequently; and very terrible atrocities were committed by parties breaking houses and firing into houses—in fact, the existence of one organization provokes a defensive organization on the other side, and then when these parties met at fairs or other places it was a regular battle on a small scale.

5379. Although they lived on good terms with each other prior to these occasions?—Yes. If their ill passions were not stirred up by those historic memories and displays connected with them, they would live on perfectly good terms.

5380. Mr. Commissioner EXHAM.—With reference to the procession on the 17th of March, I would wish to ask you a question. Supposing that the other party—the Catholic party—were to have a procession on that day that would be within the bounds of the law as it stands at present, do you think the magistrates would take it on themselves to prevent that procession?—I think they would.

5381. Then suppose on the 17th of March, there being an alteration in the law, that persons came in in procession or went out in procession on that day, keeping within the law as it stands at present, is it your opinion that the present bench of magistrates in Derry would prevent those persons from moving in that procession?—Well, I think it would depend on their apprehension of the other party opposing them. I think it would depend on that. There may be individual magistrates on the bench—for it may be constituted of men of all political opinions, and some pretty strong—who would prevent the procession; but I think if they acted as a body it would be on the ground that prevention was much better than punishment.

5382. That is, in other words, you mean if the magistrates did not apprehend a breach of the peace being committed they would not act, but if they anticipated a breach of the peace then they would take precautions to prevent it?—I am quite sure they would anticipate it. It would be almost inevitable. I should say a breach of the peace would ensue, and that the magistrates would not hesitate to act—they could hardly hesitate under the circumstances.

5383. Mr. *M'Laughlin.*—I dare say if they do not prevent the procession a breach of the peace will also ensue on the 18th of December?—No doubt of it. I fear that all the precautions which they may take will hardly prevent that.

5384. The precautions that are taken on the 18th December are protective precautions—that is, that the processionists are prevented from being interfered with—is not that so?—Well, that has been the kind of protective policy.

5385. A protective policy?—I think the true protective policy would be to prevent.

5386. But, now, in reference to the 17th of March, a protective policy then would be utterly preventative for they would not allow it?—Yes, they probably would not.

5387. And you think that the practical protective policy would be a preventative policy and nothing else?—And an imperial policy in that respect; but the magistrates might consider a local prescription. It is not so old a prescription as is sometimes represented. I think I heard 150 years mentioned; but it is nothing like that. It is comparatively modern. It is only since the first 100 years after the Siege of Derry.

5388. But is it not generally considered that St. Patrick was born before the Siege of Derry?—Oh, yes; but St. Patrick's day in itself would not come, properly speaking, into the historic category, because it would not be commemorative of civil war; and to tell the truth, I have a very strong feeling that, as a Presbyterian, I have some interest in St. Patrick, and this theologically, too; and on that day I always wear my shamrock, and to the end will continue to wear it. I would not like to give him up to the Catholics altogether. As long as I think I have any historical or theological reason for keeping up an interest in him I will certainly do it.

Mr. *Patrick Bradley* examined by Mr. *M'Laughlin.*

Mr Patrick Bradley.

5389. You are a flax merchant, residing in Derry for many years?—Yes.

5390. And you know it very well for the last fifty years, at all events?—Yes.

5391. Your business as a flax merchant brings you into contact with large numbers of the public?—It has done that.

5392. And gives you an opportunity of knowing their opinions and feelings?—Yes.

5393. You are in religion a Catholic?—I am.

5394. And in politics a Liberal?—Well, I don't know what my politics may be called; but I would like to take what is bad out of both Conservatives and Liberals.

5395. Take all the good and leave them the bad?—Very well. I think I am a kind of nondescript in politics.

5396. Did anyone ever call you a Tory?—Never; but I am not sure that my leanings are not as much that way as the other.

5397. At all events there is one thing certain that, no matter what your views on that point may be, you have clear views, that you have no hesitation in expressing, in reference to local celebrations?—I have.

5398. Would you tell the Commissioners what you think about them, in reference to the Apprentice Boys, and the desirability of avoiding them?—Well, I believe the greatest calamity that can fall on any country is civil war; and I believe the sooner that every record of any of the evil consequences of civil war are blotted out the better. I believe that the celebrations here are a very great curse and a cause of great discontent and annoyance to the community, and I believe there will be loss of life resulting from them, unless they are discontinued.

5399. Mr. Commissioner MURPHY.—Do you think that opinion is shared in by a great many of your fellow-citizens?—I believe it is, and I am sorry for it.

5400. Mr. *M'Laughlin.*—I believe it is an universal feeling among Catholics?—Well, it is, I believe; but I believe it is not confined to Catholics.

5401. A great number who are not Catholics are in favour of abolishing these processions?—They are. I believe they have a demoralizing effect and generate ill-will and hatred in the minds of the people, at least among the uninstructed portion of them. I think the better instructed classes, too, would rather see them put an end to.

5402. I believe the Derry people are quietly and kindly disposed towards each other?—They are.

5403. But I believe at the time of these celebrations a great change comes over them?—Well, I believe at about a fortnight or so before the celebrations some of them give expression to great discontent, and it takes a good while afterwards before their feelings subside.

5404. Do you know have the Catholics, so far as you are acquainted with their feelings, a sense of confidence in the administration of the law by the local magistrates, in reference to the prevention or suppression of these processions?—I don't know with regard to that, but I know that our clergy have been remonstrating against counter-demonstrations.

5405. That is opposing them?—Yes; and I know that, for a long time back, and until recently, there

was no attempt at those counter demonstrations on the part of the Catholics.

5406. That is, there have been no celebrations on St. Patrick's Day by the Catholics?—No; I do not suppose there was any attempt at it for thirty years. I remember on one occasion there was a demonstration made—I think it was in '32—and the borough magistrates met, and came to the resolution to prevent it. At that time Major Wanesey was here, and the Depôt was called out. The soldiers were stationed at Waterloo-place, and, I believe, through the exertions and remonstrances of the then Mayor and some other gentlemen, the idea was abandoned; and I think that was the last.

5407. Although offended and insulted by them, have you ever known a Catholic mob to interfere with the local demonstrations?—No; but whenever there was a demonstration on the other side there was always an attack made on them, and a riot ensued.

5408. But they were not then armed with the deadly weapons they possess at present?—Oh, no.

5409. Now, so far as you know the feeling of the Catholic population—I am not saying whether it is right or wrong—have they that feeling of confidence in the local magistrates that it is desirable for the public good they should entertain?—I believe that those demonstrations have a demoralizing effect even upon the magistrates and every other portion of the community. Mind, I make no charge, but from the very effect, there must be a prejudice that would bias men in their decisions.

5410. And, have you any cause for believing that?—Well, I suppose we are not all perfect.

5411. No, but a great mass of us are given to the faculty of judging wrong and acting as if that was right?—Well, I believe prejudice warps their judgment.

5412. And, do you believe that observation would apply equally to the magistrates and police?—It would.

5413. But the result of want of confidence in the magistrates would still be the same?—No doubt of that.

5414. You would be in favour, then, of the substitution of the constabulary for the city police?—I would rather have a regularly organized force than a local force. I would rather have a regular organized army than the yoemanry, and the same with regard to the police. At the same time I am exceedingly happy to say I stand well with all parties, and if the old local police are done away with, I think everyone would be happy to see some old and deserving men retire on full allowance—I know I would.

5415. And that altogether irrespective of politics or creed?—Yes.

5416. I believe you are a man who would have just as much confidence in an independent Protestant, as in a Roman Catholic?—I never think of a man's religion at all; but I would prefer a paid official to a non-paid one. I think the rule in Prussia is a good one, where every official is made responsible to Government.

5417. Have you ever found in conversation, or yourself formed an opinion, as to the desirability of having the law in all political cases administered by resident magistrates or left in the hands of the local justices?—Well, I have not, but I would prefer it to be administered by paid magistrates, because an unpaid one is not responsible, and he feels that.

5418. And the public would put more confidence in him, and think he was uninfluenced by local opinion or events?—Yes. I knew of a magistrate to drive here 12 miles to hear a case, even in a civil matter.

5419. In order to form part of the voting scale?—Just to have a friend in court.

5420. Unless you think it right to mention anything yourself now, I have no further questions to ask you.

5421. Mr. Commissioner EXHAM.—Would you put down these bands just as well as processions?—I would—everything that would go to demoralize or create animosity or ill-will among the people, I would put an end to.

William Browne, esq., M.D., examined by Mr. *M'Laughlin*.

5422. You are medical officer of the Derry Dispensary?—I am.

5423. And you have been resident in Derry for a considerable number of years?—For nearly 20 years.

5424. I must go through the form of asking you—I believe you are an Episcopalian in religion?—I am.

5425. And in politics a liberal?—In politics a liberal.

5426. I dare say your profession in life has made you acquainted with the feelings of the people in the district?—Yes. Since I came to Derry I have been practising in my profession very much among the working classes.

5427. Of all sections and opinions?—Yes; but the majority of the working classes belong to the Roman Catholics.

5428. Is it not a fact that the great bulk of the humbler class in this town are Roman Catholics?—I have just said so.

5429. Since you became dispensary doctor you have had a great deal of opportunities for knowing the views of the humbler classes?—Yes, I always had; but of course even more since I became the doctor of the dispensary.

5430. What is the opinion of the humbler classes with regard to these celebrations?—The feeling of the Roman Catholics, and of all the Liberals of every denomination, is very much against those processions.

5431. That feeling is not confined to the Catholics alone then?—No, it is not confined to the Catholics.

5432. I believe these processions are regarded as insulting and offensive?—They are.

5433. Do you think that their continuance is dangerous to the peace of the city?—I do. I think that the Liberals and Roman Catholics have had their toleration stretched to the utmost extent, and I believe that, had it not been for the influence brought to bear on them for the last few occasions, they would have risen to oppose them. I know they would, as well as I could know anything, that I have not seen occur.

5434. Mr. Commissioner MURPHY.—And do you know, as a fact, that influence was brought to bear on them to prevent that?—I have been told that by themselves and those intrusted with their care.

5435. Their clergy?—Yes, their clergy; and the laity as well, both Protestant and Catholic.

5436. By such men, I suppose, as Mr. M'Cafferty?—Yes, and Protestants as well; and I used my own influence amongst them, too, to restrain them.

5437. Then your opinion is against the continuance of all celebrations at Derry, that can possibly assume a political tinge, no matter of what party?—Of all parties.

5438. Mr. *M'Laughlin*.—Whether Whig or Tory?—Yes.

5439. Mr. Commissioner EXHAM.—As I understand you, you do not confine that prohibition to Derry alone?—No; I would, of course, extend it over all Ireland.

5440. Mr. *M'Laughlin*.—I suppose you agree with former witnesses, that there is greater laxity in Derry as regards these displays than anywhere else?—From my own experience, I would say the contrary.

5441. Explain what you mean by saying that it would be the contrary in Derry?—Because, I think, political and party irritation has become more developed in Derry owing to these periodical celebrations, and that there is more of a tendency to tolerate than suppress them.

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William Browne, esq., M.D.

5442. Do you believe what is stated, that there is an extensive arming in this city, among the Catholic party?—I do, now; I did not believe it was so extensive until I heard the evidence of some witnesses in the box. I knew there was an armoury among them, but I did not believe it was so extensive till I heard it here.

5443. You have no doubt now of it?—I have no doubt now. There were several circumstances came to my knowledge before, that I did not lay great weight on, that I do now lay great weight on.

5444. Having regard to that fact now, do you think it is like throwing a spark into a magazine to allow further celebrations?—Well, with regard to celebrations, I cannot say; but I will make a remark that is tantamount to an answer. For a number of years past, when these celebrations were over, every thinking man thanked God that they ended without bloodshed. We all expected, as the celebrations approached, that they would not pass without it; for the majority of the people were for opposing them, and it was a source of great gratification to us to find them end without bloodshed.

5445. Was it a fact that this very circumstance was made a topic of comment in the newspapers?—Well, I cannot say as to that, but I heard it in conversation.

5446. Mr. Commissioner EXHAM.—Do you confine that to any class?—I confine it to the moderate thinkers of all parties, and of the different religious denominations.

5447. Mr. *M'Laughlin.*—Knowing the particular days on which these displays ordinarily take place, you say apprehensions are excited as they approach?—Yes.

5448. Amongst all thinking men?—Yes.

5449. And then, when the day passes over without bloodshed, a feeling of thankfulness is a common case?—It is a common cause of mutual congratulation, when people meet afterwards.

5450. What do you think would be the effect of allowing these celebrations to go on as usual, on the 18th of next December?—I would be more afraid of bloodshed hereafter than I was before, and if you wish I will tell you why.

5451. Do?—Well, I think one of the influences used with the Catholic party in Derry was the approach of this Commission. I know that party are very much inclined to accept the protection of the law, if they have any expectation of it; and I believe that was used with them as an argument on the last occasion, for they expected justice to come from it. I know if the celebrations are allowed, there will probably be a very serious riot if there are not steps taken.

5452. You do not think the people will be open to reason to the same extent as they were before?—I do not. I would say that argument is all exhausted.

5453. I believe the present Commission was used as one of the principal arguments to restrain the people, on the last occasion?—It was used.

5454. When you say the people are ready to accept the protection of the law, do you mean the protection of the law as administered by the local magistrates?—I do not.

5455. And what do you mean?—I mean the protection of the Executive at the Castle of Dublin, sending down such a force and such persons as will protect the public peace, and prevent any demonstration taking place.

5456. And is the expectation that the Catholics have in Derry in reference to a special legislation on the subject?—I know they have that expectation.

5457. Mr. Commissioner EXHAM.—That the existing law will be changed?—That the law will be changed.

5458. Mr. *M'Laughlin.*—Supposing the Executive had sent down a large force here, and left it under the exclusive direction and control of the local magistrates, with regard to the celebration in December next, do you think——

5459. Mr. Commissioner EXHAM.—Is it fair to suppose such a thing when we know ourselves it is never done?—They sent fifty-one resident magistrates to the North last July.

5460. Mr. *M'Laughlin* [to the witness].—Have you ever known the local police force to be increased, and considerably increased, on one of those days without the concurrent attendance of a resident magistrate?—I will not speak positively, but the first time I recollect a stipendiary magistrate to attend here was after the Party Processions Act had passed.

5461. Mr. Commissioner EXHAM.—I am only speaking of recent years, and I believe I am right in saying that no force is ever sent to any place without being accompanied by a stipendiary magistrate.

5462. *Witness.*—I believe that since the Party Processions Act came into operation we always had a stipendiary magistrate here.

5463. Mr. *M'Laughlin.*—Supposing such a case, and that a stipendiary magistrate was acting in conjunction with the local magistrates, and the object was one of these celebrations, what is your opinion as to the result?—My opinion is, that the majority of the local magistrates would not be in favour of putting them down. I am under the impression that many of them have subscribed to keep them up, and although they see the mischief they create, they yet approve of them.

5464. Latterly, I believe, these celebrations have become more offensive?—More demonstrative, and proportionately more offensive.

5465. Do the people believe, as they ought to believe, that the law—the ordinary administration of the law—is fairly and impartially administered by the local magistrates?—No; the people do not believe it.

5466. They do not believe it?—No.

5467. What do they believe?—I think the belief of the Roman Catholics is that they do not get a fair administration of the law for themselves. I would wish to be clearly understood that I am not imputing to any individual magistrate anything like corruption; for I do not suspect them of that.

5468. I am not asking your own opinion from you at all?—Yes; but the question would put me into the position of accusing them of corruption, which I would not do.

5469. Mr. Commissioner EXHAM.—What is your feeling?——

Mr. *M'Laughlin.*—As to public opinion?—Is it of the working classes?

5470. Yes?—Well, I believe they think the law is not administered fairly between the different denominations. It is more than my opinion—I know it is the feeling among them.

5471. Mr. Commissioner EXHAM.—Does that refer to party cases only or cases generally?—It does not refer to party cases only, it is general.

5472. Mr. Commissioner MURPHY.—You think there is an impression amongst them that the different denominations do not stand equal before the law; that the Roman Catholics think their oaths are not believed by the magistrates, and that those of Protestants are; and that there is, in fact, a leaning towards the Protestants?—That is the impression.

Mr. *M'Laughlin.*—Unless something occurs to yourself, I have nothing further to ask you. *Witness.*—I have no wish to add anything more to my evidence.

5473. Mr. Commissioner MURPHY.—Do you think a good deal of that feeling arose out of the fact of the continuance of these processions?—I cannot say.

5474. Mr. *Crawford* (solicitor).—I wish to ask you a question. Are the Roman Catholic population of Derry satisfied with you as dispensary doctor?—As a body they are.

5475. You give that as your answer?—I do.

5476. Have there been complaints made by Roman Catholics against yourself for not discharging your duty as dispensary doctor?—By individual Roman Catholics, as I believe, instigated by Protestants from political motives.

Mr. *M'Laughlin.*—I do not think this line of cross-examination should be permitted to go on.

5477. Mr. *Crawford* (to witness).—What is your reason for believing Protestants incited them against you?—Circumstances which came to my knowledge that left no doubt on my mind.

5478. Were these complaints made within two years?—They were.

5479. Would you state, in reference to the circumstances which led you to trace them to Protestant sources, what were your means of information?—My means of information were, that it was told by the person who made the complaint.

Mr. *M'Laughlin.*—I say in the presence of everyone, when this line of examination has concluded I will then make an application to the Commissioners.

Mr. *Crawford.*—I come up here, not in a professional character at all, at a time when, I think, you have exhausted the evidence, and propose to tender myself voluntarily for examination. I heard a great many statements made against the magistrates of partiality in the administration of the law. I have been practising before them for the last twenty years and I never saw any of it, and no person has more knowledge of Derry than I have myself.

Mr. Commissioner MURPHY.—With respect to the question put to Dr. Browne—who, I am sure, has given an answer to it now—in relation to private matters, we have no desire to go into them, except so far as you say that Dr. Browne says the Roman Catholic population are dissatisfied with so and so. If you want to personally affect his own credit I will ask him the question.

Mr. *Crawford.*—If you please.

5480. Mr. Commissioner MURPHY.—(*to the witness*)—Do you think the Roman Catholic population have the slightest objection to your professional skill and labour because you are a Protestant?—I believe there is not a Roman Catholic in Derry that would remove me from my position to put in my place a Catholic.

5481. Mr. *Crawford.*—How many Roman Catholics did complain of you, after that answer to the question?—Only one.

5482. Only one. Was that a case of writing?—It was a series of writings. I will ask the Commissioners to allow me to explain.

Mr. Commissioner MURPHY.—It is unnecessary. We have nothing at all to do with these private matters.

5483. Mr. *M'Laughlin.*—(*To witness*)—Was that in the case of a dispensary midwife, who was discharged during your time in office?—It was. The case to which the dismissal had reference was fully investigated, and resulted in my continuing to discharge my duties just as before.

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Mr. Commissioner EXHAM then intimated to Mr. Crawford that they intended to examine some of the local police in the morning.

Mr. *Crawford.*—I will ask you to take my evidence with reference to the magistrates, before whom I have been practising for the last twenty years, and whose characters I think are now calumniated.

Mr. *M'Laughlin.*—Then I will now make the application I said I would—namely, that I would apply to the Commissioners to strike off the notes what Mr. Crawford asked Dr. Browne in reference to his professional character. Mr. Crawford stands convicted on the answers to his own questions.

Mr. *Crawford.*—My questions were simply intended to show that because Dr. Browne is a Protestant he is regarded as offensive by the Roman Catholics.

Mr. Commissioner MURPHY.—The whole thing seems to be that a complaint was made of Dr. Browne; that the person who made it was a Roman Catholic; and that that complaint was investigated and disposed of.

Mr. Commissioner EXHAM.—I would be inclined to accede to Mr. M'Laughlin's request, but that I consider it would be only fair and just to Dr. Browne to leave the answers on the notes.

Mr. *M'Laughlin.*—I do not know whether your notes will convey the character of the public indignation which this unaccountable attack called forth. Mr. Crawford merely came into court to see would the Commission close this evening, and observing Dr. Browne in the box he took a shot at him.

Mr. *Crawford.*—It was not for any such purpose. You have got a lot of evidence on the notes of a certain kind, and my intention is to produce an equal number of witnesses, who will give a different version of the whole thing. But before I would do so I would like to ask Dr. Browne was he as popular a man before Sergeant Dowse's election as he is since.

Mr. Commissioner MURPHY.—We do not think that is a question that ought to be put.

Mr. *M'Laughlin.*—I do not think there is a Protestant in all Derry as popular as Dr. Browne.

Mr. *Crawford.*—I deny that; I am quite as popular as Dr. Browne.

The court then adjourned till the next morning.

NINTH DAY.

FRIDAY, AUGUST 27, 1869.

The Commissioners sat at 10 o'clock.

NINTH DAY.
August 27.
Mr. John Hempton.

Mr. *John Hempton*, who had previously given evidence, said:—

There is a matter to which I wish to call the attention of the Commissioners. I desire to correct the evidence of Mr. Thompson as it appears in the newspaper I hold in my hand. The paper states that Mr. Thompson in his evidence said:—"Mr. Hempton said that the man was a companion of the man that broke the window, but he gave us no evidence of that." Now, I gave no evidence whatever of anything, but the police constable proved that he was the companion of the man, and I request that you would call on that police constable to state what evidence he gave. It is a very important correction I am making, and I am sure I should like to say all I knew about these revolvers. I knew of no revolvers being brought from Limerick, but I heard that a commercial man there sent a telegram to a Mr. O'Neill in Derry, and it went to a wrong Mr. O'Neill—there were two of the same name—and it subsequently became known, and, as I stated before, it was merely gossip in the commercial room. There is a third matter I wish to mention. On my former examination I said I gave out torches. I wish to state that the Society that those torches belonged to was extinct at the time, and there was no owner for them but myself.

Mr. Commissioner MURPHY.—With respect to any statements made as to your knowledge, or the knowledge of the persons who were examined here, as to the purchase of arms and revolvers, I may observe, that it did not appear on the evidence before us at all that either you or Mr. M'Cafferty or Mr. Lynch had any other knowledge whatsoever of it, than the general conviction produced in your minds by what you heard.

Mr. *Hempton.*—I had no knowledge whatsoever but what I tell you, sir.

Mr. Commissioner MURPHY.—Nor did your evidence at all convey to us that you had any, more than that of Mr. M'Cafferty or Lynch. I think Mr. M'Cafferty said that he was averse to the thing altogether. Of course the fact as to where they were was kept concealed from him.

Mr. Commissioner EXHAM.—I understood Mr. Hempton to say, of his own knowledge, that some revolvers were actually given out.

Mr. *Hempton.*—When I heard of this telegram I

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went and ascertained from a tradesman in the town, a neighbour of mine, that some revolvers had been imported previously.

Mr. Commissioner EXHAM.—And given out?—I cannot tell. I think they had customers. I cannot tell how they were given out.

I think it is no part of His Excellency's warrant or any part of our Inquiry here to trace out this question of revolvers, as to how they were purchased, by whom they were purchased, where they were kept, or to whom or by whom they were distributed. We have no power at all, that I can see, to investigate this matter.

Mr. *M'Laughlin.*—If it were not for the peculiarly impersonal character of the inquiry I have not the slightest hesitation in saying that, but for the existence of the proclamation, which would make it a very inconvenient matter for the parties to talk about it here, parties who joined together, in the face of what they believed to be a substantial danger, and got revolvers, would come into the witness box and tell you all about it.

Mr. Commissioner MURPHY.—With respect to going further into the particulars of that case about the breaking of your windows, Mr. Hempton, unless the thing is perfectly patent on the record, as in that case with respect to the bailing of Barker, we have no right to make any particular comments on the magistrates. The case certainly did strike us at first as somewhat singular; but it appears now to stand thus:—the man who was arrested undoubtedly was not the man who had committed the offence charged.

Mr. *Hempton.*—So I said.

Mr. Commissioner MURPHY.—So you said; and it would not appear that there was sufficient evidence then to convict that man—at least, you know, conviction in a case of that kind must be free from all reasonable doubt—and there was nothing even to show that he urged the other to commit the offence. The only thing that struck us as peculiar in the case was that the magistrates censured the policeman, whereas Mr. Thompson says that the magistrates said that if he had been more active he might have arrested the man who made his escape.

Mr. *Hempton.*—I appear here merely to correct what Mr. Thompson stated. I merely said that I thought the policeman should have arrested the man who broke the window.

William Bailey.

William Bailey, ex-Head Constable, Royal Irish Constabulary, examined.

5484. Mr. Commissioner EXHAM.—Head-constable Bailey, our Secretary has asked you to come here to answer a few questions, because some of the city force requested of us that he should do so. Tell me, do you recollect this night of the attack on the Corporation Hall when Mr. Dowse was here?—I do.

5485. Were you in the force then?—I was.

5486. And were you on duty then?—I was on duty as head-constable of the constabulary on that night.

5487. Now, did you see the city police that were posted on the door?—I did.

5488. Now, as they were originally posted, before this rush was made, were they across the door, or were they sideways as if guarding it?—My attention was not drawn to the door till I heard the noise of the riot at the door, because I was standing sideways down at the Hall.

5489. From the time that you did observe anything that night, did the city police give you assistance in keeping the peace?—At the time I heard the noise at the door I, with others of the constabulary who were there, came forward to the door where some of the constables were placed. The city constables exerted themselves to the extent of their power to keep the parties from getting in, but would, I believe, have been defeated in their object had we not assisted them.

5490. I believe there were no arrests made that night—do you recollect?—Well, not to my recollection at present.

5491. Well, do you recollect did the city police summons people afterwards for their conduct on that night?—The constabulary.

5492. Were not the constabulary assisted by the city police?—Yes; every assistance was given by them in evidence and otherwise.

5493. And in identifying them?—And in identifying them.

5494. Mr. Commissioner MURPHY.—I believe, in point of fact, that you had not sufficient force to make arrests that night?—Well, I consider it would not be prudent, for there was on one side of the Hall what we call the Dowsite party standing, and the Lord Claude party, which I consider was the party that made the attack on the Hall, on the other; and I considered, and do consider still, that so long as we kept the peace it was most prudent to make no arrests; and the city police considered so too.

5495. And they gave you every assistance?—They did, and appeared in the court.

5496. Against those charged?—Yes, they did.

5497. I believe we have heard that there were some fourteen or fifteen brought up?—By the police altogether—I believe about that.

5498. And were they punished by the magistrates?—They were sent for trial.

5499. By the magistrates?—By the magistrates.

5500. Now, as you are out of the force, and know there can be no objection to my asking you a question—you have been a long time in Derry?—Twenty-eight years.

5501. And you have had opportunities of judging of the city police force?—Yes, I have had opportunities.

5502. Well, as far as you saw of them while you were there were they in the habit of doing their duty?—The force was a very small one; and the superintendent and the men under him, so far as I was concerned and the public, we always worked well together and did all we could for public good. For a body organised as they were, I consider they were most efficient for their number—some of them most efficient officers.

5503. There was one other matter that I wished to ask you—do you recollect the 13th July previous to that 20th?—I do.

5504. Do you recollect any arrest made that night?—I do.

5505. Did that man make any observation that night, before he was arrested?—I was first in Market-street—standing in Market-street—when I heard a rush and a great noise over the bridge, and a mob coming through Ferryquay-gate up towards the Diamond. I afterwards repaired up, and when I got the length of Bishop-street they were stopped there—a very large mob—and the police had a man named Doherty in custody, or were about arresting him, and one of the city constables said to me that this was the man who was the cause of the whole riot and the occurrence; and they seemed not to be able to bring him with them, and I said if he was the man that they could identify as being the man to bring him with them; and I did not know the man at the time, and there was great resistance offered, and I called upon any of them that were for making the arrest and protecting the police that we should be glad of their assistance; but we were as determined if they would oppose us that we would use force towards them.

5506. And you had a force of constabulary?—Yes; we then succeeded in bringing the man along. I did not know at the time who the man was.

5507. Do you recollect afterwards that man being brought before the magistrates?—Yes, I do.

5508. He was fined?—He was fined, I believe, 10*s.* I don't recollect whether it was 10*s.* or not.

5509. That is not of importance; do you recollect

what the language was that he made use of?— Oh, I could not say. It was only after some time that I went up. I could not say that I heard any language.

5510. And I suppose you did not see that man guilty of any violence yourself?—Not myself.

5511. Being out of the constabulary force now, I am sure we shall get very valuable assistance from you on this subject; you have been in Derry for twenty years?—Twenty-eight years.

5512. And you have seen what has occurred here lately. Assuming that we shall be of opinion that it is desirable, as the Corporation have expressed it, or as I think we may take for granted, that there should be a force of the Royal Irish Constabulary here, instead of the local force, to do the entire duty, night-watching for the purpose of protecting every place, and all day duties in addition to preserving the public peace, looking after markets, and so on, what force of the constabulary do you think would be necessary for the protection of the public peace?—Well, taking into consideration the great amount of what I would call military duty that the constabulary have, of routine duty, for it is a great military force at present, and that is considered paramount to all their other duties, attending on their drill parades and everything of that sort, I believe that less than 100 would not be sufficient. We might not calculate on more than one-third of them being for duty, perhaps not so much; when we take into consideration casualties, sickness, men on leave and all that, I do not believe we would have one-third of them for duty at a time.

5513. Are you aware that there are only, I think it is, 109 in Cork, and the district in Cork is very much larger; there are only 109 in Cork, and there the district extends in some parts two miles from the centre of the town, and 100 would appear a very large number here?—Well, I do not know much about Cork, but, as far as I could learn from police who have served there, they have to do nothing but keep patrols in the city and go out occasionally. Till recently, I understand that was the rule there.

5514. At night, you are perfectly right——?—Here it is the rule to keep men on beats, and I will certainly say that you will never have more than one-third of the constabulary on duty.

5515. Mr. Commissioner MURPHY.—You mean not more than one-third on foot at a time, for the discharge of their ordinary duty?—For the discharge of their ordinary duty. About eight hours out of the twenty-four is as much as I believe. Then with private orderlies, and soforth, the staff is very large in the constabulary.

5516. Mr. Commissioner EXHAM.—I suppose you are including in that the district outside the city lamps —that is included, I suppose, and the watching of that?—Yes; I should say so.

5517. When was it you left the force?—The 14th of February last.

5518. While you were in the force were you aware at all of the arming that we have heard of?—The first account I heard of arming was previous to the election. Previous to the election I did hear that there was a number of revolvers imported into the city, but I still believe the rumour to be greatly exaggerated.

5519. You did?—And do still—greatly exaggerated. That arms did come, revolvers and all, I believe.

5520. Mr. Commissioner MURPHY.—But I suppose you have no means of knowing the exact number that may be?—Oh, not the slightest.

5521. You neither are nor were the person to whom they would be likely to disclose it?—No; I assisted Captain Coote here in registering arms recently, and when I heard it was said here, and saw it in the papers, that there was such a number of arms, I was surprised to think that there were so very few registered in the city, and I would say that the half of those registered were old relic arms unfit for use altogether; for I filled all the licenses myself.

5522. Mr. Commissioner EXHAM.—There were none of those twelve chambered revolvers?—Well, there was a number of revolvers registered in town.

5523. There is a question I forgot to ask Mr. Ferguson when he was here yesterday; do you happen to know, from hearing it, what the number of those Apprentice Boys is—about how many?—I have not the slightest knowledge of how many there are.

Mr. *Burgess.*—As a matter of fact that information will be furnished.

Mr. *Colhoun.*—The Governor of the Apprentice Boys will be here in a short time.

Mr. *M'Laughlin.*—You have it on the evidence of the first witness, Mr. Hempton, who stated there were 200.

Mr. Commissioner EXHAM.—I should like just to ask Mr. Ferguson the number.

5524. Mr. *M'Laughlin.*—Mr. Bailey, do you happen to know whether there did exist, rightly or wrongly, a prejudice against the city police?—Before I answer you, Mr. M'Laughlin, I came here, at the request of the Commissioners, to this Court, to answer them any questions they would put to me.

5525. And do you refuse to answer me?—When I am done here, inasmuch as it appears you appear for a political party, and that another party is unrepresented, and that your questions would be calculated to leave a wrong impression on the Court, expecting of course to get answers to suit your end, I decline, unless the Court direct me, to answer any questions. I have retired into private life, and I should wish to do so.

Mr. Commissioner MURPHY.—Do you think it necessary, Mr. M'Laughlin, to ask that question. We have had evidence, again and again, that they have not been considered as efficient as the constabulary here for the discharge of the duties of the city. We have had the resolution of the Corporation that they would wish that they should be replaced by the Royal Irish Constabulary. Is it not almost a conceded fact that, as a force for the preservation of the peace, they have not been perfectly satisfactory here?

Mr. *M'Laughlin.*—I wish to know whether the Commissioners mean to lay it down for law, with respect to the most important part of the inquiry here, being conversant with the city police, that when the Commissioners, actuated by what influence I don't know, and operated upon by information conveyed to them, I don't know in what manner, call upon Mr. Bailey, who had been Head-Constable here for the last twenty-eight years, a man of special intelligence, and extensive information, and examine him on the direct, they then, as regards their mode of proceeding towards me, representing a large portion of the population here, will back up Mr. Bailey in refusing to answer me.

Mr. Commissioner MURPHY.—I put it to your own good taste and sense, that that is not a fair way to put it, that we are sheltering Mr. Bailey. When he was brought on the table it was stated that he had no desire to be a witness, and that the Secretary of the Commissioners had requested him to come forward and give evidence, and that the object of Mr. Exham asking him to come forward was, because some of the city police force who were unrepresented here, and had no advocate here, and whose interests might be supposed to be involved in this inquiry, said "Head-Constable Bailey, who had great experience in this city as a member of the Irish Constabulary force, can give you good evidence as to our proceedings on that night of the 20th of July, when we were accused of having virtually favoured the attack on the Hall." That request we thought it only right and reasonable to comply with, and Mr. Bailey was produced here, not a willing witness, not anxious to become a witness at all, but produced on their behalf, to testify to the proceedings of the 20th of July. We don't rule anything, but I only suggest to you what may be a fair question. If men are down, why should we strike them? I only tell you the circumstances under which Mr. Bailey comes here, and put it to your own good sense whether you will pursue that inquiry further. Do you wish now to extract any further evidence, on one side or the other, *quoad* the city police?

Mr. *M'Laughlin.*—We are still leaving the matter undecided.

Mr. Commissioner EXHAM.—You said, in conse-

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quence of information, you did not know how received. Well, on the 23rd of August, we received a letter, directed to the Commissioners, from some members of the police force, mentioning certain facts connected with it, and stating that, with respect to their conduct on the night of the 20th July, Mr. Bailey, who was Head-Constable then, could give information, and that they hoped he would be examined. We did not think it requisite to examine Mr. Bailey, and yesterday evening a letter was sent to our lodgings by the very same parties; in the former letter the men having stated that they did not mean to employ any advocate to represent them here. Not having called Mr. Bailey, we yesterday evening received another, referring to our not having called him, and asking that he should be called; and, accordingly, then we directed our Secretary to give the usual letter of request to Mr. Bailey, to ask him to come forward here, and he did so.

Mr. *M'Laughlin.*—That is most satisfactory.

Mr. Commissioner MURPHY.—No man could avoid being affected by the consideration that those men were, as the Inspector told us yesterday, virtually told to withdraw from this. Their Inspector said, "If we are going, let us go with a good character for the time, and we call on the Head-Constable, a man of great experience, to testify as to that."

Mr. *M'Laughlin.*—The general question I mean to put is this—Is it to be a rule that one class of witnesses are to go into the box and are affirmatively to give evidence in answer to the questions of the Commissioners, and then, the moment a person who occupies the position that I have the misfortune to occupy here puts a question, it is not to be answered or allowed?

Mr. Commissioner MURPHY.—We have made no such ruling, and do not mean to make it.

5526. Mr. *M'Laughlin.*—Now, rightly or wrongly, Mr. Bailey, was there the same confidence in the city police that there was in the constabulary, among one class of the population?—Well, I will not answer that unless I am directed by the Court. I have stated my reason for not answering any questions. My answer is this, that I consider it a one-sided evidence my evidence would be, if I were to allow Mr. M'Laughlin to cross-examine me.

Mr. *M'Laughlin.*—I suppose, then, it is a two-sided evidence that he gave on the direct. Of course Mr. Bailey can save the Commissioners from any ruling by refusing simply.

Mr. Commissioner EXHAM.—So far as I am personally concerned, I do not require Mr. Bailey to answer the question, because I have not the slightest doubt that there was not confidence, and I am not, in the slightest degree, surprised at it. (To witness) I would not say that you are to answer it, and I, for one, would not ask you to answer it, but, being out of the force now, I think you may answer it, and no one can say anything to you for giving your candid opinion.

5527. Mr. Commissioner MURPHY.—Now, rightly or wrongly, was there a prejudice; rightly or wrongly did they not repose equal confidence in them?—Well, it is always believed that wherever a force is got up with men that are conversant with all the characters in the town, good and bad both, no matter if you were the most immaculate in the world, there would be things attributed to you, and they were to the city police, because they were people of the town.

5528. Mr. Commissioner EXHAM.—And a local force?—And a local force.

5529. There was a certain amount of prejudice against them in a certain class?—No doubt.

5530. Mr. *M'Laughlin.*—Do you believe that that prejudice has been in any way increased by the fact, that some of the members of the local police—I do not say what rank—had the fortune or misfortune to have some members of their families among the Apprentice Boys?—The witness (to the Commissioners)—Do you think I am to answer that?

5531. Mr. Commissioner EXHAM.—I think you may answer that too?—I have not the slightest knowledge of whether they were or not.

5532. Or did you ever hear it alleged?—Never heard it alleged in consequence of their having sons Apprentice Boys, nor any branches of their families.

5533. Mr. *M'Laughlin.*—Do you know, as a fact, that some of them have?—I do not; I know nothing of the sort.

5534. Now look at that [handing to witness a slip of paper on which a name was written]?—I will answer no private signs whatever.

5535. Then I will ask was Mr. Maguire——?—No; I know you appear here for a certain party, and I will not do it.

Mr. Commissioner EXHAM.—I for one think we ought not to go into a question about individuals.

Mr. *M'Laughlin.*—That is not the question you are going into, with great respect. The witness says I am going to examine him by private signs. Is it not the fact that when I was obliged to put some questions two days ago, owing to a suggestion, I abstained from mentioning any names to Mr. Gregg. I then told the Court clearly that I would ask Mr. Gregg certain questions by writing down the names in order that the character of the men might not be affected.

Mr. Commissioner MURPHY.—The witness says that he did not know that they had members of their families Apprentice Boys; but, supposing they had—and I think we may take it for granted.

Mr. *M'Laughlin.*—If you take it for granted it would be quite enough.

Mr. Commissioner MURPHY.—I think it would be almost impossible to avoid it here unless they made a rule among their own families.

Mr. *M'Laughlin.*—I wrote down the names with a view to save the characters of the men for their pensions. I doubt whether I was not neglecting the discharge of my duty in not putting it *vivâ voce*. But, when a man goes out of his way to spare the character of his opponents, I think it is too bad to have it attributed to a wrong motive.

Mr. Commissioner MURPHY.—We did not attribute it to a wrong motive.

Mr. James William Gregg.

Mr. *James William Gregg*, being present, recalled and re-examined.

5536. Mr. Commissioner EXHAM.—Mr. Gregg can you tell us the number of the Apprentice Boys; we forgot to ask the question of Mr. Ferguson yesterday?—I do not know the number now; when I was associated with them I suppose there were about 200. When I left, the Constitution of the Society was quite changed, because at that time it was composed principally of Derry people. There were very strict rules about the persons admitted, and since that I have seen strangers among them.

Mr. *M'Laughlin.*—I wish this to appear with Mr. Bailey's evidence that the witness declined to answer any further questions from Mr. M'Laughlin.

Mr. Commissioner EXHAM.—If it is pressed, I for one will decide that I will not allow the question to be put.

Mr. *M'Laughlin.*—Well, will you allow that to go down?

Mr. Commissioner EXHAM.—Yes; with our refusal to allow the question to be put. I refused to allow Mr. Rea the other day to put questions to Mr. Hempton as to whether he committed forgery and things of that sort.

Mr. *Hempton.*—I answered that.

Mr. Commissioner MURPHY.—I know you did.

Mr. *M'Laughlin.*—Surely Mr. Commissioner Exham does not say it is a similar thing to allege fraud and forgery or to ask a question?

Mr. Commissioner EXHAM.—We say we do not think it is right to ask Mr. Bailey whether individual members of the local police force have had members of their families Apprentice Boys.

Mr. *M'Laughlin.*—I was misled by what was done within the last two days; for I was allowed to do then everything that I am not now.

Mr. *Alexander Crawford.*—I think there is a gentleman in town, Mr. Warnock, the Petty Sessions Clerk of Londonderry for nearly forty years.

Mr. Commissioner EXHAM.—That is the father of the gentleman who was examined the other day?

Mr. *Crawford.*—Yes, the father. The son is only a year in office, and knows comparatively little of the town.

Mr. *M'Laughlin.*—Is Mr. Crawford aware that Mr. Warnock means also to refuse to answer me when he comes into the box?

Mr. Commissioner EXHAM.—Unless Mr. Warnock can give us information as to the riots of the last year or two, to which we have limited our inquiry, I do not think we need trouble him.

Mr. *Crawford.*—I think it would be principally in reference to the impartiality of the magistrates.

Mr. Commissioner MURPHY.—But, supposing now that he was to give an opposite opinion from that which you think he will give, because he was in office himself as their clerk and his son is now their clerk? I do not think it would be even respectful to the magistrates to put him forward and ask his opinion as to them. For instance, if he came forward, as a clerk that had ceased to have any connexion with them, and said that they were not impartial but partial, would not the magistrates be very indignant?

Mr. *Crawford.*—He will certainly be able to inform the Commissioners as to how the magistrates for a number of years past acted, when offences arising out of political feeling were adjudicated on.

Mr. Commissioner MURPHY.—Sir Edward Reid's evidence was to that effect.

Mr. Comissioner EXHAM.—And we have had Mr. Tillie, r. Thompson, and Mr. O'Neill.

Mr. Commissioner MURPHY.—And Mr. M'Carter.

Mr. Commissioner EXHAM.—And other citizens here.

Mr. James William Gregg.

Mr. *Alexander Crawford* then offered himself as a witness and was examined.

Mr. Alexander Crawford.

5537. Mr. Commissioner MURPHY.—You have had great experience of the administration of justice by the magistrates of this city?—I have been practising before them for nearly twenty years, and I believe there is not a more impartial bench of Magistrates in Ireland. I have been practising before many other benches, and I never saw any bench to exceed in fairness the Derry bench of magistrates. If they have a leaning at all, being Protestants, their leaning is towards the Roman Catholics and against their co-religionists.

5538. Now, with respect to those processions, you have seen them take place very frequently?—I have; since I was a boy.

5539. And are you not aware that a great deal of bad feeling is excited by them among the Roman Catholic population?—I am not.

5540. You do not think a great deal of bad feeling is excited by them?—I am not aware of any, except where a number of people have congregated on a fair day, or what we call here rifle day. Representatives of both sides when they get drunk have quarrels; but nothing more serious than that I ever remember arising out of processions or celebrations.

5541. Do you think they do give offence to the Roman Catholic population?—Up to a late period I do not think they did.

5542. Since the 12th of July, 1868?—I am not aware, nor have I heard within that period, except since the Commission opened, that the Roman Catholics in Derry complained of these celebrations as being personally offensive. Possibly I might have, but I have no recollection of it; and I was a good deal surprised to learn, at the late celebration, or immediately before it, that the Government had been informed by one of the new magistrates of Derry, Mr. Hogg, that I had custody of the Apprentice Boys' guns out at Miltown. I instantly called upon the Resident Magistrate, and told him that there was not the slightest foundation for such a rumour or report; that they had never been brought to me, and that if they had I would not have taken them.

5543. Mr. *M'Laughlin.*—You are not opposed to me?—No; on the contrary I should like to have your friendship.

John Hamilton, Esq., J.P., examined.

John Hamilton, esq., J.P.

5544. Mr. Commissioner EXHAM.—You are one of the magistrates here?—I am.

5545. How long have you held the commission of the peace?—These three or four years.

5546. Have you been a rather constant attendant, Mr. Hamilton?—I have.

5547. Now are you doing business in town here?—I am not now.

5548. But were you?—Yes, I was.

5549. And I suppose you have been living here?—Thirty years or thereabouts.

5550. First of all can you say yourself, from your mixing with the inhabitants of the town and so on, is there, in your opinion, any feeling amongst the Roman Catholics of this city against the magistrates?—I never was at all aware of it until this Commission came to sit. When you say amongst the Roman Catholics—I do not suppose that our decisions pleased everybody, but I think I understand you to ask whether the Roman Catholics, as a body, have a feeling against the magistrates. I never heard of it until this Commission came to sit.

5551. Never heard of an impression that the oath of a Roman Catholic was not paid the same attention to by the magistrates as that of a Protestant?—Certainly not; and it is not the case, in my opinion, as a magistrate.

5552. I was going to ask you, as far as you have seen, since you attended the bench of magistrates in Londonderry, has the administration of justice on the part of the magistrates there, been pure and impartial?—I believe so; I have no hesitation in saying that it has been so in every case. There might be little differences of opinion among the magistrates, but I never saw anything that would make me believe that there was any partiality.

5553. On the occasion of these late unhappy matters here, have you attended the meetings of the magistrates, to make arrangements preliminary to them?—I did.

5554. Were the stipendiary magistrates present at those meetings?—They were present at the meetings. Captain Coote was present at one; and Mr. O'Donnell and Captain Coote at another. At the principal meeting the two were.

5555. Do you recollect the one at which Captain Peele was present too; do you remember that one?—I do not remember that one; I do not think I was there; at least I do not remember.

5556. Well, on any occasion on which the stipendiary magistrates did attend, did you see any disposition on the part of the magistrates to override their opinion?—Certainly not.

5557. Or to consult them?—To consult them. I think they were consulted, and I think deferred to.

5558. And deferred to?—I should say so; certainly, for my own part, by me.

5559. That is, you thought they were gentlemen of greater experience with regard to matters of anticipated riot and taking proper precautions?—Exactly.

5560. And as far as you could see your brother magistrates acted on the same view?—Exactly.

5561. And referred to them and took their advice?—I believe every one of them did; I believe they did.

5562. Now I ask you, with reference to the future peace of this city, is it or is it not your opinion that the holding of these processions is desirable—is it or is it not desirable?—I think not, and if you wish I will give you my reason.

5563. Certainly; we wish to hear your opinion of the matter?—I should say, in the first instance, that so far as I am concerned, I should never object to them, perhaps the reverse, but I have never taken part in them; and I think that so far as the Apprentice

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Boys' party are concerned, if they would consult their best interests they would give them over, for this reason, that I have known for a long while that before these celebrations, as they are called, come on, the Apprentice Boys, who are most of them working people, get excited and neglect their business, perhaps some of them "go upon the spree" as we call it, and that can be no possible good for them; and I think that is one reason why they should be discontinued.

5564. Mr. Commissioner MURPHY.—And, furthermore, with respect to persons of different religions, do you think it excites angry feelings between them also?—I have always known—I am sure I may say known—that a number of people, Roman Catholics, or calling themselves Roman Catholics, were opposed to these celebrations; but I do not believe that those that I speak of were a bit more opposed to them than opposed to any other Protestant demonstrations, from an Orange procession, if I may say so, to an open-air preaching. But since this Commission commenced I have heard that the more respectable and better informed and influential Roman Catholics, as a body, are opposed to them too.

5565. And you think that regard should be paid to their feelings and opinions on that subject?—Certainly; in a matter that I do not see any absolute necessity for, I think that any means should be taken——

5566. That means should be taken to conciliate the parties where you are not abandoning, as you say, some principle, or there is no absolute necessity?—Yes,

5567. Where you are not abandoning something that you consider absolutely necessary?—That is my feeling.

5568. And you are a Conservative in politics yourself?—I do not know whether they dub me Conservative or not. I suppose I am. I am so far a Conservative——

5569. Mr. Commissioner EXHAM.—What I think it right to ask you is this—is it your opinion that these demonstrations everywhere should be put down, that are calculated to give offence to people on the other side, no matter what demonstrations they are?—I think demonstrations having a political tendency ought to be put down.

5570. And, with regard to bands playing in the streets?—Well, I should say so. Of course I have nothing to do with anywhere but Derry. (To Mr. Commissioner Murphy) You asked me if I was a Conservative. If you want to know anything about it I will tell you. I am so far a Conservative that I wish to conserve everything that is lawful and right and useful; but where, in my opinion, a thing is not absolutely necessary, and it gives offence, and where the maintaining of it does not imply any principle, or anything of that kind, I would give it up. I think that makes me a Liberal.

5571. Mr. Commissioner MURPHY.—We were getting an opinion from you that could not be supposed to be affected by any political prejudices?—Oh, no.

5572. Mr. *M'Laughlin.*—You acted on the Committee for Lord Claude Hamilton at the late election?—No, I did not; I was put on the Committee, and I did what I did for Lord Claude Hamilton on personal grounds.

5573. The published list led me to believe so. You voted for the Conservative party?—I did. I voted for Lord Claude, and I would most likely vote for him again on personal grounds.

Mr. John Guy Ferguson.

Mr. *John Guy Ferguson* being in Court, was recalled and re-examined.

5574. Mr. Commissioner EXHAM.—Would you give me leave to ask you, Mr. Ferguson, about the number of the Apprentice Boys?—Well, the number of active members is 300, and of honorary members about 200. The active members are all residents of the city. I hear a statement has been made that the constitution of the body has been changed. The constitution of a body changes of course in a few years materially, from influx of people and emigration and other causes; but the members of the clubs—the active members of the clubs—are residents of the city of Derry. Among the honorary members you will find some people of very high social position.

5575. Can you tell me whether or not, previous to last year, the Apprentice Boys were generally armed?—I do not believe that one in every ten of them was armed.

5576. Since the commencement of the last election, can you tell me whether or not they have been more extensively armed?—There were no arms provided for them. I am not aware of individuals having got arms. There was no general arming; there was nothing of the kind. To be candid, I may as well state that there was nothing in the shape of revolvers brought over here for arming them. The expense gone to for arming them was in respect of some inexpensive thing like a baton.

5577. Was there any such thing as persons armed as a body or club?—Never.

5578. Or any subscriptions among them for the purchase of arms?—Never; I should explain to you that there are two rifle clubs; one is called the Maiden City Rifle Club of tradesmen. The greater portion of them are Apprentice Boys. They are all tradesmen and householders. I think they have all got licenses for their rifles from the resident magistrates.

5579. But there was no such thing in the course of last year as far as ever you know as an arming of the body by subscription, or anything of the kind?—Never.

5580. You cannot, of course, tell what may be the case with respect to private individuals?—I cannot tell you that; but I do not know what may be the case here now, because I may tell you that the feeling is very strong since the evidence given here in this court.

5581. But up to the time of this Commission, so far as your knowledge extends, there was no general arming—at all events, there were no arms provided amongst the body as a body or otherwise?—Never.

Mr. *M'Laughlin.*—You should ask this witness whether prior to last year the Apprentice Boy party or the Roman Catholic party were the better armed.

5582. Mr. Commissioner EXHAM.—Have you any means of knowing whether prior to last year the Apprentice Boy party or the Roman Catholic party were the better armed?—I do not believe that either party were very generally armed. I do not believe that such a thing as has transpired here was in existence in Derry a year or two ago.

5583. Mr. Commissioner MURPHY.—But looking at the position of the two parties, which of the two would you say was likely to have the greater number of fire-arms in their possession—without any particular knowledge?—Well, I believe, that the Protestants of Derry would have arms such as fowling-pieces and rifles; that is, the better class of members of the clubs, and that quite openly, for the purpose of amusement.

5584. Mr. Commissioner EXHAM.—But as to revolvers?—Oh, I think that even at the time of the election the number of revolvers in the possession of the Apprentice Boys was extremely limited. With respect to my evidence yesterday I wish to correct a false impression, although it is a very trifling matter, in connexion with the Northern Counties Railway. I said that those excursion trains were originally instituted some three or four years ago; and in order to be perfectly candid, I should state that before the last celebration I was written to by several parties on the Northern line, to ask if they could get facilities to come along the line, and in consequence of that I wrote to the manager, and he simply replied that he would run the usual train.

Mr. *Gregg.*—I certainly repeat what I stated that, from my experience of the Apprentice Boys, and seeing them going out on the occasions of the celebrations, one half of them are not composed of Derry people.

Mr. *Ferguson.*—I state positively that Mr. Gregg has stated a falsehood. I unhesitatingly say that the active members of the body are all Derrymen. Would the Commissioners be at all surprised to learn that Mr. Gregg was the gentleman that fired the canon off the church?

Mr. *Gregg.*—I was not. It is untrue.

Mr. *Ferguson.*—I heard it. (To the Commissioners). —Have I not the best opportunity of judging of these things?

Mr. Commissioner MURPHY.—You may; but what you have said is not inconsistent with what Mr. Gregg stated, that on the occasion of the last celebration, or some of the recent celebrations, he saw persons in the procession who were not men of Derry.

Mr. *Ferguson.*—That may be all perfectly true, and does not affect my statement at all, and I repeat that the men of the society are exclusively Derrymen.

Mr. Commissioner MURPHY.—You say that the active members, that is, that the prominent members of the society in Derry, are Derrymen.

Mr. *Ferguson.*—Of course they are, with very few exceptions.

Mr. Commissioner MURPHY.—Of course; but on the occasions of the processions men may come from other places, strangers, and take part in the processions. That is what Mr. Gregg says.

Mr. Commissioner EXHAM.—What I understood Mr. Gregg to say was not that there were strangers amongst the Apprentice Boys, but that, originally, when he was connected with the body, the only persons taking part in the processions were Apprentice Boys, and that of late years he has seen other persons from the country coming in and taking part by forming or walking in the procession.

Mr. *Ferguson.*—Most undoubtedly; but Mr. Gregg very warmly impugned what I stated.

Mr. Commissioner MURPHY.—There must really be some misapprehension between you both. I am sure Mr. Gregg regrets what he said to you; but I am sure you will see that you should not have stated what you did. Mr. Gregg is in an official position, and you should not on mere hearsay have stated that he had taken a part in this procession and fired off a cannon; and after his denying it you should not have repeated it.

Mr. *Ferguson.*—I think it very hard that such statements should be made of the Apprentice Boys. I appear hear and adopt a manly, straightforward course in connexion with these celebrations; but I can tell you that people come into the Court and say one thing while they act outside in another way.

Mr. Commissioner EXHAM.—We do not inquire about who fired or did not fire from the church. Mr. Gregg did not state—he certainly did not—I state positively that he did not state that which you were under the impression he stated; and being under the impression that Mr. Gregg had stated it it naturally excited you a little. We think Mr. Ferguson came forward most candidly and fairly to give us all the information in his power.

Mr. *Gregg.*—I withdraw what I said if Mr. Ferguson withdraws the statement he made.

Mr. *Ferguson.*—I withdraw any statement that the Commissioners may consider improper or ungentlemanly. I should be sorry to make any observation except I considered my veracity was impugned, and I think it is of the utmost importance that every word I say should be considered truthful, on account of the position I hold.

Mr. Commissioner EXHAM.—Certainly, and I am sure there was no impression conveyed to my mind or to that of Mr. Murphy, by anything Mr. Gregg stated, which would justify the idea you were under as to what he did say.

Mr. *Ferguson.*—I considered that Mr. Gregg, whether rightly or wrongly, impugned the truth of what I stated, as regarded the constitution of the clubs, and I felt that he had just as much knowledge or means of judging of the truth of what he stated, as I had of the rumour that he had acted in another way.

Mr. Commissioner EXHAM.—And when your premises fail your conclusion must fail. I am not blaming you if the premises were correct; but when the premises are not correct there is no occasion for a conclusion.

Mr. *Ferguson.*—I repeat what I stated, that I withdraw any word that is unhandsome or improper; but I still adhere to my statement that the members of the Association are Derrymen. As regards the other statement that I made in regard to Mr. Gregg, I withdraw it also, because I have no knowledge myself of its truth.

Mr. Commissioner EXHAM.—So far from your contradicting Mr. Gregg's statement, or his contradicting your's, you confirm his statement by saying that of late years there have been a number of persons not Apprentice Boys who joined in the processions.

Dr. *Miller*, J.P., Mayor of the city of Derry, examined:— Dr. Miller, J.P., Mayor.

5585. Mr. Commissioner EXHAM.—At present we know you are Mayor of this city?—Yes.

5586. You were Mayor before?—Yes; this is the sixth time I have been Mayor.

5587. I suppose you have been a long time a magistrate?—Yes; on the melancholy occasion, when Dr. Babington died, I had returned from Portrush, and gentlemen asked me if I would accept the mayoralty, and after some consideration I said I would. A requisition was made to me. I think all but two of the corporation joined in the requisition to me to accept the office, and I thought under the circumstances that I could not refuse it. I had no wish to be Mayor at the time myself.

5588. And you were a magistrate for a number of years before?—For a number of years; but I have not taken a very active part as a magistrate, for I was occupied professionally.

5589. Except, I suppose, when you were Mayor?—Unless when I was Mayor.

5590. Are you aware, or were you aware that there was any impression abroad amongst the Roman Catholic population here that justice was not fairly administered by the magistrates of this important city?—I was not aware of it; but I think there is an impression that, whatever party is administering justice, the party who do not agree with them in creed, or who want to get power, are opposed to that party. I have heard objections made to the judges of the land when of a different creed, and in the same sort of way to the magistrates.

5591. But nothing exceptional with regard to the Derry bench of magistrates?—Not that I am aware of.

5592. Let that impression be abroad or not, may I ask you whether, when you have presided on that bench of magistrates, you have ever seen partiality exhibited there?—I most solemnly say I have not.

5593. You have always seen the magistrates fairly, to the best of their ability, dispose of each case brought before them, without fear, favour, or affection?—I believe so—according to the evidence that was produced.

5594. Have you, on occasions when the stipendiary magistrates were there—on recent occasions—seen the magistrates taking their advice, and co-operating with them as well as they could?—As far as I know. I co-operated myself on the last occasion. At the last anniversary I had a meeting of magistrates summoned to consider what was best, and we all agreed that certain measures should be adopted in case there was a breach of the peace, and that nothing was to be done unless there was a breach of the peace.

5595. And that was with the co-operation of the resident magistrates who assisted you?—Yes, it was.

5596. I believe Mr. O'Donnell was one?—Yes.

5597. And Captain Coote?—I forget whether Mr. O'Donnell was one, but certainly Captain Coote was present.

Mr. O'Donnell.—I was present.

5598. Mr. Commissioner EXHAM.—(to witness)—Now, you have great experience, may I ask you whether you think that the keeping up of these celebrations is calculated to endanger the public peace?—

5599. In what way, sir?

5600. Mr. Commissioner MURPHY.—In provoking a collision between two parties of opposite creeds——?

5601. But you see there are different ways of keeping

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up these things. I want to know is it the procession you mean?

5602. Mr. Commissioner EXHAM.—I mean the demonstration that has hitherto taken place on these days by what is called the Apprentice Boy party?—That is, the procession?

5603. Yes?—I cannot believe that any procession is for the public good. I believe that all processions ought to be put an end to.

5604. That is, all over the land?—Every procession calculated to produce an uncomfortable feeling.

5605. Mr. Commissioner MURPHY.—And these are calculated to produce an uncomfortable feeling among the Roman Catholic population?—Oh, I think it is very likely that is the case. I think it is very likely.

5606. Mr. Commissioner EXHAM.—It is your opinion that processions, no matter where they are in Ireland, are calculated to cause animosity on some side or another, and therefore it would be better to put all down?—Certainly; and unless one is put down, there is no use in putting down another, because then you are giving an ascendancy to the party you allow to keep them up.

5607. Mr. *M'Laughlin.*—I believe, on one occasion, eighteen or nineteen or twenty years ago, when you were Mayor, an effort was made to put down these celebrations, so far as out-door processions?—How many years ago?

5608. Nineteen?—Yes; the second time I was Mayor. There was an Act passed at that time, and I remember summoning a meeting of the magistrates, and it was thought that if the procession took place under certain circumstances it would be illegal, and I went along with the stipendiary magistrate then, Mr. Coote ——

5609. Mr. Coulson?—Mr. Coulson——to stop it. And the Apprentice Boys had their guns on the walls, and they fired, and informations were made against them, and the matter was brought before the Grand Jury, and they ignored the bills that were brought before them, and it did not go to trial. They thought it did not come within the law.

5610. That was in 1851 or 1852?—It was about that time.

5611. Mr. Commissioner EXHAM.—The magistrates sent them for trial?—Yes.

5612. Mr. *M'Laughlin.*—I believe the point raised at the time was that the canon they fired were not fire-arms within the meaning of that particular Act—I think that was so.

5613. I suppose the ordinary undesirability of these processions, so far as regards Derry, would be increased by recent unfortunate occurrences here?—I think that they have become—that there is more hostility to them undoubtedly than there was before, and I suppose chiefly since the last election.

5614. But it has been intensified since the death of those men?—Oh, I think the hostility is more to the constabulary since the death of those men than in any other way. I think it right to say that the general opinion is that they acted indiscreetly.

5615. Mr. Commissioner EXHAM.—Were you at all aware of any large arming last year?—Not at all.

5616. Did you ever hear it?—I heard of the Muff Glen business, you know.

5617. But with the exception of that?—Oh no, I did not hear of it; I think it is a shocking thing. I think it is a frightful conspiracy, because it is nothing but a conspiracy to shoot men down in order to put an end to these processions. I think that in a Christian country it is a perfect disgrace.

5618. Mr. *M'Laughlin.*—I suppose if the authorities thought right to interfere and put down the celebrations——?—I don't think they could do it without a new law. I do not think there is anything illegal in what is done here in that way. I think the duty of the magistrates is to preserve the peace.

5619. Your idea is then that the processions being perfectly legal, the duty of the magistrates and the police would be to protect the processionists?—To preserve the public peace.

5620. Would the preservation of the public peace take the form of protecting the processionists?—Of course if they were attacked it would be the duty of the magistrate and constabulary to interfere, and not to allow any one to attack them; just in the same sort of way as they would in the case of any other person.

5621. Would not the duty of the magistrates have been to prevent the two parties coming into collision in the first instance?—Well, I think so. When I was formerly mayor, at the marriage of the Queen, there was a threat of a very serious procession, and the magistrates were summoned, and met, and they published a proclamation to prevent it; and notwithstanding that they came in with a white and green colour, and the other party attacked them, and pulled it down, and it was torn in fragments.

5622. That was in front of the Corporation Hall?—I think it was in Pump-street it happened.

5623. Mr. Commissioner EXHAM.—Which party came in with the green flag?—The party usually called the Bogside party.

5624. And then the Apprentice Boy party attacked it and pulled it down?—I believe so; but the military were soon called out, thinking it was necessary that a force should be present to preserve the peace on that occasion, and it was soon over. Well, these people were tried afterwards. They first sent up a memorial to the Lord Lieutenant of the day against me, and it was sent down to me, and I answered it. When these people were put on their trial, according as they come forward when they were on their oath, I asked, "Do you know the contents of this memorial—did you sign it?" and they said they did not know the contents of it at all, and this memorial had been prepared and sent up by some person acting for them; and it was contradicted on their oath, and I sent that answer to the Lord Lieutenant of the day.

5625. Mr. *M'Laughlin.*—There have been no Patrick's Day processions since?—Well, I really do not remember exactly about that.

5626. Having regard to the fact that prevention is better than cure?—I was about to answer in respect to that, that the plan I adopted on any of those occasions since that was, that when there was any apprehension of a breach of the peace to put police on each gate and prevent them coming in, and then, if there are any troublesome people, I order the constabulary to deal with them according to circumstances.

5627. Then applying the rule that you have applied so successfully heretofore, the precaution that you would take, if in command of the authorities, on the night of the 18th December, would be to put an armed force to guard the gates and keep the Catholics out, so that the Apprentice Boys might have their celebration inside the wall?—If I had any reason to think that there would be any danger to life or property I would call out the military, and prevent any party coming in that I should consider likely to be guilty of a breach of the peace.

5628. You would do that by keeping one party out and another in?—I think that would be the better course.

5629. Mr. *Crawford.*—I want to know your opinion, as to whether it would show weakness or otherwise on the part of the Government, to put down these celebrations at present, with evidence of 5,000 Roman Catholics being armed with the intention of putting them down by force?—Well, my opinion is that the stipendiary magistrates, having information before them, should investigate those facts, and that there should be a general search for arms, and that not once but repeatedly, for there are various ways of concealing these things; and that there should be no loss of time till these arms should be seized, or got out of the country.

5630. Mr. Commissioner EXHAM.—They would not have force enough to do that——?—Oh, I think that the Government, if they wished to be a Government, would send a sufficient force to do it.

John Charles O'Donnell, esq., R.M., examined.

5631. Mr. Commissioner MURPHY.—Mr. O'Donnell you came here as resident magistrate some time after April last?—I did; on the 10th of May.

5632. You recollect the period coming round of the 12th of August?—Yes.

5633. Did you attend a meeting of the magistrates at that time?—Yes; I had left this for Belfast, and came again here specially for the 12th of August.

5634. On special duty?—Yes.

5635. Were you here on the 12th of July?—I was.

5636. Were you out at this place called the Muff Glen?—I was on duty that day at the Muff Glen.

5637. We have had a good deal of the details of evidence with respect to it, but did you see a formidable array of arms in possession of either party or both parties there?—Well, I will explain to the Commissioners what I did see and did not see. I went there by arrangement with a body of police and military to preserve the peace. There were three bodies of police—a body of nine police divided into parties of three, at some short distance from each other, with a view to acting together if necessary in aid of each other. There were also some fifty soldiers, to support the police if necessary. The cause of the apprehension of a breach of the peace was, that one party it was believed intended to cross a bridge at that place, and that the other party were determined to prevent them. Beyond the bridge one party, called the Catholic party, were assembled, as I was told, and, as I was informed by the police, armed as well. There were some 800 people assembled there to dispute the passage of the bridge; our duty was to look on and prevent a collision between the parties.

5638. Did you see arms in the possession of the parties that came there at either side?—I did not see this crowd; I avoided seeing them, and I did not wish to go near them to see them.

5639. You were afraid you might be compelled to take action?—I might be compelled to take action; and taking action might be the cause of the very thing I had to prevent—a riot.

5640. And you kept yourself clear?—No second party, though threatened to come, did appear, and therefore the peace was not broken; but I am afraid, from what I was informed of and could observe, that if the second party did appear the amount of force there, or any amount of force there, would not have preserved the peace—would not have prevented a collision of parties.

5641. And, from what you heard, you have no doubt also that that would have been a collision between parties using fire-arms one against the other?—Yes; in a deadly manner. Of course, had it been legal for me I should, at all hazards, have surrounded that crowd and disarmed them; but the place was not proclaimed. I preferred, I may state for myself that, though I believed the crowd to be illegal, I preferred that the illegality should take place, so that I did not by any act of mine endanger the peace.

5642. You were here then on the 12th of August?—I was.

5643. I believe Captain Coote was here with you?—He was here with me.

5644. Do you recollect, prior to the 12th of August, your having attended the meeting of magistrates, which the Mayor has referred to now, with several other gentlemen?—Yes; the Mayor was good enough to intimate that he wished to see me, and I went.

5645. And do you recollect a programme being laid before the meeting then, by the President of the Apprentice Boys, telling you in what form the procession intended to go?—Captain Coote produced a programme, which he had got previously from Mr. Ferguson, and I read it carefully, and my opinion was asked upon it by the magistrates, and my opinion was, that if that programme were adhered to, and that there was no departure from what was stated upon that programme, it would be highly improper to interfere with the procession; and not only improper, but, as I believe, illegal to do so. Of course assuming that the programme was adhered to.

5646. The programme that was given was within the strict letter of the law?—I thought so.

5647. And, I believe, you and Captain Coote agreed with the local magistrates, in that opinion?—Yes; we were unanimous in allowing the procession to take place.

5648. And were you then all agreed, as to the most effectual means to be taken for the preservation of the peace?—Well, the direction of those arrangements was delegated by the other magistrates to Mr. Coote and me—with the Mayor, of course?—The arrangements I speak of are what I may call the executive arrangements as regards the distribution of police.

5649. As regards the posting of police and constabulary here and there?—Yes. Then my opinion was, and it was followed next morning by Mr. Plummer, the County Inspector, that it was our duty to have them placed in the town, in such a manner as to have prevented any party from making a raid upon that procession or interfering with it; and that when the authorities did not think it right to interfere with the procession no other party should be allowed to do so. And, in giving that opinion, I may state, that I was found fault with by a gentleman of some position in this town, who said that I wanted to protect or to encourage that procession. My only object was to prevent a breach of the peace.

5650. So far as your opinion went, they were engaged in what you had no legal authority for preventing?—Yes; and therefore I did not wish to permit any other person to take an illegal authority that I did not assume to myself.

5651. Now, from the time that you were here on special duty, up to the time that you left, so far as you could judge, were all the local magistrates endeavouring, in the best way they could, to assist you in preserving the public peace of this city?—Well, there was no occasion for services of that kind during the time I was here, except on the 12th of August.

5652. Well, on that occasion they were?—On that occasion they were; and, on that day, not only were Captain Coote and I on duty but we were assisted in the same common object, the preservation of the peace, by several magistrates, Mr. O'Neill, Mr. Hamilton, and other gentlemen, whose names I do not remember just now; they were out on duty themselves and quite willing to give every aid in their power.

5653. Mr. Commissioner EXHAM.—The Mayor himself, I believe?—The Mayor himself was there up to a late hour of the night, twelve o'clock.

5654. Mr. Commissioner MURPHY.—And, during the time that you presided on the bench, on any occasion, did they consult you or Captain Coote?—Well, the duties that I had to discharge were to sit at the court on the ordinary day when sessions are held, and more particularly during that long investigation as regards the police—the preliminary investigation. On those occasions, in open court—there are sometimes ten, sometimes eleven, sometimes a lesser number of magistrates—I did not always, I am sorry to say, agree with the opinions that were expressed in open court.

5655. You did not always agree with them?—I only speak of matters which are now matters of public notoriety, that occurred in open court; sometimes the magistrates would be perhaps influenced by my opinion, and at other times, on unimportant matters they were not.

5656. So far as you were able to judge, the administration of justice would appear to be clear and impartial in the city—so far as you were able to judge?—Well, really, so far as came within my experience here, nothing occurred beyond the ordinary routine of what occurs in petty sessions court, except the long investigation I allude to. That was an investigation which, you are aware, I suppose, was not a judicial act at all; it was merely a ministerial one.

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5657. That was not a judicial inquiry?—It was not; it was an inquiry in order to see whether those men should be sent to another court or not.

5658. And so far as your opinion went—you are a gentleman of very great experience—no matter how parties might differ from you, was that inquiry fairly conducted?—Well, at that time there appeared to me to be a great deal of prejudice against the police who were then accused in regard to this unhappy homicide that occurred here; and I did think—I hope I may say so candidly, and for the information of the Commissioners, and with every possible respect for the magistrates who sat with me—I was of opinion that the general prejudice against the police was shared in by the magistrates; I do not say that the police were thereby done any injustice to, but it seemed to me that the magistrates found it almost impossible to banish a certain bias from their minds.

5659. Mr. *M'Laughlin.*—When you say the police, you mean the constabulary?—The constabulary; I did not think of the local police at all; I may add that I was myself accused of bias the other day—that was, of partiality for the police; but I hope I am not going out of my way in stating that I had no bias for the police, beyond that bias that every person sitting in judgment ought to have towards throwing a protection over those who are accused, so far as is consistent with justice. It appeared to me in the investigation that very much seemed to be assumed against the police, and at the end I thought that they were sent forward for trial upon insufficient evidence.

5660. Mr. Commissioner EXHAM.—You thought so?—I thought so, and expressed that opinion openly in court. However, Captain Coote, the other resident magistrate, differed from me in that.

5661. He agreed with the magistrates that it was better to send forward the case for trial?—He agreed with the magistrates generally. Yes.

5662. Mr. Commissioner MURPHY.—I suppose you were of opinion that it was a case that should be further investigated?—I was of opinion, from the moment that I came here, that it was a case, considering that three lives were lost, that required a very full and careful investigation, to determine the only point at issue in the matter, namely, as to whether the police were justified or not in firing.

5663. Did you think that it would be a very strong case that would induce you to decide that yourself?—Oh, certainly.

5664. You would send it forward to a jury in any case?—I certainly think that the case, before being sent forward, should have received the fullest investigation possible, both for the sake of the police and the public; and it did not receive that investigation, and it was not conducted in the manner that I should like to have it conducted. I was most anxious that it should be taken out of the atmosphere of party feeling, which was certainly exhibited to a very unwonted extent in the matter.

5665. Mr. Commissioner EXHAM.—But did you not consider it desirable, considering that the constabulary were charged with the taking of human life, to send it forward for investigation before another tribunal?—I think the Commissioners misunderstood me as to that. I thought it very desirable the case should go forward to another tribunal.

5666. Mr. Commissioner MURPHY.—And then you say it was sent forward without sufficient evidence?—I say that, on the evidence as it stood, it was not sufficient to send it forward, and that there ought to be further evidence adduced before it was sent forward. The case I thought incomplete.

5667. And was Captain Coote of that opinion?—The late Mayor was of opinion that it should be sent forward as it was, and Captain Coote agreed with him. I believe the other magistrates also were of that opinion. I was the only dissentient from it. Perhaps I may except Mr. O'Neill, but I am not sure about that. Before you leave the subject of the magistrates, I saw it reported in the public papers that a witness here said that justice failed in his own particular case, because some insufficient fine was inflicted. Mr. Hempton was the witness, and my humble name was referred to in the matter. I was in the court on the day of the investigation when the occurrence took place, and the assault was clearly proved as charged against this young man, or rather boy; and before the late Mayor announced his decision, I certainly was of opinion, and I stated so privately to the Mayor, that the punishment was insufficient; and I told him that had I been dealing with the case myself, and had it occurred elsewhere, my opinion would be to send the boy to jail for a month, without a fine, for a gross outrage upon a citizen, an unoffending person in the town. I did not state that opinion publicly, and for this simple reason, that it was merely a question of degree in punishment, and the Mayor and other magistrates having decided that the boy ought to be punished, I wished to avoid what is always undesirable I think to bring before the public—a difference with brother magistrates on a question of degree like that. If there were a principle at stake I should have stated it publicly, but it being merely a matter of degree in punishment, I expressed my opinion privately to the Mayor, and said nothing publicly.

5668. I believe you differed as to the degree of punishment very fairly and honestly?—Yes; but I did not think it was a case that called for my dissent, in any way, from the decision of the other magistrates.

5669. Mr. Commissioner EXHAM.—Do you recollect the case of the man Barker?—I do.

5670. About the taking of bail?—Yes.

5671. Because it was stated to us here, that you told the magistrates that, the charge being one of murder against the men, they had no power whatsoever to take bail?—No.

5672. And that they overruled you in that, and that in fact you cautioned them against it as an illegal act, the taking of bail, and that they persisted in doing it?—That is not a correct version of what occurred. In the first place, Captain Coote took the information from Murphy in the hospital, as against Barker, and he was the only one that took the information. Barker was arrested on that, and brought before Murphy for identification, and then Captain Coote committed Barker for trial, to be brought up at the next petty sessions court which sat here, and when that court sat the case was further investigated; some little investigation took place with regard to it, but Murphy was still lying in the hospital, and the question then came on as to bail. I was not there the first day. Captain Coote differed from the other magistrates, who decided to take bail for this man Barker. I was the next day at the court to renew the bail, and Captain Coote asked me to give him my opinion, and I was clearly of opinion that it was a case in which I would not take bail, and that it was more advisable for the other magistrates not to do it. I did not say that it was illegal for them. I knew it was in their discretion to do it; but it was a case of that kind, homicide, in which I would not take it upon myself to do it.

5673. And that was a charge that he had shot at, and killed a man?—I merely advised the magistrates that I would not take the responsibility of accepting bail myself, and that I thought they ought not to do it; I did not say that it was illegal to do it.

5674. And then you saw that there was very substantial bail given, £100?—I left it to the other magistrates to do that. Of course if I dealt with it myself I should have refused bail, and allowed him to appeal to another court.

5675. Mr. *M'Laughlin.*—Were you present when Captain Coote expressed his opinion specially to the magistrates as to the undesirability of admitting this man to bail?—No; I was not in Derry at all the first day, when Barker was admitted to bail; it was on the second day when he came to renew his bail that I came and expressed my opinion, which agreed with that which Captain Coote had already given.

5676. Captain Coote, I may say, was virtually of your opinion?—Captain Coote gave his opinion first; I concurred in his opinion.

5677. With regard to this police investigation, when you stated that you thought it was a case that should be lifted out of the atmosphere of party feeling, and subjected to a full and fair investigation before sending the men forward for trial, I presume you meant that the investigation ought not to have terminated so prematurely?—I did.

5678. Now state the circumstances under which it was terminated, as well as you recollect?—There were no peculiar circumstances about it. I should like to be very accurate in anything I might say where the late poor Dr. Babington, the late mayor, was concerned, but it appeared to me as if the mayor was rather tired of the investigation, and was glad to get rid of it on any terms. There was a great portion of the time taken up, and, indeed, wasted, with unnecessary discussions of irrelevant matter, and I think the late mayor, from the course taken by the advocate for the next of kin, was glad to get rid of it on any terms almost.

5679. Mr. Commissioner MURPHY.—I suppose he saw the result eventually, that the case should be sent for trial?—Yes, I suppose so; I was of opinion that it should go for trial certainly.

5680. Mr. *M'Laughlin.*—I suppose, in sending those men forward for trial, you would distinguish the kind of charge against them from the charge against Barker, as regards the readiness with which you would admit one or other to bail? Oh, certainly.

5681. Kindly point out that distinction, because it was sought in a prior part of the commission proceedings to identify them. Kindly point out the grounds on which you think the two crimes differed the one from the other?—I should have no hesitation whatsoever in accepting bail for the police, even nominal bail, that is their own. The difference would be that the police were a legal body—a legally constituted body—acting, as they believed at the time, whether rightly or wrongly I do not know, in the discharge of their duty. Malice could hardly be attributed to the police.

5682. Mr. Commissioner MURPHY.—No one could have suggested that?—The fact of questions having been put to the members of the court, as to their admitting Barker to bail as readily as they admitted the police, led to the mistake.

5683. The distinction was very considerable. If Barker were admitted on his own recognizances, as the police were, it would be a very different thing?—The two cases were essentially distinct.

5684. Mr. Commissioner EXHAM.—Certainly; not the least doubt of it. The magistrates marked their opinion by a different rule of bail.

5685. Mr. *M'Laughlin.*—Would your opinion be in favour of preventing all party processions of any kind, no matter from what party proceeding, in this town?—Do you refer to an abstract opinion.

5686. I mean *quoad* the town, and apply it to all parties and sections in it?—I am of opinion that in any place where opinion is so divided, as here and in other parts of Ireland, no procession of any kind should be permitted to take place.

5687. Then, having regard to the evidence given before this commission, you are of opinion that there does exist, rightly or wrongly, a very strong feeling of antagonism to these processions on the part of the Catholics?—I am quite aware of it, without the knowledge of the evidence given here.

5688. Was that knowledge derived from your sitting here?—Yes; from what I could learn from various sources.

5689. Now I may also ask you, with reference to your opportunities of acquiring information, do you believe that arms are extensively in the hands of the people here?—I have had official information of it—of course I mean through reports.

5690. I suppose you are also of opinion that an inspector of police would not be justified in disclosing his official authority, or directions, or anything of that sort?—Of course not if it affected the public service.

5691. Now with reference to that very point I have mentioned, did there at any time in the course of the police investigation, arise any difference of opinion between you and the other magistrates as to compelling Mr. Inspector Stafford to give what he called official information?—Yes.

5692. Kindly explain that to the Commissioners?—Mr. Stafford was asked, or a question was asked, about certain information in regard to the men then on their trial—then accused. That information was given by the accused men officially, and he declined to give it. Many, I believe most, of the magistrates, including Captain Coote, thought he ought to give it. I stated my opinion that he ought not to give, and could not be compelled to give it. An adjournment of the Court then took place for a communication with the Government, and in due course an opinion came back from the responsible adviser of the Crown, that the question ought not to be asked or answered.

5693. Now, when you spoke, a little while ago, of what seemed to you to be an extension of the popular prejudice into the minds of the bench, at that investigation, did you think you had detected anything of that sort at the time that matter about the law of evidence was being discussed that you have last mentioned?—No, I did not; oh, no, I did not. I did not go into any particulars.

5694. Now you have also stated, and very fairly, that you yourself were assailed for your opinions during the time you were acting there as magistrate, that wrong motives were attributed to you?—Well, I was assailed only by the advocate for the next of kin.

5695. May I ask you whether your impartiality was assailed on the very substantial ground of your personal religious views—is that so?—Well, really Mr. Rea made all manner of imputations, and I thought so little about them, that I could hardly tell you the precise grounds.

5696. You were here as stipendiary magistrate, brought here for the first time about that period?—Yes, that was the first time.

5697. Did the bench as a body interfere to restrain Mr. Rea in making those charges as regarded your personal religious views in any way?—No; I was sent here in the ordinary way for a public duty, and all manner of imputations were thrown out against me.

5698. That you had come here with the intentional determination to do a particular thing—with a foregone conclusion?—Those insinuations were repeatedly made. It often occurred in Court during the course of this investigation that Mr. Rea made harangues to that effect—it frequently occurred; indeed I may say it was even personal; it went the length of imputing corruption to me.

5699. And you say that none of the magistrates interfered to restrain that?—I do not remember that any magistrate on the bench said anything when the observations were made.

5700. Now your opinion being as you have expressed it, with reference to the undesirability of these processions, of course it applies to the processions of all parties, ranks, creeds, or religions?—Certainly.

5701. No matter under what pretence?—If in a divided community, one party being Protestant and the other Catholic, a procession of the Protestant party gives offence to the other party being Catholic, I say that procession ought not to be allowed; and *vice versa*; and in the natural course of things if such a procession is allowed, there is a disposition to retaliate and have a counter procession. I may, for the information of the Commissioners, state that on the 12th of August last, charged with the responsibility that I had, in conjunction with others, I felt very anxious indeed, and as night approached I was thankful that we had got over the danger of the day; but when night did come on, about nine o'clock, a report came in that an-

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other procession was to march through the town with a rival band, I mean the band opposed to the Apprentice Boys; and I believe in the town that night the boast was, that as a certain people had had the day, they would have the night. And that very alarming rumour increased our anxiety lest such a thing should take place, and I feared if that band had come into the town, some collision between the parties would take place. I give that by way of illustration, to show the necessity of doing away with bands and processions.

5702. Mr. Commissioner EXHAM.—I suppose you and the other magistrates took precautions when you heard that report in the evening?—At once; but the difficulty of the magistrates was—was this band to be turned back by force or stopped upon the way, or was it not? It might be said "you did not stop the other band in the morning; why stop us in the evening?"

5703. And the magistrates did discuss the question whether they ought to stop this other band or not?—No, that was not discussed, because the thing was so sudden; there was no time; but fortunately the question had not to be discussed, because they did not come in. Under the circumstances, I think I myself would scarcely hesitate in stopping the band, it being night.

5704. If you were driven to exercise the responsibility you think you would?—I do; bearing in mind the time of the day or night it was. There is a great difference between a band playing in the early morning and at night.

5705. Mr. *M'Laughlin.*—Suppose that the time was not night, but the day; and suppose at three o'clock in the day of the 12th of August a procession of the opposite force, corresponding as regards numbers, banners, and everything else with the Apprentice Boy force, but being necessarily an opposing force, had appeared at one of the gates for the purpose of getting in, would you have allowed them to come in—in the day time?—I do not think I should stop them in such a case as that that you put to me. Of course I should take steps to prevent a collision between two such parties.

5706. But then the effect of the interference of the authorities (I do not say what the intention would be) in such a case as I have supposed would be that they would protect both classes of processionists?—Well, they would prevent them coming into collision, but everything would depend on the character of the second imaginary procession that you allude to.

5707. Mr. Commissioner MURPHY.—Mr. M'Laughlin supposes them to be similar in every respect, and supposes they were legal, in that case would you have stopped it?—I think not.

5708. But you would have prevented a collision?—Yes.

5709. Mr. Commissioner EXHAM.—You would have made such a disposition of the force at your command as, in your opinion, would be best calculated to prevent a collision of the two parties.

5710. But you would not protect, in the sense of encouraging?—With respect to that last procession alluded to, there was no information given or sworn to as that danger was apprehended, and therefore no magistrate would be justified in interfering with it.

5711. Mr. *M'Laughlin.*—There was no information sworn to the effect that it would have a tendency to result in a breach of the peace?—None that I am aware of.

5712. If there had been an information sworn, by some credible person or persons, that such a procession would have a tendency to create a breach of the peace, what would you do as a magistrate?—That would depend very much on the character of the information and the informant.

5713. Assuming the fullness of the one and the credibility of the other?—Yes, and in that information certain undeniable facts should be stated. I would not receive men's mere opinions, or be influenced by what they would think or by their fears. It would very much depend on the character of the information and the facts stated; and it should be a very strong information indeed, very satisfactory to my mind, before I would take any action upon it.

5714. Suppose that the informations utterly abstained from the enunciation of any opinion, and were made by six or seven men of the first rank in the city of various classes and creeds; suppose that those people came forward and swore these facts;—first, that there was to be a procession on the next day, to wit, the 18th of December; secondly, that they had good reason to believe, and pointing out the grounds of their belief, that the persons in that procession would be Apprentice Boys; that they would be armed both with small arms and artillery, although the small arms might not be apparent; thirdly, that there existed then, and had existed previously, the strongest and most resolute determination on the part of the Catholics to oppose them by force if the law did not interfere; fourthly, that those Catholics, as had been testified at this Commission, despairing of any protection from the law, or any equal administration of the law, as they believed, had armed themselves to the extent of many hundred stand of arms, both rifles and revolvers; and fifthly, that on the occasion of the prior celebration, to wit, the celebration of the 12th of August, certain people (giving the numbers and circumstances) were about to oppose them then, by using those arms in question at that time, and had been restrained by the strenuous representations of lay and clerical friends.

5715.—Mr. Commissioner MURPHY.—If you were here and in authority, and were convinced by evidence of reliable persons that there was imminent peril of bloodshed by allowing the procession of the 18th of December, would you take measures beforehand to stop it?—Most undoubtedly. You said "stop it." I merely answer that in such a case as that, in answer to the question you put to me of their being imminent danger to the public peace of the character you have described, my duty would be at once to communicate with the executive body, and to advise the Government in such a case, I being satisfied of the truth of the report I was making, that a procession of such a nature was about to take place, and to send down a sufficient force to prevent it; but, of course, I would not take upon myself the responsibility of suppressing it unless some sudden emergency arose, nor would I do it unless I had a very large force to carry out my orders. In such a case as Mr. Commissioner Murphy puts, I would communicate with the Government, expressing my opinion, for their orders.

5716. Mr. *M'Laughlin.*—I complete my question:—and supposing that, in addition to that, the informants should swear that those persons, with such feelings as I have described, and having arms, would appear on the next day, the 18th of December, and oppose the Apprentice Boys, would you act then in the way you have pointed out in answer to the last question?—Yes; I should consider that my duty; but they should not be hypothetical informations.

5717. Mr. Commissioner MURPHY.—If conviction was brought to your mind of the danger?—Yes; from reliable sources.

5718. Mr. *M'Laughlin.*—You were present when the Mayor gave his evidence to-day as to what would be the proper course to adopt on the next 18th of December?—Well, I doubt if I attended to it.

Mr. Commissioner MURPHY.—The Mayor said that he thought it would not be right to put down the procession as long as it was legal, and he would prevent a breach of the peace.

5719. Mr. *M'Laughlin.*—And he added that he would, by placing a proper force of military or police on the gates, prevent the Catholics coming in, while the Apprentice Boys had their procession; you heard that evidence?—Yes, I heard that.

5720. Having regard to the feeling that exists, and the arming that has been deposed to, do you consider that a wise course to take?—That is rather a speculative question. That would depend very much upon circumstances, but I may say this, that if it was

within my knowledge that any party or faction would assume to themselves the exercise of the functions of Government, it is a thing that I would not tolerate for one minute. When the Government would not themselves interfere, I would not allow others to do so.

5721. Mr. Commissioner EXHAM.—And particularly if you were informed that that was an armed organized force, coming with the intention of preventing a procession that you as a magistrate looked upon to be legal?—Yes.

5722. Mr. *M'Laughlin.*—You heard the Mayor say that on prior occasions he has taken, with the best intentions and the greatest success, the precaution of keeping one party out while the other was inside. You heard him say so?—Yes.

5723. And you made use of an expression, a little while ago, as to the reason why these people, who were anxious to come in on the night of the 12th of August, thought they had a right to do so—that they thought it was too bad that if the Apprentice Boys had got the day they should not get the night?—That was the report given to me, that they had said so; that was their sentiment.

5724. Suppose this question of day or night were taken away, and that they said, "These Apprentice Boys have had the 12th of August and 18th of December, and it is too bad that we should not have the 17th of March to march through the town in procession?—Yes; they would reason in that way.

Mr. Commissioner MURPHY.—And Mr. O'Donnell says that he would not prevent them.

5725. Mr. *M'Laughlin.*—Now you would not consider that reasoning the reasoning of an absolute lunatic?—Of a lunatic! No; I would not.

5726. So far as you know, does not there exist, rightly or wrongly, among the Roman Catholic population a belief that, as regards those processions and displays, they get no fair play at all?—Fair play?

5727. That their exhibitions are repressed, and that the exhibitions of the other party, though offensive to the Catholics, are encouraged and allowed?—I believe the impression of the Catholic portion of the population is that those displays are to them offensive, and intended to be offensive. Whether they are intended so or not, I express no opinion upon that, but I know that that impression exists. They are celebrations of an event which they believe has degraded them—an historical event, with respect to which I think all persons, whether Catholic or Protestant, ought to have a common feeling. I know myself, as a student of history, I should take the view, that people should all look back upon that event with the same degree of pride, and it should give offence to no party. I am afraid, however, that the people are not well enough educated for that. It is a commemoration of an event of national bravery, because it was a gallant defence. Still I think that the celebration of it in this day is out of date, and ought not to be continued, and I think it would be just as reasonable for the people of Limerick, with which, gentlemen, you are well acquainted, to commemorate the raising of the siege of that city, and the equally gallant deeds of Sarsfield. Now, the people of Limerick, who are for the most part Catholic, do not think of this; and if it was attempted the well-meaning portion of the Catholic population, the classes whose opinions were worth having, would suppress it, lest it should give offence to the Protestant people in Limerick.

5728. Mr. Commissioner MURPHY.—And the Protestant population of Limerick county and city are proud of Sarsfield?—Yes; and I believe that if such a celebration should take place the Protestants would join the Roman Catholics in it with equal pride. I only say then that such a feeling should exist, and that as it does not exist the celebration should be given up, as a matter of good sense and good citizenship, and I think in a Christian point of view too.

5729. But the ordinary people, who do not look at it by the light of the historic information you put into the matter, would only know the general fact that it was the triumph of a party over their ancestors?—They only know it was a triumph of one party and the defeat of the other, and they only regard it still in that light.

5730. I suppose you would say that that feeling was increased by the unfortunate affair resulting in the death of these three men?—I should think so; that has caused very great excitement.

5731. Mr. *Crawford.*—But, referring to the act of the mayor, in keeping one party outside the walls while the other was inside the city, supposing you were in charge, and met a hostile body coming to attack a body inside, would you not do the very same thing that the Mayor did?—It is very hard to say till the circumstance would arise.

5732. I ask you, now, if these celebrations were coming on, and the information was put before you that the Bogside party was coming in to attack the Apprentice Boys, would you not think it advisable to keep them out?—I have already said that I would do all in my power to prevent a collision.

5733. Mr. Commissioner MURPHY.—You already have his answer, that he did it on the 12th of August, on the occasion when the programme was laid before the meeting of magistrates.

5734. Mr. Commissioner EXHAM.—And you have further in evidence that, when the duty of providing for the public peace became necessary, that was one of the very first acts he took?—And I incurred some odium for doing it.

5735. Mr. Commissioner EXHAM.—Unfortunately, men, when they do their duty, don't always receive the praise of everyone?—If such a party as Mr. Crawford speaks of was coming, what I should do would be, prevent a collision, and perhaps disperse the party; but that would depend altogether on whether they were a riotous and armed party. If they were, of course I would take steps to disperse them.

5736. Mr. *Crawford.*—In reference to the informations before the magistrates, do you recollect that when Mr. Rea, who appeared then with me for the next of kin, asked Mr. Stafford some questions about the firing, you sanctioned the refusal to answer the question?—Before I answer that question I would say, in reference to the cause of all this disturbance, that the best plan of all would be to act like physicians, and get to the root of the thing at once, and prevent processions altogether.

5737. But you said that when Mr. Rea, on that occasion, put the question to Mr. Stafford as to the firing, you sanctioned his declining to answer it. Was not that the cause of bringing the investigation to such an abrupt end?—I think not. Mr. Stafford declined to answer a question which would affect his men upon their trial, and I thought he was perfectly justified in the course he adopted.

5738. Although Mr. Rea attempted to satisfy the magistrates, by authority, that the members of the constabulary force were not protected or privileged in such cases beyond any other member of the community?—Well, I can't go into Mr. Rea's arguments now.

5739. Did he not quote authorities to show you he was entitled to get an answer to the question?—Mr. Rea quoted some authorities which did not bear on the question at issue, and we did not mind them.

5740. Mr. Commissioner MURPHY.—Whether the privilege existed or not might be a difficult point to decide; and the law officers of the Crown gave it as their opinion that the privilege did exist.

5741. Mr. *Crawford* (to witness).—At all events the fact is, that the majority of the magistrates concurred in the opinion that the question ought to be answered?—They did.

5742. They did?—Yes.

5743. Mr. Rea called on the magistrates, I believe, to commit Mr. Stafford if he did not answer the question?—He did, and the mayor declined.

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5744. And it was immediately after that the inquiry was brought to an end?—I believe so.

5745. Mr. Commissioner MURPHY.—Yes, there were other witnesses to be examined when the inquiry terminated?—The investigation was stopped at that time, contrary to the expressed wishes not only of the men, but of the advocates on both sides.

5746. Mr. Commissioner EXHAM.—I suppose they were like yourself—nearly exhausted?—They did not wish the investigation to stop there though.

5747. Mr. *Crawford.*—From any conversation you had with the magistrates about this bail, did they express the opinion that they did not believe the informations?—I should consider my conversation with the magistrates privileged, and therefore decline to answer you.

5748. I talk of the proceedings in the room and not on the bench?—However, I claim no such privilege, for I had no such conversation. Anything that occurred between me and the magistrates was on the bench, in open court.

5749. Supposing that you had been present at the coroner's inquest, when it was proved that three men fell from the firing of the constabulary, what would you have done in such a case?—I would of course have adopted the only alternative left, and sent the charge on for further investigation.

5750. Do you think the bail—after what occurred—allowing them to stand out on their own recognizances in £40 each, was such a bail as would be applied to civilians?—I should think not.

5751. Did you object to that bail?—No.

5752. Why?—Because I was quite aware that the police would appear; the difference being that the police are a public body, and are responsible for their acts. Malice was not imputed to them.

5753. You say you had information of the people being armed?—No, I did not. I said that I was informed of large quantities of arms being purchased in the town within these twelve months—during last winter, long before I came here.

5754. Will you tell me, if you can, who were the parties that informed you of the purchasing of these arms?—I will not tell you.

5755. At all events you got no official information of the parties arming themselves?—No. The information was of a general nature, that the arms were being distributed in the town; and I heard the questions put by the Commissioners to the mayor as regards these arms—about the seizure of them. Now, I speak from experience, and I say that is a matter very difficult to deal with.

5756. Mr. *M'Laughlin.*—The mayor expressed a strong opinion, that it was the duty of anything deserving the name of Government to bring down a sufficient force and take the arms from them?—Practically that would be impossible. I have some experience of that, and I may tell the Commissioners, who have themselves seen such a thing attempted five years ago in Belfast, that the endeavour signally failed.

Mr. Commissioner EXHAM.—Yes, the streets were stopped at both ends, but the search proved ineffectual.

Witness.—A diligent search was then made, by a large and competent force, but not a single pistol was found.

5757. Mr. *Crawford.*—You had information before you went out to Muff Glen, that there was likely to be a collision?—Yes.

5758. You had military under your command?—I had, and had all arrangements made to prevent a breach of the peace.

5759. When you saw 800 men assembled to make an attack on another procession, did you think it your duty to disperse them?—I did not hear anything of the kind. I told the Commissioners the men were there to form a defence, to contest a certain passage with the other parties who did not appear.

5760. The party that you describe as the 800 men were Roman Catholics?—I was informed they were.

5761. And the other party who did not come forward were the Protestant party?—I was informed so, and further, that the parties in that neighbourhood came from a distance—from Donegal and Tyrone.

5762. You do not know whether they had artillery there?—I do not know, but it was spoken of by the people in the Glen that artillery was to be brought there against them.

Mr Commissioner MURPHY.—We have heard a great deal in reference to the number of men it would be necessary to bring here in the event of the local force being changed. Perhaps you could give us some idea as to the number, in your opinion, that would be requisite.

Mr. Commissioner EXHAM.—From your experience in Belfast you will be able to tell us.

Witness.—The state of things that exist here now is almost analogous to what existed in Belfast five years ago. Certain alterations have since then taken place, and I think Belfast has benefited, as evidenced by the reformed condition of the peace and the people. At that time—the period of the riots—it was a local police force was in charge of the city, but since the constabulary were brought there—I believe they number as three to every thousand of the population——

5763. Mr. Commissioner EXHAM.—Three to a thousand?—Yes.

5764. In Belfast?—Yes; and in this town, with a population of 29,000, I do not think that less than ninety men would do.

5765. Mr. Commissioner MURPHY.—The population here is about 30,000?—I do not think that less than that would watch the town. There is a part of the town called the Bogside, and, like the Pound in Belfast, the police used to be afraid to go to it, but now they can go to the Pound with perfect safety.

5766. Mr. *Crawford.*—I did not catch the number of men you said would be requisite?—Assuming you had a population of 30,000, I should say that less than ninety men would not do.

Mr. *Fitzgibbon Louch,* C.E., examined by Mr. Commissioner EXHAM.

Mr. Fitzgibbon Louch, C.E.

5767. How long have you lived in Derry?—For twelve years.

5768. May I ask you, living in Derry for that length of time, have you heard these rumours of discontent with the magistrates?—I have never heard it till I heard it in court here.

5769. Are you in the habit of meeting the labouring class of the population here?—Yes.

5770. Mr. Commissioner MURPHY.—The working classes?—Yes; very much in my own profession.

5771. Mr. Commissioner EXHAM.—What business are you?—I am an architect and civil engineer.

5772. And you are constantly with your workmen, carpenters and others?—Yes.

5773. And they are belonging to both religious persuasions?—Yes.

5774. And you never heard of this feeling of dissatisfaction with the magistrates before?—No.

5775. Now, are you of opinion that these processions on the 12th of August and the 18th December are viewed with hostility—looked upon as being distasteful—by a large number of the people?—I believe that, since the last election took place, these processions have been more or less—since the late election.

5776. You say they have been looked upon in a hostile spirit?—Yes, since the late election.

5777. But going back before the election?—I never saw any ill-feeling before that.

5778. Then you think that since the election there has been a decided hostility evinced at all events?—I do.

5779. A decided feeling of hostility to them on the part of a large number of Roman Catholics here?—That is my opinion.

5780. Now, I ask you would it tend, in your opinion, or would it be likely to tend, to the future peace of the city, if these demonstrations were put an end to?—Well, it strikes me that I have very strong opinions on this particular subject. I believe that the Party Processions Act is a disgrace to the statute-book, and I believe that as long as men are acting legally, in this country, they should be allowed on both sides every opportunity of display, or marching in display, if they so please; and I think, on these occasions, if the displays are legal, that the majesty of the law should be upheld, and that at any risk, and at any cost, the processions on both sides should be protected, as long as they act legally and constitutionally.

5781. Mr. Commissioner MURPHY.—But don't you think they would then mutually offend one another?—No; I think if both parties were allowed freely to exercise their liberty there would not be that ill-feeling. I think it would tend to do away with all ill-feeling.

5782. Mr. Commissioner EXHAM.—Would you not think that unfortunately, in this country, where religious and party feeling runs so high, it would be better, for the present at all events, that neither party had a triumph, by putting down these celebrations altogether?—Well, if neither party had a triumph, I would think it all the better to do away with them for the present.

5783. But, in your opinion, it would not tend to the peace of Derry, if there was special legislation for Derry?—That is my opinion.

5784. Is it because it would be considered to affect the Protestant party only?—Yes; and I am afraid the processions would be upheld at almost any risk.

5785. Would you think, if there was a general putting down of processions and bands of all kinds, that that would have the effect?—I think they would die a natural death on both sides then.

5786. You think the Apprentice Boys would not then persist in their attempt to have them?—I think the whole life of these processions is the opposition that is given to them.

5787. And that if they were put down on all sides, so that no victory was allowed to be celebrated on either side, the Apprentice Boys would leave them so, and thus put an end to them?—I think so.

5788. Mr. Commissioner MURPHY.—Do you think that the opposition to these processions of late years has increased them?—I do. It is well known that the opposition to these celebrations, within the past few years, has made the Apprentice Boys' party all the more determined to have them.

5789. And to prevent any evil result from the processions, you would abolish them?—I would not abolish them alone; I would put down processions of all kinds in Ireland, and then there would be no ground for bad feeling.

5790. Mr. *Crawford*.—Now, from what you know of the Protestants of the North of Ireland—first, have you any experience of them?—I have very considerable experience.

5791. And from what you know of them now, what do you think would be the consequence of the celebrations—the city celebrations and anniversaries—being put down with the strong hand of Government?—

5792. Mr. Commissioner EXHAM.—Well, I do not think now, Mr. Crawford, that it is within our inquiry to inquire what he thinks would be the result, because that is a thing outside Derry.

5793. Mr. *Crawford*.—Well then I will confine myself to within Derry. What do you think would be the result of the Derry procession being put down?—I think it would almost lead to a revolution here.

5794. Mr. Commissioner EXHAM.—As I understand the witness, what he says is this, that if Derry was made exceptional as regards legislation, that then unpleasant consequences might be anticipated, but that he thinks if the legislation was general for Ireland that then the Apprentice Boys would not so much mind their processions being abolished?—Yes.

5795. Mr. *Crawford*.—[To witness.] The Protestants of this neighbourhood, I believe, look upon these celebrations as a mark of religious freedom?—As a mark of religious liberty—certainly.

5796. And is it on that ground, and not for the purpose of taunting their Roman Catholic brethren they are kept up?—On the former ground, and with no other intention. I would not have taken part in them if it were for the purpose of taunting my Roman Catholic fellow-townsmen.

5797. Then, in point of fact, when they did take offence, there was none intended towards them?—Decidedly not.

5798. And it is entirely imaginary on their part that offence was intended to them, so far as you know?—Yes; my name has been mentioned two or three times with regard to windows being broken. I may mention that the first occasion was on the night of the assault on the Corporation Hall. I did not know what had taken place, and when I came into town on the next morning, the first thing I saw was my house all smashed.

5799. Mr. *Crawford*.—Suppose there was an attempt made to put down these celebrations by mob law, what would be the result here, and over Ulster if you like?—I think there would be a very serious row.

5800. Has there been any assurance made to you as to the result of any such attempt?—There has.

5801. Mr. Commissioner MURPHY.—I suppose bloodshed would ensue?—Bloodshed would ensue.

5802. Mr. Commissioner EXHAM.—As I understand the Apprentice Boys look to the law to protect them, as long as they are acting within the law, and that if they are not to be protected by the law, and are exposed to mob violence, they will then take the law into their own hands?—Yes.

5803. Mr. *Crawford* (to witness).—Since you came to Derry, and until the election, do you recollect any feeling of opposition to these celebrations, or was it since the election that this feeling has grown up?—It is decidedly since the election.

5804. Mr. Commissioner EXHAM.—Before the election to your knowledge of this body called the Apprentice Boys, were they armed extensively?—Certainly not.

5805. And have they been since?—The Apprentice Boys' party.

5806. Yes, as far as your knowledge of them enables you to state?—I am not aware of it.

5807. Was there any subscription raised for the purpose of arming them?—I am not aware of a single instance of a subscription being raised to purchase arms, or of arms being distributed to them as a body at all.

5808. Mr. *Crawford*—Were you in the Town Hall after the first meeting of Sergeant Dowse's friends there?—After?

5809. Yes, after the meeting was over?—I was.

5810. Tell the Commissioners what state the hall was left in?—They pulled down the whole of the balustrades.

Mr. Commissioner EXHAM.—We heard that long ago, Mr. Crawford.

5811. Mr. *Crawford* (to witness).—You recollect the day the procession was here?—I do.

5812. Do you recollect the procession that had the white flag?—I do.

5813. And the harp without the crown?—I do.

5814. Do you think the carrying of that flag was calculated to cause riot in Derry?—I know it was calculated to cause a riot here, and I had a great deal of difficulty in preventing parties from resorting to force to remove it.

5815. Was that flag flaunted before the people without any effort on their part to take it?—It was; and flaunted into the carriage of the Prince.

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5816. Mr. Commissioner EXHAM.—Do you mean to say you saw yourself that flag flaunted into the carriage before the Prince?—No, but I heard it on pretty good authority. I was in the Corporation Hall at that time.

5817. Mr. *Crawford.*—Now that band that carried that flag, we are told, afterwards played "God Save the Queen"?—I did not see them. I was in the Corporation Hall.

5818. But if they did, do you think they did it from a sincere desire?

5819. Mr. Commissioner EXHAM.—Oh, we can't go into that you know?—I heard one authority say they murdered it—that they played it as if it was a tune they had not practised much.

5820. Mr. *M'Laughlin.*—Do you know anything about music?—I do.

5821. You say they murdered it—played it as if it was a tune they were not accustomed to perform?—Yes, just as I heard the Apprentice Boys murder some tunes they were not used to.

5822. They did not murder "No Surrender"?—No, they seem to know that well.

5823. You say they murdered the tune. Now, on your reputation as a musician, don't you know that "God Save the Queen" is a tune that nearly every man can play that can play at all, because it is always the first tune a man learns?—I believe there is no tune so difficult, on the whole, to play on a band as "God Save the Queen."

5824. And I suppose that is the reason a man plays it first. You were not in Court when I placed this flag before the Commissioners?—No, I was not.

5825. And did you see it on what the police call the day in question?—I saw it two or three times.

5826. And you saw the fringe?—Yes.

5827. The blue fringe?—Yes.

5828. That is not surely counted a rebel emblem?—No, I think not.

5829. Did you see the letters were of a golden tinge, very much resembling a colour you know a good deal about here—orange?—Yes, I know a good deal about it.

5830. You said that information was sent to you?—Yes.

5831. Was that officially communicated?—No.

5832. You hold no office among them?—I am a deputy grand master of the Orangemen of Ireland.

5833. You must be a desperate fellow?—And I am not ashamed of my position.

5834. It was not in that capacity it was communicated to you?—No, it was not.

5835. You say that the absence of the crown from the harp created a strong feeling of public indignation?—I do.

5836. And that some people were restrained with difficulty from adopting violent measures, because the crown was not there?—Yes.

5837. Their respect was for the crown of course?—Certainly.

5838. The reason I take the liberty of asking you—you know you said you were proud of it—is that I wish to know did you ever hear of an Orange gentleman in holy orders, called the Rev. John Flanagan, who told the Protestants that the only homage due to the crown was to kick the crown into the Boyne?—I never heard it.

5839. Would you be surprised to hear that that fiery Northern's language had been strongly commented on?—I know him very well, and I do not believe it.

5840. You would not agree in that?—No, certainly not.

5841. You say that all local disturbances are the results of the election?—I said nothing of the sort. I said it occurred since the election.

5842. That the opposition to the Apprentice Boys was begun about the election?—Yes.

5843. I think you also said that opposition was the life of the processions?—Yes.

5844. By the way, might I ask you in what capacity did you go into the Hall after the attack?—Which Hall?

5845. The Corporation Hall, the night after the attack, to inspect its architectural condition?—It was two or three days after that.

5846. Did you go there in your official capacity as an architect?—Certainly not. I do not know what brought me there.

5847. Did they show you part of the roof where men were trying to put out the gas?—No. I may tell you that I was no party to the transaction of that night, either directly or indirectly, nor did I approve of it in any way, when I heard it in Portrush.

5848. Now, I am not in the habit of taking a witness at a disadvantage, and I would ask you to consider what you said—that the opposition to these celebrations was begun about the time of the election?—I believe it, and I think the feeling to have the processions in defiance of all this opposition is getting stronger and stronger every day, and particularly since the Commission began.

5849. Do you take a very prominent part in the affairs of the Apprentice Boys?—Not very prominent. I hold no office among the Apprentice Boys whatever, and act merely and simply as a member.

5850. Would I be justified in assuming that when the Apprentice Boys and Orangemen meet sometimes on the 12th of August, they begin to fight there and then—are there not frequent fights among them?—Yes, there are.

5851. You know a gentleman, I suppose, whose name it is no harm to mention—Mr. Johnston, of Ballykilbeg?—I know him.

5852. And I believe you took part in the presentation of an address to him?—I did, simply as he was President and member of the Orange lodge.

5853. You have the advantage of being pretty popular by being an Apprentice Boy and an Orangeman?—I am, but I do not look on it that because I belong to the Apprentice Boy Association I am a party man. I do not look on the Apprentice Boys as being party men at all.

5854. Certainly not; but the reason I ask you about that is, not that I am curious about Mr. Johnson at all, but I think you said that all the Apprentice Boys wanted was to respect the law and be protected by it?—Yes.

5855. Now, having regard to Mr. Johnson, the great act of whose public life was to drive a coach and four to an Act of Parliament, and do all in his power to encourage others to do the same—do you persist in that statement?

5856. Mr. Commissioner EXHAM.—Surely what Mr. Johnson may do is no part of your inquiry.

5857. Mr. *M'Laughlin* (to witness).—Having regard to that fact, do you still say that the Apprentice Boys want to respect the law?—I do not approve of Mr. Johnson's conduct at all. On the contrary, I have done everything in my power always to try and prevent any display of Orange banners.

5858. Mr. Commissioner MURPHY.—Do you still adhere to the opinion that the Apprentice Boys are anxious to respect the law of the land?—Decidedly, and no other.

5859. Mr. *M'Laughlin.*—Then in the address they presented to him didn't they specially eulogise him for the act he did in destroying the Party Processions Act?—Not for destroying it, but for his exertions in trying to have it blotted off the statute.

5860. Now, I want to ask you a further question. You have been in Derry between twelve and fourteen years?—Yes.

5861. Do you remember an occasion on which a number of persons, some of whom were examined to-day, appeared in Court to testify how offensive these displays were to the Roman Catholics—Do you remember being in Court at the time of the prosecutions in '58 or '59?—What was that about.

5862. I will tell you where you were at the time. You were leaning over the bench behind me, with Mr.

Cambell, the emigration agent, on the other side?—What time was that—I want to bring it to my recollection.

5863. It was about '61, when Mr. Major was down here prosecuting the Apprentice Boys. Don't you remember the running commentary you were giving on the evidence as it was going on?—I do not. I would say so at once if I did.

Mr. *Crawford.*—This is a matter ten years old.

Mr. Commissioner EXHAM.—It was some case in which Mr. Major came down here.

5864. Mr. Commissioner MURPHY.—Have you any recollection of a prosecution in court by the Roman Catholics against the Apprentice Boys?—I have not.

5865. Mr. *M'Laughlin.*—But no doubt the thing might occur, without you recollecting it?—If I heard it I might think of it. Mr. Ferguson might be able to tell me what was it for (Mr. Ferguson in an under tone of voice spoke to the witness). I was not in the Apprentice Boys' party at the time.

5866. No, but you were in court. If it had been the case that the Catholics of position in the city had appeared and swore solemnly on their oaths, and still persist in swearing, that they are offensive and insulting, would you still be inclined to believe there was no opposition to these processions?—Certainly, if that occurred there must have been some slight opposition to them.

5867. If, incidentally to that occurrence, a declaration ten years older still had been produced, saying they were offensive and insulting, would you alter your opinion?—Of course I would.

5868. Mr. Commissioner MURPHY.—You heard the evidence of Dr. White?—I was not in court when he was examined, but I saw it in the papers.

5869. And if Mr. O'Neill, Mr. Tillie, and the other gentlemen examined—would you have any doubt after that evidence that a strong feeling of opposition existed among the Roman Catholics for a long time to these displays, whether that feeling was right or wrong, or properly produced or not?—I am sure those gentlemen would not come in here and state they were, unless they believed it.

5870. And don't you think they ought to have been well able to ascertain the existence of such a feeling among their co-religionists?—I do.

5871. Mr. Commissioner EXHAM.—I understand that, although you were not aware of it before this inquiry was opened, yet, having heard the evidence, you now believe that feeling does exist?—Yes. I have no doubt on my mind now that there is a strong feeling against them—whether that feeling should be pandered to though is another question entirely.

5872. Mr. *M'Laughlin.*—That is what I was going to ask you. You say you have a strong feeling about this yourself?—I have.

5873. You said a very strong feeling, that there should be no exceptional law for Derry or any other part of the kingdom?—Not any part of the kingdom—any part of Ireland. I do not care what they do for other parts of the kingdom so as they legislate for Ireland properly.

5874. Is it your opinion that, if a law applying to the whole of Ireland were passed, and if the ordinary processions of the Apprentice Boys came within the scope of that law, it would be submitted to in Derry?—If a law were passed that had application in the whole of Ireland, from Cape Clear or Galway to the Giants' Causeway, it would then be submitted to here. I think the Apprentice Boys of Derry are always ready to submit to the law.

5875. As a man I ask you to consider the question, and give it a straightforward answer.

Mr. *Crawford.*—I object to the question. I think this Commission is to inquire into the fact whether it is right to have celebrations of a particular kind or not, and not to be investigating probabilities.

5876. Mr. Commissioner MURPHY.—Let us see whether the gentleman declines to answer the question or not.

5877. Mr. Commissioner EXHAM.—I understood that he gave me the answer awhile ago.

5878. Mr. Commissioner MURPHY.—What Mr. M'Laughlin says is, supposing that there was a law passed, extending to all Ireland, from north to south, and that that law did, beyond all question, embrace the processions of the 12th of August in Derry, do you think that the Apprentice Boys would submit to that law?—I am perfectly sure they would submit to it.

5879. Mr. Commissioner EXHAM.—He told me that if there was a general law passed, giving a victory to no party, but placing each on a perfect equality, that then it would be submitted to.

Witness.—Exactly; but as long as other processions are kept up in the South these will be kept up in the North, whether legal or illegal. We look on the Derry celebrations as legal, and we look on the Orange demonstrations as illegal; but whether they are or not they will be continued if the law does not put down processions in the South.

5880. Mr. *M'Laughlin.*—Your theory is that the infraction of the law by law-breakers in Limerick, Cork, and other places, justifies you in also breaking it?—Not answered.

5881. Mr. Commissioner MURPHY.—You think that the infraction of the law, or the violation of the law, in the South, by certain processions having a declared object, that it provokes processions in the North, and will continue to provoke them?—No doubt of it, and I can tell you more, there are more than two-thirds of the Grand Lodge in Ireland that are opposed to these processions.

5882. Mr. *M'Laughlin.*—Mr. Crawford objects to my question now, when it was expressly understood that Mr. Commissioner Exham had extended, on the first day, the inquiry as to cause and effect to the whole of Ireland.

5883. Mr. Commissioner EXHAM.—I am not going to inquire into what happened in other parts of Ireland at all, except in so far as regards the putting down of all processions for the future. What I want to get from the witness is, whether the Apprentice Boys or others are of opinion that there should be equal law for every part of Ireland, and that that should not be allowed in the South which was denied in the North.

Witness.—Certainly.

5884. Mr. *M'Laughlin.*—(To witness)—That being so, you think that as long as the processions in Limerick and Cork continue, they justify a breach of the law in the North?—I did not say anything of the sort. If you put down the displays of one party why not do the same with the other.

5885. Well, what did you say?—That as long as they were kept up in the South they would be also continued in the North.

5886. But, supposing now that on the 1st of April there was a violation of the law in Limerick and on the 2nd in Cork, would you think that absolved the Apprentice Boys from all blame in violating it on the 12th August?—I do not know whether it would or not.

5887. Would you advise them not to do it?—I would not.

5888. That is you would be guided by the abstract theory of fair play?—I would.

5889. And do you think it very wonderful that the Catholics, seeing you indulging in processions here, consider it is fair?—They should be allowed the same privilege. I do not wonder at it at all. I think they should be allowed the same privilege as myself, and I tell you what is more, they are great cowards not to come out on the 17th of March, and make the law protect them.

5890. And the night they did come out did not your party mass in Society-street for the purpose of firing on them?

Mr. Commissioner EXHAM.—There is not the slightest particle of evidence that any such thing was done. The evidence is, that information had been received that the Apprentice Boys were to be attacked

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and that they applied to the magistrates for assistance against that attack, and the magistrates, having been informed that the attack was threatened, took precautions to prevent it.

5891. Mr. *M'Laughlin* (to witness).—And I believe that, although the magistrates adopted precautions, there were some pistol shots fired at them in Society-street, the minute they were seen?—I believe no such thing was done.

5892. You believe that the liberty of the subject should be protected?—Yes. I think that every man, no matter what his religion may be, should be equally protected. I always thought that.

5893. And don't you think so still?—I do, certainly.

5894. Were you in Court when Mr. Commissioner Murphy, at the close of Mr. Ferguson's examination, put some questions to him that created a sensation in court, as to sanguinary intentions?—I was not in court.

5895. You are a man of family?—I am.

5896. With a wife and children?—Yes.

5897. And you believe that any opposition of an official character would almost lead to a revolution here, and you have been advised that that is not an empty threat. Now, having regard to the frightful result that would follow from a collision between the parties, do you think, as a man and a Christian, that to encounter that risk with almost certainty of loss of human life, would be fully compensated for by having the processions?—It is a curious way of putting it, but my opinion is, as regards the coming celebration on the 18th of December next, that the Government having all the evidence here now before them, it is their bounden duty to prevent any such thing occurring.

5898. You mean to protect the Apprentice Boys?—Certainly.

5899. Then you think there will be a procession in December?—I am very certain there will; quite regardless of what the feelings of the Catholics are.

5900. Regardless of what the feelings of the Catholics are?—Yes.

5901. And of the extent to which they are armed?—Yes.

5902. Mr. Commissioner MURPHY.—Beyond the fact that these celebrations are in commemoration of the deeds of a party with which a large number of the people belonging to this city are identified, there is no question of principle connected with these displays?—Oh, there is a question of principle, and a very great one too.

5903. But you don't think it a necessary part of your existence—I mean that you would not consider it the same as if you had a particular mode of belief as to the necessity of going to celebrate Divine worship on particular days, that you would then say you would lose your life rather than give up that privilege?—That is the feeling amongst the Apprentice Boys, they would all lose their lives before they would give up the celebration of their anniversaries.

5904. You do not share that feeling yourself—I do. I did not for a time, though.

5905. And do you say you would, for the continuance of these displays, see human life forfeited?—I would not like to see any life forfeited, but I think it is the duty of Government to see that no lives are forfeited, and to see the majesty of the law upheld at any cost, and that if it was necessary to bring 20,000 men here to protect one man's life in the town, he has a perfect right to demand that protection.

5906. The majesty of the law should be upheld irrespective of all considerations—we all know that; but am I right in assuming that you gave an answer to my brother Commissioner that, in consequence of the feeling of opposition to these displays, you thought it best they should not be continued?—I did not say that.

Mr. *M'Laughlin.*—I was greatly surprised to hear him say so, and that he did the shorthand notes will be able to show.

5907. Mr. Commissioner MURPHY.—Did you hear the evidence of Mr. Hamilton given?—No, I was not in Court.

5908. If he said these displays were not looked upon as being connected with principle, and that it was best to give them up, what would you think?—What Mr. Hamilton?

5909. Mr. Hamilton the magistrate?—Oh, he was not an Apprentice Boy. The Apprentice Boys have very strong feelings on the subject, or of course they would not keep them up. They are a very respectable body of men in the town. They are all respectable tradesmen in the town, and there is a large number of honorary members—the first noblemen in the land.

5910. Mr. Commissioner EXHAM.—And as I understand what you say is, that the Apprentice Boys you know are ready to respect the law of the land, whatever it is at the time?—No doubt of that, so long as the law is equally administered.

5911. And then what you say is that, as long as they chose to celebrate and have processions according to such a programme as was submitted to the stipendiary magistrate, and approved of by him, and pronounced by him to be the law of the land as it exists, so long as that continues the Apprentice Boys will have them?—They will.

5912. And then they expect the protection of the Government of the day to shield them against being attacked when they are acting legally and constitutionally?—Exactly.

5913. And you think if the law is changed it will be equally observed?—Yes.

5914. Mr. *M'Laughlin.*—The Apprentice Boys, I believe, always reserve the right to themselves to see whether the law is equally administered?—Well, I think they are pretty good judges.

5915. Mr. *Crawford.*—Supposing that the Government did pass a law prohibiting all processions, don't you think that the Apprentice Boys look back to those celebrations with so much feeling that they would adopt some other mode of keeping up the anniversaries?—Oh, yes; certainly.

5916. No matter though the celebration was put down, the anniversary of closing the gates would be celebrated in another way?—Oh, yes; certainly.

5917. I must ask you as to whether now, supposing the law to be as at present, would you distinguish between a loyal and a disloyal display, and would you consider the Apprentice Boys and Orange processions loyal, and the procession that carried a flag with a harp without a crown disloyal?—I would consider that Orange processions under the present law would be decidedly disloyal.

5918. As to the loyalty of such proceedings I ask you would you make any distinction between a loyal and a disloyal procession—such for instance as the M'Manus funeral?—Oh, that is a very different thing altogether.

Mr. Commissioner MURPHY.—Those processions that are in open violation of the law he counts disloyal.

Mr. *Crawford.*—Would you think that under any circumstances such a procession as the M'Manus funeral should have been allowed?

Mr. Commissioner EXHAM.—We are not going into that, Mr. Crawford. That extends beyond what we decided upon as being within the heads of our warrant, and we will not go into it.

I want to say a word by way of explanation, to remove any false impression that might be made by a portion of my examination—namely, that I did not intend to express any opinion as to the legality or illegality of the procession that took place here on the 12th August. I only meant, when I spoke of its being legal, that the programme submitted to me did not contain anything that I deemed to be a violation of the law, but I did not nor do not express any opinion about the procession itself.

Mr. Commissioner EXHAM.—And I think I used the words, when putting the question to Mr. Louch, "according to the programme submitted to the resident magistrate."

Mr. *O'Donnell*.—To a certain extent that was adhered to, but it was transgressed during the day by the firing of the cannon from the walls, and the playing of party tunes. At the same time, having regard to the main object in view, the preservation of the peace, we considered it best to pass over that at the time.

Mr. *Ferguson*.—Did I not tell you that I would give every assistance in my power to have the programme strictly carried out, and not departed from?—Yes, you did; and I believe, so far as lay in your power, you acted with perfect good faith as you said you would. [Addressing the Commissioners]. Mr. Ferguson appeals to me now. He told me that he would use his influence among the Apprentice Boys, to prevent the law being violated. As far as I know of Mr. Ferguson that day he kept his word, as far as his influence went; but then there are other influences. There were wine and spirits, and for the acts of individuals that way I do not think he should be responsible.

Mr. *Thomas Mooney* examined by Mr. Commissioner EXHAM.

Mr. Thomas Mooney.

5919. Do you live in this city?—I do.

5920. How long have you been living here?—For the last twelve years.

5921. Are you in any business?—I am.

5922. What business do you carry on?—I am assistant to a merchant tailor in town.

5923. I think I need hardly ask the question—I suppose you are in the habit from time to time of coming into contact with the working people of both denominations here?—I am. I have from twenty to thirty men working in our own establishment.

5924. And are they of opposite persuasions?—Yes.

5925. And do they work harmoniously together until the approach of these anniversaries?—They do, unless sometimes when they join together and have a glass or two in the day, and then they might have a little dispute.

5926. Has it ever come to your knowledge that a portion of the people complain against the magistrates for partiality?—There are parties who may say they are, but I never knew it. I know though that the police complained to me, occasionally, that the magistrates did not punish severely enough the parties brought before them, and that there was not that amount of punishment inflicted on prisoners that would cause them to interfere, and go to the trouble of making arrests.

5927. Mr. Commissioner MURPHY.—That is, in the case of the Bog-side party, that they complained of the leniency of the magistrates, I suppose?—I would not like to say that they thought they were too lenient when a big case was brought into Court, but under ordinary circumstances they did.

5928. Mr. Commissioner EXHAM.—Were those complaints confined to political cases altogether?—They thought the magistrates took too light a view of the cases of bad conduct brought before them. The fact is that the city of Derry within the borough boundary is now about seven miles in circumference, and as there are not enough of constables to discharge all the duties, some of them of course must be neglected. I myself saw disturbances at the borough boundary which could not have taken place if there was a sufficient force of police in the town.

5929. With regard to these processions—we will go back since the election last year to the night of the attack on the Corporation Hall—is it your opinion that they are looked upon in a hostile manner by a large portion of the people?—I never knew of a single Roman Catholic having taken objection to them.

5930. Have you ever taken part in them yourself?—I am secretary to one of the clubs.

5931. And, as far as you are concerned, no objection was ever made to you?—None, I may say, except that one of the fastest friends I have—Mr. M'Laughlin's father—would say to me sometimes, when the anniversaries would be approaching, "Now, Mooney, don't look at me till to-morrow;" but if I met him in the evening I would look at him.

5932. Though they would not say anything to yourself about them, don't you think now that, since last year, they are looked on as being offensive?—The first time we had anything in connexion with them it was an extraneous matter entirely. It was the passing of the Party Processions Act. An unfortunate thing had taken place at Derrymacash.

5933. Mr. Commissioner MURPHY.—But, so far as you know, there was no feeling that they were offensive among the Catholic people of the city?—There was among a few, but the reasons of the whole of it were inflammatory articles in some newspapers.

5934. You heard the evidence of some gentlemen here?—Yes, I read it.

5935. They, of course, had a better opportunity than you have of knowing the feelings of their own co-religionists?—I don't know. What Dr. White would say is entitled to respect, for he is a gentleman very much respected.

5936. But a Roman Catholic would have better opportunities of knowing the feeling of his co-religionists than you?—I dare say he would.

5937. That remark that you say was sometimes made to you about "Don't look at me till to-morrow," was that in jest or was it in seriousness, as much as to say that that is the feeling of Derry, that a kind look cannot be expected till these anniversaries are over?—I was not aware of any such meaning in it. So far as he and I were concerned it was a jest.

5938. Yes, but was there anything under it?—No, there was no feeling in it at all. This spirit that has appeared of late was not then commenced.

5939. Mr. Commissioner EXHAM.—But on the 12th of August, was there not then a strong feeling against the processions?—I did not know of it. I read the evidence of the gentleman who said he had used his influence with parties to stop the processions, and that he paid a number of men himself to insure protection.

5940. And did you know anything of that yourself?—I did not. I read in the *Londonderry Journal*, some days previously, that an organised force would be got up to stop them, but I only looked on the statement as on all romances of the kind.

5941. But were you not aware that a programme was drawn up and submitted to the magistrates for that procession?—I was not aware that it was submitted to the magistrates, but I was aware it was drawn up.

5942. You have been some time connected with that body?—For about twelve years.

5943. Previously to the election, were the Apprentice Boys generally armed?—I never saw any arms among them. I knew there might be one or two re-

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volvers among them, but three or four would cover them; and as to the habit of carrying them, I don't think they ever did.

5944. But as to the last year, were they most extensively armed?—I do not think they were; I am not aware of any revolvers being bought by them.

5945. Or of any distribution among the body?—I am not.

5946. And such a thing could not take place without your knowledge?—It could not take place without my knowledge, I believe.

5947. Mr. *Crawford.*—Did you read the evidence of Dr. White before the Commissioners?—I did.

5948. You concur with it?—I do not.

5949. In what particulars do you dissent from it?—I don't concur in the observation with reference to the magistrates, and the decision they made in '66.

5950. Did you ever tell Dr. White the duties of a magistrate since he got the commission of the police?—I never did; he is a magistrate, I believe, for the county.

Mr. Commissioner EXHAM.—He is a magistrate for the county and not for the city.

Mr. *Crawford.*—The County Record Court is in the city and does not necessitate the citizens to go out to it.

Witness.—What he said about the magistrates adjudicating in a partial manner, and his refusing the commission of the peace, I will explain to you. After the passing of the Act a large force was sent down here under command of Mr. Coulson, and, as we thought we did not come within the scope of that Act, to test the matter it was decided that we would come out as usual, but a great many of the guns were left behind, and we had not got them with us. Mr. Hempton, however, had several large guns, and fired shots in presence of the resident magistrate, and said that he was not breaking the law, and that he would give the names of himself and those around him; but there was no prosecution on that occasion. On the following August the procession went on as usual, and a number of shots were fired. Mr. Fitzmaurice and Sub-Inspector Kelly were there, and cautioned us in the usual manner. Mr. Fitzmaurice said to me "don't you know you are breaking the law?" I said we were not, and came there to test the matter, and that if it was proved on trial that we were, we would submit. There were thirteen or fourteen prosecuted, and the case was decided on a point of law, and it was found that the Act was inoperative. The Legislature, I suppose, was in too great a hurry at the end of the sessions.

5951. Mr. Commissioner EXHAM.—And the bills that were sent up were ignored?—No; the magistrates dimissed the case at the time, on a point of law that was raised.

5952. Mr. *Crawford.*—Did you hear Dr. M'Knight's evidence?—I read his evidence.

5953. The Doctor was not always of the present opinions, I believe, in reference to party processions?—No, he was not; I recollect myself in '48, when he addressed 15,000 or 20,000 people, and I saw fifteen or twenty orange flags there then.

5954. It was a body of Orangemen he addressed at that time?—It was solely and entirely Orangemen. I may say I did not hear the Doctor though I was looking at him; and I do not know, except a word or two, what the Doctor said on that occasion.

5955. Are you in the habit of attending the city magistrates court?—Yes, sometimes I have attended it.

5956. Do you know what is the usual course adopted when a party is brought up before them and convicted for saying "to hell with the Pope," what is the result?—They are fined.

5957. What is the result when another party of the same rank and position is brought up and convicted of saying "to hell with King William"?—They are fined also.

Mr. Commissioner MURPHY.—They are fined also; that is the evidence before us.

Mr. *Crawford.*—I am instructed to state that if the magistrates are partial at all, they are partial to the Roman Catholics, as against their co-religionists.

5958. Mr. Commissioner EXHAM.—And what is the fine usually inflicted in these cases, because the standard at Belfast is 40*s.*?—It is not that here.

5959. And what then?—I never knew it to go above 10*s.*

5960. And do they fine both classes the same?—I never knew any difference between them.

Mr. *Crawford.*—There are some charges of partiality against the magistrates which have been made by Mr. Hempton.

Mr. Commissioner MURPHY.—We think those charges have been disposed of.

Mr. *Crawford.*—It is a matter of opinion, I think, and we ought to have it on the notes of the case, from others beside those who bring such a charge against the magistrates of Derry.

Mr. Commissioner EXHAM.—Yes, but don't you think it's sufficient when we tell you we have a great deal of evidence on that point, and it is only right to say it disposes of it, and therefore there is no use in lengthening this inquiry more than is necessary.

5961. Mr. *Crawford* (to witness).—We heard a great deal about the breaking of windows in the Corporation Hall, on the night of Sergeant Dowse's lecture. Did you ever before that hear a charge of breaking windows brought against the Conservative party in Derry?—I did not.

5962. Do you know of a single 12th of August or 18th of December that windows, after dark, were not broken by what is known as the Bog-side party in Derry?—Yes; Mr. Blair's windows were broken, but I did not know of its being done to any great extent at all.

5963. But was it the usual effect after those celebrations were over, that the windows of the Protestants in Derry were broken in the night, and after all was over?—Well, I do not know. I never saw such an exhibition of bad feeling at all after the celebrations.

5964. You saw the attack on the Town Hall?—I did.

5965. Did you see the city police there?—I did; they were ranged in front of the hall door. I was close to one of them, looking for a ticket of admission. We considered that Sergeant Dowse's friends made a great mistake in this way: they called a meeting of the electors of Derry to hear the views of Sergeant Dowse on almost every subject, but, instead of allowing them in, it was arranged that no person who was not absolutely known to be going to vote for him was admitted. The feeling got abroad that that meeting was called for the purpose of giving all due publicity to Sergeant Dowse's opinions, and that, no matter what he said, they would go abroad and be put before the public in the shape of a vote of confidence in him. I went to the rooms of the Liberal Association to look for tickets, but was told they would not be given out till four, and afterwards, on looking for them, and finding they were not there, I spoke to Mr. Hempton to get in.

5966. Was it the general impression that the Hall was to be packed with quay porters so as to constitute a house, and that whatever was done there was to go abroad as the action of the electors of Derry?—That was the impression.

Mr. Commissioner MURPHY.—We have nothing to do with impressions.

Mr. *Crawford.*—The citizens who had votes were anxious to get in to hear Sergeant Dowse's views.

Mr. Commissioner MURPHY.—It is as clear as day that was a one-sided meeting, and was intended to be so.

Witness.—I would like to state, before going from that part of the case, that I was standing close to the borough police, and one of them told me I was obstructing the passage. Mr. Tillie was there, and immediately afterwards the eyes of all parties turned on the party coming down the street, and the borough

police did all that was possible for men to do to prevent the rush on the Hall. There is no question about that.

5967. Mr. Commissioner MURPHY.—Did you know anything about that attack being arranged?—I did not, but I was spoken to as to how parties would get in.

5968. Mr. Commissioner EXHAM.—Had you known anything about the preparation of bludgeons or weapons of the description produced in Court?—I did not know of anything of a description like that, and I would not like to be introduced to them either.

5969. Mr. *Crawford.*—Ten or twelve years ago, I believe, there was no such thing as a band accompanying the Apprentice Boys at all?—There was not.

5970. Have bands been introduced within the past few years?—Yes; the first band that was formed Mr. Hempton purchased "uniform," and the Apprentice Boys thought that both band and uniform were their own, but they were coolly informed when he was leaving that they were not. Other bands were subsequently formed, which now and again played through the streets.

5971. Do you know of any interference with any of those bands up to a particular time, and what was the cause of that interference?—I never knew them to be interfered with until large crowds of bad characters following them interfered with the street traffic; but I do not blame the bands for that at all.

5972. Mr. Commissioner EXHAM.—Crowds used to gather round them in the street?—Yes, and annoyed the people in the street.

5973. Mr. Commissioner MURPHY.—Are those men who are now members of the body of Apprentice Boys almost all inhabitants of Derry?—I scarcely know one that does not live either within the city or in the suburbs.

5974. The acting members?—The acting members.

5975. And they are men in respectable conditions of life?—They are mostly all tradesmen.

5976. Mr. *Crawford.*—What is the number of acting members?—Between 200 and 300.

5977. Mr. *John Guy Ferguson.*—What is the relilious donomination of the Apprentice Boys—What is the proportion connected with the Protestant religion?—About three-fourths of them are connected with the Presbyterians.

Mr. *Ferguson.*—It was stated that the Presbyterians were in favour of discontinuing these processions, but my impression is that they are not—that the great majority of them are in favour of them.

5978. Mr. *Crawford.*—The feeling of opposition to the Apprentice Boys, I presume, has intensified since the election?—Since the election.

5979. They are accused of being partisans of the Tory party, and I believe I am correct in saying they are not?—They are the most democratic body I know of. They are opposed to every government, Whig, Radical, or anything of that nature. I may mention that Mr. Hempton and others were once members of the body.

5980. Mr. Ferguson said, with regard to the political bearings of that body, that the members have always paid honour to whatever viceroy came here?—Yes.

5981. Mr. Commissioner MURPHY.—At the time Lord Carlisle came here did they pay honour to him?—They did, as the representative of the Queen.

5982. Mr. *Crawford.*—Did they fire cannon in his honour?—As the representative of the Queen they did, but for the fact of his being Lord Carlisle they did not care a fig.

5983. Mr. *M'Laughlin.*—You condoned his liberal opinions on account of his being the representative of the Queen? There is a nobleman called Earl Spencer. If he should make an entry here when the Commission is over, would you respect him in the same way?—I do not say that, for I think it was a most unwarrantable act of the Earl Spencer under the circumstances. I think it an act of persecution. Some men would not call it so, but I do not wish to call it anything harsh, for I respect the office of viceroy too much.

5984. Now, as Mr. Crawford asked you a number of things, I would like to ask you one thing. Now, tell me, on the occasion of the visit of Lord Carlisle they condoned his liberalism on account of his viceroyalty, and brought out their cannon to do him honour?—Yes.

5985. Are you aware of the fact that, at the dinner that was then given to Lord Carlisle, they scarcely listened to his speech with common respect?—I am not aware of anything of the kind, for I had not the honour of being invited; but I am aware that there was a great deal of noise when Alderman Cox spoke.

5986. Did you see any Orange insignia or banners the day Lord Carlisle was here?—I did not.

5987. You have been asked by Mr. Ferguson as to the proportion of Presbyterians as contra-distinguished from the ranks of the Protestants who were members of this body, and I think you said three-fourths or seven-eighths?—Yes.

5988. Then one out of every eight are not Presbyterians?—No; I said three-fourths. One out of every six, I suppose, are Protestants.

5989. You heard Mr. Ferguson say the great bulk of the Presbyterians were with the party you espoused?—Yes.

5990. Is that so?—Yes.

5991. To the party that you espoused politically?—I might say that we are not attached to any party. We were attached as individuals to one member at the election, and the Apprentice Boys went for him.

5992. Did you ever hear that Mr. Ferguson had said that in the election they would have all the thick-headed Presbyterians, and that all the enlightened Presbyterians would vote for Dowse?—I never heard anything of the kind.

5993. In criticising the evidence given by Dr. White, you rather undervalued his opportunities for knowing the feeling of the people?—I said I did not know whether he had or not.

5994. And you think that the dislike he spoke about did not prevail?—It is my opinion it did not, but it may now.

5995. And that it originated with the election?—Yes.

5996. I believe you were one of those brought before the magistrates on one occasion?—Yes.

5997. When a number of Catholics came forward and swore that these processions were offensive?—Yes. You were one of them, and you swore that the Union Jack was a party emblem on the 12th of August.

5998. I recollect the circumstance?—But the *Guardian* cut at you the next day. I wish though to be understood; he said that he did not look on it as being a party emblem *per se*, but on that day it was.

5999. Exactly. That if it was used by a party, *quoad hoc* I would consider it a party emblem. Were you in court yesterday when one of your witnesses, when shown the flag that so much has been said about, said it was not the flag, but its colour, and the nature of the procession which exhibited it, that he complained of?—I was not.

6000. But don't you think it would be the intent of the thing that should give offence and not its colour, because you can't judge of a man's intentions unless he tells something to judge them by. You can of a man, if he likes you or not, if he came up and knocked you down. Supposing a man exhibited something that was offensive, would not you know that he insulted you?—I would not.

6001. Having regard to the fact that you were one of the persons accused, when Dr. White referred to the magistrates, you would hardly be a proper judge of their conduct?—I can only judge from the facts of the case.

6002. But that would prevent you being impartial?—It would not. I have not the slightest feeling against any of those that were examined.

6003. Now, Gallagher was examined, and Brierly

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and others were examined?—Yes; and Francis was called and said he did not know that day from any other day.

6004. Did you see Mr. Louch there that day?—What day?

6005. That day of the prosecution?—No; I do not recollect him.

6006. Well, now, this matter of the attack on the Town Hall—did you approve of it?—Well, I did not. I did not like it at all. I thought if they wanted to do anything they should have taken more peaceable measures. However, the parties who did it were made amenable in the usual way.

6007. Didn't you know it was advertised that the admission to that Hall, on that evening, was by ticket?—By ticket.

6008. And that it would be confined to Sergeant Dowse's supporters?—No, I did not.

6009. And no one would be admitted unless those that had got a ticket, and didn't you go and try to get a ticket?—Yes.

6010. And was there not a ticket that your friends got on that occasion?—Yes; but they were not admitted.

6011. Have you always lived on good terms with your Catholic fellow-citizens since?—Well, I have never had any serious dispute with them—none of a serious nature.

6012. You are a clerk to Mr. M'Mechin, the merchant tailor?—And salesman; yes.

6013. You would abstain from saying or doing anything that would be intentionally offensive to your Catholic citizens?—I never did say anything that was offensive to anyone.

6014. Are you the Thomas Mooney whose name appears in the papers as a speaker at some meeting?—Yes; on one occasion I spoke to a resolution proposing a vote of thanks to Mr. J. Hempton for having presided at a meeting in the Corporation Hall, and for his exertions in reference to the Party Emblems Act.

6015. You did that very well. Now, did you ever make any other speech?—I did.

6016. Listen to this—"Mr. Thomas Mooney proposed the next resolution," and then you speak about being highly honoured at being called upon and all that stirabout that people talk?—That was at Coleraine.

6017. And, at a meeting in the Corporation Hall, you referred to the incarceration of Mr. Johnston, and expressed your sympathy with him, and your admiration of his courage and resolution, and you talked about a great many things it would not be pleasant to talk about under other circumstances?—I don't know.

6018. You said "The first men of Derry should remember that when they were threatened with prosecutions Mr. Johnston was the first to come to the rescue," and then you end with cheers?—Surely I did not give the cheers at all.

6019. Mr. *M'Laughlin.*—"And that those leading representatives of the united Protestants of Derry sympathise with William Johnston, esq., of Ballykilbeg, and those imprisoned with him, for the violation of an arbitrary Act which rebels and the friends of rebels have been suffered to transgress with impunity."—Yes, proceed; that was immediately after the procession in Dublin.

6020. And then you finish by asking them were they in favour of removing the law, or were they going to allow their rights to be trampled upon?—Yes.

6021. Mr. *Crawford.*—Are you aware whether the police ever called on the Apprentice Boys to assist them, and whether they did or not?—I recollect the night of the attack on the Hall. There was a Belfast man here, and he made an attempt to interfere with Mr. Stafford in arresting a prisoner; and although it was known who he was by the authorities, he was made go with Mr. Stafford, who took him and the other man away.

6022. There was a statement made before the Commissioners that the cannon were charged on the night of the election; is that the case?—They were not to my knowledge. I did not know anything of it at all. That was the only thing I was annoyed about, Mr. Stafford making such an assertion.

6023. Mr. Commissioner EXHAM.—Were you there that night?—I was.

6024. And did you see any appearance of such a thing?—I did not. Some drunken persons got in, and were mistaken for Apprentice Boys. When Lundey's effigy is to be burned on the 18th of December, we have as many Catholics coming in as Protestants.

6025. Mr. *M'Laughlin.*—I thought it was Mr. Hempton's you would burn?—He is not worth wasting a match upon.

Mr. David Irvine.

Mr. *David Irvine* examined by Mr. *Crawford.*

6026. I believe you are a printer on one of the Londonderry papers?—Yes.

6027. You served your time in the *Sentinel* office?—The *Guardian*, and I was afterwards employed on the *Journal* nine and a half years.

6028. Tell the Commissioners what your opinion is with reference to the party feeling connected with the celebrations?—I have been in connexion with them about twenty years, and I have as strong friends among the Roman Catholics as Protestants. I have mixed largely among them; and at the celebration time I always find that the Roman Catholics helped me to get up anything that would be backwards in the office, and at other times I helped them.

6029. Mr. Commissioner MURPHY.—From your experience and knowledge, are you able to say whether there was any feeling of displeasure on the part of the Roman Catholic population exhibited against these processions?—I believe not, until the last two years. I have been a member of the building society, in which two-thirds of the members were Roman Catholics; and when the celebration days came on I saw no ill feeling produced. There was no ill feeling until within the last two years.

6030. But do you believe the feeling has increased within the last two years, and is considerable now?—I believe it has—not to myself personally. I don't know it was personal to myself.

6031. Mr. Commissioner EXHAM.—But it is from the celebration of the anniversaries?—From the celebration of the anniversaries, but I believe it arose simply on account of the organization.

6032. Mr. Commissioner MURPHY.—Do you mean on account of the organization got up against it?—Oh, I do not know that.

6033. Mr. Commissioner EXHAM.—Do you not believe that, if they be continued, that bad feeling will be increased?—I think if the election did not create a bad feeling it would die out.

6034. But with respect to this arming and organization of some four or five thousand men to stop the celebration, do you not think that that will be likely to increase the feeling and that it will go on from bad to worse if something is not done?—I do not think it would; I think it would die away of itself.

6035. Mr. *Crawford.*—On the days of the celebrations, do you know did the parties taking refreshment make any distinction between the houses they went to, did they make any distinction between Protestant and Roman Catholic hotel-keepers?—I do not believe they did.

6036. Although it has been deposed to there has been angry feelings, that would not prevent them going to houses of entertainment kept by Roman Catholics?—They would go to the house that is most convenient.

6037. But there is no exclusive dealing on those days?—No.

6038. There is no such thing as exclusive dealing in the city of Londonderry?—No; each party I believe goes to the house he likes to go to, but it is not in the way of exclusive dealing.

6039. Mr. Commissioner EXHAM.—From mixing amongst the Roman Catholic population as much as you do, were you aware of this arming amongst them lately?—Unquestionably not. I must state I have not mixed so much amongst them latterly.

6040. Not latterly?—No, not so much.

Mr. *John Guy Ferguson.*—I wish him to be asked about the arming of the Apprentice Boys, and the loading of the cannon.

6041 Mr. Commissioner MURPHY.—(To witness). Are you aware that there has been any systematic arming of the Apprentice Boys?—I never knew of it.

6042. Or of their procuring, as a body, any quantity of revolvers, for any purpose whatever?—I am almost positive such a thing never occurred.

6043. Mr. *Crawford.*—Could they, without your knowledge?—I could not say about that.

6044. Mr. Commissioner MURPHY.—Individually they might, and you not acquire the knowledge?—Well, I know a large number—not by name, and as far as I know I think they certainly did not.

6045. Mr. Commissioner EXHAM.—They are not armed?—Not armed.

6046. Mr. Commissioner MURPHY.—With respect to the loading of the cannon, on this day that has been deposed to, you never knew of that?—Indeed I did not, I never heard of such a thing.

6047. Were you there on the night that Mr. Stafford and Captain Slack were in the gun-room?—I was in my bed on that occasion.

6048. So far as you know, there are no arms, possessed in secret by the Apprentice Boys?—Not at all; I do not know of any.

6049. Do you know the fact that they have registered arms—those that had them?—I know there were a number of parties there, when I was getting my own license, making application for licenses.

6050. Mr. *M'Laughlin.*—All Apprentice Boys?—I do not know of my own knowledge they were all, but I know a number of them——

6051. Mr. Commissioner MURPHY.—Do you know of them having arms in secret?—I do not.

6052. Mr. *M'Laughlin.*—Suppose the society was composed of the letters of the alphabet from A to Z, that there was no movement by the society to get arms, but every letter from A to Z had arms, do you not think, when they would meet, they would be just as well armed as if there had been a society movement?—I am quite positive there is no such thing as a quantity of arms, revolvers or anything of the kind, amongst the Apprentice Boys.

Mr. *Thomas Mooney.*—I wish to correct one answer I gave—I forgot a circumstance. When I was asked did I know of any arms amongst the Apprentice Boys, I said "No." I was right in one way, but wrong in another. I recollect now, in connexion with the Mitchelbourne Club, Mr. Hempton started the project of arming the club with rifles, and I was treasurer, and a number got rifles, but it fell through shortly after the election.

6053. Mr. *M'Laughlin.*—Do you know that of your own knowledge?—I do. I was treasurer to it.

6054. But I believe the Apprentice Boys, at one time, had a good number of rifles?—They had.

6055. Were they not armed in '48 by the Executive?—Yes; the Liberal Government then were kind enough to send down guns, to shoot down the Roman Catholics.

6056. Mr. *Crawford.*—The Appprentice Boys being aware that the Roman Catholic party are armed, to the extent that has been deposed to, what do you think will be the result?—Very likely they will arm to protect themselves, and I think heretofore they went out wholly unarmed, without a single protection for themselves.

6057. And it is more than likely they will arm now?—I think they will be very great fools if they do not.

6058. Mr. *M'Laughlin.*—Did you ever see the Apprentice Boys, on coming in from their celebrations changing their holiday clothes for their ordinary walking clothes, and taking out arms and putting them aside?—No, never.

6059. You did not?—Never. I have changed myself as often as any person.

Mr. *George M'Cartney* examined by Mr. *Crawford.*

6060. Are you connected in any way with the association of Apprentice Boys?—I am treasurer of the Murray Club.

6061. As far as your knowledge goes were any arms procured by them prior to the last election?—No; certainly not.

6062. Nor since then?—Nor since then.

6063. Nor, as far as your knowledge goes, are they possessed of any arms in secret?—They are not.

6064. Any of those that had arms got a license for them, as far as your knowledge goes?—They did. Our club is composed generally of householders in the town. They were entitled I believe to licenses, and got them.

6065. Have you arms yourself?—I have not.

6066. Mr. Commissioner EXHAM.—Did you happen to be in the gun-room the night that Mr. Stafford and Captain Slack were there?—No, I was not. I never saw the cannon loaded.

6067. You never saw them loaded?—No; nor do I believe they ever were.

6068. Mr. *Crawford.*—Any of the parties of the Murray club who had arms, did they apply to Captain Coote for licenses?—Yes, of course.

Mr. *O'Donnell*, R.M.—Excuse me for putting in a word here as to licenses. Captain Coote issued licenses for arms some days before I came here, and I am aware, from Captain Coote, that when application was made to him for a license he issued it, or refused it, generally on the opinion of some magistrate or other responsible person in the town. I am quite sure he did not issue licenses for arms to the Apprentice Boys as such.

Mr. Commissioner EXHAM.—What the witness said was that his club was principally composed of householders, who were entitled to licenses.

Witness.—They were all well known to the magistrates of the town.

6069. Mr. *Crawford.*—Can you say whether those celebrations, prior to the last two years, were offensive to the Roman Catholics at all—from anything you learned from them?—I do not believe they were. Any Roman Catholics I know were as friendly as ever—even at the present time.

6070. I believe there is some feeling since the election?—Yes; that is got up by newspapers and parties.

6071. Mr. *M'Laughlin.*—What age are you?—I believe I am between twenty-one and twenty-two.

6072. Do you think the Apprentice Boys are unarmed?—At present I believe they are.

6073. Entirely?—Two or three have pistols.

6074. Would you say four?—There may be four. I cannot say.

6075. But not five?—Not to my knowledge.

6076. You do not know there are five?—Nor four either.

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Mr. George M'Cartney.

6077. Do you think there are five—the number being 300?—I do not know. Maybe there are.

6078. How many licenses have been granted to the five?—Oh, I could not tell.

6079. Was it not stated in one of the newspapers, about the time of the election, that the Dowse mob had got arms, or something of that kind?—I do not recollect.

6080. Do you think that would not have a tendency (as one of the witnesses said) to lead the other side to get arms if they had none before?—I do not know. I do not recollect.

6081. Don't you know there was a good deal of pistolling going on in the Diamond, on this unfortunate night?—I believe none at the time the men were shot.

6082. But there was a good deal some time that night?—Well, I heard so.

6083. They did not fire out of snuff-boxes?—No, I do not think they did.

John Miller.

John Miller examined by Mr. *Crawford*.

6084. What business do you follow?—I keep an eating-house for seamen.

6085. Were you in Her Majesty's service?—I was, for eleven years.

6086. How long have you been a householder in the city of Derry?—I am going on, to the best of my knowledge, fourteen years in November.

6087. Has your house been on more than one occasion attacked, and by whom?—It has been attacked five times.

6088. By whom?—By the Dowseite mob.

6089. Is that since the election?—It is.

6090. Was there, on any occasion, a parcel of gunpowder introduced into your house for the purpose of blowing it away?—My wife found it the next morning after the occurrence.

6091. Was that produced before the magistrates and Mr. O'Donnell?—It was; I don't know whether Mr. O'Donnell was there or not, I beg to be excused.

6092. Was there any stipendiary magistrate there at all, either Mr. O'Donnell or Captain Coote?—No, I do not think there was; I am not sure, I cannot positively say.

6093. Did you get any order from the bench on that occasion?—I did.

6094. What was it?—They brought up, to the best of my knowledge, seven or eight parties they saw throwing stones that night; summonses were issued against them, and when they were brought before the justices they were sentenced to ten shillings fine, or I am not sure whether it was a week or a fortnight in gaol—eight shillings of the fine to be applied towards the repairing of the windows. That was the first occasion.

6095. Mr. Commissioner EXHAM.—You did not get the eight shillings?—No, I did not, I got a part.

6096. You got part of the fine?—I got part of the fine.

6097. Mr. Commissioner MURPHY.—When was this?—Well, the first summons I got was for the night of the election. It happened to be Saturday night, of all nights in the week, as far as I can guess, about eight or nine o'clock.

6098. When next?—The next night was the petition affair.

6099. The night of the closing of the petition?—Yes; that was the night they threw the gunpowder into the window.

6100. Mr. Commissioner EXHAM.—Did you know any of them?—I did.

6101. Mr. Commissioner MURPHY.—I suppose you would be very glad to have the constabulary force in Derry to prevent a recurrence of such events?—There would be no recurrence if there was only a way of putting down the political agitators in Derry.

6102. In Derry?—Yes; it is full up of them. It is full of political agitators—it is they who raise the whole disturbance. Mr. Hempton says he heard the noise I made, crying out on that Saturday night, the first occasion, at twelve o'clock. Was I not at liberty to go up, when I saw there was no protection in the street, to get a force of constabulary down? I did not know I was the means of bringing Mr. Hempton out of his house.

6103. That was the night he and Molseed came into collision?—Yes.

6104. Mr. *M'Laughlin*.—Were you the Miller that was fined? did he say anything against you in the matter?—He did not. He said nothing against me.

6105. Maybe he mistook you for somebody else of the name of Miller?—He knew me well.

6106. For that man that keeps the shebeen-house in Bridge-street?—No; he did not.

6107. Do you know the John Miller that was fined for keeping the shebeen-house?—I know him perfectly well.

6108. What is his Christian name?—John Miller. And as you have asked me about that I will give you an answer. The time of the fine about that shebeen-house they served Mr. Hempton in the same way, on two similar occasions.

6109. Did he sell without a license too?—No, but he sent out and got it in a licensed house. That was after Lord Claude was elected, and when Mr. Hempton came the first time it was to try to squeeze something out of me.

6110. That was immediately after the first election?—It was. He thought he would get something out of me. He was on the other side then.

6111. On what side—not on Lord Claude's?—Oh, you know that as well as I do.

6112. Tell me now of this unfortunate business—has Mr. Hempton himself a license?—I do not know, but I have drunk very often in his house.

6113. Were you not trying to get in?—I was sent down on a particular occasion, and I was sent out in a very bad state.

6114. I am very sorry to hear it?—If it was not for Mr. Hempton we would have none of these affairs in Derry.

6115. Mr. *Crawford*.—Do you know another Miller?—I do, several.

6116. Do you know anyone connected principally with Mr. Hempton?—I do.

Mr. *M'Laughlin*.—I object to this. He refers to a man who was tried in Green-street, Dublin, and who was defended by Sergeant Dowse and myself. What has this to do with the matter?

Mr. Commissioner EXHAM.—Is there any other witness, Mr. Crawford, you propose to call?

Mr. *Crawford*.—There is Mr. Alexander Lindsay, a magistrate. I would ask the Commissioners not to close till eleven o'clock to-morrow morning. I will certainly produce him, but not any other witness.

Mr. Commissioner MURPHY.—We will take any statement, in writing, he wishes to send in.

Mr. *M'Laughlin*.—We could not make use of such a statement.

Mr. Commissioner MURPHY.—We can let you look at it if necessary.

Mr. Commissioner EXHAM.—It is in evidence that Mr. Lindsay has not sat on the bench of magistrates for a long time, and after what has turned out during the investigation into the conduct of the magistrates, is there any necessity to ask Mr. Lindsay's opinion on the matter?—We will take his statement in writing, addressed to our Secretary, if he wishes to send it in.

Is there any other person in court who wishes to be examined?

Mr. *Crawford*.—There is no other person, I am instructed, at present.

Mr. *M'Laughlin*.—Then it is understood that the evidence on both sides has closed?

Mr. Commissioner MURPHY.—Yes.

Mr. *M'Laughlin.*—At the close then of this important and protracted investigation—an investigation in many respects trying to me, both physically and mentally—I do not think it would be proper if I did not express my deep sense of the courtesy and attention which the Commissioners have shown to me, as one of the professional men engaged in the case. I feel it is only right I should also say this, that apart altogether from the consideration of how the evidence adduced might affect one side or the other, both the Commissioners—I don't apply the remark to one more than another—both the Commissioners spared no effort to get out everything that could bear on the particular matters the subject of inquiry. I take the opportunity of acknowledging the good temper, urbanity, and kindliness with which nearly all the witnesses—all in fact, I do not except one—have borne what I may call the cross-examination to which, in the discharge of my duty, I had to subject them: I feel, indeed, I have been treated as a Derryman by old friends, and that is a matter as to which I naturally felt a particular anxiety. As regards one incident that occurred, I mean the retirement of the gentleman who originally conducted the case on the side on which Mr. Crawford was also retained, I think it ought to be a matter of congratulation to the latter gentleman, as he himself, in fact, expressed it to-day in the presence of the court, that one of the Commissioners has fairly and fully, as I believe, and with a leaning, if anything, to the side (and I don't complain of it, I rather rejoice at it) which is opposed to the one I represent, has brought out everything that could be said in favour of the case that Mr. Rea was originally here to support. If I have done anything out of course in making these observations, I trust the Commissioners and the public will do me the justice of thinking that I believed it right these statements should be made, and that I am perfectly sincere in making them.

Mr. *Crawford.*—Personally, I concur in all Mr. M'Laughlin has said; but as to Mr. Rea, I wish to say that I was acting with him, not for a party at all, but for the three persons whom he represented; and I regret we have been deprived of that assistance, which, if he had been permitted to go further, we would have had, in showing that many things alleged here were fallacious. I am very sorry, indeed, that any unhappy occurrence took place, and that Mr. Rea retired, for although I cannot help repeating that I believe Mr. Exham, as the senior Commissioner, the moment he found one party in Derry entirely unrepresented, did ask all the questions that could suggest themselves, still, Mr. Exham, being a stranger to Derry, could not have known, as a professional man must have known, the different points which were proper to depend upon to destroy one-sided evidence given before them. Of course it was the duty of the Commissioners to do this, and that duty has been fully and fairly discharged by them, at the investigation, so far as they could, but uninstructed. The cross-examination by the Commissioners was far from being as searching as it would have been had Mr. Rea remained, and conducted the proceedings, and I was in great hopes he would have done so. For myself, I have personally received from the Commissioners everything I could expect from them as a professional man, and, as I said before, I concur in all the observations that Mr. M'Laughlin has made.

Mr. Commissioner EXHAM.—As this Commission has now closed, I will make a few observations. We have been sitting here regularly since yesterday week, and during that time we have examined, I find, forty-six witnesses, comprising gentlemen of the highest repectability in this city—some produced by Mr. M'Laughlin—I won't say produced by any one—but coming up to give their evidence and their opinion. Many, indeed I may say almost every one of these, coming up at our request, in consequence of a communication from our secretary that we invited their attendance to give us information. From each and every person who so came up we have received most valuable information, and it will be the duty of my friend and myself—a duty which I for him and for myself undertake we shall perform with a most serious sense of the responsibility that rests upon us—it will be our duty to go carefully through every single line of the evidence that has been given at this inquiry before we make in answer to the warrant of His Excellency the report, and offer the advice, that we will think necessary upon the different matters which we have been empowered to investigate. It was no fault of ours the occurrence that took place at an early part of the inquiry. I do not mean to refer to that occurrence further, than to say it was through no fault of ours that any person here was deprived of the advocacy of any one. With regard to the period at which it took place, and the manner in which it took place, relating as it did to the investigation about the conduct of the magistrates, I repeat what I have said before, that so far from there being any fault to be found with that matter being investigated, I think when once the charge was made against them in the city in which they are magistrates it would be unfortunate, indeed, if the warrant under which we are acting did not enable us to inquire into their conduct. So far from it being desirable that that investigation should not take place, in my opinion—and I believe in this I have the concurrence of my friend—it was most desirable for the magistrates themselves that it did take place, and that the matters alleged have been sifted most thoroughly. From the moment Mr. Rea withdrew from the inquiry my friend and I thought it but fair—and it fell to my lot simply as happening to be senior Commissioner—to put certain questions to the individuals that came up to be examined—not with the view of benefiting one party or the other, but with a view of coming at the truth—the whole truth, and nothing but the truth—in respect of the several matters that are the subject of our inquiry. We wished that every person, of every shade of politics and religion, who wished to give information with respect to the unhappy past, or the future that is before this city, should come forward and give us that information upon any and every point that we thought material. And, in the same way, when charges were made against bodies and against individuals, we invited them to come forward, that they might have a full opportunity of explaining matters which, if unexplained, would at all events, have borne an aspect different from that which they would have when all evidence was upon our minutes. I venture to express the hope that this investigation will not be without useful results for this important city. Since my friend and I have come here it has been the subject of conversation with us—the amount of prosperity we see around us; the people seem to be well living, comfortable, and thriving; and I must add, that I have never in any other city seen such perfect quietness and good order as reign in the streets of Londonderry. On yesterday evening I remarked that I did not think I saw a person in the streets under the influence of drink, or hardly a beggar either. These are certainly most gratifying facts. I need not say that it will be a matter of sincere gratification to my friend and myself if, by the report which we shall feel it our duty to make to His Excellency, we are enabled to reconcile all parties for the future. We all have our opinions, and I hope we shall always have them; but still no one can say that it would not be most desirable, if anything can be done in the future, by which the lamentable scenes of the past may be avoided, and all need arise of investigations such as this, into transactions involving the loss of human life. I can only repeat if we, by our report, can do anything which will lead to this desirable result—if by our advice or suggestions there is accomplished a reconciliation of parties in this city, and that no unfortunate events disturb its peace in future, we shall always look back to this Commission with pleasurable feelings. From the professional gentlemen whom I see now in court, we have received every possible courtesy, and the fullest attention has been given to our suggestions. We have re-

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ceived that from Mr. M'Laughlin on the one hand, and on the other from Mr. Crawford, who, coming in as he did late in the inquiry, evinced courtesy and kindness, and a ready yielding to the rulings which we felt bound to make on questions as they arose. I must add our acknowledgements to the gentlemen who came forward to give evidence for their attention to our request that they would do so, and for the valuable information which they have afforded us. We shall think over the subjects of our inquiry with the utmost attention; and having regard to the time within which the evidence must be printed, and to the necessarily close attention we shall have to give to that evidence, we shall make our report to His Excellency as soon as we possibly can.

Mr. Commissioner MURPHY.—After the observations that have been made by the senior Commissioner I do not think it necessary to detain the portion of the public I see present in court much longer than to state that in what he has said I fully concur. We have both admired—and sincerely admired—the mode in which Mr. M'Laughlin conducted this inquiry under the most difficult circumstances that any advocate could be placed in, namely—that of having for four or five days no advocate opposed to him, a state of things that rendered his position much more onerous and difficult—independent of the physical toil—than it would otherwise have been. I concur in the observation he has made, and made in a very good spirit, with respect to the kindness of manner which the witnesses produced on one side or the other have exhibited towards him, and, I may add, toward the population of this great city. If anything that we can do will tend to preserve the public peace—to establish a better feeling between parties who perhaps hate each other because they do not know each other well—if such results follow our labours here, we shall indeed have reason to congratulate ourselves upon them; if these results do not follow, we shall have ample cause to deplore it. I am very happy indeed that several gentlemen came forward yesterday and to-day whose conduct had been affected during the earlier part of the inquiry. I own I was greatly struck by the evidence given by Captain Stafford, as to the part Mr. Ferguson had taken in some proceedings in which it was supposed the Apprentice Boys had occupied a very leading and prominent position, and had done so with the sanction of those who were at the head of them; and, unquestionably, a good deal of the evidence given with respect to these proceedings would tend to fix on Mr. Ferguson that he was the leader of a good many riotous transactions on the part of the body over which he presides. Captain Stafford's evidence displaced that impression, so far as the occasions to which he referred, and then Mr. Ferguson himself came forward, openly and boldly, to state his part in all these transactions, and I must say that the evidence he gave, and the evidence of the other officers of the society, convinces me that, whatever riots or disturbances occurred on these occasions were not with his sanction or at his suggestion. I therefore express my great delight that he and the other officers of the society have come forward to give the evidence they have given; and no matter what impression may be abroad against them, no matter what opinions may be entertained as to these processions, or as to the desirability of putting them down, their private character, with respect to a great many things that were put forward in the course of the inquiry, is not, I would say, tainted or affected by the evidence that has been brought before us.

The Commissioners then rose, and the proceedings were brought to a close.

APPENDIX.

APPENDIX A.

LETTERS AND DOCUMENTS.

Appendix, No. 1.

Letter from T. H. Burke, Esq., with Warrant to Commissioners, August 12th, 1869.

Dublin Castle, August 12th, 1869.

Gentlemen,—I am directed by the Lord Lieutenant to acquaint you that His Excellency has been pleased to appoint you to hold an inquiry with reference to the recent riots and disturbances at Londonderry, and the necessary warrant for that purpose, under His Excellency's signature, is herewith enclosed.

His Excellency requests that your report may be furnished without any unnecessary delay.

I am, gentlemen, your obedient servant,

T. H. Burke.

William Allan Exham, esq., Q.C., and
James Murphy, esq., Q.C.

Appendix, No. 2.

Letter from T. H. Burke, Esq., to Secretary, intimating his Appointment, August 16th, 1869.

Dublin Castle, August 16th, 1869.

Sir,—I am directed by the Lord Lieutenant to state that His Excellency has been pleased to appoint you to be Secretary to the Commissioners appointed to hold an inquiry with reference to the recent riots and disturbances at Londonderry.

I am, sir, your obedient servant,

M. J. Barry, esq., &c. T. H. Burke.

Appendix, No. 3.

Copy Letter of Secretary to Mayor of Londonderry, as to Proceedings of Commission, August 17th, 1869.

Londonderry Inquiry Commission,
August 17th, 1869.

Sir,—I am directed by the Commissioners to apprize you that they will formally open their Inquiry in the Record Court, at twelve o'clock noon, this day, when intimation will be given by them of the object and scope of their investigation.

The Commissioners desire me to express their regret that they were unable to give you earlier notice of their proceedings, but they will take care that no evidence which may throw light on the subject of their inquiry shall, through any act of theirs, be unheard.

The Commissioners have no doubt that you will give them all the assistance in your power towards promoting the object of their investigation.

I am, sir, &c.,

M. J. Barry, Secretary.

His Worship the Mayor.

Appendix, No. 4.

Copy Letter of Secretary to T. H. Burke, Esq., enclosing List of Official Witnesses required to attend Inquiry, August 17th, 1869.

Londonderry Inquiry Commission,
Londonderry, August 17th, 1869.

Sir,—I am directed by the Commissioners to inform you that they have been called on to procure the attendance of the witnesses named herein for examination, and they will thank you to cause them to attend at the earliest possible time to give evidence before them.

The Commissioners, at the urgent request of the gentlemen professionally engaged, have adjourned the inquiry to Thursday next, at eleven o'clock, A.M.

I have the honour, &c.,

M. J. Barry, Secretary.

To T. H. Burke, esq., Under
Secretary, Dublin Castle.

Appendix, No. 5.

Copy Reply of T. H. Burke, Esq., to foregoing, August 18th, 1869.

Dublin Castle, August 18th, 1869.

Sir,—Referring to your letter of the 17th instant, I am directed by the Lord Lieutenant to acquaint you, for the information of the Londonderry Inquiry Commissioners, that the necessary orders have been issued for the attendance at Londonderry of the witnesses therein referred to, on to-morrow, the 19th instant.

I am, sir, your obedient servant,

T. H. Burke.

M. J. Barry, esq., &c., &c., Londonderry.

Appendix, No. 6.

Copy Letter of Secretary to Town Clerk of Londonderry, asking Return respecting Local Borough Police, October 14th, 1869.

Londonderry Inquiry Commission, 1869.
3, Mount-street Crescent,
Dublin, October 14th, 1869.

Sir,—In your evidence before the Commissioners you intimated that you would furnish them with such particulars as they might require in reference to the local borough police. I am directed by the Commissioners to transmit to you the enclosed tabular form, and to request that (so far as you can do so) you will send me the information indicated under the several heads, in a similar table.

I am, sir, your obedient servant,
M. J. Barry, Secretary.

J. W. Gregg, esq., Town Clerk, Londonderry.

Appendix, No. 7.

Copy Letter to T. H. Burke, Esq., asking for Returns of Military and Constabulary, at different dates, October 26th, 1869.

Londonderry Riots Inquiry Commission.
3, Mount-street Crescent, October 26th, 1869.

Sir,—I am directed by the Commissioners to request that you will cause returns to be sent to me of the number of military and constabulary on duty in the city of Londonderry on the following days—viz., July 20th, August 12th, November 20th to 26th, December 1st and 18th, 1868; January 1st, February 9th, April 28th, and August 12th, 1869.

I have the honour to be, sir, your obedient servant,
M. J. Barry, Secretary.

Thomas H. Burke, esq., Under Secretary.

Appendix, No. 8.

Copy Reply to above, with Returns, November 6th, 1869.

Dublin Castle, November 6th, 1869.

Sir,—I am directed by the Lord Lieutenant to transmit herewith, for the information of the Londonderry Riots Inquiry Commissioners, as requested in your letter of the 26th ultimo, copies of returns showing the number of military and constabulary on duty in the city of Londonderry on the several dates mentioned in your communication.

I am, sir, your obedient servant,
T. H. Burke.

Michael J. Barry, esq., Secretary, Londonderry Riots Inquiry Commission.

Appendix, No. 9.

Copy Correspondence in reference to Application for Constabulary Force for the City of Londonderry furnished by Mr. J. W. Gregg, Town Clerk.

Constabulary Office, Dublin Castle,
February 1st, 1851.

Sir,—I have to acknowledge the receipt of Mr. Gregg's letter of the 24th ult., inquiring, for your information and that of the Corporation of the Borough of Londonderry, whether, in the event of an application being made for an augmentation of the constabulary force of the borough, the *night* duty would be performed by the additional constables so appointed—whether these additional constables could be placed under the control of the Mayor, and whether the borough would be liable for more than a moiety of their expense.

In reply I beg to state, in addition to the information conveyed in the accompanying minute, dated 31st May last, which I beg may be returned at your convenience, that provided an adequate increase shall be made to the constabulary force in the city of Londonderry, the police would be required to patrol, or otherwise watch, over the borough during the whole night; but that, according to the Act under which the services of the constabulary could be required at all, they must remain under the sole direction of the constabulary authorities. Under any circumstances, however, a moiety only of the expense would be charged on the borough, agreeably to the provisions of the Acts quoted in the minute referred to, and the Act 11 and 12 Vic., cap. 72.

I have the honour to be, sir,
Your most obedient, humble servant,
D. M'Gregor.

The Mayor of Londonderry.

Town Clerk's Office, Londonderry,
February 14th, 1851.

Sir,—I am directed by the Mayor to acknowledge the receipt of your letter of the 1st inst. relative to the augmentation of the constabulary force in this city, and to return the minute you were so kind as to forward to him.

As he does not clearly understand to what extent he may interpret the words, "otherwise watch over the borough during the entire night," contained in your letter, he directs me to state to you the particulars of the night duty as performed by the borough police, with the view of ascertaining whether the constabulary would undertake similar duties.

To each constable a portion of the city consisting of one, two, or three streets, as the case may be, is given in charge, and he is constantly required to patrol the streets contained in his beat from nine o'clock at night until six the next morning, and, to use the words of the printed directions, "he is held accountable for the life and property within his beat, and for the preservation of the peace and general good order during the time he is on duty." To secure regularity, a sergeant is constantly visiting the several constables on the respective beats during the night.

The constables are required to appear each morning before the presiding magistrates to prove any charges they may have to prefer against parties taken into custody by them.

May I beg to be informed whether these duties would be performed by the constabulary in case of additional constables being appointed, and what officer would be held responsible for the proper discharge of them.

I have the honour to be, sir,
Your most obedient, humble servant,
James W. Gregg, Town Clerk.

Sir Duncan M'Gregor,
Inspector-General Constabulary,
The Castle, Dublin.

Constabulary Office, Dublin Castle,
February 15th, 1851.

Sir,—I have to acknowledge the receipt of your communication of the 14th instant, and to inform you that provided the proposed augmentation be sufficient to enable the men to perform effectively the duty referred to, the constabulary will, of course, undertake it; but before the Inspector-General can give a definite answer on this point he would be glad to be informed what number of men will be required each night for such duty, also whether it is expected that they will perform a similar duty by day, and if so, what number of men will be required by day.

The head constable, or constable in charge of the night-watch, will, under the general superintendence of the sub-inspector of the district, be responsible for the discharge of the duty in question.

I am, sir, your obedient servant,

E. J. Priestley, Deputy Inspector-General.

James Wm. Gregg, Esq., Town Clerk, Londonderry.

(Town Clerk replied to the above.)

Constabulary Office, Dublin Castle,
21st February, 1851.

Sir,—In reply to your letter of the 17th inst., I have to inform you that, provided twenty men be applied for, the duties referred to will be undertaken by the constabulary. At the same time it is to be understood that in the event of casualties those duties can be performed only by the effective men of such increase.

In order, however, that the number of men required for the performance of the duties in question shall, as far as possible, be at all times available, the Inspector-General suggests that the proposed augmentation shall not be less than twenty-five men.

I am, sir, your obedient servant,

H. I. Brownrigg, Deputy Inspector-General.

James W. Gregg, Esq., Town Clerk, Londonderry.

(Here the matter was let drop by the Corporation.—J. W. G.)

Town Clerk's Office, Londonderry,
22nd January, 1856.

Sir,—Referring to a correspondence numbered as above which I had the honour of holding with you in February, 1851, relative to the augmentation of the constabulary force in this borough for the performance of local duty in carrying into effect the provisions of "The Londonderry Improvement Act, 1848," and defined in my letter of the 14th February, 1851, I am directed by the Corporation of this city to inquire whether the arrangements then proposed, and to which you were pleased to accede in your communication numbered 2,173, can now be carried into effect, viz.—the discharge of those duties, both by day and night, by the constabulary, the number of the force being augmented by twenty-five men, only one moiety of the expense to be payable by the Corporation.

I have the honour to be, sir, your obedient servant,

James W. Gregg, Town Clerk.

Sir Duncan M'Gregor, Bart.,
Inspector-General of Constabulary,
Constabulary Office, Dublin Castle.

Constabulary Office, Dublin Castle,
25th January, 1856.

Sir,—I am to acknowledge the receipt of your communication of the 22nd inst., addressed to Sir Duncan M'Gregor, and to inform you that the former application had reference to an increase of constabulary for municipal purposes—under the provisions of the 3rd and 4th Vic., c. 108, sec. 21, and not under the Londonderry Improvement Act of 1848, with the provisions of which Act the Inspector-General is not conversant. If you will, however, be good enough to favour him with a perusal of it, he will thereafter communicate to you his view of the matter.

I have the honour to be, sir,

Your most obedient, humble servant,

H. I. Brownrigg, Deputy Inspector-General.

James W. Gregg, Esq., &c., &c., Londonderry.

Town Clerk's Office, Londonderry,
28th January, 1856.

Sir,—I have had the honour to receive your communication of the 25th instant, and in reply beg to inform you that the application from the Corporation of this borough for the increase of the constabulary is proposed to be made under the provisions of the 3rd and 4th Vic., cap. 108, sec. 121, for municipal purposes, and I merely mentioned "The Londonderry Improvement Act," inasmuch as the regulation of the streets, markets, &c., is provided for by that statute and the Acts incorporated therewith. I shall forward you by this post a copy of the Acts referred to, which I shall feel obliged by your returning.

I have the honour to be, sir, your obedient servant,

James W. Gregg, Town Clerk,

Borough of Londonderry.

H. I. Brownrigg, Esq.,
Deputy Inspector-General of Constabulary,
Dublin Castle.

Constabulary Office, Dublin Castle,
6th February, 1856.

Sir,—I have the honour to acknowledge the receipt of your letter of the 28th ult., together with a copy of the Acts referred to, which I beg to return herewith; and I am to inform you, that if the proposed increase be applied for under the provisions of the 3 and 4 Vic., cap. 108, sec. 121, a moiety of the expense will be chargeable to the Consolidated Fund, but the men so to be appointed cannot be employed in carrying out any of the provisions of the Londonderry Improvement Act.

I have the honour to be, sir,

Your most obedient, humble servant,

H. I. Brownrigg, Deputy Inspector-General.

James W. Gregg, Esq.,
Town Clerk's Office, Londonderry.

(Here the matter was again permitted to drop.—J. W. G.)

Town Clerk's Office, Londonderry,
16th August, 1867.

Sir,—Referring to a correspondence in February, 1856, numbered as above, I am directed by the Corporation of this city to inquire whether the arrangements, as then proposed can still be carried into effect, for having the police duties discharged in this city by the constabulary upon making application for an increased force, one moiety of the expense to be chargeable to the city.

I have the honour to be, sir, your obedient servant,

James W. Gregg, Town Clerk.

John F. Brownrigg, Esq., Chief Clerk,
Constabulary Office, Dublin Castle.

Constabulary Office, Dublin Castle,
5th October, 1867.

Sir,—On my return to Dublin, after a temporary absence, I found your letter of the 15th August last, referring on the part of the Corporation of the city of Londonderry to former correspondence respecting a proposed increase of the constabulary stationed in that city, with a view to the discharge of police duties there.

In reply, I beg to state, for the information of the Corporation, that if application be made pursuant to the provisions of the 3rd and 4th Vic., ch. 108, sec. 121, for an increase of the county of Londonderry force stationed in the city, it is probable the Government would concede the request, in which case the Consolidated Fund would sustain one-half the additional expense. *But it is to be remembered that the constabulary so augmented could not be employed in enforcing the provisions of the Londonderry Local Act.*

And I may add that I trust I may not be called upon to augment the county force until the existing vacancies in the force generally have been filled, which I hope to be able to accomplish by next spring.

I have the honour to be, sir, your obedient servant,

J. Stewart Wood, Inspector-General.

James W. Gregg, Esq., Town Clerk, Londonderry.

Town Clerk's Office, Londonderry,
19th April, 1869.

Sir,—Referring to a former correspondence on the subject of a proposed increase to the constabulary stationed in this city for the discharge of police duties instead of our local force, and to your communication of the 5th October, 1867, in which you state "I trust I may not be called upon to augment the force until the existing vacancies in the force generally have been filled, which I hope to be able to accomplish next spring," I am directed by the Corporation of this city to inquire whether you are now in a position to supply the additional men necessary for the discharge of the duties in this city, in case the Government be pleased to comply with a memorial praying for such addition to the force.

I have the honour to be, sir, your obedient servant,

James W. Gregg, Town Clerk.

Colonel Wood, C.B.,
Inspector-General, Royal Irish Constabulary.

Constabulary Office, Dublin Castle,
21st April, 1869.

Sir,—In reply to your letter of the 19th inst., I beg to say that the vacancies in the constabulary force having been nearly filled up I can offer no further objection to the Corporation of the city of Londonderry taking such steps as they may be advised with a view to an increase of the constabulary in the city of Londonderry.

I am, sir, your obedient servant,

J. S. Wood,
Inspector-General, Royal Irish Constabulary.

James W. Gregg, Esq., Town Clerk, Londonderry.

Town Clerk's Office, Londonderry,
23rd April, 1869.

Sir,—I have the honour to acknowledge the receipt of your letter of the 21st instant, stating that you could offer no further objection to the Corporation of this city taking such steps as they may be advised with a view to an increase of the constabulary in the city.

Previous to making an application to the Lord Lieutenant for the additional force, in pursuance of the Act 3rd and 4th Vic., cap. 108, I am directed to inquire what extra number you would consider necessary for the duties to be discharged (the entire care, supervision, and preservation of order, &c., within the city by night and day). You are already aware, no doubt, from the former correspondence, that it is proposed to abolish the present local force, and to place the city entirely in the hands of the constabulary—a change which would be attended with great public benefit to the citizens generally, and which, we hope, may now be carried out without any unavoidable delay.

Before, however, taking the necessary prescribed proceedings in the matter, we consider it desirable and right that we should request from you the information sought.

I have the honour to be, sir, your obedient servant,

James W. Gregg, Town Clerk, Londonderry.

Royal Irish Constabulary Office, Dublin Castle,
24th April, 1869.

Sir,—In reply to your letter of the 23rd instant, I have to say that, with every disposition to afford all the information desired to the extent of my power, I do not feel at liberty to enter upon the subject without the sanction of the Government, as it would seem to be the proper course to ascertain in the first instance whether the Government will be prepared to accede to the proposal of placing the whole of the police duty of the city of Londonderry in the hands of the constabulary on the abolition of the present local force.

I have the honour to be, sir, your obedient servant,

J. S Wood, Inspector-General.

James W. Gregg, Esq., Town Clerk, Londonderry.

Appendix, No. 10.

Copy Queries to Town Clerk, Belfast, on behalf of Londonderry Corporation, and Replies thereto.

How many head and sub-constables are at present on duty under the pay of corporation?—The quota of constables for Belfast is 450, 130 of whom are the county proportion, and free to the borough, the remaining 320 are paid one-half by Government and one-half by corporation.

How many men were employed on the former local force?—Fifteen Inspectors and 140 constables.

How much is paid by the corporation for the present force per man, for head-constables and sub-constables?—Nothing is paid for head-constables. A commuted allowance of £49 1*s.* 3*d.* per man for sub-constables. Barracks, &c., is charged to corporation with an additional 6*d.* per night per man for night duty, which is from 11 P.M. to 6 A.M.,* *but only one man is charged, although there may be relays.*

Are there any other charges for station, office, or other expenses, and if so, please mention them?—None. The corporation provide a lock-up and watch-house for prisoners, which the constabulary have charge of.

Do the constabulary discharge *all the ordinary police duties as performed by the former force*, and are such duties discharged to the satisfaction of the corporation, and as efficiently as by the former force?—Yes; they are discharged very efficiently, and to the entire satisfaction of the corporation.

Does the corporation employ any constables in addition to the constabulary for market or other duties?—No.

Do the constabulary receive directions from the corporation or the magistrates, or are they *entirely* under the direction and control of their officers?—Under the directions and control of the town inspector and his sub-inspectors.

How much is paid to the discharged constables of the former force, and upon what scale and at what rate such payment has been allowed taking into account length of service, &c., &c.?—The fifteen Inspectors had the option of a pension of one-third pay, or a gratuity on the following scale. The constables were paid a gratuity as follows:—12*s.* 6*d.* to each man whose service was under one year; one week's pay per annum to all men who have served 1 year and under 5 years; 2 weeks' pay per annum for 5 years and under 10 years; 3 weeks' pay per annum for 10 years and under 15 years; 4 weeks' pay per annum over 15 years. A special allowance extra to the men reported by the medical officer as having received injuries. The two head-constables allowed a pension of two-thirds pay, but full pay if employed by the council in any other capacity, and they are so employed, one at £150 and the other at £120 per annum.

The grant in money was, . . .	£3,840
Less by pensions in lieu of cash, . .	1,330
Special allowances, ...	300
The pay of our local force per annum was, say,	7,360
That to the constabulary is, including £400 per annum to the Town Inspector, .	8,930

If I have omitted anything, or that further information is wanted, I shall be happy to supply and supplement.

James Guthrie, Town Clerk.

Belfast, 4th January, 1868.

* So in original.—J. W. G.

Appendix, No. 11.

Copy of Resolution of Corporation of Londonderry, on 23rd of August 1869, in reference to Police Force of the City.

At a meeting of the Corporation of the City of Londonderry, held on the 23rd day of August, 1869,
It was resolved,—

That this corporation consider it desirable that the Royal Irish Constabulary should be substituted for the local police force, upon the understanding that all the duties as discharged by the present force are performed by the constabulary, and that the expenditure be limited to a sum of £1,500 per annum, being the maximum sum which the present taxation of the city would permit.

That for several years past this corporation have been endeavouring to have this arrangement carried into effect, and that it is entirely owing to the difficulties raised by the constabulary authorities that it has not been adopted.

That the Mayor, Alderman Skipton, Councillor Sir Edward Reid, the Town Clerk, and the solicitor, be now authorized to wait upon the Commissioners at present in this city for the purpose of affording them such information as may be necessary for carrying into effect the proposed changes in the police force, and making arrangements in connexion therewith.

James W. Gregg, Town Clerk.

Appendix, No. 12.

Copy of Bye-laws of the Apprentice Boys of Derry.

Rules and Bye-laws of the Apprentice Boys of Derry Club, founded 1835, also Form for Admitting Members, and Rules of the General Committee.

"Yea, I will sing aloud of Thy mercy; for Thou hast been my defence and refuge in the day of my trouble."

Londonderry: Printed by David Irvine, 13, Castle-street.—1868.

Order of Business.

1st—Opening of Meeting.
2nd—Calling the Roll.
3rd—Reading Minutes by the Secretary.
4th—Reading Communications (if any.)
5th—Proposition of Members.
6th—Balloting or Voting for Members.
7th—Admission of Members.
8th—Collection of Dues and other moneys.
9th—General Routine of Business.
10th—Adjournment.

General Rules of the Apprentice Boys of Derry Club.

Agreed upon 8th October, 1835. Affirmed and Adopted as the Rules of the Associated Cubs, at a Meeting of the General Committee, held 7th December, 1867.

"Thou hast given a Banner to them that fear Thee, that it may be displayed because of Thy truth."

Rule I. That our Club be established for the purpose of Celebrating the Anniversaries of the Shutting of the Gates and the Relief of Derry, and thus handing down to posterity the memorable events of the years 1688 and 1689 connected with this City.

II. That in the formation of this Club we are not actuated by factious or sectarian feeling, which we consider would be at variance with the cause of Civil and Religious Liberty, the celebration of its establishment being the special purpose for which our Society was instituted.

III. That the business of the Club be conducted by a President, Vice-President, Secretary, Treasurer, and Five Members; the whole constituting a Committee, the majority of whom, being present, may transact the business of the Club.

IV. That the General Meetings of the Club be held on the Second Wednesday in each Month, to receive Subscriptions, to Elect and Admit Members, and transact the General Business.

V. That the Foreman of the Committee shall have power to call a Meeting of the Committee, and the Committee a General Meeting, at any time it may be deemed proper; and the Secretary may call a General Meeting on the requisition of Seven Members.

VI. That any person desirous of becoming a Member must be regularly proposed, seconded, and ballotted for, and, having been accepted by the Club, may be admitted a Member.

VII. That swearing, or any manner of profaneness, be not permitted, and that it be in the power of the President or other Chairman, to fine any Member so transgressing in such a sum as he may think fit; likewise, said power to extend to any Member not keeping order when called on.

VIII. That any Member absenting himself from the Meetings of the Club for three successive times, without a satisfactory cause, may be expelled the Club.

IX. That any Member being more than three Months' Dues in Arrear may be expelled, at the pleasure of the Club, and no Member shall be eligible for any Office who shall be more than Three Months' Dues in Arrear.

X. That all the property of the Club shall be under the charge of the Committee, and cannot in any way be disposed of without their sanction.

XI. That any Member absenting himself from the Celebrations shall be fined in a sum not exceeding Five Shillings, unless prevented by absence from the city, domestic calamity, or illness.

XII. That, in case of contentions or disputes arising among Members of the Club, it shall be in the power of the President to interfere, and submit the matter to the Committee or the Club at a General Meeting. Any Member resisting the authority of the President shall be dealt with as the Club shall direct.

XIII. That the Officers of the Club be elected for a period of Twelve Months, their election to take place at the October Meeting—to enter Office in November. No Vacancy to be filled up at other than a Monthly Meeting.

XIV. That, to effect a due observance of good order and regularity, no Member is at liberty to communicate the affairs of the Club to any one but a Member, and thereby prevent such idle curiosity into its regulations and finances as may be injurious to its efficiency and well-being.

Form for Admission of Members.

"Love the Brotherhood. Fear God. Honour the King."

President.—You have been balloted for and accepted by this Club. Is it now your wish to be admitted a Member?

Candidate.—It is.

President. Will you promise faithfully to observe, obey, and act in accordance with the Rules and Regulations you hold in your hand; will you subscribe to them in their true letter, spirit, and general acceptation, and enforce a steady obedience to them in others by a diligent observance of them yourself?

Candidate.—I do promise.

President.—Will you bear and conduct yourself with a proper degree of respect to all persons who now are, or hereafter may be, appointed to any Office; will you endeavour, as far as in you lies, to have and promote a friendly feeling, and exert all your influence to prevent any quarrels or contentions among the Members of the Club?

Candidate.—I will endeavour to do so.

President.—Will you exert all your influence to promote its prosperity and welfare; and will you faithfully, honestly, and honourably execute any duties, offices, or charges wherewith you now are or hereafter may become invested?

Candidate.—I promise so to do.

President.—I now cordially receive you into the ranks of our honourable and famous brotherhood, investing you, in token thereof, with this Crimson Badge, the emblem of our unconquered City. May its proud memories stimulate you to fervency and zeal in the maintenance of those great principles of truth and loyalty which are the special inheritance of Derry.

(The new Member then signs the Club Roll.)

Bye-laws of the Apprentice Boys of Derry Club.

"Thou shalt therefore keep this Ordinance in his season from year to year."

Celebrations.

I. The word Celebration, in Rule Eleven, shall be considered to signify and mean all and every such procedure as a Resolution of the Club shall determine to be done upon a Commemoration of the Anniversary of the Shutting of the Gates, or of the Relief of Derry, provided such resolution be not in opposition to any law of the land.

Offices and Posts.

II. That any Member who shall refuse to act in any Post or Office in the Club, after having been elected thereto, shall be fined in a sum not exceeding One Shilling. Any Member absenting himself, without the sanction of the President for the time being, from any part of the Outdoor Celebrations, shall be fined in a sum not exceeding One Shilling for each time of absence.

Monthly Meetings.

III. The Members of this Club shall Meet together on the second Wednesday of each Month at Eight o'clock in the evening.

Emergent Meetings.

IV. The Presidant shall have power to call Emergent Meetings at his discretion, by giving notice to all Members in the City as early as possible previous to the hour of meeting, and no business to be brought forward except that stated in the summons.

New Candidates.

V. Any Person desirous of being admitted a Member must be duly proposed and seconded, and on the next regular night of Meeting Balloted for; three black beans to exclude, and the person so rejected cannot again be put in nomination until the expiration of Three Months—When a Celebration intervenes, the President may issue his License to a proposed Candidate, enabling him to take part in it.

ENTRANCE FEES.

VI. Each Candidate shall, on the occasion of his Admission, pay to the Treasurer the Sum of Two Shillings and Sixpence.

MEMBERS OF OTHER CLUBS.

VII. Any Person belonging to or coming from another Club, and wishing to be admitted a Member of this Club, must produce his Certificate, be duly proposed, seconded, and balloted for on next regular night of Meeting, the majority of votes to decide, and on his admission shall pay the sum of One Shilling.

NOTICE OF ELECTION.

VIII. At the monthly meeting in October, being the term for the Election of Officers, every Member resident in and about the City shall be notified to attend. Any Member absenting himself from such meeting without assigning a satisfactory cause, shall be fined in the sum of One Shilling.

ELECTION OF OFFICERS.

IX. The Club shall elect its officers annually by Ballot, or otherwise, agreeably to the Rules of the General Committee, at the regular meeting in October. The newly-elected Officers to be installed at the November meeting following.

NEW OFFICERS.

X. No Member shall be eligible to be elected to any Office unless he be clear of all Dues; nor shall any Member be eligible to be elected to any Office who has within the previous six months absented himself from three regular Meetings without good and sufficient reason.

MEMBER IN ARREARS.

XI. Any member of this Club being more than three months in arrear of dues shall not be eligible to vote at the election of any Officer, or on any subject connected with the Club; nor shall he be allowed to speak on any subject, unless by permission of the President.

ANNUAL SUBSCRIPTIONS.

XII. The Annual Subscription of active Members shall be Six Shillings per Annum, payable half-yearly in advance, or 6*d.* per month, payable at each regular Meeting. Honorary Members (Clergymen excepted) shall pay a subscription of Twenty Shillings annually in advance.

SECRETARY'S DUTIES.

XIII. The duty of the Secretary shall be to fill up Circulars for and attend each meeting of the Club, to read the Minutes and Bye Laws, to enter the transactions of every meeting, to carry on the correspondence of the Club, and to make out the returns for the General Committee, for the performance of which duties he shall be free from all Dues.

DUTIES OF COMMITTEE.

XIV. It shall be the duty of the Foreman and his Committee to have in charge and keep in proper order, and fit for service, the cannon and other property belonging to the Club, to make all necessary arrangements sanctioned by the Club for the becoming observance of the Celebrations; to analyse and report on the Club List at convenient intervals, and to audit the Treasurer's Accounts after each Anniversary.

TREASURER'S DUTIES.

XV. The Treasurer shall keep a Pass Book in his own and the President's name, at the Savings' Bank; and no moneys to be advanced except on an order passed at a Meeting and signed by the President.

MEMBERS SPEAKING.

XVI. Members when speaking shall address the President standing. No Member shall be allowed to speak more than once on the same subject unless by way of explanation.

RESIGNATION OF MEMBERS.

XVII. Any member wishing to retire from the Club must intimate the same in writing to the Secretary, and no resignation can be received from any member unless he be clear of all Dues, &c. Certificates to be granted to Members in good standing on their retirement.

FINES.

XVIII. Any Officer who absents himself from a monthly meeting without giving due notice to the Club, or Secretary, of his intention, shall be fined in the sum of 6*d.*; and any Officer of the Club not in attendance at a meeting within half an hour of the time specified in Secretary's circulars shall be fined in the sum of 3*d.* Any member absenting himself from three successive monthly meetings shall be fined in the sum of 6*d.* All Fines inflicted by the Club under any of the foregoing rules shall be charged as Dues, and no member shall be at liberty to vote until such fines are paid.

UNBECOMING CONDUCT.

XIX. Any Member guilty of unbecoming conduct will incur admonition, fine, or suspension. This rule will also apply to Members six months in arrear of Dues.

ALTERING BYE LAWS.

XX. No part of these Bye Laws shall be repealed or amended unless at a Monthly Meeting, and by a two-third vote of the Members present, a month's specific notice having been previously given in Writing.

RULES of the GENERAL COMMITTEE of the ASSOCIATED CLUBS of APPRENTICE BOYS of DERRY.

Adopted at a General Meeting of the Clubs, held 22d November, 1859: amended 7th December, 1867.

"Surely I will remember Thy wonders of old. Which we have heard and known, and our fathers have told us."

RULE I. That this General Committee of the Clubs shall be composed of the President, Secretary, and Treasurer of each Club, and the Vice-President of the Senior Club. In absence of any President the Vice-President to Act as his representative. Seven to form a Quorum.

II. That the Committee shall meet Quarterly, on each 1st February, 14th May, 1st August, and 14th November, and at such other times as the Chairman, on the requisition of Three Members, shall appoint, by noticing the Secretary of each Club, such Notice to be given in Writing by the General Secretary.

III. That the Officers of the Committee shall consist of the President of the Senior Club, as Chairman of the Committee, and Governor of the Associated Clubs; a Deputy-Governor, elected from among the Presidents of the remaining Clubs; and a Secretary and Treasurer, their election to take place at the November meeting in each year, when the several Clubs shall be required to make, through their Secretaries, full Returns of Officers and Members, and of persons suspended, rejected, resigned, or expelled.

IV. That the Committee shall have power to transact the general business of the Association, to arrange the Programme for the observance of each Anniversary Celebration, to decide all Appeals from decisions of the Clubs, and to ratify or annul all Expulsions or Suspensions; the Secretary to report in writing all such proceedings, together with Names of Persons rejected or Resigned, to the Secretaries of the several Clubs.

V. That the Committee shall issue Charters to the several Clubs, and none shall be recognised as such, unless they have been regularly Licensed by the Committee.

VI. That no Club shall be permitted to receive a Member resigning in another Club, unless he produce a satisfactory Certificate from the Club he has left.

VII. That the Committee shall have power to convene a General Meeting of the Associated Clubs, at such times as circumstances may render necessary.

The foregoing Rules, Bye Laws, and Form of Admission, were approved at a Special Meeting of the Apprentice Boys of Derry Club, held on Saturday evening, 29th February, 1868.

JOHN G. FERGUSON, *President.*
ANDREW RAMSAY, *Secretary.*

GOD SAVE THE QUEEN.

Appendix, No. 13.

Copy of Memorandum of Constabulary Arrangements, agreed on for Prevention of Disturbance, February 9th, 1869.

Londonderry, 9th February, 1869.

I send you a copy of the arrangements which Captain Peel, R.M., wishes to be carried out for the preservation of the peace of this town this day, and which you will please carry out to the letter.

B. Brennan, 1st County Inspector.

A. W. Stafford, S. I., esq., Londonderry.

Ship-quay-gate,	20 men,	1 Officer.
Northern Hotel-gate,	20 men,	
Butchers-gate,	20 men,	1 Officer.
Post-office-gate,	20 men,	1 Head-Constable.
Bishop's-gate,	20 men,	1 Officer.
New-gate, at Ross's Meeting-house,	15 men,	1 Head-Constable.
Ferry-quay-gate,	15 men,	1 Head-Constable.
Foyle-street Steps,	10 men,	1 Head-Constable.
Orchard-street, at Barracks,	15 men,	1 Officer.
Reserve,	45 men,	2 Officers. 1 Head-Constable.
	200 men,	6 Officers. 5 Head-Constables.

APPENDIX B.

Table A.—Return respecting the Londonderry Borough Police.

Name.	Age.	Birth-place.	Rank.	Religion.	Residence in Borough.	Previous Occupation.	Present Occupation, if any, besides that of Policeman.	Whether or not a Municipal Voter.	Whether or not a Parliamentary Voter.
1. Hamilton Davis,	52	Co. Derry,	Sergeant,	Episcopalian,	Major's-row,	Farmer,	None,	No,	No.
2. John Sinclair,	62	Do.,	Do.,	Roman Catholic,	Fountain-hill,	Labourer,	Do.,	No,	No.
3. James O'Bryan,	66	Co. Wicklow,	Do.,	Episcopalian,	Dark-lane,	Revenue Police,	Do.,	No,	Yes.
4. Hugh Wilson,	34	Derry,	Do.,	Presbyterian,	Long Tower,	Labourer,	Do.,	No,	Yes.
5. Richard Coyle,	37	Co. Derry,	Constable,	Episcopalian,	Fountain-hill,	Do.,	Do.,	No,	No.
6. John Smith,	49	Do.,	Do.,	Do.,	Do.,	Do.,	Do.,	No,	No.
7. Robert King,	43	Do.,	Do.,	Presbyterian,	Ann-street,	Do.,	Do.,	No,	No.
8. John Gillespie,	36	Co. Donegal,	Do.,	Episcopalian,	Dungiven-road,	Revenue Police,	Do.,	Yes,	Yes.
9. Robert M'Michael,	35	Do.,	Do.,	Presbyterian,	Ann-street,	Labourer,	Do.,	No,	No.
10. Samuel M'Elroy,	36	Co. Derry,	Do.,	Do.,	Fountain-hill,	Do.,	Do.,	No,	No.
11. William M'Daid,	37	Do.,	Do.,	Do.,	Prehen-road,	Do.,	Do.,	No,	No.
12. Samuel M'Garvey,	45	Co. Donegal,	Do.,	Do.,	Ann-street,	Do.,	Do.,	No,	No.
13. James Tower,	40	Co. Derry,	Do.,	Roman Catholic,	Fountain-hill,	Do.,	Do.,	No,	No.
14. James Campbell,	28	Do.,	Do.,	Episcopalian,	Murray's-lane,	Do.,	Do.,	No,	No.
15. James Thompson,	35	Do.,	Do.,	Presbyterian,	Tamneymore,	Do.,	Do.,	No,	No.
16. James Hutchinson,	37	Do.,	Do.,	Episcopalian,	St. Columb's Court,	Do.,	Do.,	No,	No.
17. William White,	30	Co. Donegal,	Do.,	Do.,	Wapping-lane,	Do.,	Do.,	No,	No.
18. John Wilson,	25	Do.,	Do.,	Presbyterian,	Fountain-street,	Do.,	Do.,	No,	Yes.
19. William Hutchinson,	35	Co. Derry,	Do.,	Episcopalian,	Nailor's-row,	Do.,	Do.,	No,	No.
20. John Given,	28	Co. Donegal,	Do.,	Do.,	Do.,	Do.,	Do.,	No,	No.
21. Bernard M'Evory,	24	Do.,	Do.,	Roman Catholic,	Lecky-road,	Do.,	Do.,	No,	No.
22. John Moorhead,	28	Co. Derry,	Do.,	Presbyterian,	Fountain-hill,	Do.,	Do.,	No,	No.
23. Robert Crumley,	26	Do.,	Do.,	Episcopalian,	Tamneymore,	Do.,	Do.,	No,	No.
24. Alexander Gray,	39	West India,	Do.,	Presbyterian,	Murray's-lane,	Do.,	Do.,	No,	No.
25. John Hargan,	28	Co. Derry,	Do.,	Roman Catholic,	Lecky-road,	Do.,	Do.,	No,	No.
26. Samuel Crighton,	23	Do.,	Do.,	Presbyterian,	Murray's-lane,	Do.,	Do.,	No,	No.
27. John M'Connell,	50	Do.,	Do.,	Episcopalian,	Dark-lane,	Revenue Police,	Do.,	No,	No.
28. Hugh Reilly,	35	Do.,	Do.,	Presbyterian,	Henrietta-street,	Do.,	Do.,	No,	No.
29. Daniel Sullivan,	39	Co. Kerry,	Do.,	Roman Catholic,	Moore-street,	Soldier,	Do.,	No,	No.
30. Thomas Ballintine,	27	Co. Tyrone,	Do.,	Episcopalian,	Nailor's-row,	Buss-driver,	Do.,	No,	No.
31. James Miller,	24	Co. Donegal,	Do.,	Presbyterian,	Chapel-road,	Labourer,	Do.,	No,	No.
32. Patrick Gallagher,	31	Do.,	Do.,	Roman Catholic,	Strand-road,	Do.,	Do.,	No,	No.
33. James Doherty,	29	Co. Tyrone,	Do.,	Episcopalian,	Fountain-hill,	Do.,	Do.,	No,	No.
34. James Divin,	37	Co. Donegal,	Do.,	Roman Catholic,	Rosemount,	Postman,	Do.,	No,	No.
35. Smith Brown,	30	Do.,	Do.,	Presbyterian,	Long Tower,	Labourer,	Do.,	No,	No.
36. Patrick Duffy,	22	Do.,	Do.,	Roman Catholic,	Do.,	Boatman,	Do.,	No,	No.
37. Guy Blakely,	40	Co. Fermanagh,	Do.,	Episcopalian,	Patrick-street,	Soldier,	Do.,	No,	No.
James M'Guire,	57	Derry,	Superintendent,	Presbyterian,	Bishop-street,	Farmer,	Do.,	Yes,	Yes.

James W. Gregg, Town Clerk.

Londonderry, October, 1869.

Table B.—Return of the Number of Troops in the Town of Londonderry on the following Dates:—

Date.	Corps.	Squadrons or Companies.	Officers.	Men.	Horses.
1868.					
On 20th July,	28th Foot,	4	9	261	1
,, 12th August,	Do.,	4	8	260	1
On 20th November,	12th Lancers,	1	4	73	75
	54th Foot,	3	7	147	1
,, 21st ,,	12th Lancers,	½	2	36	38
	54th Foot,	3	7	147	1
,, 23rd ,,	Do.,	2	5	98	1
,, 24th ,,	Do.,	1	3	49	1
,, 26th ,,	Do.,	2	5	98	1
,, 1st December,	Do.,	2	6	101	1
,, 18th ,,	Do.,	2	6	101	1
1869.					
On 1st January,	54th Foot,	2	6	86	1
,, 9th February,	Do.,	2	5	97	1
,, 28th April.	Do.,	2	6	93	1
,, 12th August,	Do.,	2	4	81	–

(Signed), G. Wynnell Mayow, Colonel, D.Q.M.G.

Quarter-Master General's Office, Dublin Castle,
2nd November, 1869.

TABLE C.—Return of the Number of the Royal Irish Constabulary on duty in the Town of Londonderry on certain given Dates:—

Dates.	Number of		
	County Inspectors.	Sub-Inspectors.	Head and other Constables.
1868.			
20th July,	1	2	18
12th August,	–	4	113
20th to 22nd November,	1	9	321
22nd to 23rd „	1	8	302
23rd to 24th „	1	6	151
24th to 26th „	–	4	109
1st December,	1	1	18
18th „	1	3	117
1869.			
1st January,	1	1	18
9th February,	1	6	217
28th April,	–	1	20
12th August,	1	4	175

Dated at Londonderry, 2nd November, 1869.

(Signed), B. PLUMMER, 1st County Inspector.

The Inspector-General,
Royal Irish Constabulary.

DUBLIN: Printed by ALEXANDER THOM, 87 & 88, Abbey-street.
For Her Majesty's Stationery Office.

REPORT

OF THE

COMMISSIONERS

APPOINTED UNDER THE ACT OF THE 15TH AND 16TH VICTORIA, CAP. 57,

FOR THE

PURPOSE OF MAKING INQUIRY

INTO THE EXISTENCE OF

CORRUPT PRACTICES

AT THE LAST

ELECTION FOR SLIGO,

TOGETHER WITH THE

MINUTES OF EVIDENCE.

Presented to both Houses of Parliament by Command of Her Majesty.

DUBLIN:
PRINTED BY ALEXANDER THOM, 87 & 88, ABBEY-STREET,
FOR HER MAJESTY'S STATIONERY OFFICE.

1870.

[C.—48.] *Price 4s. 6d.*

COMMISSION.

VICTORIA R.

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to Our trusty and well-beloved DENIS CAULFEILD HERON, Doctor of Laws, one of Our Counsel, JOHN ALEXANDER BYRNE, Esquire, Barrister-at law, and WILLIAM R. BRUCE, Esquire, Barrister-at-law; greeting.

Whereas the Lords Spiritual and Temporal, and Commons, of the United Kingdom of Great Britain and Ireland, in Parliament assembled, have by a joint Address humbly represented unto Us, that the Right Honorable WILLIAM KEOGH, one of the Justices of the Court of Common Pleas in Ireland, and one of the Judges selected for the Trial of Election Petitions in Ireland, pursuant to the Parliamentary Elections Act, 1868, has reported to the House of Commons that corrupt practices have extensively prevailed at the last Election for the Borough of Sligo, and have humbly prayed that We will be graciously pleased to cause Inquiry to be made, pursuant to the provisions of the Act of Parliament passed in the Sixteenth Year of Our Reign, intituled "An Act to provide for more effectual Inquiry into the existence of corrupt practices at Elections for Members of Parliament," by the appointment of you, the said DENIS CAULFEILD HERON, JOHN ALEXANDER BYRNE, and WILLIAM R. BRUCE, as Commissioners for the purpose of making Inquiry into the existence of such corrupt practices.

Know ye, that We, in compliance with the prayer of the said joint Address, have authorized and appointed, and do by these presents, in pursuance of the powers vested in Us by the said Act, authorize and appoint you, the said DENIS CAULFIELD HERON, JOHN ALEXANDER BYRNE, and WILLIAM R. BRUCE, to be Commissioners for the purpose of making inquiry into the existence of such corrupt practices in the said joint Address referred to.

Given at Our Court at Saint James's, the Twenty-third day of June, One thousand eight hundred and sixty-nine, in the Thirty-third year of Our Reign.

By Her Majesty's Command,

H. A. BRUCE.

SLIGO ELECTION INQUIRY COMMISSION, 1869.

REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

WE JOHN ALEXANDER BYRNE and WILLIAM ROBERT BRUCE, the continuing members of the Commission issued in pursuance of the Statute 15 & 16 Victoria, Chapter 57, for the purpose of making inquiry into the existence of corrupt practices at the last election of a member to serve in Parliament for the borough of Sligo, humbly submit the following report to Your Majesty:—

The Commissioners, in obedience to Your Majesty's warrant, opened the Commission in the town of Sligo on the 5th of October, 1869. From that day to the 23rd of the same month, (with the exception of an adjournment for one day), the inquiry was continued. On the 23rd of October, the Commissioners (having obtained the consent of the Secretary of State for the Home Department) adjourned till the 20th of December, 1869, to procure the attendance of certain persons who, it was believed, could give evidence material to the investigation. The inquiry, when resumed on the 20th of December, lasted a comparatively short time.

During the adjournment Mr. D. C. HERON, Q.C., resigned his appointment, and we were deprived of his co-operation in making up this report, and concluding the inquiry, during the greater portion of which he was the presiding Commissioner.

The borough of Sligo has returned a member to the Imperial Parliament since the Union; it previously returned two members to the Irish Parliament; its area for parliamentary representation consists of the town and an outlying rural district. The voters for the borough are householders, freemen, and (since "The Representation of the People (Ireland) Act, 1868,") lodgers. The two latter classes are insignificant in number, the register of voters for the last election showing only one freeman, and three lodgers. The greater number of the voters reside in the town. At the last election out of 520 voters only 75 qualified in respect of property situated in the rural district.

The evidence established the existence of corrupt practices at the last election, which took place on the 19th of November, 1869, and at the two preceding elections, which took place in the years 1860 and 1865; previously to 1860, the borough had been for several elections contested by the Right Honorable John Wynne, and Mr. John Patrick Somers, one or other of whom was always returned. At the last of these elections, which took place in 1859, we discovered no corrupt practices, and consequently did not inquire into the details of what had taken place at former elections; the evidence satisfied us that the absence of corruption at the election of 1859 was to be accounted for by the peculiar circumstances of the case, Mr. Somers (who was defeated) not having the command of money, and Mr. Wynne having come forward as a candidate reluctantly.

In 1860 the candidates were, Mr. Francis Macdonogh, Q.C. (Conservative), Lieutenant-Colonel Tennison (Liberal), and Mr. Somers (Liberal); Colonel Tennison retired after the day of nomination, Mr. Somers polled but few votes, so that Mr. Macdonogh was practically returned without opposition.

We find that Colonel Tennison retired in consequence of its being intimated to him, on the night before the election, that unless £600 or £700 were forthcoming to be distributed among about 25 of the Liberal voters, there was no use in his going to the poll. We were, however, unable to ascertain the names of the voters among whom this money was to have been distributed, owing to the length of time which had elapsed, and to the fact that the demand was rejected.

We find that there was expended on this election by Mr. Macdonogh about £1,350, of which between £800 and £900 was expended in bribery. This sum was advanced previously to the election by a supporter of Mr. Macdonogh, to be distributed among the electors. Mr. Macdonogh subsequently repaid the advance.

This money was deposited with several persons, to be distributed by them among the electors as they should think fit; owing to the death of one of these persons and the

length of time which had elapsed, we were not able to discover to whom a large portion of this money was paid. We find, however, that about £470 was, after the election, distributed among the 14 voters whose names are set out in Schedule A, on account of their votes, and that these persons were guilty of bribery.

We further find, in respect of the said election, that 9 persons, whose names are set out in Schedule B, were guilty of bribery, by being concerned in giving money or other valuable consideration to voters for their votes.

During the period that Mr. Macdonogh was member of the borough, he spent very large sums in subscriptions to local charities and assisting individuals. According to his estimate this expenditure must at least have amounted to £500 a year. (See p. 120.)

At the election which took place on the 14th day of July 1865, the candidates were Mr. Macdonogh, Conservative (who polled 155 votes), and Mr. Sergeant Armstrong, Liberal (who polled 166). There were on the Registry 372 voters, of whom 3 were freemen.

We have set out in Schedule C the names of 91 persons, who we find were guilty of bribery by receiving money for their votes at this election, and we find that others were similarly bribed whose names we were unable to ascertain.

We find that 19 persons, whose names are set out in Schedule D, were guilty of bribery by being concerned in giving money to voters for their votes.

The night before the polling day, Mr. Macdonogh's election was judged by his principal supporters to be in great danger, and a sum of £490 was advanced by one of his friends to be applied in influencing the votes of the wavering electors.

We find that £423 of this sum was distributed among voters, as a consideration for their having voted for Mr. Macdonogh; most of this money was paid some time after the election, but we find that the doubtful voters were made aware, at the time of the contest, that money would be forthcoming.

We find that Mr. Macdonogh was aware of this transaction, and subsequently repaid the money advanced for him; his total expenditure at this election was £905, of which the above mentioned sum of £490 formed part, the residue was employed in defraying the legitimate expenses of the election.

We find that there was expended on this election by Sergeant Armstrong the sum of £2,240; of this sum £615 was applied in defraying the legitimate expenses of the election, £140 was distributed among mobs, and the residue, £1,480, was expended in bribery. The whole of this last mentioned sum was paid some eight or nine months after the election; about that time, several applications were made to Sergeant Armstrong, stating that his supporters were dissatisfied, and that something was expected of him; Mr. Tracy (the Sergeant's conducting agent) and Mr. J. Lynch Byrne (his agent for election expenses) were sent down to the Borough in consequence of these communications, and on their arrival had an interview with some of Sergeant Armstrong's principal supporters; lists were made out of the persons who should receive money, and the sums to be given, and £1,480 was handed over by Mr. Tracy to be distributed, which was subsequently repaid him by Sergeant Armstrong.

Sergeant Armstrong's recollection, derived from documents given to him at the time but since lost, was that the number of voters so bribed amounted to 97, of these we have ascertained the names of 65, amongst whom the sum of £1,200 was distributed; the names of the others we failed to discover.

We find that, with a very few exceptions, no express promises were made to the persons whose names are set out in Schedules A and C at the time they voted, but the evidence satisfied us that, amongst a large number of them, there existed an expectation that money would be subsequently given to them for having voted.

At the last election for the Borough, which took place on the 19th of November, 1868, the candidates were Major Knox (Conservative) who polled 241 votes, and Captain Flanagan (Liberal) who polled 229 votes; the number of voters on the register was 520, consisting of 516 householders, 1 freeman, and 3 lodgers.

This election differed from the former ones, inasmuch as the corrupt practices were not confined to bribery, but included undue influence as defined by the 5th Section of the 17th & 18th Victoria, c. 102.

We find that 16 persons, whose names are set out in Schedule E, were guilty of bribery by either voting or agreeing to vote for Major Knox, or by refraining or agreeing to refrain from voting, in consideration of money or promises of money. Several of these persons subsequently voted for Captain Flanagan.

We find that 11 persons, whose names are set out in Schedule F, were guilty of bribery by distributing or promising money to the persons mentioned in Schedule E, to induce them to commit the above-mentioned acts of bribery.

Our investigations into what took place at this election, were much obstructed by the

absence from the inquiry of Captain Ethelred Knox and Thomas Brennan, the two persons who were principally concerned in bribing on Major Knox's side; the commission was adjourned, and every effort made to procure their attendance, but ineffectually.

The bribery proved at this election fell short of what took place on former occasions. We do not, however, feel ourselves justified in reporting that this was due to the increased purity of the constituency, having regard to the fact that in Sligo it was almost invariably after the election that the distribution of money among the electors took place, which (if intended) would have been stopped by the presentation of a petition, and also that a large number of the electors avowed their willingness to take money if it were to be obtained. It appears from the evidence of Robert Stokes (pages 185–188), that in consequence of the sitting of the Royal Commission, several sums promised to voters had not been distributed at the time of his examination.

Major Knox's connexion with Sligo with a view to being a candidate began early in 1867; his expenditure in connexion with the election amounted to about £4,028; the particulars of this expenditure will be found at page 137 of the evidence. Part of the money (£53) was applied by him in relieving cases of distress, but though this was done, admittedly, with a view to popularity and advancing his prospects at the election, we do not find that any of the cases amounted to actual bribery; a portion of his expenditure (about £250) was also employed in payment of a mob, consisting mainly of non-electors.

We find that Captain Ethelred Knox advanced a sum of £300 to be expended in bribing electors. Further sums, but, so far as we could discover, not amounting to £100, were distributed amongst voters by Thomas Brennan and others for the purpose of influencing their votes.

We find that, in addition to those who actually received money, there were a number of voters, about 20 or 25, who were in the habit of soliciting money from Major Knox and giving vague promises of support.

We do not find any money to have been expended in bribery by Captain Flanagan or his supporters; but a sum of about £200 was expended among mobs, who, the evidence showed, consisted principally of persons from a distance. Neither this sum, nor the sum expended by Major Knox among mobs, was inserted in the accounts of the expense agents, nor did they pass through their hands, a fact which leads us to conclude that such a distribution was known to be illegal.

On the day of polling at this election a proposal was made to the Rev. John Morris, a Roman Catholic clergyman, that if £1,000 was paid down ten votes would be forthcoming for Mr. Flanagan. This proposal was not entertained, and we did not discover the names of those on whose behalf it was made.

We have to report that it was stated to us by many gentlemen well acquainted with the town, that there is a class of voters, estimated by some to amount to 40 or 50, who invariably expect to be paid at elections.

We find that, at the last election, violence and intimidation prevailed to a very great extent. It was proved that about 20 persons, supporters of Major Knox, absented themselves from their homes, immediately before the election, from fear of violence, and that 5 of these, Mark Anthony Macdonogh, Edward Gethin, John M'Quirk, John Cairns, and Charles Clancy, were prevented from recording their votes, by this apprehension, which we do not consider to have been unfounded. On the evening of the polling day most violent riots took place, the houses of 20 of the supporters of Major Knox were injured, in some instances completely wrecked. In page 352 of the evidence will be found the particulars of the amount allowed by the Grand Jury of the County of Sligo as compensation for these malicious injuries; the total amount is £1,245 9*s.* 7*d.* In the evidence of Peter Harrison, p. 50, an instance of the personal violence used will be found.

We further find that some of the acts of the Right Rev. Dr. Gillooly, the Roman Catholic Bishop, and of certain of his clergy, at the last election, amounted to undue influence, within 17 and 18 Vic., c. 102, s. 5.

On the Sunday before the election this Right Reverend Prelate addressed his flock in the Roman Catholic parish church, and in the course of his address stated, according to the evidence of Martin Boyle (p. 294), that if any of the Roman Catholic party voted for the Tory candidate they would be considered rotten branches, and should be "lopped off." The Bishop denied the accuracy of this account, and gave (answer 15000) the following version of what took place:—"I referred to rotten branches, and I said most probably, although I cannot now remember the words I used, that it would be better that rotten branches should be cut off than that they should be left hanging to the tree, injuring the vitality of it; and that it would be better that the member which was rotten should be cut off rather than it should infect the body. I

then said I feared that some of those persons had cut themselves off by their misconduct, and by persevering in a course of conduct they knew to be criminal." And in answer to another question (15004), he admitted that in a discourse before the election he had stated "that the Catholic voters who voted for Major Knox should make reparation before they could be reconciled to God." Whichever version of what occurred on this occasion be the correct one, we cannot doubt that the Bishop's words were understood by his hearers as a strong declaration of ecclesiastical censure against those Roman Catholics who should vote against the Roman Catholic candidate—a censure which, as the Bishop admitted (answers 15057–8), implied a withholding of the rites of the Church till a proper reparation should be made.

We find that on the Sunday after the election, the Bishop, before commencing his sermon, directed that those who had voted for Major Knox should go to the porch. The Bishop stated to us that he did not intend by this more than an advice, with a view to prevent a collision between parties; but he admitted that he had been understood to have meant a prohibition on the persons alluded to going to any other part of the church.

Martin Boyle, sergeant of the permanent staff of the Sligo Militia, whose duty it was to attend mass at the Roman Catholic parish church, was present there on this occasion. In consequence of what occurred, he (having voted for Major Knox) obtained from his commanding officer leave to hear mass for the future at another Roman Catholic church (the Friary). We find that on the following Sunday he was ordered to leave the place he was occupying in the Friary church by the Rev. Thomas Hibbits, and that this was in consequence of his having voted for Major Knox.

We find that on the following Christmas morning two other persons—Laurence Burke and John M'Quirk—who had abstained from voting, were not allowed into the gallery of the Roman Catholic parish church, but were required by the Rev. John Morris to hear mass in the porch, which was considered under the circumstances as a degradation. These reverend gentlemen were examined before us, and stated that their reason for so acting was the feeling of indignation amongst the members of the congregation against those Roman Catholics who had not voted for Mr. Flanagan.

Finally, we report to Your Majesty, that at the last three elections of members to serve in Parliament for the Borough of Sligo, corrupt practices have extensively prevailed.

All which we humbly submit to Your Majesty's gracious consideration.

JOHN ALEXANDER BYRNE.
WILLIAM R. BRUCE.

March 3rd, 1870.

SCHEDULES.

SCHEDULE A.

List of persons who in 1860 were guilty of Bribery by receiving money or other valuable consideration in respect of their votes.

1. Brady, John.
2. Burke, John.
3. Grevitt, James.
4. Henderson, Robert.
5. Johnston, James.
6. Mulligan, Henry.
7. M'Kim, James.
8. M'Kim, Thomas.
9. M'Donald, Peter (dead).
10. Robb, Richard.
11. Shaw, Robert (dead).
12. Smith, William.
13. Wallace, James.
14. Williams, Samuel.

SCHEDULE B.

List of persons who in 1860 were guilty of Bribery by giving money or other valuable consideration to persons in respect of their votes.

1. Burke, John.
2. Cunningham, James.
3. Lyons, John (dead).
4. Lyons, Henry.
5. Monds, Moses.
6. Macdonogh, Francis.
7. Polexfen, William.
8. Rowlett, Matthew.
9. Sedley, Charles.

SCHEDULE C.

List of persons who were guilty of Bribery in 1865 by receiving money or other valuable consideration in respect of their votes.

1. Atkinson, John.
2. Brennan, Thomas.
3. Burns, James.
4. Brady, John.
5. Burke, Laurence.
6. Bruen, Owen.
7. Burke, John.
8. Buchanan, William.
9. Burrowes, James.
10. Barry, Patrick.
11. Blair, George.
12. Crozier, Andrew.
13. Conlan, Owen.
14. Coyne, Michael.
15. Cunningham, Peter.
16. Collery, Patrick.
17. Cunningham, James.
18. Currid, Michael.
19. Creighton, John.
20. Campbell, George.
21. Crummie, Edward.
22. Davy, Martin.
23. Dolan, John.
24. Derham, Felix.
25. Devanny, Patrick.
26. Devanny, James.
27. Davy, Peter.
28. Devins, Thomas.
29. Flynn, James.
30. Grevitt, James.
31. Gilmore, Samuel.
32. Gunning, Owen.
33. Gilligan, Michael.
34. Gillan, Michael.
35. Gethin, Edward.
36. Gallaher, John.
37. Galnagh, James.
38. Gillen, Charles.
39. Gunning, Patrick.
40. Gallagher, James.
41. Hall, James (dead).
42. Henderson, Robert.
43. Hunt, Dominick.
44. Hughes, Stephen.
45. Hennesy, Patrick.
46. Healy, Bernard.
47. Hannah, Richard.
48. Jackson, Alexander.
49. Jackson, Thomas (dead).
50. Jordan, Martin.
51. Jennings, John.
52. Kearns, John.
53. Kilmartin, Michael.
54. Lindsay, Robert.
55. Lovatt, William.
56. Leonard, James.
57. Lynch, John.
58. Leonard, Patrick.
59. Mulligan, Henry.
60. Marren, Patrick.
61. M'Kim, James.
62. M'Kim, Thomas.
63. M'Donald, Peter (dead).
64. M'Goldrick, John.
65. M'Hugh, James.
66. M'Gethrick, Thomas.
67. M'Ilhenry, Edward.
68. M'Clean, Patrick.
69. M'Keown, Bryan.
70. Neilan, Patrick.
71. O'Flynn, James.
72. O'Brien, Patrick (dead).
73. O'Beirne, Michael.
74. O'Brien, James.
75. O'Hara, James.
76. O'Brien, John.
77. O'Beirne, Andrew.
78. Phair, Joseph.
79. Ryan, John.
80. Robinson, John.
81. Rooney, Denis.
82. Rooney, Michael.
83. Reid, John.
84. Smith, William.
85. Tracy, Francis.
86. Tallant, Peter.
87. Williams, Samuel.
88. Wallace, James.
89. Wilson, George.
90. Ward, Thomas.
91. Wilson, Thomas.

SCHEDULE D.

List of persons who were guilty of Bribery in 1865 by giving money or other valuable consideration to persons in respect of their votes.

1. Allen, Matthew.
2. Armstrong, Richard.
3. Byrne, James Lynch.
4. Conroy, Maurice.
5. Chrystal, Bryan.
6. Campbell, Harpur.
7. Foley, Michael.
8. Keighron, Patrick.
9. Kidd, James,
10. Lyons, Henry.
11. Magill, Daniel.
12. Macdonogh, Francis.
13. Poe, Robert (dead).
14. Petrie, William.
15. Philips, Martin.
16. Sedley, Charles.
17. Stokes, Robert.
18. Shekleton, Robert William.
19. Tracy, Daniel.

SCHEDULE E.

List of persons who were guilty of Bribery in 1868 by receiving or agreeing to receive money or other valuable consideration in respect of their votes.

1. Flynn, Patrick.
2. Gallaher, Patrick.
3. Harrison, Peter.
4. Henderson, Walter.
5. Kilcullen, Dominick.
6. Mulligan, Martin.
7. M'Mullen, James.
8. M'Mullen, William.
9. Neilan, Patrick.
10. O'Connor, Michael (dead).
11. O'Connor, Patrick.
12. Ryan, Matthew.
13. Rooney, Michael.
14. Shiel, John.
15. Young, William.
16. Young, John.

SCHEDULE F.

List of persons who were guilty of Bribery in 1868 by giving or offering money or other valuable consideration to voters in respect of their votes.

1. Atcheson, George.
2. Barber, Francis.
3. Balfour, James.
4. Brennan, Thomas.
5. Cherry, Stephen M.
6. Grey, James.
7. Galbraith, John H.
8. Knox, Utred Augustus.
9. Knox, Captain Ethelred.
10. Lloyd, Arthur.
11. Stokes, Robert.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE

TAKEN BEFORE

DENIS CAULFEILD HERON, Esq., Q.C., LL.D., Chief Commissioner,
JOHN ALEXANDER BYRNE, Esq.,

AND

WILLIAM R. BRUCE, Esq.,

The Commissioners appointed under the Act of the 15th & 16th Victoria, Cap. 57, for the purpose of making inquiry into the Existence of Corrupt Practices at the last Election for the Borough of Sligo.

Secretary, Edward Greer, Esq.

FIRST DAY.

First Day

October 5, 1869.

October 5

The Commissioners sat at Twelve o'clock.

Patrick Flynn sworn and examined.

Patrick Flynn.

1. The *Chief Commissioner.*—Do you live in the town of Sligo?—I do.

2. You are an elector?—Yes.

3. How long have you been an elector of Sligo?—Ten years.

4. Whom did you vote for at the last election?—Captain Flanagan.

5. Previous to the last election was there an ejectment pending against you?—There was.

6. For how much?—Ten pounds.

7. Who was your landlord?—Lady Palmerston.

8. Was that for a year's rent?—Yes.

9. Were you then able to pay?—No, I was not.

10. Do you know a man named Thomas Brennan?—I do.

11. What is Thomas Brennan?—He is a shopkeeper with his mother.

12. In what business or profession is he?—He has been living in Sligo for some time. He is not at present.

13. For how long has he been living in Sligo?—I think for the last fifteen or twenty years. He was born here, I believe.

14. Had you any conversation with him before the last election about this ejectment?—I had.

15. When was that?—Well, I could not exactly say now what the time was, but it was before the election.

16. At that time was there any candidate in the field?—There was talk of Major Knox and Captain Flanagan.

17. Had they issued addresses?—Well, I think not at that time.

18. Did Brennan say anything to you about the ejectment?—He did.

19. What did he say?—That he would get my rent paid.

20. Who was to pay it for you?—It was he paid it.

21. I want to know what was the first conversation between you and Brennan. Did you go to him or did he go to you?—Well, I was in the habit of doing business—selling pigs to him—and on that occasion we spoke first about it.

22. Can you fix when it was that you first spoke about getting the ejectment paid?—Well, I think it was in his own house.

23. Did you call on him for the purpose?—Well, he asked me questions and I opened my mind to him, of course.

24. Was anything said about your vote?—Well, there was.

25. Tell the court now what was said about your vote in connexion with the payment of the ejectment?—That if I would vote for Major Knox he would get the rent paid for me, of course.

26. What did you say to that?—I said I would.

27. Was that before the sessions?—It was.

28. Did Brennan give you any money himself?—He did.

29. I mean about the £10—did he give you any money?—No.

30. Who paid the money to the agent of the Palmerston estate?—I know he paid it in court himself.

31. Who?—Brennan.

32. Paid it to whom?—To Mr. Pollock.

33. That is, Mr. Pollock, the attorney?—Yes.

34. Which Mr. Pollock?—Edward Pollock.

35. Did you get any receipt?—I did.

36. Have you the receipt?—I have (produces the document). I got it from Malone.

37. That is dated the 23rd of January. When, in point of fact, was the money paid—was it on that day?—No, not that day. It was some time; the sessions were going on here when it was paid.

38. The January or the June sessions—it is dated January?—The money was paid long before I got that receipt.

39. Was it the summer sessions?—I could not tell.

40. Was it six months before that that the money was paid?—I am sure it was three months.

41. Did you hear Mr. Pollock saying anything about it to any other gentleman—about letting it stand over?—Yes, he did.

42. To whom?—To Mr. Knox that was here—Mr. Utred Knox.

43. The Clerk of the Peace?—Yes.

44. What did he say?—When it was called he told him to let it stand over to the next day.

45. What sessions was that?—Well, I am not exactly sure.

46. Where was it that the receipt was given to you?—I think it was at Ballymote that I got the

FIRST DAY.
October 5.
Patrick Flynn.

receipt from Mr. Tom Smith, or at Sligo; I am not sure which; but I know I went to the office for it.

47. Did you bring anything with you to the rent office?—No, I did not.

48. Any money?—No.

49. How did you know you were to get the receipt?—I knew the money was paid for it.

50. Who told you it was paid?—I saw it paid in the Court-house by Brennan.

51. To whom?—To Mr. Edward Pollock.

52. Have you ever paid back any of the money?—No, I have not.

53. Did you receive any other money from Brennan?—I did.

54. How much?—Well, I could not exactly say.

55. How much altogether?—Four or five pounds, perhaps.

56. What was the £5 for?—They gave it to me off and on—a pound now, and a pound again.

57. What was it for?—I could not exactly say what for.

58. Whenever you would ask it?—Sometimes—yes.

59. Did Brennan ever give money or pay money for you before that £10?—No, never.

60. Was the whole £5 you received before the polling for the election?—It was.

61. Did he give you any money since the election?—No.

62. What was the first sum you got from him, independent of the money paid for the ejectment?—I think it was £1. I am not exactly sure now, it is such a long time ago.

63. What did you ask it for?—Well, I told him I wanted it.

64. Wanted it for what—did you want it for yourself?—For myself.

65. Or for any other thing?—Well, for myself.

66. Did you expend any of the money you got from Brennan, except on yourself?—Well, I think not.

67. Why do you say "you think not;" had you anything to do with any of the mobs of the town?—Well, no, not in the way of distributing money.

68. That is what I mean; did you pay any money to persons on either side of the mobs?—No, not to my knowledge.

69. What do you mean by "not to your knowledge;" surely if you paid any money you could not forget it?—Well, I did not.

70. Was anyone present when any money was paid to you by Brennan?—Well, I am not sure; I think not.

71. Where was it that you got the first sum?—Well, as far as I recollect, it was up on the new line here that I got it, on a walk one evening.

72. Do you know a man named James Grey?—I do.

73. Was he present when you got any money from Brennan?—Well, I think he was.

74. Why did you say no one was present?—I am not exactly sure now.

75. Did James Grey give you any money?—I think he sent me some money.

76. By whom?—I think by his own son.

77. How much?—Half a sovereign.

78. Is that in addition to the money you got from Brennan?—Yes.

79. What was that for?—Well, it was money that was distributed in the streets, and he gave me part of it.

80. Did you get any money for the election from anybody else?—No.

81. What did you do for that half-sovereign?—I did nothing for it.

82. When was that half-sovereign sent by James Grey?—Well, I cannot exactly say now.

83. How long before the election?—It was months.

84. Did you see any money given to any other person—do you know Kilcullen?—I do.

85. Do you know his son?—I do.

86. What is his name?—Dominic Kilcullen.

87. Did he get any money?—I did not exactly see him getting money, but I was told he did.

88. Told by whom?—By Brennan.

89. How much?—A sovereign.

90. What for?—I could not say what for.

91. Do you know Mr. Harloe Phibbs?—I do.

92. Did you get an order for £5 from him?—I got an order. I don't know whether £5 was on it or not. It was a card.

93. Who gave you the card?—Mr. Phibbs.

94. What was written on it?—I never remarked what was written on it. I just took it in my hand. He did not mention any sum. I did not go myself; I sent Grey with it.

95. Where did you send Grey to?—To Mr. Thomas Wilson.

96. Did you get the £5?—Yes, £5 came back to me.

97. That is in addition to the money Brennan gave you?—Yes, but I did not get the whole of that £5.

98. Did you divide it?—No, I did not. It was Grey, I think, that divided it.

99. Is Kilcullen a voter?—He is.

100. How much did Kilcullen get altogether?—I could not say. I could not tell what he got.

101. Had you any conversation with Major Knox about that £5?—No, not about that £5.

102. Well about which £5?—I never mind to have had any conversation about £5.

103. Did you make any complaint about that being too little?—To Major Knox?

104. To anybody?—Well I might. I don't remember. I went to Major Knox myself, one morning.

105. Yes, go on?—I demanded something from him.

106. How much did you demand?—Well it was the price of a score of sheep that I thought I would get.

107. How much was that?—Something between £30 and £40.

108. At that time you had got £20?—No, not so much.

109. Ten pounds for the ejectment, and two fives?—I did not get two fives.

110. Did you not get £5 from Brennan?—Yes.

111. And then the other five?—I did not get it; I only got part of it.

112. You demanded £30?—Yes.

113. Was that as a loan, or for the election—for your vote, in fact?—I could not say; I was told that if I would vote for him, he would be a friend of mine, and would give me the price, perhaps, of a score of sheep.

114. Who said that?—Brennan.

115. And that who would give it to you?—Major Knox.

116. Whom did you demand the price of a score of sheep from?—From Major Knox himself.

117. When did you demand it from Major Knox?—Well, I think it was the first time he came round here; I could not exactly say what time. The assizes were going on.

118. The summer assizes?—Yes, just so.

119. Tell me exactly what you said to Major Knox when you demanded from him the price of a score of sheep?—Well, in fact, I wrote out what I wanted.

120. You wrote?—Yes; a bit of a note.

121. Did you write a letter?—Yes; and I went with the letter myself to him.

122. Did you give him the letter?—I did.

123. What was in the letter?—That Brennan promised to give me the price of a score of sheep if I would vote for him.

124. What answer did the Major give you?—He said he was advised by his friends to give no more money out. So I went away from him.

125. Were you canvassed by both sides?—I was.

126. Who canvassed you for Captain Flanagan?—Well, the parish priest, and a few gentlemen more of the town.

127. Did you promise to vote for Captain Flanagan?—No, not till the latter end I did not. I refused.

128. You must give me the names of the gentle-

men who canvassed you on both sides?—There was Mr. Pollock, first, I think, with Mr. Phibbs and Major Knox; after that, I think, Captain Flanagan; and I am not exactly sure whether there was not Mr. Conroy one night, and Father Morris. There were several.

129. Any that you can remember?—But I refused them at the same time and no mistake. I refused to vote for Captain Flanagan.

130. How long before the election did you make up your mind to vote for Captain Flanagan?—Well, about a fortnight or a month before that, or a fortnight or three weeks.

131. Did you get any money from Mr. Brennan or anyone on Major Knox's side after you had promised to vote for Captain Flanagan?—No.

132. Was it known that you intended to vote for Captain Flanagan?—It was not.

133. Who introduced you to Major Knox?—It was Brennan.

134. Where?—In my own house first.

135. Did you go into any room together?—We were in a room in my own house.

136. Who were you?—Major Knox, and I think Mr. Pollock was there at the same time.

137. Had you any conversation that day about the sheep?—Oh, that was in his own house, in Major Knox's own lodgings.

138. Was that after the first day?—It was.

139. Now, you say you handed the letter to Major Knox?—I did.

140. In his own house?—Yes.

141. Repeat again what he said to you?—He said he was advised by his friends to give no more money out, and that he would not do it.

142. Was there any conversation about any money having been given out?—Well, no; not with him. I left the house then.

143. Did Brennan say anything before Major Knox about the ejectment?—He did.

144. What did he say?—He said so much was paid for me.

145. Whom did he tell that to?—The Major himself told it. He said: "Did Brennan pay so much for you?" "He did," said I.

146. Neither you nor the Major said "so much;" say the words used?—He said: "Did not Brennan pay some rent for you." I said he did. "Well," said he, "I am advised by my friends to give no more money out"—something of that kind.

147. Did you ever promise the Major himself personally to vote for him?—I did.

148. How often?—Well, I think it was about twice.

149. Have you told all the money you got?—Well, I think so.

150. Did you get any other money?—Not to my knowledge.

151. You must know perfectly well if you got any other money?—Well, I don't remember if I did.

152. You know you are sworn to tell the truth?—The truth I will tell.

153. Well, how much money do you say you got altogether, or was paid for you?—There was a year's rent paid first.

154. Then 10*s.*?—Yes.

155. And the costs of the ejectment—how much were they?—Well, I did not handle the money. I could not say. It was Brennan paid the money; and I got about £4 or £5 more from Brennan off and on.

156. Did you get any other money from other persons?—Well, I got money from James Gray.

157. You have mentioned that—10*s.*?—Yes; I think I got it twice.

158. That is two "ten shillings?"—Well, I think so.

159. Who else?—That's all to my knowledge.

160. Did you get any money from Captain Flanagan's side?—No—never got a penny.

161. Was any promised?—Never.

162. What made you break your promise to Major Knox after getting the money?—Well, the Church question was at stake, and my religion, and I stood to it.

163. In reference to your voting and your promises to vote, at the last election, and at previous elections, had you voted for the Liberal candidate or the Conservative?—For the Liberal.

164. Always?—Always.

165. What made you promise to vote for Major Knox—was it the money?—Well, it was the money.

166. Mr. *Commissioner Bruce.*—Was it before or after that £10 was paid that you had any interview with Major Knox?—It was after it.

167. That is, after the June sessions?—Yes.

168. It was in the June Sessions that you think it was paid?—I think so. I am not exactly sure in what sessions it was paid.

169. How many elections had you voted at—did you vote at the last?—I did.

170. Did you vote at the election before it?—I did.

171. That was for Sergeant Armstrong?—Yes.

172. Did you vote at any former election?—I did, I think for Mr. Somers.

173. You say you received £4 or £5 from Brennan afterwards?—Yes.

174. Can you tell me what Brennan said to you—the circumstances under which he gave you that £4 or £5; did he give it all in one sum?—He did not.

175. In sums of 15*s.* or 17*s.*?—Yes, and a £1.

176. What did he say to you?—He said nothing at all to me; of course he knew I would be a friend.

177. Tell us exactly what he did say. He must have said something. He did not meet you in the street and put 15*s.* into your hand and then walk away?—He did not.

178. Very well—tell us what he did say?—Well, we often used to chat on Saturday night on the road.

179. You say there was some talk; recollect some occasion?—Well, it was about the Major we used to be chatting.

180. What did he say?—That he liked the people to be getting on well in the town, and to encourage them.

181. That Brennan liked, or the Major?—No, Brennan and the Major both.

182. That he liked to encourage the people about the town?—On one side of the town—up at Pound-street.

183. Did he then put 15*s.* into your hand?—No; I asked him if he had any money, and he said he had.

184. And then he gave you the money?—Yes.

185. About what time did you get this £4 or £5?—It was before the election.

186. How long before it?—Perhaps a couple of months or so. Three months.

187. Was it nearer to the election than a couple of months?—Well, I think it was.

188. When was the last money you got from Brennan?—The last money I got from him was £1.

189. That was a couple of months before the election?—Yes; about a month or so before the election. About a month.

190. Now, what state was the town in at that time?—Well, there was a great talk about Major Knox and Captain Flanagan, and people were not on good terms with each other.

191. Was there any mob; were windows smashed? Not at that time. Oh, I believe there was. I am not exactly sure at that time; I think not.

192. Was there any fighting?—Well, there was.

193. Were you fighting at all?—No.

194. Did you not fight at all, at any time; were you in no mob during the whole time?—No, I got neither thump, nor crack, nor anything else. I might often get an insult for not voting for Major Knox.

195. But you never returned it?—No; the people used to be annoying me, saying, "That I was Knox's man." I laughed at the idea, of course.

196. Did you get none of this money from Brennan to act as mobsman?—No, I never did.

197. Mr. *Commissioner Byrne.*—At what time be-

FIRST DAY. *October 5.*

Patrick Flynn.

fore the election did you change your mind?—Well, perhaps a fortnight before the election.

198. Who canvassed you?—Well, it was Father Morris first, and Counsellor O'Loghlen. I was unwell.

199. Was it about a fortnight before the election?—They canvassed me before that and I refused.

200. Father Morris?—Yes, and Captain Flanagan too, and I refused them. Then I got unwell, and I promised them that I would.

201. Who called on you when you were unwell?—Father Morris, and Mr. O'Loghlen.

202. Was it Father Morris made you change your mind?—No; I had always in my mind to vote for him.

203. Always?—Yes; though I would take all I could from the other man—no mistake about that.

204. Did you tell Father Morris?—I never told him nor any other person that I had it in my mind to vote for Captain Flanagan.

205. What did Father Morris say to you when he came to you, when you were sick?—Well, he asked me how I was. He said he was sorry to see me unwell, and he asked me would I promise to vote for Captain Flanagan, and I said I would.

206. At once?—Yes. That was coming within the fortnight or so, or the month. It was within about a fortnight, I think, of the day of polling.

207. And you say what operated on your mind was this Church question?—Just so.

208. Did Father Morris bring it before you?—Not a word; but I never voted for the Conservative party.

209. Did you tell Father Morris that the money was given to you?—Well, I am not exactly sure that I did tell Father Morris that. I know I told it before that; and I told Mr. O'Loghlen about it too. I did tell of it I remember now, at the time it was held over.

210. The *Chief Commissioner.*—That is, the ejectment?—The ejectment. I came in myself with Mr. Pollock, to know if the money was paid, and, if so, what was the reason my name was called again. Upon that he got it nilled by Mr. Utred Knox.

211. Mr. *Commissioner Byrne.*—Did you want to get money from Mr. O'Loghlen?—I did not; but he offered in court to get the money settled for me here, that was paid to Mr. Pollock.

212. He offered in court to get the money paid?—No; he said he would come into court and speak to the barrister, in order, if the money was paid, to get off my name.

213. Mr. *Commissioner Bruce.*—You say that at first you had a conversation with Father Morris, and that he canvassed you for Captain Flanagan, and that you refused?—He did.

214. And that you refused the first time?—I did.

215. Tell us exactly what took place then; that was rather a remarkable conversation you know?—I will tell you, my lord. This ejectment was still in the book against me, and I could not get a receipt for it. I wanted to get the £10 settled, and that's why I refused Father Morris, and Captain Flanagan too.

216. And did you not give Father Morris any reason for saying you would not vote for him?—I did not—not a word.

217. You simply said you would not vote?—I said I would not vote for him.

218. Did you tell him you would vote for Major Knox?—Well, I might not have told them that there. I don't think I did.

219. What did Father Morris say to you the first time you refused?—He did not come near me at all after that.

220. What did he say at the time?—He walked out. He saw me getting into a passion.

221. What put you into a passion?—There were parties along with him that said they would make me vote.

222. With Father Morris?—Yes, a mob.

223. Who were there with him?—A great number of persons, back and forward. I could not say who they were.

224. Where did the interview take place?—At my own house.

225. How many people were there?—I think fifty or sixty people who were canvassing.

226. Do you know their names?—I did not leave my own door. I stood inside it, and did not go out at all; but I refused them. Both came in in a gentlemanly manner, and I refused both.

227. What were the names of the people who were with Father Morris?—Well, I think there was Mr. Conroy and Mr. O'Loghlen. I don't know whether Mr. Magill was there. I did not go outside the door.

228. What Mr. Magill is that?—There he is there.

229. Where does he live?—He lives a few doors from myself.

230. Do you recollect any others?—I don't remember them.

231. There were fifty or sixty people; were they a mob?—Well, they were following them—following Mr. Flanagan and canvassing, as they generally did throughout the town.

232. And when you got into a passion did they go away quietly?—They did. They never said one word to me.

233. When was that?—A good while before the election: the first time Captain Flanagan went canvassing.

234. Six or twelve months before the election?—I don't think it was six months, nor, I think, four months, nor three months.

235. How soon after that did Father Morris come to you again when you said you would vote for Captain Flanagan?—I did not say I would vote for Captain Flanagan.

236. You never did?—No, not till I was unwell.

237. That was the second time you saw Father Morris?—Yes.

238. How soon was that after the first time?—I suppose about a month or six weeks. As soon as I got the arrangement settled in this book here my mind was made up to vote.

239. Yes, but you told us you got the receipt in January, 1868?—I don't know what time I got it.

240. The dismiss was entered in the book before you got the receipt?—It was.

241. Was that before the election?—It was.

242. At the October Sessions?—Well, I suppose so. Yes, I think so.

[The witness withdrew.]

John Shiel.

John Shiel sworn and examined.

243. The *Chief Commissioner.*—Are you an elector of the borough of Sligo?—Yes.

244. How long have you been an elector?—Since October last.

245. What is the rating of your house?—Five pounds ten shillings rating.

246. What is your business?—I am a chandler.

247. Did you get any money for your vote at the last election or for your promise to vote?—No.

248. Did you get any money in connexion with the election?—I got money to abstain from voting.

249. How much altogether were you paid?—Something about ten or eleven pounds, I think.

250. Who gave you the money?—Mr. Cherry.

251. Where does he live?—In Castle-street.

252. Where was it he gave you the money?—In his own wareroom—part money and part debt due.

253. You mean he forgave you the debt?—Yes.

254. What business is Cherry in?—The drapery.

255. Did you first speak to Cherry or he to you, on the subject of your vote?—He sent for me several times before I went.

256. Whom did he send for you?—His own shopboy.

257. I suppose with a message to call upon him?—Yes.

258. And did you understand what it was about?—Well, not exactly. I thought it was about the debt.

259. You went up to him?—Yes.

260. How long before the election was it you first spoke to Cherry about your vote?—I never spoke to him about my vote; he spoke to me about it.

261. He spoke to you first; how long was that before the election?—That was Monday week. The Wednesday week before the election he spoke to me.

262. At that time had you promised Captain Flanagan, the other candidate?—I had promised to Captain Flanagan.

263. How long had you promised the Captain to vote for him?—Well, it might be a month.

264. Now, what did Mr. Cherry say to you on the first occasion he spoke to you about your vote; give me the words if you can?—He told me I was an old customer of his, and he would like to do something for me, and he had it in his power, that he had been speaking to the Major about me the night before, and he could get me a good situation, for he was a man of great interest, and if not that, he would take on himself to provide me with one, if not a better, equally as good as what I held, and I did not give him a decided answer at the time. I said I would go home and consult with those at home. He said that would ruin all, and to do no such thing, but to think over it till next morning and give him word. The next morning I did not go back, nor did I intend to go back anymore, until his shopboy came again for me to the shop where I work, and I went down, knowing the state, the way I was: he had a decree against me, and I was alarmed that if I did not comply with the request, he would perhaps put the decree into execution.

265. How much had he the degree against you for?—£5 odd.

266. Were you able to pay off that?—Well, I might get it, but I could not myself.

267. Had you money to pay that unless you got assistance?—Well, I had not.

268. Now, go on with what you were telling?—I went down then, and I said I would go, and he told me he would give me £40.

269. If you would "go"?—Leave town before the election would be over, and he would provide me with some berth or situation, and I said then I had been thinking of going to America, and he said he had a friend in America that could do something for me, and he would give me the letter which he did.

270. That letter I believe was produced before; did you produce that letter before?—Yes.

271. Have you got that letter now?—It remains with the attorney for the petitioner.

272. The Judge's Registrar?—Yes.

273. He gave you a letter; how long was that before the election?—That was on Saturday night before the election.

274. When you say "the letter." Who was the letter left with?—It was handed to myself by him.

275. Whom did you give that letter to?—I gave it to the Judge's Registrar, or one of the gentlemen engaged.

276. To one of the gentlemen that were engaged?—I gave it first to Counsellor O'Loghlen; he got it first, and it was produced in Carrick, but I do not know how it went afterwards. I did not get it back.

277. Who was the letter addressed to?—Mr. Logan. I disremember the street in New York.

278. Was it to Mr. John Logan?—Yes.

279. Was Broadway his address?—Yes, Broadway.

280. Now, did you also get any receipt from Mr. Cherry?—I did.

281. What has become of that receipt? Was it also at Carrick?—Also.

282. And you have not got it since?—No.

283. Now how much did that rent forgiven and cash altogether amount to?—Odds of £11.

284. That was the result of the transaction?—Yes.

285. Now, how long before the election was it that the receipt was given to you?—Saturday night—the night before I was to leave town.

286. When was the polling day?—On the Thursday following.

287. And you got the receipt on Saturday?—Yes.

288. Where were you to go to?—To Dublin.

289. Were you provided with any other money in Dublin?—I was.

290. How much?—Something about £32 or £33—something thereabouts.

291. How were you to get the money in Dublin—how was it to be paid?—It was a bank post bill sent to a merchant in Dublin.

292. A bank post bill?—Yes.

293. Who told you that?—Mr. Cherry wrote a letter that was along with it. He showed me the bill. I had it in my hands.

294. A bank post bill?—Yes.

295. On what bank?—I am not positive now.

296. You don't remember what bank?—No.

297. What was the name of the merchant?—Coster, Brodie, and Company.

298. What business are they in?—They are paper merchants.

299. What did he do with that bank post bill—did he tell you it was to be posted to Dublin?—He did.

300. Where were you to get the money?—At that address.

301. At Coster, Brodie, and Company's?—Yes.

302. Where was it he read to you about Coster, Brodie, and Company?—In his own wareroom.

303. Was any one else present?—Not one.

304. It was done by arrangement—when were you to leave?—The next morning.

305. That is Sunday morning?—Sunday morning.

306. Was that arrangement then as regarded you and Mr. Cherry completed on that Saturday night?—Yes.

307. And was the arrangement that you were to go away during the election and get £11 in hand, and get a sum—whatever the difference was between that and £40 in Dublin?—Yes.

308. On what day were you to call on Coster, Brodie, and Company?—I was to call on the day I would arrive in Dublin, and they were to give me the instructions. I had also another address with me where I was to stop, but I was not to go to Coster, Brodie, and Company to get the money until Friday morning.

309. That was the morning after the polling?—The morning after the polling.

310. What was the other place you were to call to?—I think the name was Mr. Hughes, in Queen-street.

311. Did you know Mr. Hughes before?—No.

312. Did he give you an envelope with that address on it?—He did.

313. Was that also given to the attorney for the petitioner?—Yes.

314. How were you to go to Dublin?—By outside car to Enniskillen and train from that.

315. By car through Manorhamilton to Enniskillen?—Yes.

316. Did you get any directions as to your journey?—I did.

317. What directions were they?—Either at Manorhamilton or Enniskillen the driver was to give me a letter of instructions, which he did, a slip of paper, telling me not to stop at the Black Lion, but to go on to Enniskillen, and the additional expense would be paid when I got to Dublin.

.318 Were you to come back, according to the arrangement, to Sligo?—Whatever I liked. I might either go to America or come back.

319. Had you any real intention to go to America?—Not the slightest.

320. At what time were you to go away on Sunday morning?—At six o'clock.

321. Did you go away?—I did.

322. Whose car did you go on?—Mrs. Buchanan's.

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October 5.
John Sidel.

323. Who provided the car for you?—Mr. Cherry told me it would be on the road before me.

324. On the road before you?—Yes.

325. Did you walk out of the town?—I walked about a quarter or half a mile.

326. And the car came up?—The car was passing by and I had a password to give to the car.

327. Tell me what the password was?—To inquire the road "to the Golden Rappers."

328. Who gave you that pass word?—Mr. Cherry.

329. On the same occasion?—Not answered.

330. Did you inquire?—I did.

331. Who was the car-driver?—I know his name—M'Gowan, I think. I disremember ——

332. M'Gowan?—Yes.

333. Was that the Sunday morning before the polling?—It was.

334. Go on—state what occurred on your journey?—There was another old woman on the car, which the driver told me was meant as a cloak in order to screen him coming out at that hour of the morning, and he told me that the other boys of the establishment would not remain in the place if he was known to go out with the voters in that way, so we went out to Manorhamilton and stopped there. He went up to the landlord of the house and spoke to him, and the car was exchanged and a fresh horse got there, and we went into Enniskillen—not with him, though ——

335. Did you get any other document to give to M'Gowan or from M'Gowan?—I got the slip of paper I told you of.

336. Who handed you the slip of paper?—It was in Mr. Cherry's.

337. Did you give that slip of paper also to the attorney for the petitioner?—Yes.

338. What occurred then?—We went to Enniskillen, remained there, and came back.

339. In Enniskillen where did you stop?—I could not exactly tell you. Of course I provided a lodging-house to myself.

340. If you provided a lodging-house to yourself you are able to tell us where you stopped?—Well, I could not tell the name. Going into a strange town I did not know exactly.

341. Were you never in Enniskillen before?—Once, about five or six years ago.

342. You do not know where you stopped in Enniskillen?—I do not.

343. Did you see anyone from Sligo while you were in Enniskillen?—I did not.

344. You did not?—I saw a journeyman tobacco spinner that I had seen in Sligo some years before.

345. Did you see anyone that was connected with the business of the election—anyone that might ask you to vote for Flanagan or Knox?—No, I did not.

346. What train were you to go on by to Dublin?—There was none on Sunday morning, not till Monday morning.

347. Were you told to take the first train on Monday morning?—Seven o'clock was to be the first train on Monday.

348. During the whole of this time had you ever intended to go to Dublin at all?—No.

349. Had you made up your mind to go to America?—I had not; neither the one nor the other.

350. Mr. *Commissioner Bruce.*—Why did you go to Enniskillen?—Why it was a pleasant trip.

351. Just for the pleasure of the journey?—For the pleasure of it, of course.

352. You came back on the Monday?—Yes.

353. The *Chief Commissioner.*—All the time you were getting this money from Mr. Cherry did you ever intend to vote for Major Knox?—I never was asked to vote for Major Knox.

354. Did you during the whole of the time intend to vote for Captain Flanagan?—I did.

355. Did you ever tell anyone while you were going on this way with Mr. Cherry what you were doing?—I did.

356. Whom did you tell it to?—I told Mr. John Conolly.

357. He was, I suppose, working for Captain Flanagan?—He was not; he was a supporter of his, but nothing more.

358. He voted for him?—He did.

359. And was one of his party?—Yes.

360. Did you tell him the first time you were asked by Mr. Cherry to leave town?—I did.

361. Did you tell him everything that passed between you and Cherry?—I told him that I was after being offered £40 to leave town; and he laughed at it, saying that I would not do such a thing.

362. Mr. Conolly is your employer?—Yes.

363. You told him you were offered £40 to leave town?—Yes.

364. Did he believe you?—He did believe it, because it was generally spoken of through the town that there were large lumps of money going to any that would avail themselves of the opportunity of taking it.

365. Do you understand what a plant is?—No. It was no trick, sir. I tell you what it meant—thinking that he would put this decree into execution, perhaps on the morning of the election, and that, therefore, my vote would be lost to Captain Flanagan; that was my reason.

366. Did you tell everything that was going on between you and Mr. Cherry before you got the £11?—I did not.

367. Did you tell it to Mr. Conolly?—I did not; but after I got the letters from Mr. Cherry I went to Mr. Conolly, pulled out the letters, and showed them to him.

368. Did you show the letters to Mr. Conolly before you went to Enniskillen?—I did; but he did not open them.

369. Did he ultimately open them?—He did; after I came back he opened them, and when he saw the one addressed to Coster, Brodie, and Company, perhaps he allowed that there was money; but when he opened it there was nothing but a common business memorandum and Mr. Cherry's card with his name on one side—his initials on one side, and mine on the other.

370. That letter to Coster, Brodie, and Co. was never delivered by you?—Not by me.

371. You stopped the letter to Coster, Brodie and Co., and you stopped the letter to the other parties?—Yes.

372. Mr. *Commissioner Byrne.*—When Cherry first sent for you, as you say, you had already promised Captain Flanagan?—Yes.

373. Whom had you given that promise to?—To Captain Flanagan himself.

374. Was anybody by?—There were two or three gentlemen. I was just coming in.

375. Was Mr. Conolly by?—He was not. Mr. Conolly, to my knowledge, never went out to canvass with anyone.

376. Had Mr. Conolly any conversation with you about giving your vote before you promised Captain Flanagan?—No, not at all. He never asked me, and I don't believe he cared for whom I voted.

377. You said that in the first conversation you had with Cherry he said he would like to do something for you?—Yes.

378. Did he say he had authority for making that statement?—He told me he had been speaking to the Major about me the night before, and that he would do all in his power for me; and he said, "You know he is a man of great interest."

379. Is that the whole conversation, as well as you remember it, on that first interview?—Well, unless this much, that he was advising me—telling me that such a chance I never would get again, and the like of that; nothing more of any importance.

380. Mr. *Commissioner Bruce.*—He said nothing to you about money the first time?—No, but it was understood that there would be money along with the employment.

381. How do you mean understood—did he say anything about money?—He said he could assist me at the time—that it was in his power at the time to assist me; and also that he had been speaking to the Major about it; and, therefore, it was understood

from his words that there was to be something like money.

382. That was on the Monday week before the election?—On the Monday week before the election he sent for me first, but I think it was the Wednesday or Thursday before it that I went to him.

383. And you immediately told Mr. Conolly what had occurred between Cherry and yourself?—I did.

384. And did you tell Mr. Conolly then that you were going to pretend to go away in order to get money out of Mr. Cherry?—I did not at that time. On Saturday night when I showed him the papers he said it would not do at all for me to go away at such a critical time. "Never mind," says I, "I will go; but wherever I go I will be here to vote for Captain Flanagan."

385. What papers do you mean; do you mean the receipt?—The receipt and the other—the card.

386. You showed them all to Mr. Conolly on Saturday night?—I showed them, but did not open them.

387. He saw the receipt?—He did not. I did not show the receipt to him at all. He did not see it at all.

388. You said you showed it?—I showed him the letter for Coster, Brodie, and Company. There was another envelope also that had thirty shillings in it to bear any little expenses from—to pay my train fare from Enniskillen to Dublin; that was put up in an envelope also.

389. That was what you got from Cherry?—Yes. That must be the £1 that he has marked on the receipt cash.

390. You got that?—Yes.

391. Did you tell Mr. Conolly at that time that you had got the £1?—I did.

392. And that you had got the receipt?—No, I never mentioned to Mr. Conolly about the receipt. He thought at that time that I had the cheque in the letter of Coster, Brodie, & Co. for the money.

393. And he said it was a good dodge?—He did not; he said it would never do at such a critical time, and I said, "No matter where I go to I will be here to vote for Captain Flanagan.

394. Did he not say it was a disgraceful thing, your taking the money?—Well, he did not sanction it at all events.

395. Did he express any disapproval of it?—Well, he did not to my knowledge. He was against my going away, that's all.

396. You have told us that, but did he say anything at all to you when you told him that you had got this money from Mr. Cherry?—I did not tell him that I got it. I said I told him nothing about the receipt, but that I was to get £40 when I went to Dublin. That was the way he understood it to be.

397. Then you did not tell him at all that you had got any money?—He imagined that this money was contained in the letter.

398. So that, if I understand you, he thought from what you said that you had received a cheque for £40?—Yes, and I thought that it was—that it might have been that too, for he showed me the cheque, and read me the letter to Coster, Brodie and Co., and I was not positive at the time but that the letter he had read to me was in this envelope that I had.

399. He did not then say that the letter was a shabby and disgraceful transaction on your part?—He merely advised me, and did all he could with me to give it up.

400. Did he say you ought to take the cheque back to Mr. Cherry?—He did not. I believe he did not say that. Of course the cheque was no use to me if I did not go to Dublin. That was perfectly understood.

401. Did you not talk with anybody else but Conolly with regard to this?—No; unless our own people.

402 What do you mean by your own people?—Sisters. They, also, were against my taking it.

403. Against your taking it?—Against my going away—having anything at all to do with it.

404. How many sisters have you?—Two.

405. Did you tell them that you had got money in hand to go away?—They had the receipt while I was away.

406. Were they to be paid any of the money—you did not get all the first £20, did you?—They were to be paid £11 odd—that was, £20 was coming to me in Dublin, and the difference between the receipt and the other £20 was to go to them.

407. Did they get any of that £11?—Not to my knowledge.

408. Surely that is within your knowledge?—Not to my knowledge. I don't believe they did.

409. They never told you they had?—No.

410. Did they ever tell you they had not?—I don't think that ever they applied for the like. I am sure of it.

411. You said you heard that there was a great deal of money going on Major Knox's side?—I did.

412. Whom did you hear that from?—Why, it was the current report.

413. Current report? Somebody must have spoken?—Several said it; it was no secret at the time.

414. Would you give us the name of any person from whom you heard it?—Well, I heard Dominic Kilcullen say he was sure he could make a hundred pounds of it if he would vote for Major Knox.

415. Is Dominic Kilcullen a voter himself?—He is.

416. Has he a son a voter?—No, not to my knowledge.

417. Did you hear of any money going on Captain Flanagan's side?—Never heard it.

418. Do you know of any other person who got money besides yourself?—I do not.

419. Now, think about that; you are sure you don't know any person?—I am positive. Of course I have heard of several, but I can't swear to it.

420. Whom did you hear of as getting money?—So far as hearsay goes, I heard Kilcullen himself say he had got money.

421. Whom did he say he got money from?—From Brennan.

422. How much?—Well, I think, as well as I remember, £25.

423. Who else?—Well, I think, I am not positive.

424. You must tell us whom you heard of; you heard of several?—I could not tell you whether they were voters or not.

425. Never mind whether they were voters or not; tell us the name of any person whom you heard of, whether from himself or from any other person, as having got money?—I heard that Neilan had got money.

426. Is that Pat Neilan?—Yes.

427. When?—I don't remember.

428. Try and recollect?—It would be hard for me now.

429. I will give you plenty of time?—I don't recollect when.

430. You are sworn, you know, to tell the whole truth; I ask you again did you not hear of any other person having been bribed?—I may have heard but I could not say. Everyone, of course, was spoken about at the time, and you didn't know whether it was truth or lies, and I don't think it would be right of me to answer such a question.

431. You are bound to answer the question. It is no matter to you whether you believe the story or not; you are bound to tell us the whole truth, and we have very ample powers, indeed, to punish you for contempt of court if you do not?—I heard about parties getting money to stock their lands and pay their rents.

432. What parties?—Well, I could not exactly tell you their names.

433. Oh, you must?—Well, on my oath I could not tell.

434. Do you mean to tell me you don't recollect—is it that you have forgotten?—There is many a one that I heard spoken of at that time, and that I do not recollect now.

435. That you have forgotten?—That I have forgotten about. I cannot draw it to mind.

436. What do you mean by "cannot draw to mind?"—That I cannot draw to mind everyone's name that was spoken of at that time. There was one spoken of

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as getting money at that time, but I don't know whether it was true or not.

437. The *Chief Commissioner.*—Well, who was that?—There were several. John Read and ——

438. Where does he live?—Market-street.

439. Is he a farmer?—No, a furniture dealer.

440. Mr. *Commissioner Bruce.*—Did you hear anything about how much he got?—I did not.

441. Who told you he got any?—Mere report. I could not tell you who told me.

442. You said you heard that some got money for stocking their land. Read, you know, is a furniture man; he had no land, had he?—Well, this was the report that I heard, but I could not tell you who told me; I really could not. Many a conversation I had eleven months ago and twelve months ago that I cannot draw to mind now.

443. But you recollected Read's name; try and recollect somebody else's?—As far as he went that was well spoken of.

444. Try and recollect some one else's name—we will give you plenty of time?—I cannot. For my part I don't know many farmers about the town.

445. The *Chief Commissioner.*—If so you could remember one or two of them the easier. You have said you heard that men got money to stock their land and pay their rent?—Yes.

446. Who are they that you heard of?—I cannot tell.

447. You say you remember hearing that Dan Kilcullen got £25?—I heard himself say so.

448. How much did you hear that James Read got?—I did not hear.

449. Did you hear James Read himself speak on the subject?—I did not.

450. When you used the words "got money," of course you mean got money for his vote?—Yes.

451. Do you know how James Read voted?—I don't know whether he voted at all or not.

452. Do you know about Kilcullen, whose side he was on?—I believe he voted for Captain Flanagan.

453. He is the man that lives at Cornageah?—I suppose so.

454. How long before the election did you hear Kilcullen say he had got £25?—It may have been a couple of months.

455. From whom did you get it?—I think it came through Thomas Brennan.

456. That is, you heard him say that?—I heard him say so.

457. Did Thomas Brennan ever canvass you?—He did not.

458. Where did Kilcullen tell you this?—In the yard where I am employed.

459. Was he asking you then to vote for Knox?—He was not.

460. Where was it that you heard about Read?—I could not tell.

461. You have used this remarkable expression "men got money to stock their land and pay their rents; was it Kilcullen that told you that?—It was not, I believe. I don't recollect.

462. What sums did you hear had been given in this way?—Well that's more than I can tell; but I say that it was the current report at the time that the money was going on Major Knox's side.

463. You say you don't know many farmers who are voters?—I don't know, I might say any, unless a few.

464. Who are the few?—Well, Dominic Kilcullen is one of them, I believe. I don't know, that is to say, any others, country voters, that have farms.

465. Do you know the Cornageah people well?—I do not.

466. I understand there are a number of voters there. Do you know Owen Grehan?—I know him by seeing him.

467. Do you mean to tell me that you cannot remember any other farmers who are voters?—I do not know any of them.

468. Do you know Michael Mullin of Cornageah?—I do not, to my knowledge.

469. Or "MacMullen," I don't know which is his proper name?—I do not.

470. Did anyone else canvass you for Major Knox, except Mr. Cherry?—Major Knox and Mr. Harloe Phibbs left a crowd at my door, but nothing more.

471. Did they speak to you?—Never spoke to me.

472. Did anyone else speak to you?—No one spoke to me.

473. Were you offered any other money by anyone?—I was.

474. By whom?—That's more than I can tell either.

475. I ask you sir, you say you were offered money by other persons?—By other persons.

476. Were you offered any other money?—For my vote?

477. Yes?—No, not for my vote, but I was offered money for the papers that were in my pocket on the day of the election.

478. That is, the papers you got from Cherry?—Yes.

479. Did you get money for giving up those papers?—He offered me money.

480. How much?—£50.

481. On what day were you offered that money?—The day of the election.

482. Who offered you the money?—A stranger to me, a strange gentleman.

483. Where did he offer it to you?—In Jail-street, here above.

484. That was before you voted?—After I voted.

485. What did you say?—He told me he had heard I had some papers in my pocket from the week before. I said what if I had, or something like that. He said he would make it worth my while to give them to him. I pointed up to a house where there were a number of persons looking out at the cavalry going up and down.

486. This was the day of the polling?—The day of the polling. I said I would see him again, but I did not see him any more. I had not the papers to give him, for Counsellor O'Loghlen had them at the time.

487. Were you promised anything for those papers by anyone else?—No.

488. Did you ever get any money?—I never got sixpence.

489. Did you say ever that you were offerred £20 by Flanagan's side?—I did. I said that to Cherry.

490. Was that true?—It was not.

491. But you did say you were offered £20 from Captain Flanagan's side?—I did.

492. Did you say then to Cherry at the same time that you were offered £20 from Flanagan's side that you would go away for a fortnight?—I did.

493. Did you want if you could to get the whole £40 from Cherry, and then if possible vote for Flanagan?—Twenty pounds. I asked him for £20.

494. In hand?—In hand.

495. And the result was that you only got £11 in hand?—Yes.

496. You have only given the names of Dominic Kilcullen and John Read, that you say you heard were bribed?—Well, there were others examined at Carrick that told it, and that might have put their names into my head.

497. I don't know whether Kilcullen was examined or not?—He was.

498. Was James Read examined?—He was not.

499. As far as you know; but you have mentioned to us that you heard that parties got money to stock their land and pay their rents?—I did.

500. I now ask you can you remember their names, or who told you this?—I cannot.

501. Well you must try to refresh your memory on the subject. What is the name of Cherry's shopboy who brought the message?—That's more than I know.

502. Do you know him to see him?—I know him to see him.

503. You can ascertain his name?—Well, I dare say I could.

504. He is in Mr. Cherry's employment still?—I don't know.

(The witness withdrew.)

Martin Mulligan sworn and examined.

505. The *Chief Commissioner.*—You are an elector of the borough of Sligo?—Yes.

506. How long have you been an elector?—At the last election I voted.

507. Did you never vote before the last election?—No, I did not.

508. What is the rating of your house?—Nine pounds.

509. Do you remember the last election—after Major Knox became a candidate?—I do.

510. Do you know a man named Brennan?—I do.

511. Did you get any money from Brennan?—I did.

512. What was it for?—For my vote.

513. Where first did Brennan make you promise your vote for any money?—In my own house.

514. Who were present when you made that promise?—Dominic Kilcullen and James Grey.

515. Any one else?—There were ten or twelve others there.

516. Were they electors?—They were.

517. Did Brennan then promise you anything for your vote?—He gave me half-a-sovereign.

518. I suppose you would not give your vote for half-a-sovereign?—I would not.

519. What I want to know is, did he make any bargain with you for your vote?—He did.

520. What was that?—He said he wanted me to leave the town, and he would give me £25.

521. Did he offer you anything for your vote for Major Knox?—It was for leaving the town.

522. How long before the election was it that he made you that offer?—I disremember.

523. Had you promised any of the candidates at the last election to vote for him?—No, I hadn't made up my mind to vote for any of them at the time.

524. What did you say when Brennan offered you the £25 to leave the town?—I said if the others did I would.

525. What did he then say?—He said Dominic Kilcullen was to go with me.

526. Did he say there were any others to go besides Kilcullen?—Yes, he told me there would be about twenty others going at the same time.

527. Where did he say you were to go?—He said we were to go to Dublin.

528. Did he mention the names of any of the others who were to go with you?—I don't remember now any but Kilcullen; I think he didn't mention them.

529. Did you know who they were that were to go with you, besides Kilcullen?—I didn't.

530. You say you got ten shillings from Brennan on the first occasion he spoke to you about leaving the town?—Yes, I did.

531. Did you get any other money from Brennan afterwards?—I did.

532. How much did you get from him?—I got about £4 10*s.* altogether.

533. Was that £4 10*s.* part of the £25, or was it to be in addition to the £25 Brennan promised to give you for leaving the town?—No, he gave me ten shillings the first time, and he gave me nine shillings at another time.

534. Well, did Brennan give you £4 10*s.* altogether in that way?—He did.

535. Did you get money from any one else besides Brennan?—I didn't.

536. Do you know a man named James Grey?—I do.

537. Did you get any money from him?—I did.

538. How much money did you get from Grey?—I got, I think, £3 or £3 10*s.*

539. Who is Grey—what was he?—He was a non-elector.

540. Was he in Brennan's employment?—He was doing some business for Brennan, I believe.

541. Was that £3 part of the £4 10*s.*, or was it additional to it?—It was part of it.

542. Was it £5 or £6 you got from Brennan?—It was £4 10*s.* as best I can now remember. Between what I got from Grey and what I got from Brennan it was in all £4 10*s.*

543. Do you know a man named Dogherty?—I did.

544. Did you see him pay Grey some money?—I did.

545. How much?—I think it was £2 or £3; I saw him give it in an envelope.

546. Who is Dogherty—what is his Christian name?—Michael Dogherty.

547. How long, previous to the election, was it that you got the £4 10*s.*?—I think it was a year ago.

548. What did you do for the £4 10*s.* you got?—I did nothing at all.

549. Did you spend it on yourself, or on others?—I kept it myself.

550. Did you give any money among the mob?—I did not.

551. Were you part of the mob; did you go about the town shouting for Major Knox?—Never.

552. Were you present when any other persons were offered money to go away?—Kilcullen was the only person; I don't remember any one else.

553. Do you know Patrick Reid, that was mentioned by the last witness?—I don't know any one of that name.

554. Do you know John Reid?—I do know him.

555. Do you know anything about him?—I don't.

556. Did any one else offer you money besides Brennan and Grey?—No.

557. At any time?—Never.

558. Whom did you vote for at the last election?—I voted for Captain Flanagan.

559. When did you make up your mind to vote for Captain Flanagan?—It was always made up to do so.

560. Was there any word about your voting for Captain Flanagan when the £4 10*s.* was given to you?—There wasn't.

561. Did you then intend to vote for Captain Flanagan?—There was no word about Captain Flanagan at the time. I intended then to vote for the Liberal.

562. Though you took money from the Tories?—Yes, that was nearly forced on me.

563. Did you intend to keep your promise, when you said you would go away, to Brennan?—I didn't.

564. Did you ever, at any time, say you were offered £40 to go away?—I don't mind that I did. I mind that Brennan said he would give me £25 to go away; and he promised to buy a horse and car for me.

565. In addition to giving you £25?—Yes.

566. What did you want the horse and car for; what are you; did you ever speak to Brennan about the horse and car?—Never. He spoke to me about it.

567. Where did he speak to you about it?—He came to my own house and spoke about it.

568. Was it to go away you were to get the horse and car, or were they to be your own?—My own.

569. I need not ask you, I suppose, did you ever give back any of the money you got?—I didn't.

570. Did you see Kilcullen get any money?—I did.

571. How much did you see him get?—I saw him given half-a-sovereign.

572. Did you see any other voter get money besides Kilcullen?—I didn't.

573. Mr. *Commissioner Bruce.*—Did you ever say at Carrick before Judge Keogh that you were offered £40 to go away?—I disremember.

574. Try and recollect whether you did or not?—I might. I disremember.

575. If you did say it, was it true?—I am certain it was true if I said it. I don't remember now whether I did or not.

576. But you are certain you were offered £25?—I am certain I was offered all that at any rate.

577. You are certain you were offered £25 at least?—I am. I can't say whether it was £25 or £40.

578. Do you recollect the time of the revision before the barrister?—I do.

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579. Were you not part of the mob at the time?—I hadn't a vote at all before that.

580. Weren't you one of the mob?—I wasn't one of the mob. I never was in the mob at all.

581. You were perfectly quiet?—Yes.

582. At the time you got the half-sovereign from Brennan, and the other different sums which made up the £4 or £5, was nothing said about what that money was for?—Not to my recollection.

583. How do you expect us to believe that?—Of course I suppose he said something—that it was for Major Knox.

584. I don't want to know what you suppose—I want you to tell us what he said?—I think it is near two years ago.

585. I know that, but it is rather a remarkable circumstance you took money to vote for one man while you say you intended to vote for another?—[No answer.]

586. Mr. *Commissioner Byrne.*—Did you ever get any money from Captain Flanagan, or from any one on his behalf?—I didn't.

587. Did you ever get a promise of money from him or from any one on his behalf?—Never.

588. Mr. *Commissioner Bruce.*—Who was it canvassed you for Captain Flanagan?—Captain Flanagan himself.

589. When was it he canvassed you?—It was shortly before the election.

590. And you always promised to vote for Captain Flanagan?—I did.

591. Did you tell Captain Flanagan that you got the money from the other side?—I didn't.

592. Mr. *Commissioner Byrne.*—Was it to Captain Flanagan himself you first made the promise to vote for him?—It was.

593. Had you spoken to any one about it before you spoke to himself?—No; I spoke to no one until Captain Flanagan came into my own house.

(The witness then withdrew.)

Charles Tiernan.

Charles Tiernan sworn and examined.

594. The *Chief Commissioner.*—You are an elector for the borough of Sligo?—Yes.

595. How long have you been an elector?—Since 1832: I had voted for that election.

596. Have you voted at every election since then?—I didn't.

597. You recollect the last election?—I do.

598. You remember after the two candidates coming forward?—Yes, I do.

599. By whom were you canvassed on behalf of Major Knox?—By himself.

600. Were there any persons with him at the time?—The then Clerk of the Peace was with him.

601. That is Utred Knox?—Yes.

602. Did you then make any promise to Major Knox?—I told him I would record my vote in his favour.

603. After having promised to vote for Major Knox had you any other conversation with him in reference to your vote?—All the conversation was I said I was labouring under pecuniary difficulties at the time. He told me he would make amends for it, and to call on Mr. Utred Knox on the next day. I went next day to the Clerk of the Peace according to arrangement, and he handed me £10.

604. How long before the election was that?—It was in 1867. It was over two years before the election.

605. Was it true when you said to Major Knox that you were pressed with difficulties?—It was.

606. In that conversation with Major Knox did you make any reference to previous elections—did you say anything about losses that you had sustained in consequence of the way you voted?—Yes, I did.

607. On which side did you vote at these elections?—The last election I voted was when the Hon. John Wynne was a candidate. I voted for him against Mr. Somers.

608. Did you vote after that election?—I didn't.

609. Didn't you vote at the elections at which Sergeant Armstrong and Mr. Macdonogh were candidates?—No. I had no vote then. The last time I voted was for the Hon. John Wynne.

610. What was it you said to Major Knox in the conversation you had with him about your vote—about the losses you sustained at previous elections?—I told him I had sustained losses by them, and I will tell you how—it was on the Conservative side I recorded my vote at the time. Shortly after that they withdrew their support from me.

611. Who withdrew their support from you?—They withdrew their support from me as a tradesman.

612. Who withdrew their support?—The Conservatives did.

613. What were the difficulties you were under that you referred to in your conversation with Major Knox. Was the difficulty about rent?—About rent and taxes.

614. How much was the debt you owed for rent and taxes?—It was about £14 at the time.

615. You said you called the next day on Utred Knox?—Yes.

616. Where did you call on him?—At his office in a house adjoining the courthouse.

617. At the Clerk of the Peace's office?—Yes, at the Clerk of the Peace's office.

618. The public office?—Yes.

619. What did you say to Utred Knox when you called on him?—I said nothing but that I was told by Major Knox to call on him according to promise. Major Knox told me to call at eleven o'clock, and I did so according to promise.

620. Did you tell Major Knox before you called to the Clerk of the Peace's office what was the amount of the debt you were pressed for?—Oh, no.

621. What did the Clerk of the Peace say to you when you called at his office?—I had no conversation with him, scarcely, but that I would vote for the Major.

622. What then occurred exactly?—He drew up a document and I signed it, that was all.

623. How much did he give you?—He gave me £10.

624. Exactly?—Exactly.

625. Do you know how it was made up?—I got a £5 note, two sovereigns and a couple of half-sovereigns. Four half-sovereigns, two sovereigns, and a £5 note.

626. Four half-sovereigns, two sovereigns, and a £5 note wouldn't make £10?—I know I got two or three sovereigns and a couple of half-sovereigns.

627. Previous to that had you any money transactions with Utred Knox?—I hadn't.

628. You passed an I.O.U. for the amount?—Yes.

629. Can you say what the date of it was—what year was it?—Sixty-seven.

630. What month?—August.

631. Were you ever since asked for payment of that money?—Never since.

632. Has Utred Knox kept the I.O.U.?—He has.

633. How was it worded, do you remember?—"I promise to pay Utred Knox the sum of £10." I don't exactly know the rest of it.

634. Did you get any other money?—I didn't.

635. When you got the £10 from Utred Knox what did you understand it was for?—To record my vote in favour of Major Knox.

636. Whom did you ultimately vote for?—I voted for Captain Flanagan.

637. When you got the £10 from Utred Knox did you intend to vote for Major Knox?—I didn't.

638. Did Mr. Thomas Wilson ever pay any money for you?—He did.

639. What did he pay for you?—The poor rates.

640. For what did he pay them?—To qualify me to have a vote. The amount was £3.

641. Whom did you tell Wilson you intended to vote for?—For Major Knox.

642. Did you really then intend to vote for Major Knox?—I didn't.

643. Where was the money paid for you?—In Mr. Wilson's own house.

644. Was it to qualify you to have your name put on the registry list for the next election that Wilson paid the poor rates for you?—Yes.

645. Did you give an I.O.U. for the money he paid for you?—I didn't. I signed a paper.

646. Was it an I.O.U. or a promissory note, do you remember?—It was a receipt, I think; I don't exactly know which.

647. I suppose you didn't care what you signed if you got the £3. Did you ask Wilson to pay the £3 for you?—No, never.

648. Did you tell him you hadn't paid the poor rates?—I didn't.

649. How did he know you hadn't paid them?—I don't know. I suppose the rate collector told him of it. The rate collector was in Mr. Wilson's house. I was passing by at the time. Mr. Wilson called me in and paid the rates for me.

650. How did he know you didn't pay the rates?—I don't know. I was passing by at the time and Mr. Wilson called me in.

651. Did you ever tell Mr. Wilson you would vote for Major Knox?—He was aware of it.

652. How was he aware of it?—In consequence of voting for the Hon. John Wynne, he thought I would vote in the same way at the last election.

653. Are you aware whether Mr. Wilson paid other persons rates?—I am not.

654. How did he know that your poor rates were unpaid?—I don't know. I suppose he inquired of the collector, who was present at the time.

655. Did he ever make any demand on you for the £3 since?—No, never.

656. How often did you ask Major Knox for money?—Only on one occasion.

657. Had you sent a memorial to Major Knox?—Yes, with a few signatures attached to it.

658. Were they electors?—Yes, electors.

659. Conservative electors?—Yes, Conservative electors.

660. Who sent the memorial to Major Knox?—Mr. Smith, Mr. Burrowes, and others.

661. Who else?—Mr. Hickson, Mr. Taylor, I think, and a few more I disremember.

662. What is Smith's Christian name?—William Smith.

663. What is the Christian name of Burrowes?—James Burrowes.

664. What is the Christian name of Hickson?—Robert Hickson.

665. What is the Christian name of Taylor?—Andrew Taylor.

666. Were there any other persons signed it?—There were a couple more.

667. Did any but electors sign the memorial?—No one but electors.

668. Where is it?—It is in Mr. Molony's office, I think.

669. Mr. *Commissioner Bruce.*—Was there anyone with Major Knox when he sent you to Utred Knox?—Utred Knox was with him at the time.

670. Did he hear what passed between Major Knox and you?—He came accompanied with Major Knox, and he asked me if I knew him. I said I knew the Clerk of the Peace. Major Knox then told me to call on Utred Knox next morning. I did so, according to arrangement, and he gave me £10.

671. Was it Utred Knox said to call next morning?—No, it was Major Knox said it.

672. Did Utred Knox hear Major Knox say it?—I think he did; they were both quite convenient in my shop at the time.

673. Then he must have heard what Major Knox said to you?—I think so.

674. And you did call next day on Utred Knox?—I did, according to promise.

675. Did he, when you called on him, say anything to you about the election?—Nothing, except to ask me wouldn't I vote for Major Knox.

676. Did he ask you?—He did, and I said I would.

677. Was it before or after you got the £10 from Utred Knox that he asked you?—He was giving me the money at the time.

678. Did you say you would vote for Major Knox, or that you would vote for him if you got the £10?—He asked me wouldn't I vote for Major Knox, and I told him I would, of course.

679. Did you say anything else to him?—No, nothing else.

680. What was the nature of the memorial?—That I was labouring under pecuniary difficulties, and they hoped that Major Knox would assist me.

681. What was the reason you got only electors to sign it?—I thought they had the best claim.

682. On the candidate?—Yes.

683. Were those who signed it all supporters of Major Knox?—They were.

684. Was it, in plain language, a memorial to give you money?—It was.

685. Did you request him to give you a pension besides?—No.

686. Was the memorial sent to Major Knox before you got the £10?—It was.

687. Was it sent to him before you called on Utred Knox?—It was.

688. Mr. *Commissioner Byrne.*—Did Mr. Wilson pay the rates for you before or after you got the £10?—Before I got the £10.

689. Was it before you got the £10 from Utred Knox that Wilson paid the rates for you?—It was in August I got the £10 from Utred Knox; and it was at the previous revision in October, I think, Mr. Wilson paid the rates for me.

690. Was it before or after you got the £10?—I won't be positive about that.

691. In what month was it you got the £10 from Utred Knox?—It was in August, '67, I think.

692. Can you say in what month it was the rates were paid by Wilson for you?—If I had the receipt by me I would be able to state, but I haven't it convenient now.

693. Have you the receipt at home?—No.

694. Had you always voted for the Conservative candidates at previous elections?—Twice I did. I voted for the Hon. John Wynne at his two elections.

695. Did you ever vote for a Conservative candidate except for him?—I did. I voted once for Mr. Somers in this town when he opposed Mr. Wynne.

696. You voted for Mr. Somers?—I did.

697. At what election was that?—I think it was in '37, if I am not mistaken. I am not positive what year it was.

698. Didn't you vote at the elections when Sergeant Armstrong and Mr. Macdonogh were candidates?—No. I had no vote then.

699. Did you pass for a Conservative voter in the town—were you believed to be a Conservative?—The people believed I would support the Conservative candidate.

700. Mr. *Commissioner Byrne.*—Why did you vote for Captain Flanagan at the last election?—Because the majority of the Liberal party were for him.

701. Did you get any money, or any promise of money, from Captain Flanagan, or on his behalf?—I didn't.

702. Did you get any promise for voting for him before the election?—No; not a shilling, directly, or indirectly.

703. At any time before the election?—At any time before the election.

704. Whom did you first make a promise to that you would vote for Captain Flanagan?—To himself, when he waited on me personally on his general canvass.

705. Mr. *Commissioner Bruce.*—Why did you vote, or promise to vote for Captain Flanagan—did you approve of his principles, or what was it?—The ma-

FIRST DAY.
October 5.
Charles Tiernan.

jority of the people, the majority of the Liberal party in Sligo were for him.

706. I thought you said you passed for a Conservative?—That was formerly; but I changed.

707. When did you change?—A good many years ago.

708. Was it since you voted for Mr. Wynne?—Yes.

709. Why was it you hadn't voted at the elections at which Sergeant Armstrong and Mr. Macdonogh were candidates?—My house wasn't valued up to the valuation.

710. Did you apply to have your name put on the registry at these elections—was your case heard?—No.

711. Did you receive any money for not applying to have your name put on the registry?—I never did.

712. Are you a Roman Catholic or a Protestant?—I am a Roman Catholic.

713. Mr. *Commissioner Byrne.*—Had you any expectation of getting any money from Captain Flanagan's side when you voted for him?—None whatever.

714. Had you any expectation in your own mind that you would get it?—No; there was no money going on his side. No elector in the borough of Sligo got money from his side.

715. Had you any expectation of getting any money at all for voting for Captain Flanagan?—I hadn't.

716. Mr. *Commissioner Bruce.*—Did anyone canvass you for Captain Flanagan but himself?—I don't recollect anyone did.

717. When did he canvass you himself?—The day he was on his general canvass he called to me.

718. Did anyone ask you to vote for Captain Flanagan?—No; they all knew I would vote for him on that day.

719. Did anyone know your rents were paid by Wilson?—I am not aware.

720. Did you tell anyone that he paid them?—Not that I recollect.

721. Think if you did?—I told James Burrowes, a painter and glazier, of the town.

722. Is he an elector?—He is.

723. Was he a friend of Captain Flanagan's or Major Knox?—Of Major Knox.

724. Did he vote for Major Knox?—He did.

725. Did you tell anyone about the £10?—He was aware of it.

726. Was anyone else aware of it—did you tell any of the friends who voted for Captain Flanagan about it?—Everyone whose name was attached to the memorial was aware of it.

727. Did any of the Liberals know it?—They did.

728. How did it transpire?—I don't know how it transpired.

729. You said it was always known you were going to vote for Captain Flanagan—how could that be if it were known that you took money from Utred Knox?—I don't know.

730. They must have thought you took the money for something?—I suppose they considered I would vote for Major Knox.

731. You told us it was known you would vote for Captain Flanagan?—They were not aware of it at first. When I got the money they were aware I would vote for Major Knox.

732. When did they change their opinion, and think that you would vote for Captain Flanagan?—When he was on his canvass; when he called on me.

733. You say they believed you were at first going to vote for Major Knox, and that when Captain Flanagan came to you everyone believed you would vote for him—did anyone speak to you on the subject of voting for Captain Flanagan before he himself asked you?—Not one; my mind was up to it.

734. Did you ever tell any one you were going to vote for Captain Flanagan?—Yes.

735. Whom did you tell?—Several of the neighbours.

736. Before Captain Flanagan came to you?—Yes.

737. How soon after you got the money was that?—It was a couple of months before his canvass.

738. You said you got £3 at the revision—that was not a couple of months before the election?—[No answer.]

James Grey.

James Grey sworn and examined.

739. The *Chief Commissioner.*—Were you engaged by Mr. Thomas Brennan before the last election?—I was.

740. Are you an elector yourself?—No.

741. At what rate were you engaged?—Well, I had no promise of anything. He gave me money.

742. How long were you employed by him?—I think twelve months before the election.

743. Were you examined at the trial of the petition before Judge Keogh?—I was.

744. Did you receive any money for the purpose of the election?—I did.

745. How much altogether did you get?—I could not tell you exactly what I got.

746. It was how much?—I think I got £20.

747. Twenty pounds?—Yes, to the best of my opinion I got £20.

748. Where is Mr. Thomas Brennan now?—I don't know; I did not see him since I saw him at Carrick.

749. Is he not in Sligo now?—I don't think he is, to the best of my opinion.

750. Did you hear from him since the petition trial?—Never.

751. What was he in Sligo before the election—what was he doing—in what business was he?—He lived with his mother.

752. In what business?—Oh, he lived with his mother.

753. In a shop?—Yes.

754. Is it carried on still?—It is.

755. Whose name is over the door?—I think his father's name.

756. What is that?—John Brennan.

757. Are you sure you only got £20?—Well, I would not say any more. I might have got more or less. I never kept an account of it.

758. What were you exactly employed for?—I and others were paid for the purpose of aiding and assisting Major Knox in his election.

759. Now, what other men?—Different men.

760. You must tell me the names of them?—There were so many men I could not.

761. How many?—Sixteen or twenty.

762. And how much were they paid?—He used to pay them a sovereign and half-a-sovereign at a time.

763. Was this going on for twelve months?—I think the first of it was twelve months before the election.

764. When you say £20, did you mean that you only got £20 for your own share?—Yes.

765. And you kept that for yourself?—Yes, I did.

766. And do you swear you only got £20 for your own share?—About that. I would not swear to any more. I got some of that, not from Brennan either.

767. Who else did you get it from?—I got £15 from Mr Wilson, but I divided £10 of that.

768. You got £15 from whom did you say?—Mr. Wilson—Mr. Thomas Wilson.

769. That is Mr. Thomas Wilson, the last witness mentioned as having paid £3?—It must be.

770. There is no other Thomas Wilson?—No.

771. When did Thomas Wilson give you the £15?—Sometime before the election—before the revision, I think.

772. What were the £15 for?—I got a card from Patrick Flynn that he got from Mr. Harlowe Phibbs, and I went over with that card to Wilson's, and he gave me £5 for it.

773. Who did you say you got it from?—Pat Flynn, and he sent me to Wilson's, who gave me £5 on it.

774. And what did you do with that, the £5?—I brought it back to Flynn's house.

775. Who did you give it to?—I gave Flynn 10*s.* of it, and I gave Dominic Kilcullen 10*s.* of it, and I paid to the amount of half-a-sovereign a piece to ten men, or whatever went round about them.

776. You say you kept £20 for yourself?—I think so.

777. You think so; how much besides that £20, altogether passed through your hands for election purposes?—I got £20 from Brennan himself before the revision.

778. That was not for yourself?—No.

779. But to divide among the men?—Yes.

780. And you got £15 from Wilson?—Yes.

781. That is £35?—Yes.

782. How much more did you get from anybody else?—I got £14 from Brennan.

783. Any more?—Oh, he used often to give me an odd sovereign when I met him backwards and forwards.

784. Did he give you altogether £20 or £30, besides the £14 and £20 in sovereigns and half-sovereigns during the year?—No.

785. How much?—I could not say how much.

786. You have mentioned £49, that passed through your hands in addition to the £20 for yourself; do you swear you did not get £20 more than that?—No.

787. Did you see Brennan giving money to other people, besides the money that passed through your hands?—Yes.

788. To electors?—Yes.

789. You must name them?—I saw him giving money to Pat Flynn.

790. How much to him?—A sovereign to him, one evening on Cleaver's-row.

791. Do you know Dominic Kilcullen?—I do.

792. Did you see him get any money?—I did.

793. How much?—I saw him get £1 one night, and I saw him get a half-sovereign too one night. I saw him give money to Mulligan too.

794. How much did Mulligan get?—I saw him give him two half-sovereigns. The first time I was acquainted with Brennan it was in Mulligan's house.

795. Martin Mulligan's house?—Yes.

796. Is he a publican?—No.

797. What business is he?—He keep's a carman's stage.

798. How many electors were there?—Two.

799. Who were the two?—Kilcullen and Mulligan.

800. And they got half a sovereign each?—They did.

801. How many other men got a sovereign each?—About seventeen altogether. There was £8 10*s.* divided.

802. Were any of those men electors besides Mulligan and Kilcullen?—No, not that night.

803. Was that the first occasion on which there was a division of money?—The first occasion.

804. And that £8 10*s.* is additional to the sums you have already mentioned?—Yes.

805. And you only got half-a-sovereign of it?—I did. I got another half-sovereign the next day.

806. You don't include that in the £20?—I do.

807. Did you yourself give any of the money to voters that you got from Brennan. You have named Dominic Kilcullen and Martin Mulligan?—I gave Martin Mulligan money.

808. How much?—£3 out of the £14.

809. Did you give a man of the name of Michael Rooney, a voter, any money?—No, but I saw him paid money.

810. Who paid him the money?—Brennan gave it to me, and I gave it to him. He handed it from his hand to me, and I handed it into Rooney's hand.

811. Why was that money not given to Rooney straight?—He said he could not do so, that he might be brought to an account about it.

812. Then you took the money and gave it to Michael Rooney?—I did.

813. How long was that before the election?—I suppose about two months before the election.

814. How much was given to Rooney then?—£1.

815. What was the £1 for? Did he say?—Oh, he made an excuse that he wanted it for seed-oats, or something like that.

816. Was it you brought Rooney to Brennan?—No.

817. Who brought Rooney to Brennan?—I was in the market. Rooney came to me and told me Thomas Brennan wanted me. "What does he want me for?" says I. "He wants to give me some money," says he, "and he cannot give it himself, you must come down and get it for me." "Where is he?" says I. "Below in M'Grath's," says he. So I went down to M'Grath's, and Brennan was there, and he handed me £1. "Give that to Rooney," says he; and I handed it to him.

818. What did you do with the £14 you got?—Brennan told me to keep £5 for myself, to give £3 to Martin Mulligan, £3 to Scanlan.

819. Is he a voter?—No.

820. What is his Christian name?—Bartle Scanlan. And Michael Kaveny £2 too.

821. Is he a voter?—No. And I gave Pat M'Goldrick £1.

822. Did he get £1?—I gave it to him.

823. Is he a voter?—No.

824. What did you do with the £20 you got?—I divided it too. I kept one myself.

825. And what did you do with the remaining £19? Who did you give it to?—I gave it round about to the men.

826. Well, did you give any of it to Pat Flynn?—I think I gave him a sovereign.

827. Did you give any to Dominic Kilcullen?—I gave it to his son for him. I suppose it is the same thing.

828. Does the son live in the house with him?—He does.

829. Did you give any to Michael Rooney?—No.

830. Did you give any to any other elector?—No.

831. What did you do with the remainder?—I gave it to non-electors.

832. How long was that before the election?—About a week before the revision and at the revision. Some time about the revision.

833. Did you know anything about Captain Flanagan's men getting any money—I mean by hearsay?—No more; only to hear it.

834. Did you hear it?—I only heard it going that they might get money.

835. Did you hear that there was money going?—I did hear that.

836. At the time of the revision was there an opposition mob to Major Knox's in town?—There was.

837. How many?—Different people going about.

838. Were there people sometimes in one mob and sometimes in another?—No; I don't remember that.

839. Did you go about that time to Major Knox?—Yes.

840. About paying this money?—Yes; I did, by Brennan's orders.

841. What did Brennan tell you?—That was after he came back from Dublin. He gave me a note to go Major Knox, and I went to him.

842. Where did you see the Major?—At his house above in the Mall; his lodgings—Utred Knox's house.

843. What did you tell him?—I told him that Brennan had sent me to him with that bit of a note, and that he expected the men would get some money; and he asked me was Brennan dividing the money fairly. I told him I thought he was. He told me he thought he was not, and that there should be some other man that would divide it fairly. I told him that Brennan was dividing the money fairly, so he told me to send Brennan to him the next day. That night I went over to Brennan and told him, and he went the next morning, and that was the morning he gave me the £20. He gave me £20 next morning, as I told you.

844. What did the Major tell you to do?—He told me to send Brennan to him next day, and I went over that night and told Brennan to go to the Major the next day, and Brennan went, I believe, to the Major the next day, and he brought £20 back, which he gave to me in presence of voters, too.

FIRST DAY.
October 5.
James Grey.

845. In presence of whom?—Dominic Kilcullen and other men that were by.

846. Were there any other voters there besides Kilcullen?—Not at the time. There was one man there, I remember.

847. Gillan?—No; I don't know that name.

848. Was there a man named Cabrey there?—He was.

849. What did you say about the £20?—I said that £20 was no good among all the men; that I would not take it.

850. Did you take it?—Not at that time. There was some talk about it being better to bring it back again; that it was no use, and the Major himself came on the ground before we had much discourse made about it.

851. What did you tell the Major?—We told him that £20 was no use, and he told Brennan to divide that £20, and there could be more got after, and went away.

852. Did you then divide it?—We did.

853. Did you divide it in the way you have told us?—Yes.

854. Was there any other elector besides Kilcullen talking to the Major at that time?—No, I don't remember any.

855. Did you ever hear Brennan say anything about Kilcullen having got money, or how much money Kilcullen got?—I did.

856. What did you hear him say?—I heard him say that Kilcullen would be well recompensed for his vote, and I suspected that he was to get money himself.

857. How much did you hear Kilcullen was to get?—I don't know what he was to get, but I know what Brennan told me he got.

858. How much did he get, then?—£25.

859. How did he get that money?—I asked Brennan how much did he get, and he said, "I wish you got as much, anyway." "How much did he get?" I said to Brennan, "did he get £20?" "He did." "Did he get more?" He did; he got £5 more, he got five-and-twenty. He got two ten-pound notes and a five-pound note."

860. Did he say who gave that money to him personally?—Yes—no.

861. Did he say that he gave it to him himself?—He said he gave it to him himself.

862. Brennan?—Yes.

863. Did you ask him for any money?—I did. I asked him what was the reason why I did not get something from him. I complained to him. He said, "I will get you something—some money," and I said, "Why not give it to me as well as to him?" He then said, "I will get you some money—I will get you a bill on the bank." Says I, "Very well; I don't care where you get it so as you give it to me." It was a week or five or six days after he said that he would get me a bill on the bank; he said he had put my name to a bill on the bank, and I believe he did.

864. Did you put your name on the bill?—No, but he did.

865. For you?—Yes.

866. Was that the occasion he gave you the £14?—Yes.

867. Do you know Peter Harrison?—Yes.

868. An elector?—Yes.

869. Had you any dispute with him?—I had no dispute with the man, but he charged me with assaulting him at the election.

870. What became of that transaction?—I was acquitted of it. I had to stand my trial for it here.

871. Who did Harrison vote for?—I don't think he voted at all. He went away out of the town.

872. Did you see Brennan give any other people any other money?—No.

873. I ask you on oath how much money did you see Brennan distributing in that way?—I could not say, indeed.

874. Did you see him give away £100?—I am sure he did, and more.

875. Did you see him give £150?—I think so.

876. Did you see him give £200?—No. I would not say that.

877. Did you ever see Brennan get money from any person?—I saw different letters from the Major, and orders for money.

878. To whom?—To Brennan himself.

879. What orders?—Bank orders.

880. For how much at a time?—I saw £10—a couple of orders. I don't know where they came from. I saw different letters.

881. How long was this going on before the election?—Twelve months before the election.

882. Can you say to what amount you saw the orders going to Brennan that he showed you?—Only two or three orders.

883. Who were they from?—I don't know who from—from Dublin, I suppose.

884. Do you know the bank they were on?—No.

885. You saw one order for £10?—Yes.

886. What bank was that on?—I cannot say.

887. Who sent that order—what is the name if any name—who did Brennan say that came from?—He did not tell me who it came from. I did not inquire who it came from.

888. Try and recollect again; you say you saw Brennan giving over £150?—I did.

889. Name again the electors you saw money given to?—I never saw him, Brennan, give any money to any elector but Flynn, and Rooney, and Kilcullen, and Mulligan.

890. Four?—Four.

891. Were they often with him?—At different times, except Rooney. I never saw him more than once with him.

892. What else used you and Brennan to be doing; had you any list of electors?—No.

893. Did you know any one who had a list of electors under Brennan?—No.

894. Do you know what I mean by a list?—I do.

895. Did you see a document like that (exhibiting a voter's list) with Brennan?—I think I did.

896. When you say you think, do you remember whether you did or not?—At the time of the revision I saw a list such as that with him.

897. Had Brennan any room in his house to which you and other supporters of Major Knox used to go?—No.

898. Was there any room?—No; it was generally we used to walk by the line up by Carnes.

899. But had you any room in a public house in which you met?—We never met in any public house.

900. Where did you meet?—At Carnes.

901. In any house?—No.

902. Do you mean to say you had no house where you used to go and talk about matters?—No, only the night we were in Mulligan's—we were in no house.

903. Did you call on any elector, and ask him to vote?—I called on Flynn.

904. Who else?—No one else.

905. What were you doing for the twelve months?—I was not doing much—the devil a much I was doing.

906. Did you only keep £20 yourself out of all the money?—I did—I got one pound and a half-sovereign, and I got £25.

907. Did you get two five pound notes?—I got £5 out of the £14, and I got £5 of Wilson's money, I got the rest I suppose in half sovereigns, and so on—I got £20 out of it I am sure.

908. Were you employed to hire a mob?—No, I was not employed for anything at all but to serve Major Knox and Brennan, that is what I was employed for.

909. How did you serve the Major and Brennan?—I did no good at all for the money.

910. What were those other men to do that were getting the half-sovereigns—what did Kilcullen do?—I never saw the men doing anything.

911. What did Michael Rooney do?—I never saw the man doing anything.

912. What is Michael Rooney?—He is a farmer.

913. Used he be in town with the mob?—He used to be in town often, on his business I suppose.

914. You swore Brennan gave you over £150; did you see anyone else giving money besides yourself and Brennan?—Oh, no, I saw no other except the Major himself. I saw him giving money backwards and forwards through the streets to the poor, and different people he used to meet at the time of the election—and before the election, when he used to come to town. Brennan told myself that the week of the revision he gave out £90.

915. Who did?—Brennan himself—that was to the people at the water side, and different parts of the town.

916. Did he tell you to whom he gave the money—was there any rioting going on in the town at the time of the revision?—Well, not much. He gave it for the purpose of getting men to assist Major Knox to get leave to pass, and assist him in his election. He told me it was for that purpose.

917. What do you mean by the people on the river side?—The men at the river side—Holborn-street, upper Pound-street.

918. Do you swear you do not know any others, but the four electors you have named to have got any money—you name four?—I did not see any more electors getting money.

919. You did not see any more?—No.

920. Did you hear of any more getting money at either side. You said "see," am I to understand you did not see any more getting money?—No.

921. Did you hear of any more getting money?—No, I did not.

922. You did not?—I might hear people talk of getting money, but I knew nothing of it.

923. Did you hear Brennan say any more got money—that is my question?—I heard him say that Neilan was to get money.

924. How much?—I could not say.

925. Who else?—I heard him say he would pay Flynn's rent—myself introduced Flynn to him.

926. Go on?—That is all the men he told me he gave money to.

927. Do you know of any people having left town to avoid voting?—Oh, there were people left town.

928. Do you not know that voters left town to avoid voting?—There were different voters.

929. Give the names?—Harrison is one, and the two M'Mullan's left town.

930. What is Harrison's Christian name?—Peter; I don't know the Christian names of the M'Mullan's.

931. They left the town?—Yes.

932. Where did they go to?—I do not know where they went to.

933. Did you know they were to leave it?—I did—I did not know it.

934. Who else left besides Harrison and the two M'Mullan's?—I don't remember the names.

935. You must try to remember; you will only be called up again?—Mulligan, the cooper; James Devanny, left the town.

936. You have named five?—I don't believe there were any more.

937. You must try your memory—more left town?—Oh, there did, I believe.

938. As regards these five men, from whom did you know that they left the town? Did any of those men leave the town on the Sunday before the polling. The polling was on a Thursday?—I don't know what day they left it, but I know they were not here the day of the polling.

939. Did you know that on the Wednesday before the polling?—I did not, only to hear it suspected, that they left the town the day or the night before the election.

940. You named five, do you name any others?—I believe Edward Gethins, I heard he left the town. I do not know more at present.

941. Did you hear of these six having left the town the day before the polling?—I did.

942. From whom?—I could not say from whom.

943. Did Brennan speak to you on the subject?—Oh, no, Brennan did not. I did not see Brennan for a fortnight before the election.

944. For a fortnight?—No.

945. Where had he gone to?—I don't know where he was.

946. Was he in Sligo?—He might.

947. How did it happen that you did not see him—what were you doing—had you left his employment?—Well, I did leave it. I did not go near him.

948. Did you leave his employment?—I did; I had nothing to do with him months before the election.

949. And did you go to the other side?—Well, I did not go to any side.

950. Did you get any payment from the other side?—No, not a shilling.

951. Did you know the two M'Mullan's?—Well, I know them.

952. Do you know these other men?—I do. I know Mulligan, Gethins, and Harrison.

953. Did you speak to them on the subject of their leaving town?—No.

954. Did you know who got them to leave town?—I did not.

955. Did you hear it in some way that they left town?—I heard they left town.

956. Did you hear they were "got at" to leave town—smuggled out of town?—I saw Devanny the night before the polling in the street, and I heard he was at Larry Burke's the night before the poll, and he got away.

957. Laurence Burke is a voter?—He is a voter.

958. He did not poll?—I do not know whether he polled or not. I think he did not poll.

959. Did you see Laurence Burke on the day of the polling?—No.

960. Or Devanny?—No.

961. Think of any other man—you have named six—who left the town?—I don't know of any.

962. Did Burke leave the town, or vote?—I cannot say. I did not think I would be asked these questions; if I did I would think over it better.

963. Take your time—we are trying to get at the truth?—Not answered.

964. What was the occurrence between you and Harrison that led to the charge of assault—on what day was it?—It was the night previous to the election—the night after the election—the night after the election or the night of the poll, I don't know which, he charged me.

965. Do you know a man named Dolan?—I do.

966. Was he one of the men that went away?—Well, I think he was.

967. What was his Christian name?—I do not know what is his Christian name.

968. What is he by trade, or profession?—He was the guard of a coach, I believe.

969. Do you know a man named Kearns?—I do.

970. Was he one of the men that went away?—I think he did go away—he was not to be had anyway.

971. He was not to be had?—No.

972. Where was Kearns?—I think he was in the hotel above there.

973. Miss Allingham's?—Yes.

974. Did you see him there?—I saw him going in the night before.

975. Did you see him after that?—I did not see him after that.

976. Was there anybody else you saw going into the hotel in that way?—No, not that I remember.

977. Well, some voters?—There were different voters. I don't remember who they were, but I know he was in it.

978. He was in it?—Yes.

979. And did not come out until after the polling?—No.

980. Do you know the voters?—I think a man named Gilmore.

981. Was he one of the men that went away in the same way?—No, I do not think he did.

982. Was he to be had?—I think he was to be had.

983. Do you know anything about him?—No.

FIRST DAY.
October 5.
James Grey.

984. Mr. *Commissioner Byrne.*—Can you read and write?—I can a little—I can write a little.

985. How was it that Brennan showed you the bank order you spoke of from Major Knox?—Well, I will tell you that. He got it on Saturday. I thought to get money from him that night, and he said he had no money, but he had a letter from Major Knox, and had an order for £10 for us, and he showed it to me on the Sunday after.

986. Did you see an order on any other occasion from Major Knox to Brennan?—I think I did, one; I don't remember rightly; I think I did, one.

987. On another occasion you saw one?—Yes, I think so.

988. Can you fix any time?—No, I could not fix the time.

989. Did you go about with Major Knox through the town during the canvass to protect him from the mob?—

990. Did you not get money to do so?—I might have gone after him, but I never went with him.

991. What did you get the money for?—Oh, to assist him with those electors, advising them to vote for Major Knox.

992. What voter did you advise to vote for Major Knox?—I spoke to Flynn.

993. Did you speak to anybody but him?—No, I did not; and I did not care what he did with his voters at the time.

994. Was the contract between you and Brennan this—that you were to advise the voters, and canvass for Major Knox?—I suppose it was his belief that I would do so.

995. That you would do so?—Yes.

996. And did he ask you on any occasion whether you had canvassed?—He asked me did I think Flynn would vote for Major Knox.

997. Did he never ask you about any other man but Flynn?—He did, about this man Kilcullen, would he vote.

998. Do you remember any other man you had canvassed?—Oh, Mulligan—Martin Mulligan. Major Knox himself asked me did I think they would vote for him.

999. Is it your evidence that you got £20 for merely speaking to Flynn?—I was speaking to other men for it.

1000. Did you speak to other men?—I did.

1001. Did you tell Major Knox you had got promises from them?—I did not.

1002. Mr. *Commissioner Bruce.*—The conversation you say you had with Major Knox, about the time of the revision, when you said something about the money Captain Flanagan's men were getting—£100?—Oh, I told him that for the purpose of getting something for ourselves.

1003. But that was at the time of the revision?—Yes, I did not know what the men were getting.

1004. After that Brennan gave you £20?—He did.

1005. How long was that before the election?—It was the week of the revision, or the week before the revision, or about that time.

1006. How long was that before the election?—I don't remember the time. I cannot fix the time before the election.

1007. What was the last sum you received from Brennan after the revision?—The £20 was the last money I got from Brennan. I had only £1 of that myself.

1008. The first money, when was it?—In January—about January, 1868.

1009. And the last was at the time of the revision?—Yes.

1010. The revision, we know, was some time in October?—Yes.

1011. Now, do you expect me to believe you did nothing between January and October at all for the money you were continually getting?—Did I do nothing?

1012. Yes. Do you expect me to believe you did nothing for the money you were getting constantly?—I did not say I was getting money constantly.

1013. But you got a good deal?—I did.

1014. You got money in January?—I did.

1015. What was the next money you got?—I should say a couple of months after.

1016. What sum did you get then—was it the £20?—No, I kept no date of when I got it, or how much I got.

1017. But you detailed a great many different sums?—I could not tell you how much I got each sum, but I told you the amount of money received in sums. I told you I received £14 and £20; that is all the money I received for the purpose of paying out.

1018. But you received other money besides that?—I did—a half sovereign, and seven and sixpence, and fifteen shillings, and so on, according as he would meet me and give it, and I did not know why or what purpose it was for either.

1019. You swear you did not know for what purpose?—Except for the purpose of assisting Major Knox at his trial——

1020. What do you mean by assisting Major Knox——?—At his election.

1021. What do you mean by assisting him?—Assisting him—I suppose to speak to voters, or help him in his election.

1022. What do you mean—was it to help voters—to protect voters?—To advise them, I suppose.

1023. What do you mean by advise them?—Advise them to vote for Major Knox.

1024. Advise them to vote for Major Knox?—Yes.

1025. Do you mean to canvass for him?—Any man I had an influence over to speak to.

1026. And ask him to vote for Major Knox?—Yes; I did not know any other purpose.

1027. Did you canvass for Major Knox?—I canvassed Flynn, and advised him to vote for Major Knox.

1028. But did you continually canvass for Major Knox during the time you got this money?—Oh, not at all.

1029. You did not canvass for him?—No. When Brennan came up and gave me the money to be sure I would take it.

1030. I would suppose Brennan did not give you the money unless he found you were doing something, and that he went to find out what you were doing?—Well, I was doing no good for him anyhow, or no harm either. I was taking the money.

1031. Did you go with any of those men that you gave money to to go about the streets—the mob?—I never went about the streets shouting for Major Knox at all.

1032. Did you go about the streets with the other men who were shouting for Major Knox?—Very seldom, except I met them in the street and passed by.

1033. Did you ever go with them—I don't call meeting the people in the street going with them.

1034. Did you ever go with them?—No, I did not.

1035. You swear that?—I swear. One day in Market-street there was a row; the boys were shouting for Major Knox. I came by and went home, one day in Market-street. There was some sort of a row.

1036. You did not stop them?—No.

1037. Nor shout for Major Knox?—No.

1038. And you never did the whole time?—I did, one day up in our street, when Captain Flanagan was on his canvass. There were a lot of people with him, and they came shouting to my door, and I shouted for Major Knox that day.

1039. Where abouts?—At my own house.

1040. What time was that—was it at the revision?—After the revision, I think, or at the revision or before; I could not tell what time.

1041. But about that time?—About that time; a little before or after the gentleman was on his canvass.

1042. Was that the only time you ever shouted for Major Knox?—That is the only time I ever shouted for Major Knox.

1043. Was that the only time you shouted for Major Knox, I mean when you would meet the people,

not accompany them, in the street?—That was the only time.

1044. Was that the only time you were part of a mob of people who were shouting for Major Knox?—That is all the time I ever was.

1045. At the time of the election did you take part with any mob?—I walked with the mob.

1046. You walked with the mob?—I walked with the people the day Captain Flanagan came into the town. I walked the streets.

1047. That is, you walked with the mob of Major Knox?—I walked the streets with all the people that were in it.

1048. But you know there were two mobs. I want to know were you with Major Knox's or Captain Flanagan's mob?—Major Knox had no mob at that time.

1049. Were any people shouting for him at that time?—For Captain Flanagan.

1050. No, for Major Knox?—No.

1051. You say you told Major Knox that Captain Flanagan's men were getting £100?—I did.

1052. Was that true—had you heard it?—No.

1053. It was not true then?—It was, for the purpose of getting money from Major Knox.

1054. Had you ever heard at any time that money was going on Captain Flanagan's side for getting up a mob?—Well, I did not hear it. I heard there would be money going, but I did not know of the fact.

1055. You did not know of the fact?—I got none myself.

1056. From whom did you hear that money would be going?—I do not know.

1057. Think before you answer the question. Try and recollect?—I could not recollect. It was often reported there was money going, and I used to see none of it.

1058. I dare say you did not, but who reported it. You must have heard somebody saying it?—I could not tell you.

1059. Think?—I could not tell you—it has just come to my recollection that I got money from this man here who is listening to my evidence, this Doherty (pointing to a man in court.) He gave me £3 one night I went to him.

1060. The *Chief Commissioner.*—What is his Christian name?—Michael Doherty, I did not remember that. It was one evening Major Knox was on his canvass. He was in the fields here, I was going down from Newtownholmes, and he was there on his canvass. We walked over the fields with him. This man (Doherty) came to me and said "you had better come to Major Knox to night, and you will get some money." I went over and he told me to wait until they came out. I waited, and when he came out, he handed me an envelope.

1061. How much was in it?—There was £3 in it, but he did not tell me what was in it, so I went away with the £3, and I opened it in Mulligan's house, and found £3. I divided the £3 with twenty men that were there. I met Brennan that evening. "Did the Major stand to you" says he. "He gave me £3" says I. "Well Doherty" says he "kept some of the money, the Major gave you £5," and Doherty the next day, when he heard about the money, sent me £2 more, and I divided it amongst the rest in the same way. I did not remember that until now.

1062. Mr. *Commissioner Bruce.*—What time was that?—At the time of the revision or about it. It was about the time of the revision.

1063. What house did Doherty go into. Was it the house where Major Knox was stopping?—Yes. He was with him on a car.

1064. Major Knox was with Doherty?—Major Knox was with Doherty. It was Doherty gave me the money.

1065. Try and recollect who it was said there was money going for Captain Flanagan's men?—I could not tell you. I could not tell who they were. It was at a time I used not to pass any remarks, but I heard them say they would get money to-night, or money to-morrow.

1066. But you must recollect something of that?—I could not recollect, but I recollect to hear the word pass about men getting money.

1067. But you did hear people say that money was going on the other side?—I heard some talk about it.

1068. You heard talk about it?—Yes. I never saw any of it.

1069. Did you hear whether there was money given to voters or non-voters—to non electors?—I never heard about voters at all.

1070. Did you hear what the money was given for. Was it for drink; you must know very well what it was for?—[Not answered.]

1071. Was it for a mob?—I suppose it was.

1072. Did you hear it was?—Well, I suppose it was for a mob.

1073. Did you hear it was for a mob?—I did not hear what it was for. I believed it was for a mob myself.

[The witness withdrew.]

James M'Mullen sworn and examined.

James M'Mullen.

1074. The *Chief Commissioner.*—You live in Bridge-street?—Yes, I do.

1075. You are now an elector of the borough of Sligo?—I am.

1076. For how long have you been an elector?—Since the last revision.

1077. You never exercised the franchise before the last election?—No.

1078. What is your employment?—I am a dyer by trade.

1079. Did you vote at the last election?—No; I did not.

1080. Were you in Sligo on the day of the polling?—No; I was not.

1081. Where were you on that day?—Well, I was in Dublin.

1082. Where did you sleep in Dublin that night?—In Henry-street.

1083. Was it at a hotel or at a private house?—A private house.

1084. Whose house?—The house of a man named M'Dowell.

1085. Had he a shop?—He had.

1086. What is he?—A confectioner.

1087. When did you leave Sligo?—I could not tell that.

1088. What day did you leave Sligo?—I could not tell the day.

1089. I may remind you the polling was on a Thursday?—Well, I could not tell the day.

1090. Whether it was two or three days before the polling day?—I could not tell.

1091. Did you go by train to Dublin?—I went from here to Bundoran.

1092. We all know that is not the direct way to Dublin?—Well, it is a roundabout—

1093. On what day did you go to Bundoran?—I think on a Saturday.

1094. Was anyone with you leaving Sligo?—Well, there was my father.

1095. Is your father also a voter?—He is.

1096. Is he William M'Mullen?—Yes.

1097. I suppose you left this on a car for Bundoran?—I did.

1098. At what hour did you leave?—I left early in the morning. I could not say what hour.

1099. Whose car did you go by?—I believed it to be Mrs. Buchanan's at that time.

1100. When you left this was it in order to go to Dublin?—It was.

1101. Did you sleep in Bundoran that Saturday night?—No, I did not.

FIRST DAY.
October 5.
James M'Mullen.

1102. How far did you go on that Saturday night?—I went straight ahead to Dublin.

1103. From Bundoran where did you go to?—From Bundoran to Enniskillen, and then by train to Dublin.

1104. Did you sleep either at Bundoran or Enniskillen on the way?—No, I slept none on the way.

1105. When did you arrive in Dublin?—On Saturday night. I left on Saturday morning and arrived in Dublin on Saturday night.

1106. That was the Saturday before the polling?—Yes, I believe it was.

1107. Now, had you ever been in this place in Dublin before, M'Dowell's the confectioner?—No, I never was.

1108. Who gave you the direction to go there?—Well, I was directed to a gentleman in Dublin. He brought me to this place.

1109. Who is the gentleman?—Well, I could not think of that man's name. He was a strange man to me. I saw him two or three times after, but I never remembered his name.

1110. You saw him two or three times after?—I did.

1111. Where were you directed to see him in Dublin?—I think it was in Mary-street, they call it.

1112. Mary-street?—Yes.

1113. Or Abbey-street?—No, not Abbey-street, Mary-street.

1114. What is the number in Mary-street?—That is a question. I could not tell the number.

1115. Did you get any piece of paper?—I was directed by a letter.

1116. Who gave you the letter?—My wife gave it to me.

1117. Your wife gave it to you?—Yes.

1118. What is your wife's name?—Her name was Margaret Rutherford—Margaret M'Mullen.

1119. Was this letter sealed?—No, I think it was not.

1120. Did you open and look at it?—No, I didn't; I would not open another man's letter.

1121. We must examine your wife?—You can't examine my wife. She is dead. She died while I was away.

1122. I did not know that?—Do you know who gave your wife the letter?—The letter—well, I believe it was Mr. Stokes.

1123. What is his Christian name?—Well, I don't know his Christian name.

1124. Is he Mr. Stokes of Sligo?—Yes.

1125. Had you any conversation with Mr. Stokes before that?—I had—very little.

1126. What was it?—Well, it was nothing of any great consequence, indeed. He asked me was I going to vote. I said I did not intend to vote at either side, for they had annoyed me very much before that. They had annoyed me to that degree that I told them I would not vote at either side. "Well," says he, "if you like I will give you a note to go to Dublin, a message from me." "Very well," I said, "I will go." There was no more about it then.

1127. Did he give you any money for your expenses?—Well, he did.

1128. How much?—£1.

1129. One pound?—Yes; and my father said he would come along with me, and he got a pound also. The money was given to my wife, and none to me. It was to my wife it was given, letter and all, and sent to me for us to go.

1130. Who paid your expenses on to Bundoran?—Well, the money I got paid my own expenses—£1.

1131. How much did you pay on the car to Bundoran?—The car was paid for.

1132. Was the car paid to Bundoran the whole way?—It was.

1133. Who paid the railway fare?—I paid it myself.

1134. Out of the pound?—Yes.

1135. How much was the railway fare?—I could not tell that.

1136. You took a third class ticket, I suppose?—I did.

1137. Did you go to the place in Henry-street, the confectioner's?—I was desired to take the note as quick as I could—some note of business. I could not tell what it was.

1138. But you knew the note was to a gentleman?—Yes, it was to that gentleman.

1139. That is the gentleman in Mary-street?—Yes, in Mary-street.

1140. You say you saw him two or three times afterwards?—I saw him in Grafton-street.

1141. How long were you in Dublin on that occasion?—It was two or three days after.

1142. Was it only in Dublin you saw him?—Only in Dublin.

1143. Did you speak to him?—Well, I did; just to have a couple of words with him—two or three words.

1144. What were the words—first, do you mean to tell the Court that you do not know the number of the house you say in Mary-street?—I do not know the number of that house.

1145. Was it in Mary-street?—I believe it was in Mary-street. I am not very well acquainted with Dublin. I never was in it before.

1146. Do you know where Nelson's Pillar is?—I do well.

1147. Was it in a street off that?—Yes, right down off that.

1148. Was it close to the confectioner's?—Well, it is about 100 yards off that.

1149. From the confectioner's?—Yes.

1150. What was this gentleman? Was his a private house, or was it a shop?—A private house.

1151. In Mary-street?—Yes.

1152. Are you sure it was a private house?—Yes; I am sure it was.

1153. Were you shown into the parlour?—I was.

1154. With your father?—Yes.

1155. At what hour did you arrive that day?—I think it was about eight o'clock in the evening.

1156. In the evening?—Yes.

1157. Did he open the letter?—He did.

1158. What did he say to you?—He said nothing only to sit down, and he walked out to another room.

1159. Describe this gentleman. Was he an old or a young man?—Well, he was an elderly man. I could not say he was a young man.

1160. About how old was he?—About forty.

1161. Do you say now you have not the slightest recollection of his name or address?—His name? Well, at the present time I cannot think of the gentleman's name.

1162. Did you read the address on the letter?—I did—once—and then I asked for that man's name. I asked for his place and I took a car, and then the carman took me there.

1163. The carman brought you to the address?—He did.

1164. Did you then ask was "Mr." So-and-so at home?—I knocked at the door and presented the letter, and asked was that gentleman in. I did not name him, for I could not think of his name.

1165. You can read and write?—Yes, a little. I never heard any person of the same name before, therefore I could not think of it.

1166. But did it not make a great impression on you? Was it a queer name?—It was middling queer.

1167. Do you say it was in a street opposite Nelson's pillar?—That is the street I stopped in while I was there.

1168. You know Henry-street. Was that the street in which you found the gentleman? Was it a street off Nelson's pillar?—No, it was in a different direction altogether.

1169. Where was it?—It was up Sackville-street, and you turn to the left, and then it was one of the streets off there.

1170. Do you know the street called Talbot-street, the street going down to the Drogheda railway station?—[Not answered.]

1171. Do you know where that station is?—I was not so far as that.

1172. Was it in that street?—No.

1173. Do you know where the Rotunda is?—I do.

1174. Was it in either of the streets opposite the Rotunda?—You go up to the Rotunda going to the place, and then turn to your left, right past the Rotunda, and it is the second street off that.

1175. Do you know the square?—I do.

1176. Rutland-square?—I know there is a square there.

1177. Was it in a house in that square?—No.

1178. Why did you say it was Henry-street?—That is the street I was brought to.

1179. That is the street you were brought to?—Yes.

1180. M'Dowell's was in Henry-street?—Yes.

1181. But do you know the name of the street where this gentleman lived. Did you tell the driver where to drive to?—Yes. I went into a public-house and got a glass of whiskey, and then I saw the name of the place, and the cabman drove me there.

1182. James M'Dowell, confectioner, lives at 40, Henry-street?—Yes.

1183. That is the house to which you were directed?—Yes. I know the other street was somewhere off the Rotunda, not far.

1184. Was it Dominick-street?—That is the street.

1185. Mr. *Commissioner Bruce.*—It was in Dominick-street this gentleman lived?—Yes.

1186. The *Chief Commissioner.*—Do you remember how far up in the street it was; whether it was on the right or left hand side going up?—It was on the left hand side going up.

1187. Were you ever at the terminus of the Midland railway at the Broadstone?—I was, two or three times.

1188. You know that is at the top of a continuation of a street from Dominick-street?—Yes, and I think you must go up Dominick-street to it.

1189. You say the left-hand side going up?—I believe it was on the left-hand side going up.

1190. About how far up?—I think about middle ways.

1191. Did the gentleman tell you who he was?—No, he did not; nor did I ask him.

1192. He told you to go to M'Dowell's, the confectioner, in Henry-street?—Yes.

1193. Did you pay anything for your lodging while you were there?—No.

1194. How many days did you remain?—I could not tell.

1195. Had you only a pound in your pocket going away?—Yes, that is all.

1196. Who paid your railway fare back?—Back?

1197. Yes?—Where from?

1198. From Dublin to Sligo?—I went to a gentleman at Major Knox's office, and he lent me the money to bring me home.

1199. What is his name?—Hignell.

1200. How much money did he give you?—He gave me £2.

1201. Who told you to go to him?—Well, it was Mr. M'Dowell.

1202. Did Mr. M'Dowell give you any money?—He lent me money.

1203. How much did he lend you?—Five shillings.

1204. The other gentleman lent you £2?—Yes.

1205. Did you ever pay it back?—No.

1206. You were never asked to disburse it?—No, I was not asked.

1207. Did you know Mr. Hignell before?—I never spoke to him before.

1208. Did you go to the office more than once?—No.

1209. What day did you go to the office?—Well, I don't remember the day.

1210. Don't you know Thursday was the polling day?—Oh, it was long after that.

1211. How long did you remain in Dublin?—Well, I remained in it some months.

1212. Some months on this visit?—Yes, a couple or three months.

1213. Where did you live all that time?—In M'Dowell's.

1214. Did you pay anything for your lodging the whole time?—No.

1215. Were you doing anything in the way of employment?—Well, I was not—nothing, in fact.

1216. Nothing, in fact—what do you mean by nothing, in fact—were you working at your trade?—No.

1217. Were you earning any money?—No, I was not.

1218. Who gave you money during that time?—No person, except when I borrowed 5*s.* from my landlord.

1219. Was your father living with you all that time?—Yes.

1220. At M'Dowell's?—Yes.

1221. Did your father get any money?—I don't know; he will speak for himself.

1222. Did your father give you any money?—He did.

1223. How much?—He gave me half-a-crown one time.

1224. Had he any money leaving Sligo?—He had.

1225. And he gave you only half-a-crown.

1226. How many months were you at M'Dowell's?—I do not know how many months altogether.

1227. Were you three months?—I think about two months, to the best of my knowledge.

1228. And during the whole of that time neither you nor your father were working?—To the best of my knowledge it was near two months.

1229. During the whole of that time did you and your father get your meals regularly at M'Dowell's?—Yes.

1230. And were comfortably kept there; it is a respectable house?—[Not answered.]

1231. Did you know you were to be so long away?—No, I did not.

1232. What made you stay so long away?—Well, I liked the town. I liked to see Dublin. I liked to see all that was in it.

1233. I suppose you amused yourself while you were there?—I went here and there looking about me.

1234. And had some pocket money?—No, I had very little pocket money. I cannot say I had pocket money.

1235. You say you are a dyer; are you rated jointly with your father for the house in Sligo?—Yes, jointly with my father.

1236. Does your father carry on the business of a dyer?—Yes.

1237. You are a partner of his?—Yes.

1238. Now, during the whole of this time did you ever call on the gentleman in Dominick-street?—Call on him?

1239. Yes?—Not to my knowledge. I never called on the gentleman after.

1240. Why did you not?—Because I was not sure of the place.

1241. Not sure of the place?—Not sure of the place he lived at—not sure of the house he lived at.

1242. Do you mean to swear that the house being on the left hand side of Dominick-street you could not find it?—I will not. I could not swear either that I could find the exact house.

1243. Was his name on the door-plate?—It was night when I was there.

1244. Were you only there on one occasion?—On one occasion. I think I never stood in his place but once.

1245. Are you sure?—Well, to the best of my knowledge only once.

1246. Did you go away in order to avoid voting at the election?—In order to avoid.

1247. Yes; did you go away for the purpose of not voting at the election?—I went away because I would not vote at either side.

1248. You went away in consequence of the election coming on on the following Thursday, and you not wishing to vote at either side, you say that?—Well, if I had stopped I was going to vote for Major Knox—but then they said they did not want me.

FIRST DAY.
October 5.
James M'Mullen.

1249. Who said that?—It was Mr. Stokes told me.

1250. When did he tell you they did not want you?—He told me that before I went away.

1251. Were you promised anything for your vote?—No, I was not promised anything.

1252. Or your father to your knowledge?—Not to my knowledge.

1253. Is your father in court?—I don't know. He may be in court for all I know.

1254. Had your father been an elector before this of the borough?—I believe not.

1255. How many years are you living in Sligo?—About nine years.

1256. Are you a Roman Catholic?—Yes.

1257. And your father?—Yes.

1258. Why did you stay in Dublin so long?—I cannot tell the cause of that. I liked the place very well, and I did not wish to leave it.

1259. Did you know you were to be charged nothing at M'Dowell's?—No, I did not. I never was asked for anything.

1260. But you know you paid nothing?—Nothing.

1261. And your father?—Not to my knowledge.

1262. Did you not know you were not to be charged anything?—That I was not to be charged? Well, I had a guess of that.

1263. You had a guess?—Yes.

1264. Did any other electors leave Sligo with you?—Not one.

1265. Did you see any other Sligo men in Dublin the week of the polling?—The week of the polling? No, I did not.

1266. Well, the week after the polling?—Not one man, to my knowledge.

1267. I mean an elector like yourself?—Not for a fortnight after.

1268. Whom did you see then?—I saw a man named Gethins.

1269. Where did you see him?—In Henry-street.

1270. At No. 40?—No, I did not; he was passing the door.

1271. Did you speak to him?—No, I did not.

1272. What is Gethin's Christian name?—Well, I cannot tell you that.

1273. He is living here in Sligo now?—Yes, he is.

1274. Do you know where he lives?—He lives in Radcliffe-street.

1275. The *Chief Commissioner*.—Did you ever go from Sligo to Dublin before?—Well, not before that—I never did; I never went to Dublin.

1276. When was it you arranged with Mr. Stokes to go away?—I think it was on a Friday.

1277. Did Mr. Stokes send for you?—Send for me? Well, he did.

1278. Where was the bargain made about going away?—Well, it was made in his own house.

1279. In your own house?—Yes. He asked me there what was I going to do—was I going to vote. I told him I intended to vote for Major Knox. He said there was plenty without me, he did not want me, and he would give me a trip to Dublin if I would like to go. I told him I would go; so I started off on Saturday morning for Dublin.

1280. Do you mean to tell me you really went to Dublin for the purpose of carrying a letter or a message—is that your story?—Yes.

1281. And you tell that as the truth?—Oh, I tell that as the truth. I got a letter to take to Dublin.

1282. You were employed to carry a letter to Dublin by way of Bundoran—you knew that?—I did.

1283. Did you know you were to go by way of Bundoran?—I do.

1284. Was it in the evening you delivered the letter?—In the evening.

1285. Did you know you were to be supported in Dublin at somebody's expense?—I expected to be back in a few days.

1286. Did you know that while you were in Dublin, whether short or long, you were to be supported at somebody's expense?—So Mr. Stokes told me.

1287. Told you?—Yes.

1288. He told you while you would be in Dublin you would be supported?—He would see me all right—supported.

1289. Who suggested to you to call for the £2 to Mr. Hignell?—My landlord.

1290. Your landlord?—Yes.

1291. Was that when you wanted to go back to Sligo?—I got a letter from Sligo from my wife that she was dangerously ill, and then I said I would go to see her.

1292. Only for that you would have stayed longer?—I would have stayed longer.

1293. Where was it that Hignell gave you the £2?—I called to the office.

1294. What office?—It was to the back gate I was brought by a young man called Brennan.

1295. What was his Christian name?—Thomas Brennan.

1296. Is that the man whose name was mentioned in this inquiry?—Yes, I think it is.

1297. Have you any doubt about it?—No. I would know the man if I saw him.

1298. He brought you from M'Dowell's to where?—To the back gate of some place.

1299. To the back gate of what?—Major Knox's, and I saw Mr. Hignell there, and I spoke to him, and asked him would he lend me what would bring me to Sligo and back. He said he would.

1300. To bring you to Sligo and back?—He wanted me back again.

1301. For what?—To see the town and country.

1302. Don't answer me in that way—why did he want you back again?—He told me to come back.

1303. To see the town?—He told me to come back again after seeing my wife.

1304. Was there any employment to be had for you?—Well I thought there was, but there was none.

1305. Who was to get employment for you?—Well, I thought my landlord was to find me some employment.

1306. You mean employment in your trade?—Yes; I got none.

1307. During the whole time you were in Dublin, two or three months, did you seek for any employment?—No; I never did.

1308. Or your father?—No.

1309. Do you swear you got no more money when you left Sligo than £1?—That is all.

1310. Did you see any money given to any other person?—I did not—none.

1311. Did your father get a pound?—He got a pound.

1312. Did you see him get that?—Well, my wife brought £2 down.

1313. Had your father any money of his own when leaving?—He had.

1314. How much?—I cannot tell.

1315. Had he £10?—I cannot swear.

1316. Had he £5?—I cannot say what he had—or not—I cannot do it.

1317. You say your father only gave you half-a-crown?—That was in Dublin.

1318. Did he give you any money before he left?—No money before I left.

1319. Did your wife give you any money?—No, only the money that paid my fare, as I told you, £1 to me and to my father to meet our expenses.

1320. Was it your wife gave the money to your father?—Yes.

1321. You saw her give the pound to your father?—She gave a pound to him and a pound to me.

1322. Where did she take the pound from?—She took it out of his pocket.

1323. Had your wife any other money then?—She had.

1324. How much?—£3.

1325. Where did she get that?—Well, I earned it—I left it with her.

1326. Your own earning?—Yes.

1327. You left her £3, was that all the money you left with your wife when you were going away?—That is all.

1328. Your trade was stopped in Sligo when you and your father went away?—I left a man to carry on the business.

1329. Was he a man in your employment?—Well, he was a man in the poorhouse—he understood a little of the business.

1330. A man in the poorhouse?—Yes; and we took him out.

1331. When did you take him out of the poorhouse?—About three weeks or a month before I left.

1332. Was that for the purpose of managing the business while you were away?—No, it was not; I had not the slightest notion of going away that time.

1333. Was the business carried on then by this man while you were away?—It was a little, not much.

1334. I suppose it was barely enough to support the people left behind?—Well, they soon closed the place up.

1335. When was the place closed up?—Well, that I cannot tell.

1336. Was it immediately closed up?—It was a good while, I suppose, after that.

1337. Was it three weeks open before this gentleman from the poorhouse found he was unable to carry it on?—I think it was more than three weeks.

1338. Was it a month?—I think, to the best of my knowledge, six weeks.

1339. Did you know in Dublin your business in Sligo was closed up, and still remain in Dublin?—Yes.

1340. Did you intend then to resume the business in Sligo?—No, I did not; I intended to take another house and start business when I would come back.

1341. When did you intend to go back?—As soon as I could.

1342. Is that an answer? I ask you when did you intend to come back to Sligo to your family?—In about a couple of months after that.

1343. You knew you would be supported free of expense as long as you remained in Dublin?—Yes, I believed that; I heard the town was in a very bad state, and I did not like to come by myself.

1344. Do you mean to say you were afraid of coming back to Sligo?—I was.

1345. Do you mean to say that for that interruption of business and everything else you only got a sum of £3?—I did not get £3; I only got £2.

1346. One pound for expenses, and £2?—I got a pound to defray my expenses to Dublin, and £2 for expenses back.

1347. And £2 for expenses back; then you got nothing for all this?—Nothing, only what paid my expenses.

1348. Do you swear now you expect nothing more?—Well, I don't know; I may expect something.

1349. How much do you expect?—Well, I don't know, there was no bargain made, or anything to that effect, that I was to get anything.

1350. How much do you expect?—I do not expect anything, except just they may do something some way or other.

1351. For all this loss?—For all this loss.

1352. And ruin to your trade?—I must look out for a trade again.

1353. Has your business been opened again?—I did open it a little, and closed it again.

1354. And are you now out of employment?—Well, I am out of employment now.

1355. Has anyone lent you money since?—No, no person has lent me any money.

1356. You have no employment?—I have no employment but just as I get it through town, and take it home to my lodging and does it.

1357. Mr. *Commissioner Byrne.*—Before you got the pound to go to Dublin, had your wife any conversation with Mr. Stokes?—Well, I don't know; I think she had.

1358. Did she tell you she had?—She told me she had a little. I did not ask her what.

1359. It was she gave you the £1?—It was.

1360. Did she tell you the sum she got from Mr. Stokes?—She told me she got £2, one for me and one for my father, and the letter told us to go in the morning.

1361. Had your father voted at the previous election?—At the last election?

1362. Had he voted at any election before the last for the borough of Sligo?—I believe not.

1363. The *Chief Commissioner.*—Do you know the difference between Upper and Lower Dominick-street?—I do not know the difference between Upper and Lower Dominick-street at all.

1364. Would you know the name of this gentleman if you heard it?—I think I would.

1365. See if it is amongst the names I will mention to you. [The *Chief Commissioner.*—Then read from Thom's Directory the names of several residents in Lower Dominick-street.] While doing so the witness said, "I remember the name—it is Kavanagh."

1366. Kavanagh?—Yes, Kavanagh is the man's name.

1367. Thomas Kavanagh?—I don't know whether it is Thomas, James, Jack, or Jemmy.

1368. But Kavanagh is the name?—Kavanagh is the name.

1369. Do you swear now that the man's name is Kavanagh?—I do; I remember the name now.

1370. Mr. *Commissioner Bruce.*—Was it the first time you saw Mr. Stokes in Sligo that you told him you would vote for Major Knox, and he said he did not want your vote?—The time he sent for me and asked me what I was going to do, was I going to vote, I told him I was. I told him I was going to vote for Major Knox. "Well," says he, "I would rather you would not, for they don't want you; we don't require you; so," says he, "I will give you a run up to Dublin if you like." "Very well, I will go," I said, and I did so, I went.

1371. Were you surprised when he said they did not want your vote; it was rather a strange thing to say?—No, I was not. The reason of that was I was registered here as a Roman Catholic voter, and I did not want to vote for Captain Flanagan, for I thought he was an elderly man, and I thought the other man was much better.

1372. That is the reason you did not want to vote?—That is the reason. I thought he would be a better man.

1373. Did you tell that to Mr. Stokes?—No, I did not.

1374. But were you surprised when Mr. Stokes said he did not want your vote?—I was not; not a bit.

1375. It was rather a strange thing?—He said he had plenty without me.

1376. Before that interview with Mr. Stokes did anyone canvass you on the part of Captain Flanagan?—I never promised my vote to either one or the other.

1377. But did anybody canvass you?—Yes, Captain Flanagan came into the house, asked my father for his vote, and I was in ——

1378. Did he ask you?—No, he did not, I did not come near him.

1379. He did not see you then?—He did not see me.

1380. That was before you saw Mr. Stokes?—Before I saw Stokes; oh, I saw Mr. Stokes every day.

1381. But I am speaking of this time. When you had that conversation with Mr. Stokes, had you seen Captain Flanagan before that; had he ever asked you to vote before that?—He never spoke to me.

1382. Had anybody else ever asked you to vote for Captain Flanagan before that?—Yes, there did.

1383. Who?—Plenty of people asked me, and told me I must.

1384. Mention their names?—Gilligan, the butcher.

1385. Was he a voter?—Well, I don't know whether he was or not.

1386. Where does he live?—He lives in Sligo, somewhere.

1387. In what street?—In Bridge-street.

FIRST DAY.
October 5.
James M'Mullen.

1388. Do you know his Christian name?—I think it is James, if I don't mistake.

1389. Was he a supporter of Captain Flanagan's?—He was.

1390. And he canvassed you for Captain Flanagan?—He did.

1391. Did anybody else?—No, no one else. There were plenty of people coming to me and telling me I must vote for Captain Flanagan, if not, that I would be a traitor.

1392. Tell me some of those?—I do not know the names of parties.

1393. But you must know their names?—There were so many here and there coming after me, the whole town was running to see where they could get people to vote for them.

1394. Try and recollect some of the names of some of the people?—They were telling me—every person of the party of Captain Flanagan was telling me to be true and staunch to Captain Flanagan.

1395. Were any threats used to you if you did not?—Threats?

1396. Yes?—There were.

1397. What threats?—That I would "catch it" if I did not vote.

1398. That you would "catch it" if you did not vote?—Yes.

1399. Did they say in what way you would catch it?—Well, I suspected, a good milling.

1400. But did they say anything?—Say?

1401. Yes, did they say they would give you "a good milling," as you call it?—Well, they only used threats just as I say repeatedly, and I told them I would not.

1402. Did they often use them?—They did, and told me I should stand to my guns.

1403. Did you ever tell them you were going to vote for Major Knox?—I did, after that they did not persevere with me so much.

1404. They were quite civil to you?—Civil enough.

1405. They saw you were a staunch fellow, and not going to change?—I was not staunch; of course I had made up my mind.

1406. And you were resolved to stand to Major Knox?—Yes.

1407. Were you ever at the *Irish Times*' office but once?—No, only once.

1408. The time you got the £2 from Hignell?—Only then.

1409. Was it Brennan came to take you to the *Irish Times*?—Yes.

1410. Had you ever seen him in Dublin before that?—I had.

1411. How often?—Two or three times; three or four times.

1412. Where did you meet him first?—I met him in Henry-street.

1413. In Henry-street?—Yes, I met him in Sackville-street, two or three times I suppose.

1414. You both being Sligo men, I suppose you come together?—We walked about different times; two or three times.

1415. But you told us you saw him in the street? I don't care, whether Henry-street or Sackville-street. Had you known he was in Dublin?—I heard people say so, but I did not know.

1416. Who are the people that said so?—I heard others saying it.

1417. What others?—My landlord asked me did I know such and such a man. I told him I did; and he told us then he was in Dublin. He told me there was a man of the name in Dublin.

1418. Did he say where he was stopping?—No, he did not.

1419. You were not curious enough to inquire?—I did not inquire.

1420. You did not care about Brennan?—No, I did not care where he was stopping.

1421. Is M'Dowell a Sligo man?—No, I never saw him here.

1422. Has he any Sligo connexions?—No, not to my knowledge.

1423. Did Brennan, before you went to the *Irish Times*, come in to you; or did you meet him in any house or street accidentally?—I met him in Henry-street, and spoke to him, and told I had got a letter from my wife in Sligo, that she was in a very bad state. "Well," says he, "would you like to go home, and come back again to Dublin?" I told him I would. Says he, "If you come with me I will get you the lend of what will take you there and back." He asked me how I liked the city, and I told him I liked it well. So I got the two pounds—two sovereigns—and came up here, and went back again.

1424. That was before the petition was tried in Carrick?—A few days.

1425. Before the petition was tried?—Yes.

1426. Were you afraid to go back to Sligo?—Afraid to go back to Sligo?—yes, to come back at that time, I was afraid.

1427. How long was it before the petition was tried?—A few days, I think; about a week.

1428. About a week?—About a week.

1429. Did anybody say anything to you when you did come back?—No, I did not go out much.

1430. But I suppose somebody knew you were down?—I was only in town two nights and a day.

1431. Two nights and a day?—Yes.

1432. Did you keep yourself hidden?—Well, I was in the house.

1433. But you were known very well. Did you go out at all in the daytime?—I did not go through the streets in the daytime.

1434. Did you go out at night?—I did.

1435. Did you wrap yourself up?—No, I did not.

1436. Were you afraid of being beaten?—Afraid of being beaten?

1437. Yes?—I took good care not to go very far, except just out in the country of an evening, because there were parties on the look out for me to summon me to Carrick, and I did not want to go.

1438. Who told you that people were on the look out for you?—Well, I saw it in the papers. I saw that it was coming off, that the trial was coming off in Carrick, and of course I heard them say that men were being summoned. Brennan told me they were being summoned in Sligo—that they would like to have me there, and I would not like to go.

1439. Brennan told you that before you got the £2?—Yes, he did.

1440. Do you think that Brennan wanted you to go back to Sligo?—Well, I don't know. I assume he would like me to go back, as my wife was in a dying state, and she did die.

1441. Now, did Stokes say in the interview you had with him, anything about getting you money?—He never said anything to me about getting money.

1442. You never hinted anything to him that you would look for something?—I did; I said I would expect something.

1443. You said you would expect something?—I did, for my trouble.

1444. That is, for your pleasure trip to Dublin?—No, I was going on his buiness. I considered I was going on his business. I got a letter of business.

1445. And you believed that he wanted you to go by car to Bundoran, and so round to Dublin, instead of going straight on—to carry a letter?—Not answered.

1446. Did you believe, as you hope to be believed, that Mr. Stokes merely wanted you to go to Dublin to carry that letter—going round by Bundoran—did you believe that?—I did believe it at the time.

1447. You did believe it?—Of course.

1448. Think a moment before you answer?—Of course I did. I believe he wanted me to carry that letter which he gave me, and gave me my expenses.

1449. Did he not tell you he would give you a pleasure trip to Dublin?—To go there as quick as I could.

1450. That is your answer—he wanted you merely to

go to Dublin to carry a letter?—To go as quick as I could with that letter.

1451. Do you believe he had no other object in wishing you to go to Dublin, except to carry that letter?—Well, I cannot tell what his object was at that time.

1452. But what did you believe?—I cannot swear what is in another man's mind.

1453. I want to know what you believed at the time—did you think it a strange thing?—Why should I think so? I thought I might never come back.

1454. Never?—I thought I might come back.

1455. You say you told him you expected something for your trouble?—I did.

1456. What did he say?—I did not mention any sum, nor did he mention anything to me.

1457. Did he say anything?—That it would be all right—"you will be all right," he said that.

1458. "You will be all right?"—I mentioned no sum to him, nor he mentioned no sum to me.

1459. But when he said "you will be all right," that was in answer to your statement that you would expect something for your trouble?—He told me to take a letter for him, I said then to Mr. Stokes "very well, when will I return back?" "Shortly," he says, "you can have a few days in Dublin." So I went to Dublin.

1460. But I want to know when he said "you may have a few days in Dublin," what did you say then?—I was very glad to go.

1461. What did you say, did you say you would expect something for being away from your business?—Well, I expected something for my going, to tell you the truth.

1462. But did you not tell Mr. Stokes you expected something?—He told me it would be all right.

1463. He told you it "would be all right?"—Yes.

1464. When did he tell you that?—Before I went away.

1465. In what part of the conversation was it?—Just when I was going away.

1466. The *Chief Commissioner*.—You say you came back to Sligo about a week before the trial of the petition at Carrick?—Yes; some time about a week before the petition.

1467. Your father remained behind in Dublin?—He did.

1468. How long did your father remain behind you in Dublin?—Till I went back.

1469. You went back to Dublin?—I did.

1470. When you went back to Dublin was the petition in Carrick going on?—No, it was not time, it had not commenced.

1471. It had not commenced?—No.

1472. Were you and your father in Dublin while the petition was being tried in Carrick?—Yes, we were in Dublin. I went straight to Dublin from Sligo.

1473. How long after the petition was on? I suppose you heard the judgment in the petition case; you read the papers?—Yes.

1474. How long after that did you remain in Dublin?—I cannot say how long.

1475. Was it a month?—Only two or three days; a couple of days after I went back.

1476. A couple of days after the petition was over?—No, after I left Sligo, after I went back; I think only a couple of days.

1477. Tell me; where were you when the petition was being tried in Carrick?—I went over to England, to Manchester.

1478. Who told you to go to Manchester?—Well, I was told I might like to go.

1479. Were you ever in Manchester before?—I was.

1480. Who told you you might like to go?—My landlord.

1481. Who gave you the money to go to Manchester?—He said he had a message over; he said he would go; he said he had business over, and we went over; he did some business.

1482. Did your father go with you?—He did.

1483. Had your father a message over?—He had not

1484. Who paid your fare to Manchester?—He did.

1485. Who?—My landlord.

1486. M'Dowell?—Yes.

1487. Was that before the petition was tried in Carrick?—Just a day or two before the petition.

1488. How long did you remain in Manchester?—That I cannot tell how long it was.

1489. Did you stop long in Manchester?—I think a fortnight or three weeks.

1490. Where did you stop in Manchester?—I stopped nearhand the London station, I think on the London line.

1491. What is the name of the street or the square?—Well, I cannot tell you the name of the street, but it is not far off the hospital.

1492. Had you any employment while you were in Manchester?—No.

1493. Why did M'Dowell bring you to Manchester—on your oath?—He was doing business there; buying one thing or another.

1494. That he required for confectionery?—Yes. He did business—a good number of things, odds and ends. I could not tell you what they were.

1495. That is, he did?—Yes.

1496. Do you mean to tell me that you were assisting in the purchasing of confectionery?—No.

1497. What were you doing in Manchester?—Walking about.

1498. What did M'Dowell bring you to Manchester for?—Merely to accompany him.

1499. Had you ever seen M'Dowell before that visit to Henry-street?—No, never.

1500. Did M'Dowell keep you and your father living in the same house with him in Manchester?—Yes, all in the one house.

1501. Was it a hotel or a private house?—It was an eating-house.

1502. A tavern?—No, not a tavern; they sold no drink.

1503. But a place where anyone could get good accommodation that paid for it?—Yes, of course—at least for eating.

1504. Did you sleep there?—I did.

1505. Was there a sign to the house?—There was.

1506. What was the name of the house?—I think it is——. Well, I will think of the name in a minute—I cannot think of the name of the place.

1507. What is the name of the landlord?—That is what I am thinking of. He had two houses, one next door to the other. I cannot think of his name at all.

1508. I ask you again, why did M'Dowell bring you to Manchester?—Oh, I don't know what his business was to Manchester, but I went with him. He paid our fare.

1509. Where did he bring you back to?—To his own house.

1510. Where?—In Henry-street.

1511. How long were you there after being brought back from Manchester—you were three weeks in Manchester?—Yes, about three weeks. When he came back to Dublin we came with him.

1512. How long did you remain in Henry-street after you came back from Manchester?—I cannot tell how long.

1513. Was it a month?—I think it was something about a month or three weeks. I cannot tell to the exact time.

1514. You did not come back to Sligo until about May last?—I was here in May—I was here in March.

1515. Do you mean that you were here in March for good?—I think some time in March—about the latter end.

1516. Was it while you were in Manchester you read the report of the petition being over?—No, not in Manchester.

1517. Was it in Dublin you heard of the petition being over?—It was in another part of England.

1518. Where?—A place called Clithero.

1519. Did you go from Manchester to Clithero?—Yes.

FIRST DAY.
October 5.
James M'Mullen.

1520. What brought you to Clithero?—Well, looking about through the country.

1521. How far is Clithero from Manchester?—I don't know.

1522. How many hours were you going by rail?—That I cannot answer.

1523. How long?—I think it was more than an hour.

1524. How long did you stop in Clithero?—Better than a week.

1525. At whose house did you, your father, and M'Dowell stop?—Mr. John Radcliffe's.

1526. Did you know him before?—No, I did not.

1527. What brought you to Clithero?—Well, I don't know. I went just with M'Dowell.

1528. Had he any business there?—Well, I do not know.

1529. Were you in any other part of England?—No.

1530. It was there you read of the petition being over?—It was.

1531. How soon after that did you come home to Ireland?—I stopped a while at Liverpool.

1532. After that you went to Liverpool?—Yes.

1533. How long were you in Liverpool?—Two or three days.

1534. What way did you come home to Ireland?—I came home in the boat.

1535. Was it by the Holyhead boat?—No, I came to the North Wall.

1536. What made you go to Liverpool?—Well, as he was going he said he would pay my fare if I would go, and I told him I would go. I was as well there as——

1537. Do you mean to convey to the Commissioners that M'Dowell was doing all this out of friendship for you?—Well, I don't know. He told me he would take me there if I would like to go. I said I would; so he was so kind as to take me there and back.

1538. Mr. *Commissioner Bruce.*—What is the name of the man who helped to carry on the business when you left?—He was named Molony. He said he would ask no wages—nothing only something to eat the same as ourselves.

1539. Do you know where he is now?—I do not, indeed.

1540. What was his Christian name?—I do not know whether it was James or John, or what his name is, only Molony.

1541. The *Chief Commissioner.*—Is your father in court?—I cannot tell.

1542. Did he come up with you?—He did not. I did not see him since morning. He was in town this morning.

1543. Is your father still living in the town, or has he left?—He has not left the town at all. He is in town here and there.

(The witness then withdrew.)

Adjourned to Wednesday morning at ten o'clock.

SECOND DAY.
October 6.

SECOND DAY.

WEDNESDAY, OCTOBER 6, 1869.

The Commissioners sat at ten o'clock, when the following witnesses, who had been summoned, were called, but did not attend:—Robert Stokes, Stephen Cherry, and William M'Mullen.

Dominick Kilcullen.

Dominick Kilcullen, sworn and examined.

1544. The *Chief Commissioner.*—You are a voter for the Borough of Sligo?—I am.

1545. How long have you been an elector?—Since Sergeant Armstrong's election, I got on the revision after that.

1546. Did you ever vote before the last election?—No, never.

1547. What is the rating of your house?—The rating is £10 valuation.

1548. Did you get any money from Thomas Brennan before the last election?—I did.

1549. How much did you get?—He gave me half a sovereign one night in Martin Mulligan's house in January '68; he paid seventeen of us half a sovereign a man. After that he threw £25 on the path of my field—two £10 notes and a £5 note. He told me to look after him. When he went away I took up the money. It was dusk. I didn't count the money until I went home.

1550. What day was that?—I can't recollect what day it was.

1551. How long before the election was it?—It was a good while.

1552. Was it three months?—It was about that and better—it was somewhere about the end of July.

1553. Did you see Brennan give money to any other people?—I did. I saw him pay seventeen men £1 a man one night. He flung Mulligan's money and mine to us. We took it up.

1554. How much did Mulligan get?—£1. I got £1 at the same time.

1555. How long was that before you got the £25?—It was on the spot. There was not more than half an hour's difference—there was about half an hour's difference.

1556. Did you see Mulligan get more than £1?—I didn't.

1557. Do you know why Mulligan and you got more than the rest of the seventeen men?—I don't know.

1558. Were you and Mulligan the only two voters among the seventeen men?—We were the only two voters, that was all.

1559. Had you done anything previous to this for Brennan?—The d—l a thing—not a ha'porth, only taking up with him since '67. He sent over to my house for me in '67, and brought me to Carnes. He said he was up in Dublin with Major Knox, and that Major Knox would get a situation for my son. "All right," said I; "very well." That was going up to Carnes, walking. After a good while we came down, and he brought me to Pat Mahon's house. He pulled out his pocket-book and gave him five one-pound notes. He retained Mahon's car, as he was the agent for Major Knox; that was what he said.

1560. Was that the first time you saw him give money between November and Christmas?—It was. We came out. I bade him good night and I went home. I saw no money. He said he would write to Dublin for money as we were to have a spree at Christmas. We had no spree at Christmas, but in January he came up and gave £8 10*s.* to seventeen men in half sovereigns; they got one each, and I got another.

1561. Didn't you also get £1?—That was between my son and myself.

1562. Did you ever write a letter to Major Knox?—No, but Brennan answered a letter Major Knox wrote me, a letter he wrote me some time in January.

1563. You got a letter from the Major?—I did.

1564. Have you it now?—I haven't.

1565. Where is it?—I gave it up in Carrick, and I never saw it since. I asked Mr. Moloney for it; he said he has a copy of it, and he said the Judge kept it.

1566. Did you yourself ever speak to Major Knox?—I did.

1567. When first did you speak to him?—Brennan gave me a letter to him after I got the letter from Dublin, and after the Major came down in the summer

—it was in January I got the letter from Dublin—Brennan wrote me a letter, he said, to Utred Knox's house where the Major was stopping, to return thanks for looking after a situation for my son. I went over with the letter Brennan wrote, and Major Knox was engaged with a man named Hunt, of High-street. I was waiting in the hall, the Major came out and asked me was I a friend of Brennan's. I said nothing at all. I thanked him for the letter. I came out and went away. He asked me could he do anything for myself. I said I didn't want his honour to do anything for me.

1568. Now, as to Michael Hunt, was he working for Major Knox?—I don't know. I can't say. I know nothing about Hunt.

1569. How long was Hunt in the room?—I can't say.

1570. When did you last see Brennan?—In Carrick.

1571. Were you speaking to him then?—No, I said nothing to him, nor he to me.

1572. Did you see Mulligan get £2?—No, I only saw £1 that night and a half sovereign he got in his own house. I should say indeed that every fellow was looking for his money now and then.

1573. When you got the £25 with Mulligan—is his name Patrick?—No, Martin Mulligan.

1574. Did you see Brennan give £2 to anyone?—No; I saw him give a man named Flynn a sovereign one night—Pat Flynn, the butcher.

1575. Is that in addition to the seventeen men?—I can't say.

1576. Was that before you got the £25?—No; I had it at the time.

1577. Did you do anything for the half sovereign or the £25 you got?—D——n the ha'porth—not a halfpenny.

1578. Did you do nothing at all for it?—No; I did nothing that I know of.

1579. Were you part of the mob—did you shout for Major Knox?—No, I didn't shout for him.

1580. Did you go about canvassing for him?—I canvassed no one for him.

1581. Did you ever ask anyone to vote for Major Knox?—Never in my life.

1582. Did you ever promise to vote for him?—Never, nor did he ever canvass me; but before he came to the house I went to the houses where he was, and where he went—Thomas M'Alin and Bryan M'Keon. Mr. Phibbs was with him.

1583. What occurred there?—He canvassed the men.

1584. Who canvassed them?—Major Knox.

1585. For whom?—For himself.

1586. Were you with him on that occasion?—I was standing at the door with Major Knox.

1587. Did you walk up with him?—I went over to the two houses in his neighbourhood.

1588. Were they friends of yours?—They were nothing to me. I told Major Knox where the houses were and the way down to them, and then went away.

1589. Did the Major call at your house?—He didn't.

1590. How did it happen the Major knew that you knew the way to the voters' houses?—I was on the road at the time, and Mr. Phibbs asked me to go down.

1591. What did you get the £25 for?—I can't say. When I took up the money I asked Brennan what it was for—was it for my vote. "What is it for?" said I; "is it for my vote?" He said, "It is not, it is for your loss of time."

1592. And did you lose any time?—I did a little now and then. I walked about with Brennan, and he used send me out a good while after the first time.

1593. Did you ever promise to vote for Major Knox?—I never did.

1594. Did you ever while getting money from Brennan intend to vote for Major Knox?—I never intended to vote for Major Knox. Brennan's advice was to go away and not to vote at all.

1595. Did Brennan often ask you to go away?—Well, we had many a chat about going away. He said he would send a good many away.

1596. Whom did he say he would send away?—Martin Mulligan was one.

1597. Who else?—Jennings, a watchman in the town, was another.

1598. Who else was likely to be got to go away?—That's all.

1599. That's all that you remember?—That's all.

1600. Don't you know there were others to go away?—I don't exactly know it.

1601. Are you a Roman Catholic?—Yes, certainly. There was no talk of Captain Flanagan at the time, the talk was about Sergeant Armstrong and Major Knox.

1602. That was up to June?—It was up to the time of Captain Flanagan coming to this town.

1603. Did you promise Captain Flanagan to vote for him?—I did, certainly.

1604. Where did you promise to vote for him?—I met him one day coming from my business, he canvassed me for my vote, and I said I would vote for him.

1605. Was that the first time you promised to vote for him?—It was.

1606. Did you tell anyone then you got £25 from Brennan?—I did.

1607. Whom did you tell?—The whole town knew it. He told everyone he gave it to me himself.

1608. For what did he give it?—I don't know.

1609. You stated that Brennan asked you to go away?—Yes.

1610. Where were you to go to?—I don't know, he was to be with us himself.

1611. Was that discussed in the presence of Jennings and Martin Mulligan?—I think it was discussed in the presence of Mulligan, but not of Jennings.

1612. What was Mulligan to get to go away?—Of course they wouldn't go away for nothing.

1613. That was what I was thinking—what was Jennings or Mulligan to get for going away?—I can't say.

1614. What were you to get yourself for going away?—£100—£25 and £75.

1615. The £75 was to be in addition to the £25 you got?—Yes.

1616. When were you to get it?—When the election was over I was to get it.

1617. Who offered it to you?—Brennan offered it to me.

1618. Did he offer it to you more than once?—He didn't.

1619. When did he offer it to you?—It was the week before the voting took place.

1620. Where did he offer it to you?—He offered it to me in the Clearer Plantation, above the boat-house.

1621. Was anyone by at the time?—There was no one by only myself and himself.

1622. Did you go to him, or did he send for you?—He sent for me to the butter-market; he sent a man named Price, who is his own man, for me.

1623. What is Price's Christian name?—I can't say.

1624. Is Price in town now?—He is.

1625. Where does he live?—He lives in Holborn-street.

1626. When did Price come to you?—The week before the election.

1627. Had you at the time he came to you promised Captain Flanagan to vote for him?—I had.

1628. What did Price say to you when he came?—He said Brennan wanted me up to the boat-house.

1629. Did you go?—I did.

1630. When Price came to you and gave you that message, did you then know what Brennan wanted you for?—I didn't.

1631. What did you suspect?—I suspected it was about the election.

1632. When you went to the boat-house what passed between you and Brennan?—I don't recollect all that passed, but I know it was I advised Brennan to come to my house, and stop with me, and have nothing to do with the election.

1633. Why did you advise him to do that?—Because I knew he had a good trade, and I didn't like to see him going to ruin.

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Dominick Kilcullen.

1634. What did Brennan say to you on that occasion?—He said he would give me an order for £75 on William Middleton if I would go away.

1635. What did you say to that?—I said I wouldn't have any more money, that I promised Captain Flanagan, and would have no more to do with them.

1636. Is that the Mr. William Middleton who lives in Sligo?—It is; and I don't think the same man would give a shilling on his order.

1637. Did Brennan ever say where you were to go?—He didn't.

1638. Or when you were to go?—No.

1639. That, you say, was the week before the polling?—Yes.

1640. Do you know what day it was? Can you fix the day on which that interview took place?—I couldn't; it was either on Tuesday or Friday; it was on a market-day at all events.

1641. You are sure of it?—I am.

1642. At any rate, it was the week before the election?—It was.

1643. Did he speak to you on that occasion about the previous money you had got from him?—He didn't.

1644. What was the sum he mentioned that you were to get?—£75.

1645. And you had positively got £25?—I had, but he made me pay back some of that.

1646. How much did he make you pay back?—£1 13*s.* 6*d.*

1647. To whom did you pay that?—I paid it to Peter Taney.

1648. Where?—In my own house.

1649. Why did you pay that?—I paid it for drink.

1650. Was it to give drink to the mob?—It was; it was drunk at Dunney Rock.

1651. Was it drunk by the mob?—It was.

1652. What made you pay it?—I was ordered by Brennan to pay it.

1653. Was the order in writing?—It was.

1654. What was in the order, do you recollect?—I don't know what was in it.

1655. What made you pay the £1 13*s.* 6*d.* if you didn't know what was in the order?—I thought at the time I would get it back again.

1656. I suppose you thought Brennan was a little short of money?—I did.

1657. To whom did you pay it?—I gave it to Peter Taney.

1658. Mr. *Commissioner Bruce.*—How long was that before the election, when you paid the £1 13*s.* 6*d.* for Brennan?—Something better than three months.

1659. Can you tell exactly when it was—what month was it in?—It was about the middle of August—something about that time.

1660. The *Chief Commissioner.*—Did any other moneys pass through your hands?—No.

1661. Did you see any other money paid to anyone?—I saw £20 paid to James Grey.

1662. Where was that paid?—Behind Fox's.

1663. Who paid it to Grey?—It was paid by Brennan.

1664. How long before the election did you see that £20 paid to Grey by Brennan?—It was at the revision.

1665. That was just before the election?—It was at the revision some time; I don't know what time.

1666. Did you see any other money paid?—I didn't.

1667. Do you know James Devanny, an elector?—I do well.

1668. Did he vote at the election?—He didn't get on at the last revision.

1669. Do you know him?—I do well.

1670. Do you know that he went away?—I do.

1671. Do you know anything about his going away—on your oath tell the truth?—Two nights before the polling, or one night, I saw him at his own door, and he was talking to myself. He went down to Clement's, and from that to Burke's, in High-street; he wasn't seen since.

1672. Where was he last seen?—I can't say.

1673. Do you know where he went to?—I can't say where he went to; he said he went to Burke's.

1674. Mr. *Commissioner Bruce.*—That was two days before the election?—It was.

1675. The *Chief Commissioner.*—Do you know Michael Dogherty?—I do.

1676. Do you know anything about his going away?—I don't. I thought he voted for Major Knox.

1677. Do you know Henry Mulligan?—I heard he was missed out of the house; he was away.

1678. Do you know anything of his going away?—I don't.

1679. Were you watching him?—I wasn't watching him.

1680. Were you watching Devanny?—I wasn't.

1681. Do you know that there were persons watching him?—I believe a few boys in the town were watching Devanny.

1682. Mention the names of the boys who were watching him?—My brother, Tom Kilcullen, I believe, was watching him.

1683. Were the boys employed to watch him?—I don't know; I can't say that they were employed to watch him. If they were never employed they would watch him.

1684. Was Tom Kilcullen and some other of the boys watching him?—I know there were three or four of them watching him; they had an eye on him.

1685. Did Edith Gethin get away?—I believe he did.

1686. Do you know anything of his going away?—I don't.

1687. Do you know any of the boys that were watching him?—I don't know; he lives in another end of the town.

1688. Do you know anything of Michael Rooney?—He didn't go away; he is a neighbour of my own.

1689. Did you ever apply to Major Knox to get a situation for your son?—Never in my life.

1690. Did anyone ever apply to Major Knox, with your knowledge, to get a situation for your son?—Not one, unless Brennan answered the letter Major Knox sent me; that's all.

1691. Do you mean to say that before you got that letter we have here, you never asked him for a situation for your son?—Never in my life.

1692. How old is your son?—He is about twenty years of age.

1693. Were you looking for a situation for your son?—I was not. He is not fit for a situation; he hasn't too much learning to fill it.

1694. Did you understand that any promise was made of trying to get a situation for him?—Not one but what came through Brennan.

1695. Your son got no situation?—Not one.

1696. Mr. *Commissioner Bruce.*—Did you ever pay any more money out of the £25 except the £1 13*s.* 6*d.* and the £1 to James Grey—you never got more than the 10*s.*, the £1, and the £25?—Oh, I did; I got a little more backward and forward—I can't tell the amount of it—from Brennan.

1697. Try?—I can't mind the small sums, the trifles now and again I got.

1698. Money paid from Brennan?—Yes, and from James Grey.

1699. About what time—was it about the same time as the order for the money?—It was before it.

1700. Before you got the £25?—Yes.

1701. I suppose you were getting these small sums in shillings and half-crowns for two or three months?—He was paying them in shillings, half-crowns, and five shillings. He had ass races too. He used go out to the river side spending money, and paying money in the different streets in Sligo.

1702. Was he doing that in the months of July and June?—The first time was between Christmas and November, in '67. Major Knox was in town some time before that; I can't say what time it was. He then left town and went to Dublin. After a while he came from Dublin again and sent for me. That was the commencement of it in '67.

Dominick Kilcullen.

1703. You saw Major Knox at that time?—I saw him in Brennan's one day I was getting tobacco, and Mr. Phibbs, Mr. Pollock, and Captain Wynne were with him.

1704. What occurred then?—Brennan said I had a vote, and he came down and spoke about it. I told him we had a good man in Sergeant Armstrong. He said he had a better claim on the borough than Sergeant Armstrong; that he was a Mayo man himself. I said we had no fault to find with Sergeant Armstrong; that he was a good member.

1705. In fact he canvassed you, then?—Brennan gave him a nudge about it.

1706. That was in Brennan's shop?—Yes.

1707. That was in the spring of '68?—It was before November, '67.

1708. How long was Brennan giving you these small sums—was he doing so between Christmas and August?—He was until Captain Flanagan came to town.

1709. What time was that?—I can't say.

1710. How much do you think you got altogether in small sums?—I got a pound in my own field, and half a sovereign in Mulligan's house, and 10*s.* at another time. I got about £28 altogether—I suppose.

1711. Including the £25?—Yes, in all.

1712. Did you ever send in a memorial to Major Knox, asking for more money?—Never.

1713. Did you ever ask Brennan to do so for you?—No; never.

1714. Mr. *Commissioner Byrne.*—Did you ever vote at any former election?—I didn't. I had no vote until the last election.

1715. Mr. *Commissioner Bruce.*—When Captain Flanagan canvassed you, did you tell him you got these moneys?—No; I didn't tell him any such thing.

1716. Did anyone ever offer you any money for voting for Captain Flanagan?—No; never.

1717. Did you expect any?—No.

1718. Did you get any promise of money?—No.

1719. The *Chief Commissioner* informed the witness that if his evidence was further required in court, he would get notice of it.

(The witness then withdrew.)

The following witnesses who had been summoned were then called but did not answer—Mary Dunleary, William M'Mullen, Eliza Buchanan, and Daniel M'Gowan.

John Feeney sworn and examined.

John Feeney.

1720. The *Chief Commissioner.*—Are you an elector for the borough of Sligo?—I am.

1721. How long have you been an elector?—Since the last election.

1722. Did you never vote before the last election?—Never.

1723. What are you?—A publican. I am a carpenter by trade.

1724. What is the rating of your house?—It is £6 10*s.* now.

1725. Whom did you vote for at the last election? I voted for Mr. Flanagan.

1726. Do you know Mr. Leech's place in Castle-street?—I do.

1727. Did you go to Mr. Leech's place any time before the election, do you remember?—Yes; Mike Price came to me one day and said to go down to Mr. Leech's, that Major Knox was there, and wanted me.

1728. Who is Price, what is he?—He was a labouring man Tom Brennan had in Market-street.

1729. He was in Brennan's employment?—He was.

1730. Was he long in Brennan's employment?—He was in his employment for five or six years before the election.

1731. When Price came to you, what did he tell you?—He told me to go down to Leech's, that Major Knox wanted me.

1732. How long was that before the polling—the polling, you know, was on the 19th?—The week before it, I think.

1733. Did you go?—I did.

1734. Where did you go to in the house when you went?—The hall-door was open. Price was with me, and showed me up stairs, and I went up stairs to the front room.

1735. Who was there when you went up stairs?—Major Knox; there was another gentleman in the room whom I didn't know.

1736. Are you sure it was Major Knox the candidate, that was there?—Oh! certain of it.

1737. Did you hear Major Knox address the other gentleman, and call him by any name?—I didn't.

1738. You didn't know who he was?—I didn't; I never saw him before.

1739. Do you know now who he was?—I can't answer for who he was.

1740. Had you any conversation with either of the two gentlemen that you saw in the room?—Major Knox asked me what was my figure, and I said I didn't know. He asked me would £50 do; I said I supposed it would, but that if others were getting more I thought I would be entitled to as much as another. He said I would. I was then leaving the room, and he asked me to take a glass of wine.

1741. Did you agree to the £50?—He asked me would £50 do. I told him I supposed it would do.

1742. That's not what I asked you—the question is, "Did you agree to it?"—I did.

1743. Did you agree to vote for Major Knox for £50?—I had no notion of voting for him.

1744. That's not the question—did you convey to either of the gentlemen there in that room, that you would vote for Major Knox if you were secured in the £50?—I didn't.

1745. Did you tell anyone that you were offered £50 by Major Knox?—Price told me not to tell anyone.

1746. Did you tell anyone before the polling that you were offered it?—I did.

1747. Whom did you tell it to?—I told my own neighbours of it. I told my own daughter.

1748. Did you tell any of Captain Flanagans supporters of it?—No, never.

1749. On your oath, did you leave the people in that room under the impression that you agreed to vote for Major Knox for £50?—Yes; I walked out of the room, and Major Knox asked me to take a glass of wine.

1750. Did you take the glass of wine?—I did.

1751. Are you sure; was it wine or brandy?—It was wine. He wanted me to have a glass of brandy afterwards; I wouldn't take it.

1752. Did you ever ask any money from the other side?—Not a farthing—never.

1753. Why was it that, when whoever it was that asked you would £50 do, did you say, "I suppose it will?"—Major Knox asked me would £50 do, and I said I suppose it would, but that if others were getting more I would be entitled to as much as another.

1754. Was that to convey to Major Knox that you would vote for him?—Yes.

1755. Was there any book or writing on the table, do you remember?—I think not.

1756. Was your name put down on any slip of paper?—Not that I see.

1757. Do you know the book containing the registry of electors for the borough?—I do.

1758. Was there any document of that kind on the table?—No.

1759. Can you fix what day it was you had that

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interview with Major Knox?—I can't. I know it was the week before the election. I think it was of a Tuesday.

1760. The nomination-day, you know, was Tuesday, and the polling was on Thursday; can you now fix the day on which this interview took place?—I can't. It was the week before the election.

1761. Do you know a man named West?—I do.

1762. What is his Christian name?—John West.

1763. Is he an elector?—He is.

1764. Did you see him about your vote?—He came to my own shop, to my own house, about it.

1765. Was that before or after your interview with Major Knox?—It was after it.

1766. Was West canvassing you—did he come more than once to you about your vote?—He came different times to me about my vote.

1767. Do you remember the day after you had the talk with Major Knox about the £50?—I do.

1768. Do you remember seeing West on that day?—I can't say, it was the day after that he called on me.

1769. On whatever day it was, do you remember his coming to you and asking you to go anywhere?—He asked me different times to go away.

1770. When first did he ask you to go away, do you remember?—He wanted me first to go to Dublin, he knew I got goods from Dublin.

1771. What goods?—Porter.

1772. Well?—He told me if I went to Dublin the agents for the brewery were in town, and I could get an order for £50, and I would get whatever I wanted.

1773. What town, is it this town?—Yes, Sligo.

1774. Did you ask him what brewery he referred to—I didn't.

1775. Did he say what brewery he referred to?—He didn't.

1776. What were you to get for going away?—Fifty pounds.

1777. Did he say he would give you £50 if you went away?—He did; I said I would.

1778. Is West still in Sligo?—Yes, he is.

1779. Did he only once say he would give you £50 if you went away?—He said it different times.

1780. What did you say when he said that?—I told him I would consider on it.

1781. Were you serious when you said you would go away?—I wasn't; I wouldn't go away by any means, but I thought it just as well to keep quiet with him.

1782. Did he say anything to you about going anywhere else?—He did.

1783. Where?—To Mr. Allen's, Drumcliffe.

1784. That's near the town, I believe?—It is below the town.

1785. What were you to do there?—I was to be kept there while the polling was going on.

1786. What were you to get for going to Mr. Allen's?—I was to get £50 for going there.

1787. Did you ever speak to Mr. Allen on the subject?—No, never.

1788. Did anyone else ever ask you to go to Dublin besides West?—Not one.

1789. Do you know Edward Chisholm?—I do.

1790. Did he ever speak to you about going to Dublin?—He did.

1791. What did he say to you about it?—I was in Mr. Green's shop one day for two panes of glass; Mr. Chisholm was passing by, and as I was going out of the shop he came in and asked me wasn't I going to Dublin; he said if I was to go to Dublin, I had no time to spare; I said I had bad clothes, and couldn't go then.

1792. What did he say to that?—He said for me to go to Lyons or Williams's, and I would get clothes from either.

1793. Are Messrs. Lyons and Williams in business in the town of Sligo?—Yes, they are drapers.

1794. What did Gauthin say?—I told him I should go home before I went there.

1795. Was there anyone present at that conversation between you and Mr. Chisholm?—Andrew Green was present at the time.

1796. Is he an elector for the borough?—He is.

1797. And is Mr. Chisholm also an elector?—He is.

1798. What day was it you had the talk with these two persons?—The Saturday before the election.

1799. Are Messrs. Lyons and Williams, drapers, here? Are they in that line of business?—They were.

1800. And you were to get clothes in either of the two places?—Yes, I was to get clothes at any of the two.

1801. Do you remember the evening before the poll?—I do.

1802. Was anything said about the election to you on that evening?—Yes.

1803. Where was it said?—In my own house.

1804. Do you know two women named Mary Gourlay and Mary Smith?—I do.

1805. Did you speak to them?—I did.

1806. What did they say?—I was down here in town, and they told me there were two gentlemen upstairs in my own place, and they wanted to see me. I then went upstairs and saw the two gentlemen there.

1807. Do you know the names of these gentlemen?—I never saw one of them before, but I heard it said at Carrick that his name was Waugh.

1808. Did you see him at Carrick?—I did.

1809. Did he then say his name was Waugh?—[No answer.]

1810. Who was the other gentleman in that room?—The other gentleman was Mr. John Fawcett.

1811. Mr. John Fawcett of Sligo?—Yes.

1812. In what room in your house were they?—In the front room.

1813. Is that a room where people go to have drink?—Yes.

1814. State what occurred when you went upstairs?—When I went upstairs this gentleman, Mr. Waugh, said he was sent with a message from Major Knox; that he was told to say that Major Knox heard I was looking for him; and that he was now disengaged, if I would be kind enough to go down to Mrs. Hall's. Mr. Waugh then put his hand into his pocket and said, "Here's £50 if you come." He laid the money—the notes—on the table. I told him I couldn't go then.

1815. Was all the money in notes?—I saw a note on the top. I couldn't tell the amount of the notes.

1816. What did you say to him?—I told him I couldn't go then.

1817. Where did he ask you to go to?—To Mrs. Hall's.

1818. Who is Mrs. Hall?—The Court-keeper here.

1819. Did you hear Mr. Waugh state in Carrick what his Christian name was?—I didn't.

1820. Where did he put the notes?—He put his left hand into his breast pocket.

1821. Did he leave them on the table?—He laid them on the table. They were tied up, and he laid them on the table.

1822. How much did he say they were?—£50.

1823. What hour was it?—About nine o'clock at night.

1824. State the commencement of the conversation. Begin that conversation again, and state the whole of it?—I was down in the town here, and when I came in one of my daughters told me there were two gentlemen up stairs that wanted me. I went up stairs and saw the gentlemen; they had some drink before them; I think it was two glasses of ale. One of them, Mr. Waugh, told me he was sent with a message from Major Knox to come down to Mrs. Hall's, and to come with him. He said, "If you come here's £50 for you." I said, "I can't go down yet, until ten o'clock, and then I will go." He said, "You may as well go now." "I can't," said I, "I have too much to do." He said, "As soon as you come down you will get this money." "As soon as you come down you will get it," he again said; but I didn't go.

1825. Did you say you would take the money?—I

said I would go down. He said I was to go down with him and I would get the money, and that I was to take it.

1826. If he gave you the money then would you have taken it?—I wouldn't.

1827. What hour were you to be at Mrs. Hall's?—Ten o'clock.

[Mr. Waugh, who was in court, was here called.]

1828. Is that the gentleman who brought the message?—That's the gentleman.

1829. Do you swear he offered you £50 on that night?—I do.

1830. On your oath?—I do, solemnly.

1831. And that he produced some notes?—There was a note on the top.

1832. Do you swear that all that occurred in the presence of Mr. John Fawcett?—I do.

1833. How long were you with these gentlemen in the room?—About five or six minutes.

1834. Did you promise to go down to Mrs. Hall's?—I did.

1835. To be kept there during the polling?—I don't know that.

1836. Didn't you understand that?—I did.

1837. Didn't you understand that if you went down to Mrs. Hall's you wouldn't be let out during the polling?—I did, that's a sure thing.

1838. Mr. *Commissioner Bruce.*—Mr. Fawcett was with Mr. Waugh at the time when the £50 was offered to you?—He was.

1839. And he must have seen you offered the £50?—He must.

1840. Was there anyone else in the room at the time?—There wasn't, there were only us three in the room at the time.

1841. Mr. *Commissioner Byrne.*—When West spoke about the order on the brewery, did he mention the name of the brewery?—He didn't.

1842. He didn't refer to it at all?—He didn't refer to the name of the brewery; he told me to go to Dublin, and that the agents of the brewery would get me what I wanted.

1843. Did you understand what brewery he referred to?—I did not; he didn't name any brewery.

1844. When did you promise to vote for Captain Flanagan?—When he went round on his canvass.

1845. How long before the election was it?—I can't say.

1846. About how long was it?—About a week or a fortnight.

1847. Did you ever promise anyone to vote for Captain Flanagan before that?—No, never.

1848. Did you get any money from Captain Flanagan?—Not a farthing.

1849. Did you get a promise of any money from him?—No, I got no money, or promise of money, from either one side or the other.

1850. The *Chief Commissioner.*—Did you see any other money offered to anyone at the last election?—No, never.

1851. Do you know anything about people going away to avoid voting?—No.

1852. Do you know Tom Brennan?—I do, well.

1853. Did he ever offer you money?—He never offered me a farthing.

1854. Did he ever speak to you about going away?—Never, nor I to him.

1855. The *Chief Commissioner* then informed the witness that he might retire for the present, but that he was not released from his subpœna. In case, however, he should be again required, he would receive due notice.

Mr. Aaron Waugh.

Mr. *Aaron Waugh* sworn and examined.

1856. The *Chief Commissioner.*—When did you come to Sligo previous to the last election?—I think about a week or so, if not more.

1857. I may ask you in whose service you were at the time?—In Major Knox's. I was a reporter at the time.

1858. How long were you in his service?—A long time, between seven and eight years.

1859. And you are still in it?—Not now.

1860. When you came down to Sligo, who was it sent you here?—The managing reporter "marked" me in the usual way to come to Sligo.

1861. You came, I suppose, to report the election proceedings in the usual way that a reporter generally does?—Yes, in the usual way.

1862. Had you any instructions when leaving for Sligo, except to do your duty as a reporter?—None.

1863. Did you do your work in the usual way as a reporter—did you send up short reports of what occurred, and the like?—I did.

1864. Had you no duty to do in reference to the election?—I had not. I succeeded in getting two or three electors to vote for Major Knox who were vacillating, and in consideration of that I got £12 10*s.* as a canvasser.

1865. Who were these two or three electors?—The late Mr. Robinson, Inspector of schools, my brother-in-law and young Mr. Fawcett, who would have voted for Major Knox.

1866. What is your brother-in-law's name?—Allen. These were men whom Major Knox thought wouldn't vote for anyone, and they were personal friends of mine.

1867. Did you canvass other electors?—I think not; I spoke to others.

1868. Do you know a man named Brennan?—I do.

1869. Did you bring any money with you from Dublin to Sligo?—No, never; except my own expenses.

1870. Have you been in Sligo since the last election?—No, not until yesterday, when I got a subpœna from Mr. Greer's office. Let me remind you that that man Feeney at Carrick swore it was Mr. Fawcett offered him the money, and not I.

1871. Very well, we will inquire into that; did you go into Feeney's house the evening he referred to?—I did.

1872. Were you there more than once?—No, I never saw him before.

1873. You didn't know there was such a man previously?—No, never.

1874. Who brought you to his place?—It was Mr. Fawcett came with me to the barracks—we thought Feeney was the canteen man, but on inquiry we found he was the canteen man outside the barracks.

1875. What special reasons had you for going to Feeney's house?—I was standing at the door of the Victoria Hotel, and Major Knox, who was either passing by or standing, came in from the street, and said, "Mr. Waugh, do you know a man named Feeney?" I said I did not. He said he heard Feeney had been looking for him, and asked me to go to him and say he would be obliged if he would come down. "I do not like to go up there," said he, "as it is a bad locality," or something to that effect. "Kindly tell him I can see him any time after dinner, I will then be disengaged." Major Knox gave me his card also.

1876. To give to Feeney?—To show to him.

1877. Where was Feeney to call on him?—At the Victoria Hotel.

1878. Did you deliver that message to Feeney?—I did.

1879. When was that?—The evening before the election.

1880. How did Mr. Fawcett happen to go with you?—I passed from the Victoria Hotel to the Imperial, where I was stopping, thinking that I might meet him in the billiard-room, where I went to look for him. It so happened that he was there; I asked him to come with me to this place, and he did so.

SECOND DAY.
October 6.
Mr. Aaron Waugh.

1881. Was it because you didn't know the place, you asked him to go with you?—No; I knew the place quite well; I thought Feeney kept the canteen in the barracks; I knew the locality very well, but I didn't know the man's house.

1882. How often were you up and down between Dublin and Sligo?—I was up and down very many times. I came down to the revision, and to report several meetings.

1883. How often were you up and down during the election?—I was in Sligo all through the election.

1884. During that time did you canvass anyone?—No, I did not ask anyone.

1885. I thought you said you succeeded in getting two or three electors to vote for Major Knox?—That was before the election. It was before the election I asked the two men I mentioned.

1886. Had you any money with you the night before the election?—I had not, unless some small sums for expenses; I may have £2 or £3 with me.

1887. Were you waiting for Feeney in his place before he came to you?—Yes, he is correct there.

1888. Did you go upstairs when you went to his place?—We were sent upstairs. A sergeant from the barracks brought us to the place, as we didn't know it; and we, on hearing that Feeney was out, asked the sergeant to take some drink, and he took ale.

1889. Was your sole object in going there to give Feeney Major Knox's card?—I didn't give him the card at all; my sole object in going there was to deliver Major Knox's message.

1890. Had Mr. Fawcett any money with him that evening?—Not to my knowledge.

1891. Did he, to your knowledge, offer Feeney any money that evening?—He didn't, that I saw.

1892. Were you there all the time?—I was.

1893. How long were you in the room before Feeney came in?—Three or four minutes, I think.

1894. How long were you there after he came in?—About three or four minutes.

1895. When did the sergeant go away?—He went away before we went upstairs.

1896. Now state all that occurred that evening in reference to the message you got from Major Knox for Feeney?—On the evening in question I met Major Knox at the Victoria Hotel. He said to me, "Mr. Waugh, do you know Feeney, the canteen man?" I said "I did not; but," I said, "if you give me his address I will try and find him out." He said, "he has been looking for me several times. I would feel obliged if you would go up to him and tell him to come down. Tell him I do not like to go up there as it is a bad locality. Kindly tell him, I will be disengaged this evening after dinner, and I will be happy to see him then." I went down the street, thinking I would meet Mr. Fawcett, Mr. Robinson, or some one else I'd know. I met Mr. Fawcett, and we walked up the street together towards Barrack-street, as I was under the impression that Feeney was in the canteen of the barracks. They told me at the barracks he was the outside canteen man. The sergeant very kindly brought us to show us the place where Feeney lived. We went there and inquired if he were in. We were told at the counter that he was out. I then asked the sergeant who was so kind to us to have a glass of ale, and we ordered stout for ourselves. The sergeant then left, and the woman of the house said we had better go upstairs until Mr. Feeney came in. We went upstairs, the servant brought a candle, and after a few minutes Feeney came in. When he came in, I took out the card Major Knox gave me, and I said to Feeney, "Do you know that name?" he said he did. I said, "Major Knox heard you had been looking for him, and he desired me tell you he will be disengaged after dinner this evening, and for you to come down." He said, "very well."

1897. Mr. *Commissioner Byrne.*—Did Mr. Fawcett put his hand in his coat pocket on that occasion, and take out anything?—He did not.

1898. Could he have done so without your seeing him?—He could not.

1899. Did you give the card to Feeney?—I didn't. I merely showed it to him, and asked him "Do you know that name?"

1900. Mr. *Commissioner Bruce.*—Was the sergeant in the room when Feeney came in?—He was not; we left him downstairs before we went upstairs.

1901. The *Chief Commissioner.*—Is there a word of truth in what Feeney swore—that either you or Mr. Fawcett offered him money?—There is not—positively not; I had no authority to offer any money to him.

1902. That's not the point; whether you had authority or not, did you offer or give him any money?

1903. Could Mr. Fawcett have done so without your knowledge?—He could not.

1904. Did you go away together?—We did.

1905. Did you afterwards pay any portion of the election expenses?—Not a penny.

1906. Mr. *Commissioner Bruce.*—How long after that did you continue to be a reporter for the *Irish Times*?—Until after the election petition was tried.

1907. The *Chief Commissioner.*—Did you know that the two Mulligans were in Dublin?—I did not.

1908. Do you know M'Dowell of Henry-street, Dublin?—I don't; I know the house.

1909. But not the man?—I don't.

1910. Were you ever in his house?—No, never.

1911. You know the house merely from seeing it when passing it by?—That's all.

1912. Do you know anything about M'Dowell getting money at the office of the *Irish Times*?—No, I never heard of it until I saw it in the paper.

1913. Mr. *Commissioner Bruce.*—Was it in the paper this morning?—No, it was at the election petition I heard something about it.

1914. The *Chief Commissioner.*—You wouldn't know M'Dowell, to see him?—No, I would not.

1915. Did you hear of what was stated here yesterday?—I did not.

1916. Do you know anything about men going away during the election?—No, I never knew anything about it until after the election petition and during the trial.

1917. Didn't you hear until I tell you now of it, that the two Mulligans were staying at M'Dowell's house in Henry-street?—I heard of their being spirited away—at Carrick.

1918. Did you hear that they were staying at M'Dowell's?—I heard that they were spirited away, but not where they went to.

1919. Do you know a man named Kavanagh of Dominick-street?—No, I don't.

1920. Mr. *Commissioner Byrne.*—When you were canvassing for Major Knox, were you asked for money?—No, never; these persons I referred to were the only persons I induced to vote for Major Knox; I didn't canvass anyone else.

1921. Mr. *Commissioner Bruce.*—You said the late Mr. Robinson was one of the persons you asked to vote for Major Knox. By the word "late," I suppose you mean some one who is dead?—Yes; Mr. Robinson was disposed not to vote at all, as he was in the Education office. He was disposed to vote for Major Knox without my speaking to him at all, but he was delicate about voting at all.

1922. What is your brother-in-law?—He is in town here.

1923. What is his name?—Allen.

1924. Had you to use any persuasion to make him vote?—I had not. I think you will find that Feeney swore at Carrick that it was Mr. Fawcett, and not I, gave him the money.

1925. The *Chief Commissioner* said they were ready to hear from Mr. Waugh any explanation, or any information that would throw light on the matter, as the charge against him was a very grave one.

1926. Mr. *Commissioner Bruce.*—Were you in court (at Carrick) when Feeney gave his evidence?—I was.

1927. And you heard him swear that it was Fawcett and not you offered him the money?—Yes.

1928. You have no doubt of that?—I have no doubt of it. When he mentioned my name, I stood up in the

box, and Mr. Macdonogh asked him "Is that the man?" Feeney said, "it is not."

1929. Mr. *Commissioner Byrne.*—Did Feeney go up with you to Major Knox, on the occasion you went with the message to him?—He didn't.

1930. Why didn't he, do you know?—He said he was afraid to go up then: he said he would go up immediately.

[The witness, John Feeney, re-called.]

1931. The *Chief Commissioner.*—Feeney, which of the two gentlemen offered you the £50?—Mr. Waugh.

1932. Describe how he did it?—He put his left hand into his pocket, brought it out, and left it on my table.

1933. Did he say anything?—He said, "here's £50 if you come down with us to Mrs. Hall's."

1934. Do you say it was Mr. Waugh took the money out of his pocket, and not Mr. Fawcett?—It was Mr. Waugh took it out.

1935. Mr. *Waugh.*—He swore at Carrick that it was Mr. Fawcett did so, as you will find on referring to the report. Besides, I never had a pocket at the right side of my coat. I always have it at my left.

1936. Mr. *Commissioner Byrne.*—Mr. Waugh, did you use any persuasion to induce Feeney to come up with you?—I did not, I thought he was anxious to go. He said he was afraid to go at the time, but he said he would go as soon as possible.

William M'Mullen was then sworn.

The *Chief Commissioner.*—Before I examine you, I again tell you that if you tell the truth here to-day, you will be perfectly protected by our certificate against any consequences, civil or criminal; and you will be protected by the law against any man who will dare to molest you.

Mr. *Commissioner Byrne*—You must tell the whole truth.

1937. The *Chief Commissioner.*—M'Mullen, how long have you been living in Sligo?—I think about ten years or eleven. Between ten and eleven years.

1938. How long have you been a voter?—This is the first time—last year.

1939. You are rated jointly with your son, James M'Mullen?—Yes.

1940. And you live in the same house?—The same house. At least—pardon me—I am on my oath and must speak candidly. In consequence of my son's wife being out of her health, she was ordered to go to the country by the doctors. My son and I were then in the house; he came back and forward to me the same as usual, and kept the two houses.

1941. And you carried on your business there?—Yes.

1942. What family had you living in your house; who were living with you there?—Myself alone.

1943. Before the election did you get a man out of the poorhouse to assist in your business?—There was a man that was a dyer; he came on tramp here, and being on tramp fell sick in town, and was obliged to go into the Infirmary; and after he came out he applied to me for work, and I took him in as charity.

1944. And you gave him his meals, not paying him any wages?—Not at all; we agreed for none. He came for his meals.

1945. Do you remember before the last election, after Major Knox and Captain Flanagan were up in the town?—I do; yes.

1946. Were you canvassed on both sides?—I was.

1947. Did you promise to vote either way?—I did not promise to vote either one side or the other. I will inform you of this, that Major Knox came into me and shook hands with me three different times. My hands were black, and I says in joke, "Pardon me, your honour, I have my gloves on." "I don't care for that," said he, "and catched hold of my hand and shook it three different times, cheerfully." Well, he asked me for his interest, and I said I could not tell him. I would not give it. Then, after some time again, Captain Flanagan came in canvassing, and he asked me for my interest, and attempted to shake hands with me. I begged pardon, for my hands were soiled, but he caught hold of it very slightly—not so warmly, you know. He asked me for my interest; I said "I am very glad, your honour, to see such a noble gentleman in the field." That was the word I used, so there was no more. There were three cheers given for me without, and they all went away and left me. That's all.

1948. The mob outside thought you were going to vote for him?—I suppose so. I said I was glad to see such a noble gentleman in the field.

1949. How long was that before the election?—Well, when they were canvassing.

1950. Now, the week before the election did your son's wife, who is now dead, speak to you about your going away?—She did. I would not agree to it.

1951. Who was the first person who spoke to you about your going away?—Stokes.

1952. Mr. Stokes, the saddler?—Yes.

1953. Was that before your daughter-in-law spoke to you?—Yes.

1954. What did Mr. Stokes say to you?—He followed me in the street and told me that he would see me all right if I would go his side, and wanted me to go down to my son's at Ballytivnan.

1955. Did he say what you were to get?—Allow me, if you please. When I am coming out I will come out right.

1956. I am sure you will, as every honest man does?—I will tell the truth, and nothing but the truth. I came here for that purpose, and I intend to do it. I have been badly treated. Very well. This Stokes tormented me in the way of coming down the street, following me, talking to me, and wanting to talk to me. I saw persons standing at the News Room, on the steps, and said to myself "people will say I am going to sell, and I won't be seen talking to this fellow." I went away down towards Water's-lane, so as not to be seen or heard talking to him; but before I went away he says, "I am going down to see your son James." "Well," I says, "you can do that as you like." So he went away; and the first thing I heard next day was my son telling me that I was to go to Stokes' that evening, and that he was going to vote for Major Knox. "Well," I said to him, "if you do it will be a bad job; vote for nobody, and you will do best. So then he got me to go with him, and I went to Stokes. Stokes agreed to give me fifty pounds. He did not give me a halfpenny from that day to this. He has put me out of house and home, and I have nowhere at all now.

1957. What day was it that Stokes, as you have now sworn, agreed to give you £50?—The very week before the election took place.

1958. Where was it he made you that promise?—In his own house.

1959. Were he and you alone together, or was anyone by?—My son.

1960. Was the £50 to be given to you for both of you going away?—Fifty to me, and he was to give my son fifty.

1961. That's £100 for the two of you?—For the two of us; and there are very few in Sligo that would not take it, of the poorer order, if they got the chance.

1962. Did you there agree to go away for the £50 a piece?—Yes.

1963. What arrangement was then made to take you away?—They told me there would be a car for me, and so there was at Ballytivnan.

SECOND DAY.
October 6.
William M'Mullen.

1964. To go by Bundoran and Enniskillen to Dublin?—Yes.

1965. And you went to Dublin as your son told us on that Saturday?—Yes.

1966. Did you get a letter?—From Stokes—my son got a letter.

1967. To whom do you remember?—I got no letter.

1968. Did you see the direction?—Or my daughter-in-law got it for anything I know. I don't know which of them got it, but they have it betwixt them.

1969. Did you get any money going away?—My daughter-in-law gave me £1 to pay my fare to Dublin, and my fare was clear for a car to Bundoran.

1970. Was that all the money you got going away?—That was all.

1971. Your son got £1 also?—I believe he did.

1972. Had your daughter-in-law any more money that she got from Stokes?—Not that I am aware of; I believe not.

1973. You believe not?—Yes, I do.

1974. Then I presume she did not tell you she got any money from Stokes?—She told me that was all she got. I don't know any more.

1975. Did she tell you she got £2 from Stokes?—She did.

1976. For your expenses?—She told me.

1977. Now, when you arrived in Dublin, where did you go to first?—Well, that's a question I could not really tell. My son got a cab, and he went with the cabman and took us to some house.

1978. Did you go into the house or did you remain in the cab?—I went into it.

1979. Did you see a gentleman there?—I did not; I saw women.

1980. Did your son see anyone that told him where to go to?—Not at the time that we entered.

1981. What occurred then; tell it your own way?—I went in there and there was a drop of tea for us, a cup of tea apiece, I believe, preparing; and during the time a gentleman came in and we had a glass of punch after the tea.

1982. Just go on, M'Mullen; tell us your own way. Where did you go to then?—He told me he could not entertain us.

1983. You mean by that, keep you living there?—He said he could not entertain us. I said, "Where will we go?" We were then in Dublin, and I did not know where to go. Well, he said he would go with us and show us a place; so he took us to James M'Dowell's in Henry-street and we stopped there.

1984. Had you ever known M'Dowell before?—Never.

1985. Or the strange gentleman?—Nor the strange gentleman.

1986. What sort of looking man was he?—Well, I could not state; a jolly, respectable-looking man.

1987. What did he say to M'Dowell when he brought the two of you there?—I don't know. That was between themselves. I got plenty to eat and some drink, too, and was very comfortable.

1988. Plenty to drink?—I did.

1989. Every day?—Every day; no doubt of it.

1990. You were brought to M'Dowell's on Monday night?—I was brought to M'Dowell's on Saturday night.

1991. On Saturday night—I made a mistake; and you remained there during that week until the polling was over—the polling was on Thursday?—I could not tell you how long I was there.

1992. Had you and your son the one bed-room?—We had.

1993. And got your meals comfortably and respectably there at M'Dowell's?—Yes.

1994. And were treated well?—Very comfortably until such time as I got the cold shoulder and saw shyness.

1995. You went away in the middle of November and the polling was on the 19th?—I suppose it was.

1996. How long did you remain at M'Dowell's?—I could not tell.

1997. Do you remember the hearing of the petition coming on?—I do.

1998. I suppose you read the papers regularly?—I did not.

1999. Well, but you heard about the petition coming on?—I heard of some petition.

2000. When you left Sligo what money of your own had you with you; had you any money?—Well, as to that I could not say.

2001. You had not very much, I suppose?—Well, I don't know. That's a question. I don't know what I had.

2002. It is a question that I want you to answer?—Well, it's a question. I know I had money of my own.

2003. Did you get money from anybody before you left?—Where?

2004. In Sligo?—Not a shilling; not a penny, nor a halfpenny.

2005. When you got to Dublin did anyone give you any money there?—No.

2006. Did M'Dowell never give you any money?—No. Yes he did. I got five shillings from him one time.

2007. Did anybody else give you any money?—No.

2008. Did anyone call to see you?—Somebody came to see M'Dowell, but nobody came to see me to signify. There was no one coming for any good to me.

2009. Don't say "to signify," because we must decide on whether it signified or not. Did anyone come to see you while you were in M'Dowell's?—Many a one.

2010. So I thought; who were they?—I could not say. It was a public room, and people were taking tea, or coffee, or dinners, or what they liked in it.

2011. You don't mean to say that people came there to look at you? I mean, did any come to visit you?—I had no visitors at all, more than people coming to get their lunch or such like, or their tea.

2012. And used you to remain the greater part of the day in that tea-room?—The greater part of the day.

2013. You did?—I did.

2014. And had breakfast, and luncheon, and dinner, and supper, over and over again?—Yes, and I used to take a walk.

2015. Do you know Dublin well?—I do not, more than that I have walked through it.

2016. But you were there some long time?—I was.

2017. Do you remember the time your son went back to Sligo for a couple of days?—I do.

2018. Did you go with him to get the money for him to go back?—I did not, nor I knew nothing about his coming here.

2019. You did not know he was coming?—No; I was partly up all night uneasy about it, and when I saw the snow coming on I thought some accident had happened.

2020. Do you know Mr. Hignell?—Well, I can't say I know the man; I don't know you.

2021. But you would know me again if you saw me?—Upon my word I don't know that; if I saw you among fifty other men I don't know if I could pick you out.

2022. Do you know Hignell?—I know him by sight.

2023. That's what I mean; you know him by sight?—Yes.

2024. Did you see Hignell in Dublin?—I believe that's the man—the gentleman that brought me to M'Dowell's.

2025. Did you see him more than once?—Well, I did; I saw him passing me in the street several times, and he would not speak to me—would not let on that he saw me.

2026. How do you know it was Hignell that brought you to M'Dowell's?—Hignell; oh, I did not mean Hignell; I did not say I knew Hignell; I know nothing about Hignell; that's a mistake; I thought you said Kavanagh, or who brought me to M'Dowell's.

2027. Very well; do you know Kavanagh?—Well, I say I don't know him.

2028. But you would know him again if you saw him?—I, perhaps, might.

2029. Did you see him more than once?—I did, several times; I saw him in Dublin passing me in the street, and he would not so much as look at me.

2030. Did you try to speak to him?—I did; I wanted to speak to him.

2031. And he would not speak to you?—No—knew nothing about me.

2032. He said he knew nothing about you?—Knew nothing about me.

2033. Do you remember that your son came back from Sligo to Dublin after having been here a couple of days?—Do I remember?

2034. Do you remember your son going away from Sligo and coming to Dublin?—Leaving Dublin and coming to Sligo?

2035. Leaving Sligo and going to Dublin?—I do.

2036. About how long was your son away?—I think he was away between two and three days; I could not say the time.

2037. Did he tell you that he had got any money from anyone?—No, he did not.

2038. How do you know the gentleman's name was Kavanagh?—I cannot say what his name was, only that my son told me.

2039. That it was Kavanagh?—Yes, I know nothing more.

2040. When did your son tell you his name was Kavanagh?—When we were going to Dublin.

2041. Did you spend any money of your own in Dublin?—I did.

2042. About how much?—That's a question.

2043. Well do you know about how much?—That's a question. I am not to criminate myself. I spent my own money, and surely that's satisfactory enough.

2044. Spending your own money could not by possibility criminate you, and I will take care that it shall not?—I was not going to go away without some money on a journey like that.

2045. Of course not. Did you know that you would be away for a long time?—I did not. I thought I would be back in two or three days.

2046. Did you bring a few pounds with you?—I brought money with me of my own, besides the £1 I got from my daughter-in-law.

2047. About how much of your own did you bring Mr. M'Mullen; you know you have sworn in the most solemn way to tell the whole truth here?—Well, I am not bound to criminate myself with my own money.

2048. I tell you it cannot by possibility criminate you to tell me the truth about how much money you spent. I don't ask you how you spent it, nor will I allow that question to be put unless it be connected with the election?—It is not connected with the election.

2049. No. Well, then, about how much did you spend?—I am telling you the honest truth so far.

2050. I believe you are up to this time?—And as to my money that I had I am not going to explain it.

2051. Had you £5 leaving Sligo?—I don't wish to explain what I had or had not. I paid every man twenty shillings in the pound until this unfortunate job came across me.

2052. Very well. We will go on for the present. Did you afterwards leave Dublin and go to England?—I did.

2053. Were you friends with M'Dowell all this time—was he friendly in taking care of you?—Sometimes, and sometimes very shy.

2054. What made you go to England?—Because he asked me to go.

2055. Was that before the petition was tried in Carrick?—I cannot say that.

2056. Do you remember hearing about the petition?—I do.

2057. And do you remember hearing about Major Knox being put out?—Well, I did—yes.

2058. Where were you when you heard that?—I was in England at that time.

2059. I suppose you saw that in the papers, or M'Dowell told it to you?—I did not, it was told to me.

2060. What town in England were you in when you heard that the Major was put out on a petition?—I could not say where I was; but I was in Manchester.

2061. What other towns were you in?—I was in a place called Clithero; and then I was very soon after that in Liverpool, and from there I was in Dublin.

2062. Tell me what made you and your son go about the country in this way, in charge of M'Dowell—tell me now?—I had no trade here that signified at that time. I was doing very little business. I had a promise of £50 for wages—"wages" was the word that was spoken. He was to pay me £50 for wages—for carrying a note for him where he would send it.

2063. Carrying a note for whom?—For Mr. Stokes. For carrying his note to where he would send it, he would give me £50, and also my son.

2064. Did M'Dowell promise you any money also?—Not at all. The man told me he never got a halfpenny for our diet or lodging, or anything from anybody, and whom was he to get his money from?

2065. Did you and M'Dowell and your son live together while you were in Manchester—I mean breakfast and dine at the same table?—Yes.

2066. And the same while you were in Clithero?—Yes.

2067. And the same while you were in Liverpool?—Yes.

2068. Had M'Dowell anything to do while you were on that trip except to mind you?—I don't know; he had no call to mind me.

2069. Well, but he was paying the hotel bills for you, though?—I don't know that either.

2070. At all events you did not pay?—I never saw him pay a shilling.

2071. Did you pay anything?—It might be like the poor sailor's old hat; he left money at many a place.

2072. We don't want to hear about the sailor. I want to know during the whole of this time did you pay any of the hotel bills?—I did not.

2073. Nor never will pay a farthing?—Oh, I don't know; maybe I will. I paid dearly enough for it.

2074. That's another matter. Who was it that said you must go to Clitherto when you were in Manchester?—No person said that.

2075. Did you know where you were going to when you left Manchester?—I went anywhere they brought me.

2076. When you were leaving Dublin did you go by Holyhead to Manchester?—No, we went from Dublin quay.

2077. To Liverpool?—Yes.

2078. From the North-wall?—I suppose so.

2079. And from that to Manchester?—Yes, to Liverpool.

2080. Did you know you were going to Manchester when you left Ireland for England?—I did not know where I was going, only that they were taking me across the water.

2081. And did you know where you were going to when you left Manchester for Clithero?—For Clithero?

2082. Yes?—I could not say. I went where they liked to fetch me.

2083. How long were you away altogether?—In England?

2084. Yes?—Well, I could not tell.

2085. Were you a month?—Well, I dare say I was, at least. I think I was a month.

2086. I tell you what will fix it in your memory—how long was it after the petition was over that you came back from England to Ireland?—Well, I don't know that; I could not say that.

2087. Was it a week or a fortnight—which?—I could not say.

2088. I must ask you when was it that your daughter-in-law died?—Well, that I don't know. It was some time before I came home here to Sligo.

2089. Were you and your son away either in

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Dublin or England at the time that your daughter-in-law died?—I believe that my son was at home with his wife. I was in Dublin.

2090. Did your son go more than once from Dublin to Sligo, or only once?—I believe only once.

2091. I suppose that at the time your poor daughter-in-law died he came up while she was in her last illness?—Yes, I believe it was something of that kind.

2092. Mr. *Commissioner Bruce.*—That was the time he was two or three days away?—He was two or three days away.

2093. The *Chief Commissioner.*—Have you demanded £50 from anyone since you came back?—I went to Stokes and demanded a settlement with him. Said he to me, "Will you go to Kingstown?"

2094. To Kingstown?—Yes; that was the answer he made me. I said, "What do you mean by going to Kingstown?" "Why," said he, "don't you know; were you not talking about Kingstown to live there?" I said "No."

2095. When was this conversation with Stokes?—Not past a fortnight or three weeks ago.

2096. Was there any talk before about your going to Kingstown?—Not at all.

2097. Did you understand by Kingstown to set up in business in Kingstown?—I did not know what he meant; "But," said he, "you will have to go away there next week, or the week following, or perhaps this week."

2098. That is, this very week?—Yes; he said, "You will have to go next week, or, if not, perhaps you will have to go this very week."

2099. Did he say your son was to go too?—I suppose so.

2100. Did you understand from what had passed between you?—I suspected it was another "do" that he wanted me to go off on.

2101. Did you know at that time that the Commissioners were coming down here to examine witnesses?—Yes, I did.

2102. Was that after the advertisement had appeared in the Sligo papers on Saturday week,—did you hear about the advertisement in the Sligo papers?—I believe I did; yes.

2103. Was it that day that you went to Mr. Stokes?—I went to him before that; it is about a fortnight or three weeks ago.

2104. At that time, you know, the Commissioners were coming down to sit here?—Yes.

2105. Did you speak to Mr. Stokes about that?—I did not.

2106. Did he to you?—No; but he asked me was I going to live at Kingstown.

2107. What did you say?—I said why? what should I go to Kingstown for; what did I want to go to Kingstown for?

2108. Had you asked anyone else for any settlement about this business?—I went to his house before; I had no person to ask unless himself; I made no agreement with any person but Stokes; I went to his house after I came home; I think I came home on the 27th of May; I went to his house on the 28th or the 29th, I am not certain which; I was passing along the street, and saw a girl at the backdoor; I asked her was Mr. Stokes in, and she said "yes, she believed he was." "Would you tell him," said I, "that a person wants to speak to him." So the girl went in, and came back and told me he was not in. "Please," I said, "to tell Mr. Stokes that a person wants to speak to him." Well, I stood talking with the girl, when two policemen came down and took me prisoner, took me to the barracks, and kept me there for an hour and a half or two hours, after which I came out; I was charged before the magistrates, but did not appear.

2109. Charged with what?—With being drunk and assaulting Mr. Stokes; I didn't appear; I was fined, I believe, half-a-crown, or something of that kind.

2110. You have fixed the date at which you came back at the 27th of May?—Yes.

2111. Then you were away from Sligo from October till the 27th of May?—The 27th of May.

2112. You and your son came back together?—No, my son was at home long before me.

2113. Did you come from Dublin to Sligo?—I did.

2114. How did you come?—Why, I was going to walk it; I had no means, and was obliged to pawn my watch.

2115. Where was it that M'Dowell parted from you?—Where did M'Dowell part from me? He went out, and I came away; and he did not know that I was coming.

2116. When you came back from England did you go again to live at M'Dowell's in Henry-street?—I did.

2117. How long were you there after you came back from England?—I don't know.

2118. Were you there some time?—I was.

2119. Were you there a month?—I dare say I was, nearly.

2120. Did M'Dowell know you were going away?—He did not know I was coming away at all for I gave him the slip—I hooked it.

2121. How long before that did your son go?—My son was gone a good while before that.

2122. Then you got no money from anyone in Dublin to bring you back to Sligo?—I did not.

2123. Did M'Dowell know that for some time before this you had been without any money?—He did, and I could not get a shave. I had not a penny to get shaved.

2124. How long were you in this way without money in M'Dowell's place?—Oh, long enough. I could not tell. Too long.

2125. I don't ask you how much money you had leaving Sligo, but how long was it before it was spent—did you spend it all in a couple of months?—Well, I think I was pretty well "shook" when I had to pawn my watch.

2126. Is it still pawned in Dublin?—No.

2127. Mr. *Commissioner Bruce.*—How did you get your watch back?—Oh, I got it back. I could not so much as finish to pay my train from Dublin here when I came, so I lodged some of it and came to my son, who found the money and went and paid the remainder.

2128. You pawned your watch in a Dublin pawn-office?—Yes, I did.

2129. How did you get the money to release it—was it your own earnings, or did anybody give it to you?—No.

2130. You earned the money yourself?—I did.

2131. You were living at M'Dowell's at the time you gave him the slip?—I was.

2132. Eating and drinking there?—He and his wife went out, and when they went out I thought it was time for me to hook it.

2133. What made you think they had an objection to let you go?—Well, perhaps they would hold me accountable for all the time I stopped there.

2134. Oh, I understand. Were you not friendly with M'Dowell?—Indeed I was not very friendly, nor with her either—that's his wife.

2135. When was it that he first began to be unfriendly, because you said he was friendly first?—He began to look very shy at me.

2136. As soon as your money was all spent?—All was nearly about gone, and when I would get tea I did not like old leaves in the teapot; and I thought it was shy enough—that it was time to leave off.

2137. You said you were taken up on the 29th of May, would you know the two policemen who took you up—do you know their names?—Well, I don't know.

2138. Would you know them if you saw them?—Well, I believe—Mr. Darcy, I think, was one, and I believe Mr. Burke was the other.

2139. You believe Burke was one?—I think he was.

2140. Who was the other?—I might be mistaken, but I think it was Darcy.

2141. Is that the man?—Oh, I believe this is the gentleman. (Identifies a policeman.)

2142. Did you never see Stokes between the 29th of May, when you were taken up, and the interview you had with him a fortnight ago?—No; I saw him at his door.

2143. I dare say, but did you speak to him?—No; because he seemed to be laughing at me.

2144. He thought he had got at the right side of you?—He had the right side of me. He is in the habit of laughing generally at anybody when he thinks he is doing you.

2145. What was it you first said to him when you came to him about a fortnight ago?—I asked him was he going to settle with me.

2146. Did you say anything about your making him settle with you now that the Commissioners were coming, or anything of that kind?—Oh, I did not. He says, "Will you go to Kingstown?" I said, "What will I go to Kingstown for?"

2147. Did he make it appear that he would give you £50 if you did go to Kingstown—did he say anything about that?—No, he did not; but "would I go to Kingstown."

2148. You said you would not?—I said, "What would I go to Kingstown for?"

2149. Was that all?—"Well," he said, "you will have to go next week, or perhaps this week, before the week is out."

2150. What did you say then?—I looked at him.

2151. Well, did he look at you?—He did.

2152. What happened then—surely you did not walk out simply without saying anything more?—I did. As I am whipped I am done—that was just my thought.

2153. Have you seen Stokes since that?—I didn't see him much since that more than at his door.

2154. What was the last day you saw him in your town?—Well, I could not say that. I did not see him, I think, hardly since I saw him in his shop the day I was speaking to him.

2155. Oh, but you said you did see him?—I might have seen him, but I did not pay any attention to the man, for I had got too plainly put about.

2156. Were you present when the gentleman that you say took you first when you went to Dublin, went into M'Dowell's?—Yes.

2157. Did you all go into M'Dowell's shop together?—Ay, but I had nothing to do with M'Dowell and that man afterwards—that gentleman.

2158. No, but I mean this, that when that gentleman whom you think is Kavanagh first took you into M'Dowell's shop on Saturday night, did he go into M'Dowell's coffee-room along with you?—My son and I went up into the room where tea and coffee, and such like, is made.

2159. Where did the gentleman go?—They stopped below, and whatever they had I don't know; but they came up to me afterwards, and he said, "I hope you will be comfortable here."

2160. Did you hear what the gentleman said to M'Dowell?—No.

2161. What did M'Dowell say to you first when he came up to you into that room—did he say, "Well, are you going to be a customer of mine," or anything of that sort?—No; he said, "I hope you will be comfortable—make yourselves comfortable."

2162. M'Dowell never asked you for any money in payment?—No, he did not.

2163. The *Chief Commissioner.*—Do you know of any other elector having gone away to avoid voting like yourself?—Well, I do not. I am not acquainted with it more than I know that parties in town here, I am told, went away.

2164. What parties?—Well, I cannot say their names; I am not acquainted with the people. I am only here in town about ten years, and I am a man that generally kept myself to myself. I had very little to do with any people. I don't know their names, nor who they are, nor what they are.

2165. Mr. *Commissioner Bruce.*—Were any threats used to you to make you vote for Captain Flanagan before you went away?—There were.

2166. Could you give me the names of any persons who said you must vote for him?—Well, I could not give the names of a mob of persons.

2167. Was there nobody besides the mob—nobody at the head of it; I don't want you to tell of a mob of persons shouting about you, but did nobody else?—Well, I was told that if I did not go "the right way"—and which the right way is I don't know—I would catch it.

2168. Was that told you by any supporter of Captain Flanagan's?—Not at all—no voter at all; I don't believe he was a voter.

2169. He might be a friend?—Not at all—only a well-wisher.

2170. What did you understand by that—that he wanted you to vote for Captain Flanagan or for Major Knox?—Well, I don't know. If I did not vote for the right side——

2171. Yes, but what do you think he meant by the "right side?"—I could not say. That is a question. I might imagine.

2172. Tell us what you imagine?—That I knew him to be as far as I thought a Flanagan's man.

2173. Could you give me the name of anybody now who said that? It is not every day that a man is told that he will catch it. Can you recollect one or two names?—As to that I could not.

2174. Come, now, try it, I think you will tell me. Recollect you are sworn to tell the whole truth?—Yes, but I am not to do any harm to myself.

2175. No harm will be done to you?—If I mention names perhaps my head will pay for it.

2176. I am bound to tell you that you must mention names, or harm will come to you. You are bound to answer all these questions?—Well, if you will secure my life I will tell names.

2177. The *Chief Commissioner.*—Do you remember any person who threatened you? You are bound to tell it to the Court, because you are on your oath, and in the interest of public justice. Do you now remember any man that threatened you?—Well, I cannot say much on that because there was no threatening to signify.

2178. No threatening to signify?—No, not of any consequence.

2179. Were you put in any fear by what was said to you?—No, not a bit.

2180. Mr. *Commissioner Byrne.*—When you got the five shillings from M'Dowell, what did you say to him or he to you? Do you remember what you said when you were asking for the five shillings—what did M'Dowell say to you or you to him?—When M'Dowell gave me the five shillings he said nothing to me concerning it but only "here's five shillings."

2181. What did you say to him; did you say, "Major Knox will make it good to you," or something of that sort?—No, I did not mention Knox, nor he to me.

2182. The *Chief Commissioner.*—Did you ever apply to anyone else for compensation for all you suffered?—I did.

2183. To whom?—I went to Major Knox himself.

2184. When?—While I was in Dublin.

2185. Where was it that you saw the Major?—At his own office or place. There are two offices up stairs. I asked a boy could I see the Major. He said, "You cannot now go in, but if you sit there you will see him coming out after a while." So I waited till he came out, and then got up and spoke to him. "Pray, sir," said he, "who are you?" I told him that I was M'Mullen, from Sligo. "Oh," he says, "did you vote for me?" I said, "No, your honour, I did not." "Oh, well," he says, "what have I to do with you, go on about your business; what have I to do with you? I don't know you." So I had to go away then.

2186. Did you tell him that you were living with M'Dowell?—No, I did not. He had nothing to do with M'Dowell nor with me either, no more than that I got my victuals.

2187. Was it before or after you went to England that you saw Major Knox?—Before I went to England.

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2188. Was that the only time you saw Major Knox?—I saw him again, and he ordered me not to be coming there any more.

2189. Was that at the newspaper office that you saw him?—Yes.

2190. Both times?—Both times; upstairs in his office.

2191. What did you say to him the second time?—I told him that I was very hard up for money, that I had no means or ways to get home. "Well," he says, "I cannot help it; I know nothing about you;" and he told me to come back no more there.

2192. Now, did you apply to anyone else for compensation besides Mr. Stokes and Major Knox?—No, I did not.

2193. Did you write to anyone?—No, I did not.

2194. Or your son?—Never wrote to any person.

2195. Or your son?—I don't know what my son did. Not to my knowledge.

2196. Do you now expect to be paid anything by anyone?—Expect?

2197. Yes; to be paid?—I do not.

2198. You do not?—No. Though at the same time it would only be wages.

2199. The *Chief Commissioner.*—And do you now believe you wont be paid?—I don't believe I will ever be paid.

2200. Mr. *Commissioner Byrne.*—Did you say just now that Major Knox knew nothing of your being at M'Dowell's?—I don't know, but I never mentioned M'Dowell to him nor he to me; but he told me not to come there any more, that he knew nothing about me.

2201. The *Chief Commissioner.*—Why did you not tell him you were at M'Dowell's?—I don't know.

2202. Why did you not tell the Major what kept you in Dublin?—No I did not.

2203. Why did you not?—I did not tell him anything about the——

2204. Why didn't you?—Because I thought that he would know himself if I was anything connected——

2205. Did you not then tell him of any claim you had on him or of what you had done?—I did tell him that I had come away on his account.

2206. And that you were a voter?—And that I was a voter, and came away on his account and did not vote against him. "Oh," he said, "you did that of your own accord; I have nothing to do with you."

2207. Did you mention Stokes's name to him?—I did.

2208. What did you say about Stokes to the Major?—"I have nothing to do with him," he said.

2209. What did you tell him about Stokes?—I told him I came away on Stokes's account, that Stokes was the person who enticed me to come away.

2210. Did you tell him that Stokes had made you any promise?—I told him that he had promised to give me £50.

2211. Did you tell him that he had promised your son £50 also?—I did not mention my son.

3212. But you told him that Stokes had promised you £50?—Yes.

2213. What did Major Knox then say?—He said, "Well, what have I to do with that?" "scandalous," he said, "scandalous, scandalous."

2214. Did you go away and avoid voting because you were promised £50?—I went away as much to get out of the road as anything else.

2215. Would you have gone away if you had not been promised the £50?—Well I don't know that. I don't know whether I would vote for any person or not at the same time.

2216. Mr. *Commissioner Bruce.*—You have said that you went away because you wanted to get out of the way; was that because you were frightened by the things said to you?—Well, I thought it would be a troublesome place.

2217. Was it because you were—I wont say frightened—but partly on account of what was said to you?—Well, I am not a man that's very easily frightened.

2218. No, you don't seem as if you were; still you say that all you wanted was to get out of that, and that you were glad to get the opportunity of getting away, and of course you were glad to get the promised £50 too?—I was glad to get the promise of both.

2219. But was the reason, partly the reason at least, why you wanted to go away, the threats used?—Well, I wanted to go away out of the road, for I did not want to have anything to do with voting.

2220. Was it partly on account of the threats that were used to you, that you would "catch it," as you know people said?—Yes.

2221. Was it partly on that account—did you think it possible you would catch it?—Well, I was afraid my son should vote for Major Knox; and if he did I thought he would be beaten; and in consequence of that I advised him not to do it; and I wished to go away.

2222. I suppose you thought that if you voted for Knox you would be beaten too?—No, I did not intend it.

2223. To vote for Major Knox?—No, I had no intention of doing it, nor would not do it.

2224. Did not people tell you that if you did vote for Major Knox you would be beaten?—No, but they expected I would go the right way.

2225. If you had voted for Major Knox do you think you would have been beaten?—I don't know that.

2226. But I want to know what you think?—I was not here to try them.

2227. No, you were not, but if you had been?—I cannot say as to that.

2228. What do you think?—That's a question I could not decide, because I was not here to try. If I had been here perhaps I might have got a pelt or two.

2229. At the time you went away what did you think about the chance of your being beaten if you voted for Major Knox?—I did not think anything of it. I thought about going away.

2230. Mr. *Commissioner Byrne.*—Would you have voted if the town had been perfectly quiet, and if there had been no violence?—I did not see any disturbance in the town previous to my going away. I went away the week before, and I heard children and such as that shouting.

2231. The question I asked you is, would you have voted if the town had been perfectly quiet?—If the town had been perfectly what?

2232. Quiet?—I would—yes; but I saw nothing; I only believed that it would be a disturbed town; and to avoid that I went away, on that account as much as the other—perhaps more so.

[The witness withdrew.]

Robert Stokes was called but did not answer.

Mr. *Commissioner Heron.*—Mr. Stokes, we all know, is a respectable man in the town of Sligo, carrying on business here; and he and everyone else must know that this Commission of Inquiry will not terminate until he and others whose names have been mentioned have been examined. Therefore it would be much better for him to attend at once.

Mr. *John Fawcett* sworn and examined.

2233. The *Chief Commissioner.*—What position do you hold in Sligo?—I am assistant master in the Diocesan school.

2234. Do you know Mr. Waugh?—Yes.

2235. Did you take any part for Major Knox at the election?—None, whatever.

2236. Did you canvass anyone?—No.

2237. Do you know a man named John Feeney?—I saw him twice—once here, and once in Carrick. That's all I know.

2238. You saw him the evening before the polling?—Yes, I did.

2239. What made you call on him?—I had been with Mr. Waugh during the day; and he told me he had to go up to the barracks to see some man there.

2240. When did he tell you that?—It was, as well as I recollect, about eight o'clock in the evening when I went up with him.

2241. Why did you go with him?—Merely because he asked me.

2242. You did not know the man?—I knew nothing about him.

2243. Did you wait in one of the rooms of Feeney's house till he came in?—Yes, we both waited together in the same room.

2244. Why did you wait?—Simply because he waited. He said there was no necessity for my going out, and I stopped there.

2245. Was there any disturbance in the town that evening?—Yes, there was.

2246. Was it advisable that you two friends should keep together?—Well, that was not exactly the reason why we kept together.

2247. What was your reason?—Simply because we had been together during the day.

2248. What were you doing during the day?—I could hardly say—walking about. We did nothing in connexion with the election whatever except on that occasion.

2249. Did you or Mr. Waugh offer any money to Feeney on that evening?—Not a farthing. I did not; and I am sure he did not; and I heard every word that was spoken between them.

2250. Did you yourself speak to Feeney?—I merely said, "Good night," when I was leaving.

2251. You did not speak to him before?—No, not a word.

2252. What was it that Mr. Waugh said?—He said that Major Knox had sent him up to him; and he gave him Major Knox's card, saying that he would wish to see him about nine o'clock. I really forget whether it was to be at Mrs. Hall's or the Victoria Hotel. He said he was afraid to go, but promised afterwards that he would come down at nine o'clock.

2253. You did not know Feeney at all?—I might have seen him, but I never took any notice of him before.

2254. Did you know or hear how he was going to vote?—No; I did not know anything about him until that moment.

2255. Did Mr. Waugh speak of him as a doubtful voter?—He did not. I don't believe he spoke a word to me about him. He said he wanted to see some man for Major Knox. When we arrived at the barrack he said it was the canteen master, and we went into the barrack through mistake. A sergeant showed us about the place—at least we were shown about the place by some man at the gate, and also the sergeant of the guard, and he brought us to this Feeney, who lives outside the barrack.

2256. How long were you in Feeney's house?—I think a quarter of an hour. We had to wait some time before he came in. He had been out.

2257. How long were you in the room with Feeney?—About five or six minutes, as well as I can recollect.

2258. Was the man unwilling to come to where Major Knox was?—Oh, he seemed perfectly willing, but said he was afraid on account of the mob.

2259. Was there any serious disturbance going on?—I did not see any, but I believe there was.

2260. Mr. *Commissioner Byrne.*—Now, when you were leaving the room did you say anything to him before wishing him good-bye?—I did not, as well as I can recollect. I spoke nothing to him about the election. I stood in one part of the room while Mr. Waugh was speaking to him. The whole thing occupied a few minutes, until we went away, and he said he would be down.

2261. Do you remember what you yourself said on that occasion?—When I went to Feeney's first?

2262. Yes?—Oh, I said nothing. Mr. Waugh asked was he in, and the woman said he was not. The sergeant had taken the trouble of coming up to show us the place, and I told the man to give him a glass of beer; and that was all I said.

2263. You went to him for the purpose of bringing him up to Major Knox?—I did not know it was for that purpose. I would have gone even had I known that; but I really did not know it was for that purpose till we went into the house.

2264. Did you give him any advice on that occasion?—Not a bit, as well as I recollect.

2265. As well as you recollect?—Yes.

2266. Would you try now?—Well, I could safely say I did not give him any advice.

2267. Did you tell him not to come up to Major Knox?—I did not.

2268. When you were leaving the room?—I did not.

2269. You were examined at the trial of the election petition for the town?—Yes.

2270. Do you remember, at that election petition saying, that when you were leaving the room you told him not to come to Major Knox?—I did not say any such thing; I am positive I did not say it.

2271. You are positive?—Yes, perfectly positive.

2272. Listen to this—"Question No. 4408,"—Have you told us all that occurred?—My conversation with the man consisted of five words. When I was leaving the room I told him not to come. I would not know the man now if I saw him. I have not seen him since. I heard the whole conversation between him and Mr. Waugh?—I don't even know now what that refers to.

2273. When I was leaving the room I told him not to come?—It is not likely when I went with Mr. Waugh that I would tell him not to come.

2274. Don't you know what that "not to come" refers to; could it refer to anything about going back to Major Knox?—I don't know really. I don't remember saying that at Carrick, because I am positive I did not say it.

2275. Would you tell me this, "when I was leaving the room I told him not to come," what's the meaning of that, in your opinion?—That's what I cannot tell, the meaning of it.

2276. You swear that?—I swear that I cannot.

2277. You were aware during the conversation that the object of your going was to bring him to Major Knox?—Yes, when I left the house I was aware of that.

2278. You now say that you don't understand what the meaning of this expression here—"not to come"—is?—No, seeing that I went up with a friend of Major Knox's, I don't see the meaning of my advising the man not to come to Major Knox. At least if I should have said anything, it would have been the opposite.

2279. The *Chief Commissioner.*—Tell me, Mr. Fawcett, did you hear all that passed between him and Mr. Waugh?—I heard every word. There was very little passed.

2280. How far were you from them?—The room altogether was about seven or eight feet square.

2281. It was a small room?—A very small room.

2282. Mr. *Commissioner Bruce.*—Could Mr.

SECOND DAY. *October 6.*

Mr. John Fawcett.

Waugh have laid down a pile of notes on the table without your observing it during that interview?—He could not possibly. Besides, the man swore that it was I, in Carrick.

2283. The *Chief Commissioner.*—How do you know that?—I was there.

2284. You were not here to-day while he was under examination. How do you know what he swears now?—Oh, I was speaking to Mr. Waugh, and he told me that.

2285. Mr. *Commissioner Byrne.*—Was the man willing to go to Major Knox?—Yes, he seemed perfectly willing. The reason he gave for not going was that he was afraid he would be beaten on the way—that is, for not going immediately, not going at nine o'clock. Yes.

[The witness withdrew.]

Constable Patk. Burke.

Constable *Patrick Burke* sworn.

2286. The *Chief Commissioner.*—You heard the witness, M'Mullen, say that you were one of the constables who arrested him?—I did.

2287. Did you arrest him?—I did not arrest him at all.

2288. Was he arrested?—He was arrested, and I was in the barrack when he came.

2289. Who charged him?—As well as I can recollect I think it was Constable Darcy. I can ascertain by the book.

2290. Was the man intoxicated?—He was.

Constable John Darcy.

Constable *John Darcy* sworn.

2291. The *Chief Commissioner.*—Was it you that arrested the witness M'Mullen?—Yes.

2292. What was he doing at the time you arrested him?—He was drunk in the street.

2293. Were you on duty at the time?—No.

2294. Who suggested to you to arrest him?—A gentleman, a very respectable-looking man, whom I had seen walking a day or two previously with Mr. Stokes, came to the barrack and said that M'Mullen was giving them great annoyance,—I think he said he was breaking in the door; I went down with police and found M'Mullen drunk in the street and disorderly, and I arrested him.

2295. Who was the gentleman who brought word to you to the barrack?—I don't know; he was a stranger; but I saw him walking with Mr. Stokes.

2296. You mean that he is not a gentleman in business in Sligo?—He is not.

2297. I presume you know most of the people here?—I do.

2298. Was he walking with Mr. Stokes?—Yes, I saw him walking with Mr. Stokes.

2299. Mr. *Commissioner Bruce.*—Was M'Mullen committing any outrage at the door?—No, he was not; he was not near the door at that time; he was within fifteen or twenty yards of it.

2300. The *Chief Commissioner.*—He was drunk and disorderly, and in your opinion you were quite right in arresting him?—Yes.

[The witness then withdrew.]

Mrs. Eliza Graham.

Mrs. *Eliza Graham* sworn.

2301. The *Chief Commissioner.*—Do you know Mr. Stokes?—Yes.

2302. Do you remember being examined at Carrick?—Yes.

2303. I believe you have some post cars at your hotel in Sligo?—Yes.

2304. Did Mr. Stokes hire any cars from you?—Yes, two.

2305. For what morning?—One to bring the M'Mullens.

2306. Did he tell you that?—He did not tell me at the time; I did not know whom the car was for.

2307. How did you know it was for M'Mullen?—I did not know whom they were for at the time.

2308. Did he tell you afterwards?—The boy told me afterwards.

2309. Who was the boy?—My servant.

2310. Sandy M'Gowan?—Yes.

2311. One car was for M'Mullen?—Yes.

2312. For whom was the other car?—I don't remember his name.

2313. Was it Shiels?—Yes, that's the man.

2314. At what hour were those cars to leave Sligo?—At a very early hour.

2315. On the Saturday morning before the polling?—Well, I could not tell the date; my book was brought away; I think, as well as I can remember, it was on the 15th of November.

2316. The polling day, I may tell you, was the 19th of November. Did you charge the car originally to Mr. Stokes?—I did.

2317. Did you afterwards alter that?—I did.

2318. By whose directions?—By my own.

2319. Why?—I was afraid I would get into trouble when I heard who the parties were that went away on the car; and as soon as I found that out, I changed the name.

2320. Who paid you for those cars?—I am not paid at all.

2321. Did you ever bill anyone for them?—I sent a bill to Mr. Stokes, and I was not paid.

2322. When did you send the bill to Mr. Stokes?—I could not exactly say when.

2323. Who told you the hour at which the car was to leave?—Mr. Stokes.

2324. Where did he make the engagement?—In my own house.

2325. When did he make the engagement?—The day before they were wanted.

2326. What were the instructions he gave?—That the car that was to go for M'Mullen was to go to Ballytiven; that it was to get two parties there; and that it was to take them to Bundoran. That's all I know about it.

2327. Did he give you any pass-word, or was any pass-word given to you, by which the parties were to be known at Ballytiven?—There was a light to be in the window.

2328. Was there any word about the "Golden Rappers"?—That was for the other car.

2329. Tom Shiels' car?—Yes.

2330. And there was to be a light in the window for M'Mullen's car?—Yes.

2331. Did you ever ask Mr. Stokes for payment besides sending in your bill?—No, I did not.

2332. How much was the bill that you sent into him?—Well, I could not exactly say. I changed the bill in the books as well. I put only the regular price down for the cars, 8*s.* 6*d.* to Ballytiven, seventeen miles. I changed that in the book as well as his name.

2333. Did you on that Friday evening when the cars were engaged know they were for voters?—No, I did not know they were for voters. I did not know

who was gone on the first car until three or four days after.

2334. Who told you that?—My boy told me that it was M'Mullen. I heard that M'Mullen was gone, but I did not know that it was on my car until two or three days afterwards.

2335. About the car for Shiels—was there any sign for it?—There was: the "Golden Rappers."

2336. Is that the name of a real place?—Yes, it is.

2337. Where is that?—At Mr. Wynne's gatehouse.

2338. Near Hazlewood?—Yes.

2339. Did Mr. Stokes say anything to you about the "Golden Rappers" at any time?—Nothing, only that that was the sign the boy was to give.

2340. To the man he met on the road?—He was.

2341. When did he tell you that?—The day he was engaging the car.

2342. Was that Friday?—I don't know what day it was. I don't know was it Friday. I could not exactly say the date; but the date is in the book.

2343. What is the claim you have against Mr. Stokes for these cars?—Well, I intended to charge him a pound a day for them.

2344. How many days were they out?—There were only the two days for the two cars.

2345. Did you originally make a charge of £1 a day for the cars?—I did first, but I afterwards changed it.

2346. Where was Shiel's car to go?—To Manorhamilton.

2347. When did you make the alteration in the book?—As soon as I heard they were voters that went away on the cars I changed it lest I might get into any trouble myself. I did not think I would be summoned or I would not have changed it.

2348. When did you hear that Shiels had gone away?—The day the car was applied for.

2349. Who told you?—Mr. Stokes.

2350. What did he tell you about Shiels?—That he was to come, and that a car was to be ready for him, I think, at six in the morning.

2351. At the time that Stokes engaged the car for Shiels did he tell you that Shiels was the man to go away on it?—Yes, as well as I can recollect.

2352. You knew then that Shiels was a voter?—Yes.

2353. Had you any other cars ordered?—Not for the borough election.

2354. You are quite sure?—Quite sure.

2355. When you say for the borough election, you mean to bring voters out of town?—No, sir, not one.

2356. Were there any voters in your house?—Not one; I had no voters in my house at all.

2357. Do you know anything about those men who were brought away?—I know nothing in the world about them.

2358. Except these two?—Except the two cars I know nothing about them.

2359. How soon after the election was it that you made the alteration?—It was before the election I made the alteration as soon as I found out—no, I beg pardon, it was not; it was as soon as I heard about the—

2360. Petition?—Yes; I got frightened lest I should get into any trouble about it.

2361. Were all the entries in the book made by yourself?—Every one.

2362. Did you tell Mr. Stokes you had altered his name to Starkie?—I never told him, indeed, nor he never told me to change it, but I did it of my own free will.

2363. Did you order the man who took Shiels to engage another car from Manorhamilton to Enniskillen?—Yes.

2364. Are you liable for that?—Yes, I am, when I ordered it.

2365. Have you billed Mr. Stokes for it?—Oh, yes, I billed him for it, for I paid the man since.

2366. How much did you pay him?—I think, as well as I recollect, it was 10*s*.

2367. Whom did you pay for it?—Mr. Johnston, the proprietor of the car.

2368. That is a claim of yours also against Mr. Stokes?—Yes.

2369. Mr. *Commissioner Bruce.*—Mr. Stokes never denied his liability for the cars?—Oh no, sir, he did not.

[The witness withdrew].

Daniel M'Gowan sworn and examined.

Daniel M'Gowan.

2370. The *Chief Commissioner.*—You were in the employment of Mrs. Buchanan, now Mrs. Graham, in November last?—Yes.

2371. Were you the man that drove the car that carried away John Shiels?—Yes.

2372. Who was the man that drove the car that carried away the M'Mullens?—I am the man.

2373. Was it you drove the two cars?—Yes.

2374. On what day did you drive the one, and on what day did you drive the other?—To the best of my opinion on a Saturday morning I drove the M'Mullens, and on a Sunday morning Shiels.

2375. You told about the M'Mullens at the election petition trial?—Yes.

2376. What instructions did you get about Shiel's car?—I was to start, I think, about 6 o'clock.

2377. Who told you that?—The mistress, and I was to get this man on the road, and he was to ask me was this the way to the "Golden Rappers," and I said, "all right, step up;" so I did so, and up he got, and I brought him to Manorhamilton.

2378. Did you know him?—I never knew him, nor saw him to my knowledge before the morning.

2379. Did you know he was a voter?—I understood he was.

2380. From whom?—It was my own opinion; I was thinking he was.

2381. Did you drive anyone else out of town about that time?—None but the M'Mullens to my knowledge.

2382. Did you drive anyone on the Monday?—Well, I might have driven people on the Monday and Tuesday.

2383. Did you drive anyone over to Manorhamilton on the Monday?—

2384. On the Monday?—Well, I don't recollect that I did. I might have gone to Manorhamilton. I never passed much remarks on the people I would drive that way.

2385. On your oath did you drive anyone to Manorhamilton or Bundoran on either the Monday, Tuesday, or Wednesday—the polling day was on Thursday?—Not answered.

2386. On your oath did you or did you not?—On my oath I could not swear whether I did or not. I did not mind what I drove on the Monday, Tuesday, or Wednesday; on my oath I could not remember what cars I drove.

2387. Was it the mistress only told you about the "Golden Rappers?"—There were more than she told me.

2388. Do you know Mr. Sherry?—Yes.

2389. Did he give you a piece of paper?—He did.

2390. When?—The Saturday night before I went with Shiels.

2391. What did he tell you to do with it?—He told me to give it to the man I would get up.

2392. What was on that piece of paper do you know?—Well, I think, to the best of my opinion, he was going to stop at the Black Lion before that, and this was to go from Manorhamilton direct to Enniskillen. I do not know exactly what was on the paper.

2393. That Mr. Cherry gave you?—Yes.

2394. Did you see Mr. Stokes at all about either of those two cars?—Not about the cars. I did not see him. I saw him, of course, often at times.

2395. Did Mr. Stokes give you any instructions about these voters?—Well, he gave me no instructions, only before I went with them he asked me were all

SECOND DAY. *October 6.* Daniel M'Gowan.

the horses and cars in order; and he said he might want a car, and to be in readiness. That is all the instructions he gave me, the same as any other person would do.

2396. Where was it Mr. Cherry gave you the piece of paper?—In Mr. Stokes's.

2397. Upstairs was it?—No, not upstairs; in a little room.

2398. How long were you in Mr. Stokes's house?—I could not say how long.

2399. Who told you to go there?—Well, it was the mistress; the mistress told me.

2400. Did you go in by the back door?—I don't know what door. I cannot remember what door I went in at, but I was in it any way, and I came out at the front door, the hall door.

2401. I suppose when you came to Manorhamilton Shiels went on?—He did; I saw him going on a car as soon as the horse was fed and prepared.

2402. Was there any other man on the car with the M'Mullens?—No, not one but the two.

2403. Was there anyone on the car with Shiels?—No, only me.

2404. Where did you leave the M'Mullens?—In Bundoran.

2405. In whose house?—Well, I dropped them off on the public road, and I went to a house to feed the horse. They came on, and were a while sitting in it along with Mr. Moffatt, at Bundoran, where I generally feed when I go to Bundoran.

2406. Did you know young M'Mullen?—I did not.

2407. Do you now know that the two men were the two M'Mullens?—Yes.

2408. I suppose you saw them examined yesterday and to-day?—Yes.

2409. And those are the two men you drove?—I knew the old man, I did not know the young one.

2410. You did not know the son?—No.

[The witness withdrew.]

Mary Dunlevy.

Mary Dunlevy sworn and examined.

2411. The *Chief Commissioner.*—What is your husband's name?—Thomas Dunlevy.

2412. Does he carry on business?—He is a tradesman—a stucco-plasterer.

2413. How long has he been a voter of the borough?—The last election was the first time.

2414. Do you remember after the election began, and when Captain Flanagan and Major Knox were canvassing?—Yes.

2415. Did you know these gentlemen before the election?—No.

2416. When first did you know Major Knox?—It was before the election.

2417. Who introduced you to him?—Mr. Pollock.

2418. How long before the election was that?—It was before the revision.

2419. When they called at that time, did they call at your house?—Yes.

2420. Was your husband at home?—No.

2421. It was you they canvassed?—They came in.

2422. What was said about the election then to you?—First of all, Mr. Pollock, and after a while Mr. Phibbs, came in, and Mr. Pettit. The Major shook hands with me, and stood a little bit in in the shop. I still stayed in the front, and Mr. Pettit looked about, and beckoned me a little back from Mr. Pollock. He asked me would my husband take a situation in Dublin; I said that I did not know, that he was not at home. I told him then that we were poor, and the Major said if I wanted to see him privately I could see him at Mr. Knox's, at the Mall. He made a motion with his hand, and I said no more. He asked me what trade he had; I told him he was a stucco-plasterer. He asked where was he at present; I told him he was working at Glenfarn chapel. He asked me when he would be home; I said I did not know. He told me to write for him; I told him I would write, and he would be home by Saturday night, and so I did.

2423. Did you tell him nothing about your circumstances?—Well, not at that present time. I called up to Mr. Knox's that evening on the Mall, and I did not see Major Knox—I was told he was not in; and I made it my business the next morning, about nine or half-past nine, as well as I can recollect, to go up; and after a while staying in the hall, Tom Brennan went upstairs. During my time in the hall, and after Mr. Smith of the Mall came out of the parlour and went upstairs, the Major opened the door and brought me into the parlour, and made me sit down. I told him I was embarrassed; and hearing that everyone got money from Major Knox, I thought it was no harm, and no danger of the law, for myself to look for it. At the same time, my husband was not at home, nor did he know I was looking for it, nor was I sure he would give it to me or not. But I told him the reason why I asked him—how I was embarrassed; I showed him the cause too.

2424. What was the cause?—It was nothing shameful; it was things of mine that were in the pawn-office, and the papers were a little over the date, and I know I had them in my hand when Mr. Pollock came in. The Major was working this way with his fingers (*illustrating*), and thinking on it. He said he did not know, and he would have advice from Mr. Pollock. Mr. Pollock came into the parlour; the breakfast things were not removed. I stayed at one side of the table, and on account of Mr. Pollock canvassing me along with him, I showed him what the reason was I made the application for the money. Mr. Pollock put his fingers before his eyes (*illustrating*), and said, "the matter will be arranged, but I cannot interfere, I won't interfere, but there will be something arranged," or something of that kind, as well as I can recollect, Mr. Pollock said; so I did not see Major Knox, nor did I get any decided answer about it till I think about a week or so. I was standing with a broom in my hand in the shop when Major Knox came in, and told me he was about to go to Dublin, and had left my commands with Mr. Pollock, £10 I understood, so in the afternoon I called to Mr. Pollock's house, but I did not get it, nor see Mr. Pollock in the matter.

2425. Was anyone present?—Yes.

2426. Who?—A boy named James Dowd was present; he was standing asking me where Francis, where my husband was; as well as I recollect he was wanting to go back to the town.

2427. Did the boy Dowd hear anything about the £10?—He was quite close.

2428. What was said about the £10 when he was present?—The Major said he was going to Dublin, and he had left my commands with Mr. Pollock.

2429. What were the words he used; did he say how much?—£10; that is what I made application for.

2430. Do you mean to say he used the words "£10" in the presence of Dowd, or any "commands?"—As well as I can recollect he did.

2431. Did you say that the word he used was the word "command"—you now say he used the word "£10?"—The word "commands" was used.

2432. By whom?—By the Major himself, and as well as I can recollect, it is going on twelve months ago now—as well as I have it on my mind—the Major said in a way that Dowd could hear, "£10."

2433. What happened then?—I did not receive it from Mr. Pollock.

2434. Did you call on Mr. Pollock?—I did, that evening.

2435. What did you say to him?—I could not get to see him.

2436. Did you ever ask him for the £10?—I did not see him.

2437. Did you ever ask him for the £10?—[Not answered.]

2438. Did you ask him for the £10?—I did not stop him in the street to ask him.

2439. Mr. *Commissioner Byrne.*—Mr. Pollock was not by when the money was named?—No.

2440. The *Chief Commissioner.*—Now state what occurred after that; at the time of the revision did the Major come to your house?—He came across from the far side of the street.

2441. What did he do then?—He shook hands with me, and said he was going on successfully in court. I told him I was glad to hear it, but I was greatly disappointed in the promise he made that I never got the commands he left with Mr. Pollock.

2442. What did he do then?—He asked me did I call. I told him I did call, and that Mr. Pollock's son came to the door, and said I could not see his father that evening, and the answer I made was that I would not ask to see him again, and that this gave me to see how he would be treated at the election. He said he would make matters all right, and gave me £10.

2443. Do you swear that?—I swear on my oath, as sure as I may get heaven, that he gave me £10, and asked me would my husband be a supporter of his.

2444. How did he give you the £10—in what sort of notes?—Single notes.

2445. Where did he give them to you?—In my own shop, standing.

2446. In the open shop?—In the open shop.

2447. Were you behind the counter?—Indeed I was not. I was in the middle of the shop, just standing with my back to the counter. He came over from the far side of the street.

2448. Did he leave the £10 down on the counter or give it into your hands?—He left down something on the counter as well as I can recollect. I had to pass him for a little child to whip it up from the door. "Now, Mrs. Dunleavy," says he, "make no mention of this."

2449. Did he give the notes into your hand or leave them on the counter?—He gave me, as well as I can recollect, the notes into my hand.

2450. Were they in a bundle?—He had them rolled in a single fold.

2451. When did you count them?—Immediately. I did not ask to count them for a few minutes after.

2452. Did you count them until he left?—No.

2453. Where was your husband?—In the kitchen.

2454. Did he see what you were doing?—Well, he saw me, certainly, getting the money. Let the punishment of the law be what it is, I will tell the truth.

2455. Did he see you getting the money?—He saw me getting it. There is a window between the shop and the kitchen, and I saw him shaking his hand at me. I did not know what the shaking of his hand was——

2456. Was it through the window he saw you?—He could see both through the door and window; the door was not closed.

2457. Did the Major say anything after that to you?—[Not answered.]

2458. Did he?—Perhaps he did; I quite forget—it is so long.

2459. Do you forget whether he said anything more to you?—I will bring my mind to the recollection of it at the present moment.

2460. Was he with you any time after giving you the £10, or did he go away, do you remember?—Well, I did not see him after that until I saw him in the Court-house here at the time of the revision, unless I saw him passing through the street, coming up.

2461. Do you know Mr. Woods?—I do.

2462. Did he come to you at any time, or send for you?—Well, I quite forget.

2463. About Mr. Woods?—About Mr. Woods.

2464. Did Mr. Woods ever speak to you about your husband's vote?—I declare I quite forget if he did; I don't recollect if he did; perhaps he might, but I don't bring my mind to the recollection now about it.

2465. Do you know Mr. Woods well?—Oh, I most humbly beg your pardon—I thought it was Mr. Woods, the bookbinder, you meant.

2466. Did any gentleman of the name of Woods ever speak to you about your husband's vote?—Oh, yes.

2467. Tell what occurred?—Mr. Woods, he got some manure of mine, but he made no bargain about it, and he came into my premises; it was in the street; he came to the house; I was not well in my health; he asked me to show him where the manure was, to get it out of the way; it was an inconvenient thing to do, as the street—as the yard was full of horses; he insisted on seeing it, and called the attention of some of the boys sitting in the kitchen to remove some of the horses, that he might see the pit; he would see it; so I went to the door to call some of the boys down, to have the yard readied, and enable the gentleman to see the manure; he said he wanted to speak to me privately; I looked at him; he asked me to go upstairs, that he wanted to speak about some particular matter; I went upstairs, and he asked me where was Francis; that was the first word, as well as I can recollect; I told him he was in Tipperary: "Where there?" says he; so I told him at a place called Roscrea; he said then he supposed he had plenty to do; and he asked me what I would think of having him left away for the election, that I would be well rewarded for doing it; I said I would not like it, that I would like he would come home at all events.

2468. What was said then?—He said I had better have him away, that the town was greatly disturbed; I said I did not dread a disturbance, not the cheering of little children, that it was not a farthing to me; "It is better," said he, "you should leave him away, and you will be well rewarded;" I asked him about the reward; he said, "If Frank was here he would take my advice—this will be my advice: it is better for you and your husband to have good interest; if you left Frank away, you know I might go security for the plastering of the Town Hall for him," says he. He asked me for his direction; I said I would consider on it; he wanted to get the direction of the shop; I told him I would not give him the direction until I considered about it.

2469. Did he offer you money?—He told me he would give me £50 after the election would be over.

2470. What did you say to that?—I told him I would, if he gave the money on the spot.

2471. What did he say to that?—He said that was against the law, that he would give an I O U or a bill on the bank, with his name signed to it.

2472. He said he would give what?—An I O U, I think, he said.

2473. Did you owe a man named Galbraith any money at that time?—Yes.

2474. Was it for rent he was security?—No, for shop goods.

2475. Did Galbraith send for you?—He did, the same evening.

2476. Where did you go to when he sent for you?—I went of course. I asked a young man in another part of the shop could I see Mr. Galbraith. He said he was upstairs. So I saw him; he was at his desk when I went in.

2477. What occurred on that occasion?—Mr. Galbraith kept me in conversation about my health until young Mr. Woods, Mr. Joseph Woods, came in, and Mr. Woods said the place was too exposed there, so they brought me upstairs.

2478. Where did they bring you to?—They brought me into something like a wareroom on another floor up over where we were.

2479. Were you and Mr. Galbraith and Mr. Woods then there?—We were; he gave me a chair and told me to sit down, and asked me was Mr. Woods in with me. I told him he was. He asked me would I not comply with his wish. I said I would not like to have Francis away from the election, that he would come home and do what he liked. "It is better," says he, "to leave him away." "Well, I don't like, Mr. Gal-

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braith," I said. Mr. Galbraith reasoned the case very fairly, mentioning that he went security for the rent of the house, another rent, and for an amount of goods in the shop. He told me he had a decree, and that he had it still.

2480. A decree against your husband?—Yes.

2481. How much was the decree for?—I think £10 10*s*.

2482. Go on with the conversation?—Mr. Galbraith told me he would look over the decree altogether, and if I wrote a letter to his satisfaction he would give me £20 for myself, not to interfere with what Mr. Woods promised at all, and I told him then I would.

2483. What was your husband to do—was he to vote or go away?—No; a letter was to be sent to him, and I believe Mr. Galbraith said he would be particularly well taken care of; that some man would go to him from Dublin to Tipperary—to Roscrea, where Frank was working.

2484. Did you agree that he was to be kept away?—Well, I told Mr. Galbraith that I would write the letter for the £20. He laid down money on the desk and said he would give me the £20 for myself.

2485. Did you get the £20?—I did not, nor a shilling of it.

2486. Did you write the letter?—I did.

2487. Who gave you the paper?—Mr. Galbraith.

2488. When you wrote the letter, were Mr. Galbraith and Mr. Woods present?—They were; it was according to his dictation I wrote the letter.

2489. Who dictated the letter to you?—Mr. Galbraith.

2490. Was your husband then in Roscrea?—He was.

2491. In the county of Tipperary?—Yes.

2492. In some employment there?—Yes.

2493. In whose employment?—Mr. Morrissy's.

2494. Who directed the letter?—Mr. Joseph Woods.

2495. And who took away the letter?—Mr. Joseph Woods.

2496. Did you tell him the direction to write on the letter?—Yes.

2497. That was your husband's direction?—Yes.

2498. And who finally got the letter from you—was it Mr. Galbraith or Mr. Woods?—Mr. Woods took up the letter to dry it at the fire, and both of them read it over—both Mr. Galbraith and Mr. Woods. Mr. Woods had the letter in his hand, and he took the letter to the fire—to the grate—to dry it, and when I saw Mr. Galbraith rolling up the money I claimed the letter. I asked him was he not going to give me the money—would he not be as good as his word. He said I might rely upon his word, and that he would do so after the election would be over.

2499. How much?—£20.

2500. Did your husband remain away?—He did not.

2501. When did he come back?—He came back for the polling.

2502. For whom did he vote?—He voted for those he ought to vote for, Captain Flanagan. If I got £300 I would not let him stop away, much less £20.

2503. Did you write another letter to your husband?—I did, to come home and give no heed to the mock letter.

2504. When you wrote what you call the "mock" letter, did you intend to keep the £20?—I did surely, and make him vote for Captain Flanagan; on my oath, if I got £300 I would make him vote for Captain Flanagan.

2505. Did you ever demand the £20 before the polling day from Mr. Woods or Mr. Galbraith?—I went up on the Monday morning to Mr. Galbraith, and asked him.

2506. What did he say?—He said the state of the town was so much troubled that he would give me so much to take me out of the place for some time. I told him I was not a bit afraid of anyone in Sligo, that the cheering of children could not annoy me.

2507. What did Mr. Galbraith say?—He told me he would give it after the election would be over, that I might rest my mind, that I might be quite sure of it. He paid me off with a great deal of empty compliments—he told me that Frank would be all right, well taken care of, and sent home safe.

2508. When did your husband come home?—He came home by the half-past ten train the night before the polling—the polling, I think, was on Thursday.

2509. Did you know he was coming home?—I did, for I went for him.

2510. Did you go to Tipperary?—Not all the way. I intended to go to Tipperary, but I met him at the Portarlington Junction.

2511. You went to bring him home to poll for Captain Flanagan?—I did. I did not begrudge ——

2512. Mr. *Commissioner Bruce.* — Who gave you the money to go for him?—My employer, Mr. Morrissy.

2513. Is it all paid back again?—Mr. Morrissy stopped it; it is a customary thing when tradesmen get an advance of money to stop it at so much a week.

2514. Was it advanced to your husband?—Certainly it was, and it was stopped from my weekly support.

2515. Is your husband still in Mr. Morrissy's employment?—He was at that time; he was working down in Tipperary.

2516. But in whose employment?—In his employment.

2517. I understand Mr. Morrissy employed him to go down to Tipperary.

2518. Mr. *Commissioner Byrne.*—Did you complain that you got no money to the Major?—That I got no money.

2519. On your oath did you make any complaint to the Major that you got no money?—I spoke to Mr. Phibbs of the expenses of the revision.

2520. And you swear you made no complaint to the Major?—On my oath, on my solemn oath I never did.

2521. Did you ever complain to John Farrell that you got no money from the Major?—No.

2522. Did you tell the neighbours that you got no money?—Well, they suspected I got it, for the boys used to say that I got a good sum of the Major's money. I did not say a word about it, and if I thought it interfered with the law I would not do it, I would not interfere with the Major or his money; the devil a bit the better I am of it to-day.

2523. Did the Major on any occasion say anything to you about land?—Indeed he did; he told me he would give me land, and send for my husband to Glenfarn.

2524. What land did he promise you?—He told me he had bought a good deal of Colonel Tennison's estate about Sligo, and he would give me ten acres at a reasonable rent, and in a short time I would be a comfortable woman. It is not once he promised me that.

2525. Did he ever say he would have nothing to do with you?—No, Major Knox never offered me the slightest insult.

2526. On the first occasion that you saw the Major did he say he had left the commands with Mr. Pollock to give you ten pounds, in Mr. Pollock's presence?—No, he did not give me a decided answer that morning at all, but came into the house with word ——

2527. He gave you no answer that morning that Mr. Pollock was with him?—Not that morning, but in his presence Mr. Pollock said they would consider the case, and have the matter arranged.

2528. But while Mr. Pollock was by did he say anything leaving the commands with Mr. Pollock?—No.

2529. Mr. *Commissioner Bruce.*—What do you say Mr. Pollock said at that time. I did not distinctly catch it?—He said the matter would be arranged for me; he said they could not interfere in consequence of the law; something like that, as well as I can recollect. When I showed him the tickets he put his hand up to his eyes, like as if he did not like to see them.

2530. Did he say matters would be arranged for you?—Mr. Pollock explained a few words as it were about it to the Major, the Major said the matter would be arranged; Mr. Pollock said he would not interfere if the thing could be arranged.

2531. The first time you saw Major Knox did he say he could get your husband a situation in Dublin?—It was Mr. Petitt asked me first.

2532. The *Chief Commissioner.*—The conversation about Colonel Tennison's land, where did that occur first?—It was in my own house.

2533. Was it before or after the conversation you got the ten pounds?—Well, I think as well as I can recollect, it was on the same day I got the ten pounds.

2534. Was it after you got the ten pounds or before it on the same day?—I am sure it was after it.

2535. State what occurred in the conversation about Colonel Tennison's land after you got the ten pounds?—He told me he would get the plastering of the Town Hall for my husband, and he also said he would get me some land, and he asked me if that would suit me. I said it would, very well. He said he was about purchasing Colonel Tennison's estate, and he would get me ten acres of good land, and he asked me would I be able to manage nine or ten acres. I told him I understood the management of land, for I was born under the Right Honorable Mr. Wynne, and all belonging to me, and that I was accustomed to land.

2536. Do you know of any other people being sent out of the town?—No.

2537. Were any of your neighbours, voters, out of the town on the day of the polling?—None of my neighbours that I knew, except the two M'Mullans, that I heard of.

2538. Do you know of anyone else in the same position as the M'Mullans, going away from the town to avoid voting?—No.

2539. Can you give the Court any information as to the names of any persons who went out of the town to avoid voting, except the two M'Mullans? Did you hear Shiels went?—I knew nothing of it except I heard he did go.

2540. When did you hear he was gone—was it on the Sunday?—I think it was on the Sunday or Monday, as well as I can recollect.

2541. Who told you?—Well, I forget.

2542. Mr. *Commissioner Bruce.*—At what time of the day did Major Knox come into the shop and give you the £10?—Well, I think it was, to the best of my knowledge, between twelve and two o'clock in the day, as well as I can recollect.

2543. What street is your shop in?—In the Mall.

2544. Is that a small street or a large street?—It is not a small street.

2545. Are there many people passing there?—Oh, yes, plenty pass.

2546. When the Major came in, you say, he shook hands with you?—So he did.

2547. You said you were disappointed?—Yes.

2548. Then did he move to the back of the shop?—No, he did not.

2549. He stopped near the door?—He stopped near the door; he was not at the step of the door, but he moved a little in, not in any sort of a hiding manner.

2550. You said he could be seen by your husband in the back?—Yes, and by any person passing.

2551. Were you behind the counter?—No, I was not.

2552. Were you standing near the door then—you said you had a besom in your hand?—I had a broom in my hand.

2553. Were you standing near the door then?—I stood inside, rather between him and the door. I went to pass to pull the little child in from the door, and he stood over——

2554. When you said you were disappointed, he took the notes out of his pocket?—Yes.

2555. Was it out of a pocket-book?—I saw him put his hand into his pocket. I drew back a little; I did not like to press too much, though I was glad to get it the same day.

2556. He took out the notes; how did he put them into your hand—did he offer them openly?—He had the notes in his hand, and he gave them a single fold and put them into my hand, and said he hoped my husband would be a supporter of his at the poll.

2557. You say he drew back a little?—But it was not for the purpose of hiding me or him.

2558. Could any person passing see him?—There is not a person in the town but saw Major Knox coming several times into the house, or at least a couple of times.

2559. On the first occasion, you say Mr. Petitt asked would your husband take a situation in Dublin. Mr. Pollock and Major Knox were there then, and did you not also state Mr. Phibbs?—Yes.

2560. Mr. Phibbs and Major Knox were there. Did they hear Petitt say that?—They were near enough to hear—they could have heard; the shop is not altogether so extraordinarily big. They could have heard. I am not sure whether they could, but there was no secrecy in Petitt's saying. He beckoned me a little back of Mr. Phibbs and Mr. Pollock, and asked me who lived in the opposite house. I did not know Mr. Phibbs till that day only to see him, but I did not know his name.

(The witness withdrew.)

Michael Rooney called, but did not answer; *Peter Harrison* called, but did not answer; *Henry Mulligan* called, but did not answer; *James Devanny* called, but did not answer.

Michael Doherty sworn and examined.

Michael Doherty.

2561. The *Chief Commissioner.*—Were you examined at the petition trial?—No.

2562. Are you an elector?—I am.

2563. Whom did you vote for at the last election?—Major Knox.

2564. How long have you had a vote?—I was only on the register previous to the Reform.

2565. Previous to the late Reform Bill?—Yes. I never voted only at the last election.

2566. You never voted before the last election?—No.

2567. Had you ever a vote at any time before, or did you only get on the register at the passing of the Reform Bill?—I got on in '67 or '68, I am not sure which.

2568. At all events you never voted before the last election?—No.

2569. What is the rating of your house?—I was registered as rated, I think, at £9 10*s.* for house and land, under the Reform. I am at present only rated for the house alone.

2570. Do you know Thomas Brennan?—I do.

2571. Were you working with him for Major Knox?—No.

2572. Did you ever canvass anyone for him?—No. I accompanied the Major on his canvass.

2573. You voted for Major Knox you have already said?—I did; but only one day I accompanied him, when I was with Mr. Phibbs. I met Mr. Phibbs and he together. Mr. Phibbs asked me where was I going. I said over to Mr. Allen's, of Seafield. He said he wanted to see Mr. Allen, and I had better step up on the car.

2574. Did Thomas Brennan ever give you any money?—Never.

2575. I mean to give to other people?—Never.

2576. Was it you was mentioned in relation to £5?—It was; and I wish to tell you that when that was stated yesterday I was going to make an application yesterday evening before I was summoned to be examined. I wished to tender my evidence, but Mr. Purcell prevented me until the sitting of the Court

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this morning. Previous to the sitting of the Court I was summoned. I knew then I need not enter into any explanation, being summoned to tell the truth.

2577. Well, you heard what was sworn about you yesterday?—Yes.

2578. Do you remember what it was?—I do.

2579. What occurred on that occasion?—What the witness Grey swore?

2580. That is what I am referring to?—Partly true, and partly false.

2581. Well, I ask you to give your version of what did occur?—On the day I allude to, the day Mr. Phibbs asked me to come along with him on their car, I gave the money to Grey. We had to go in through the country, into the suburbs, where no car could pass.

2582. You mean the roads were so bad?—There were no public roads through the place. They were wanting to open in Caltra, and Major Knox and Mr. Phibbs knowing I knew the locality so well brought me with them, as I said there were none but us there.

2583. You knowing the people?—Knowing the people. Knowing every one I may say, locally acquainted with every one; but while on the line in Caltra, I was surprised to see a large number of those non-electors assemble immediately to meet us, to give every assistance to Major Knox; amongst the rest Grey, although he swore yesterday to a question from Mr. Commissioner Bruce that he never was on the canvass with Major Knox.

2584. State what occurred?—On our return home and after the canvass, the Major said to me, "Mr. Doherty, I will give those fellows the price of a drink." "Do what you think fit" says I. "What do you think will do it?" I did not know what sum, but I think I mentioned, but through me he gave £2 and £3.

2585. Did you give any money?—I did.

2586. How much?—Three pounds to Grey and two pounds to a man named Michael Mulligan. That was the £5 I got from Major Knox. They were both non-electors.

2587. Then you gave the £5;—I did.

2588. Did the Major give you this money that day?—He did.

2589. And you gave it out that way?—But he gave me a great caution that no elector should handle a shilling of it. It was merely for the refreshment of those non-electors who accompanied him on his canvass.

2590. Two pounds to Mulligan?—Two pounds to Mulligan.

2591. Did you ever give any other money?—Never in my life. I never gave a shilling. I never was authorized, and I know on all occasions—and I was in the confidence of Major Knox—on all occasions he was most cautious, and always set his face against the idea of giving a shilling to any person.

2592. Do you know the two M'Mullans?—I do.

2593. Did you know they were going away?—No, I did not, I never heard a word of it until they were gone.

2594. Did you hear they were gone on the Sunday?—I do not recollect what day I heard they were gone.

2595. Was it before the polling?—I heard they were gone before the polling.

2596. Did you afterwards know where they were?—Never in my life, except to hear. I heard they were in Dublin.

2597. You heard they were in Dublin?—Yes, by report.

2598. By report?—By report.

2599. Did you know Shiels was gone?—No, I did not. I did not know he was gone until the day he returned to Sligo. I think that was on the day previous to the polling, if I do not mistake. I met him here convenient to his own house, in company with another, Mr. Hunt, I think the young man; it was in the way of conversation I knew it.

2600. Do you know Michael Rooney?—I do.

2601. Do you know whether or not he voted?—He voted, I believe.

2602. And Peter Harrison?—I believe he did not vote.

2603. Do you know what become of him?—I heard he left the country, or at least the town.

2604. Did you hear that before the polling?—I cannot say. I may have heard it, but I do not recollect that I did.

2605. Henry Mulligan?—I heard he left before.

2606. James Devany?—I did not hear that he left before.

2607. Do you know whether he voted or not?—I know he did not.

2608. You appear to be telling the truth, can you give us any information about those men, and about where they went to—the men that did not vote?—On my solemn oath I do not know a ha'pworth about it.

2609. Do you know anything of Edward Gethins?—I do.

2610. Tell me what you know of him?—I know Edward Gethins was in company at Mrs. Hall's—that is the house here—he came down with the intention of voting.

2611. On the polling day?—On the polling day. I had better tell why I came to Mrs. Hall's?

2612. Certainly—tell frankly everything about it?—On the evening previous to the polling I came up the street. I saw from the appearances—at least I dreaded something would occur to myself or some other persons on my account if I remained at my own house, to come up to poll the next day. I live at some distance. I live down at the railway station in George's-street, and I expected I would have to be brought up by an escort of constabulary; otherwise I would not be safe, or I would be taken away by the mob. I wished of course to avoid all this. I dreaded from the appearance of the place that there might be some collision. I had seen instances of that kind before, and I think I came up and spoke to one or two. I said, "from the appearances I see this evening I dread something may occur to-morrow; it would be safer for me not to go home to-night, and to send home word to my house." I asked one or two persons the best place to remain for the night, and Mr. Farrell's house was suggested to me. I said I could not go there, that I thought other persons there did not like to be associated with me.

2613. You mean other voters?—Other voters.

2614. What is Farrell's Christian name?—John—and I do not know whether myself or some other person mentioned Mrs. Hall's. I went to Mrs. Hall's on that evening (it was not dark—it was November) about, I suppose, four or five o'clock—and I asked Mrs. Hall could she entertain me for the night, that I intended to remain there until the next day, and then go up and poll, that I did not wish to go home. She said, "of course, you know my terms." I did not know—"well," says I, "what are your terms?" so she told me 5*s.*, and I paid her that. I remained. Gethins was there, to my astonishment. Gethins and others were there, and on my solemn oath I did not know a sinner, being, or Christian was in it at the time I went into it.

2615. Edward Gethins, is it?—Edward Gethins was there.

2616. And who else?—I wish to remark while I am at Gethins' name, that the man Grey, in giving evidence, swore that Gethins left the town and did not vote.

2617. And Gethins did not vote?—He did not. He told me in the course of the day of the polling that he would not. He came down there with the intention of voting, and was really reconciled to voting up to some late part of the day, when the rioting and violence were so great—and his house being thrown down—he got information about this, and he told me he could not vote.

2618. What other electors were in Mrs. Hall's?—John Reid, John M'Guirk, Pat Clancey—he came there in the morning.

2619. On the morning of the polling?—On the morning of the polling, Timothy Farren, Michael M'Gouldrick senior, Michael M'Gouldrick junior—if you have the register of last year let me see [Register handed to witness]. George Beatty—I beg your pardon, I am not sure of him—

2620. You don't know?—I don't know, I think he was there. Edward Ferguson, John Gray, James Gray, Robert Lyndsay, Andrew O'Beirne, that is all.

2621. You have mentioned thirteen?—Well, I think there were fifteen.

2622. You yourself would be the fourteenth, there is only one man missing?—I don't know if Samuel Gillmore was there or not.

2623. From your recollection there were fifteen, including yourself?—Oh no, there were fifteen without me.

2624. Who are the absent ones?—I forget now.

2625. What hour did you go there?—I went I suppose about four or five o'clock in the evening.

2626. Before the polling day?—Yes.

2627. Did you find all these parties there or did they drop in?—Oh, I saw Pat Gallagher, he came in after I went there. I do not think Samuel Gillmore was in it. I am not quite certain.

2628. Did you find all those parties there that you have mentioned?—Not then, but they were there on the morning of the poll.

2629. How many of them slept there that night?—They all slept there.

2630. You all slept there that night?—I cannot say we slept. We stopped there—sleep we could not get—it was a noisy place, outside.

2631. I suppose you had supper, and were amusing yourselves?—Well, of course you could not expect us to pay for it without getting it; anything we had we paid for it, and paid for it saucily. I paid I think about ten shillings for the twenty-four hours I was in it.

2632. Did you know when you went there that other electors were there?—Not a ha'porth, nor was I ever informed, nor told. It was never mentioned nor suggested to me to go to Mrs. Hall. It was owing to accident I went there.

2633. Those fourteen or fifteen electors did they belong as far as you know to the Liberal or the Conservative party, or were some of them of one party and some of another?—No, they were all of Major Knox's; they came there for the purpose of voting for Major Knox the next day, and the chief object of going there was for fear they would be kidnapped the night previous to the poll. That was the object. Some of them lived in the suburbs and could not be safe in it.

2634. Did any of these men not afterwards vote?—Two of them.

2635. Which of them?—M'Guirk and Gethins.

2636. They did not vote?—Yes, I think I was the means of causing M'Guirk not to vote.

2637. How so?—When I came in that evening I saw M'Guirk sitting at the fire. There was another man in the same trade as M'Guirk, a hair-dresser of the name of Clancy, who came in the morning. Clancy and his son were in the ranks, and on the night previous to that I was present when Clancy's son who had promised to Major Knox that he would vote for him left by the train—by the mail train—to avoid voting for Major Knox, that is the young man.

2638. What is his name?—Charles Clancy.

2639. Did he leave on Wednesday?—I think so, through some interest held out to him by Captain Flanagan's party.

2640. Charles Clancy at all events left to avoid voting?—He did, through inducement, I believe.

2641. Tell me anything you know on the subject?—I have no doubt he was induced to go. I saw friends of Captain Flanagan accompanying him. I was at the railway station, in the water-closet, at the time he came in, and he changed his dress, and sent another man out for his ticket, and went away. I was told at my own house. At the time he passed up I was told by one of my own family he was going up, and I suspected he was going away, although he had faithfully promised to vote for Major Knox.

2642. And you went up?—I went up to ascertain that fact, for I felt jealous to say that he would go away and I should vote, for he was in similar circumstances as I was.

2643. What do you mean by that—is it in politics?—In politics, exactly, and, together with that, he was doing business for Mr. Phibbs, who was acting for Major Knox, and in the employment of Major Knox. I felt annoyed that he should be allowed to go away.

2644. And you being obliged to vote?—I was not obliged to vote, for I was my own master.

2645. You were obliged by your conscience?—By my conscience.

2646. You were annoyed at his going away?—Yes, certainly.

2647. Mr. *Commissioner Bruce.*—Is Charles Clancy the son of Robert Clancy?—He is the son of Robert Clancy. I was remarking on the case of M'Guirk not voting. When I came in M'Guirk was there. He was not in good friends with Clancy. They were not on speaking terms, and it was more to encourage M'Guirk I mentioned that Clancy had gone away. I thought he would find pleasure in it.

2648. Being in the same business?—Being in the same business; that is the fact. I merely told him; that was my object in telling him. The moment I told him that he said, "I never will vote," and both the Clancys never polled.

2649. Did you see Charles Clancy change his dress?—I did.

2650. To disguise himself?—Not to disguise himself.

2651. What do you mean by changing his dress?—He put an outside coat on himself. I was in the yard of the water-closet. I saw him send out a messenger that brought in his railway ticket.

2652. You said some of Captain Flanagan's supporters were with him?—They were.

2653. Who were they?—I think Cahill of Market-street, was with him, and his brother, Henry Clancy, was with him.

2654. Was Henry Clancy a voter?—He was not.

2655. Did these people wait until the train started?—They did. I saw a clergyman with him not belonging to Sligo.

2656. Do you know his name?—No.

2657. Do you mean a Roman Catholic clergyman?—From his appearance I would say so.

2658. Did he go with him?—He went in the same train with him.

2659. Did he go in the same carriage with him?—I could not say, because I did not go out.

2660. You did not show?—I did not show until the train was about starting; and "Do not forget to be down in the morning," says the brother—says Mr. Cahill. "Oh, of course I will be back," was the answer.

2661. Did Charles Clancy not return until after the polling?—He did not.

2662. Do you not know where he went to?—I heard he went to Longford to a brother.

2663. To his brother?—To a brother-in-law of Cahill's, at Longford. I heard he went there; I don't know whether it is true.

2664. You said Gethins and M'Guirk, who were here, did not vote. Were the others there who polled for Major Knox that day belonging for some time to his party?—To whose party?

2665. To the Conservative party?—There was Lyndsay, I think I mentioned him as one.

2666. Pat O'Brien—did he belong to the Conservative party?—He did, sometimes, I believe. I know he voted at Wynne's election.

2667. Did Gethins or M'Guirk?—M'Guirk voted for M'Donough, Mr. Gethins voted for Sergeant Armstrong.

2668. Did any person come in to see you during the evening?—The only person I saw on the occasion was Mr. Hignell.

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2669. Do you know Mr. Hignell's Christian name?—No, I do not; but it was in to see me he came—he called upon me.

2670. What did he call on you about?—To know what number of men were there, that is all.

2671. You told him the number?—I think so.

2672. The number of voters that were there?—The names were what he wanted.

2673. And you gave him the names as a matter of course?—Yes.

2674. Had you them written there for him?—No, I got them for him.

2675. Did he write down the names?—No, I think it was myself supplied him with a list of the names.

2676. A written list?—I think so.

2677. What employment are you in?—I am a civil bill officer, and I have been in the employment of Major Knox for the last five or six years.

2678. I suppose you assisted at the revision here?—I took some little part in it.

2679. I mean you gave assistance?—No, I did not interfere much in it, nor even at the election.

2680. Did you canvass M'Guirk or Gethins during the polling day?—There was no necessity; during the polling day they were inside.

2681. Did you see anyone during the day bring them up to the poll?—Oh, yes, I did—no, I did not see any person personally asking them to come up to vote. I asked them myself.

2682. Did you report from time to time that they would not vote?—I had no opportunity.

2683. At what time of the day did these thirteen men poll—did they poll as early as they could?—No, they did not. It was my wish to be the very first man that would poll that morning. I did not get the opportunity. I made a promise to Major Knox twelve months previous that I would be the first man to poll for him, and I did not get the opportunity. I was very sorry for it.

2684. Did the other voters there not poll before nine or ten o'clock?—No, they did not.

2685. What is the reason of that?—I do not know.

2686. Were there any efforts made between two and three o'clock, or before the close of the poll, to make Gethins and M'Guirk poll?—There were.

2687. Who called on them to try to get them to the poll?—I saw M'Guirk on one occasion.

2688. Did you see Mr. Hignell?—I think Major Knox asked M'Guirk would he poll, and he said not. Major Knox smiled and shook his head, and walked away. He said no more.

2689. When did you finally leave the house?—I went that night home to my own place.

2690. The night of the polling?—The night of the day of the polling.

2691. Mr. *Commissioner Bruce.*—At what hour did you poll?—I could not say now.

2692. Was it in the morning?—No, about midday.

2693. How did you leave Mrs. Hall's?—I went out publicly into the street by the front door.

2694. Is Mrs. Hall the court-keeper?—She is. Some person wanted me to go out in company with him. I said I would not go in company with him, that I would go up independently and vote myself.

2695. Mr. *Commissioner Byrne.*—You say you believe Charles Clancy was induced to vote?—I do.

2696. What reason have you for thinking so?—I would rather not mention.

2697. The *Chief Commissioner.*—You must mention, we want the information?—I was told previous to that he was at the Presbytery with the Bishop, and that he made a promise to the Bishop.

2698. To vote or not to vote?—Either one or the other.

2699. Mr. *Commissioner Bruce.*—I suppose Clancy was a Roman Catholic?—He was a Roman Catholic.

2700. The *Chief Commissioner.*—Were any other electors of the fifteen Roman Catholics?—They were all mostly Roman Catholics, except Robert Lyndsay.

2701. Mr. *Commissioner Bruce.*—Was Lyndsay a Protestant?—Robert Lyndsay is a Protestant, and Edward Ferguson, all the rest were Roman Catholics.

2702. Mr. *Commissioner Byrne.*—Did you hear money was going on Captain Flanagan's side?—I had no opportunity of hearing that.

2703. I ask you did you hear?—No, I did not.

2704. Did you hear any report of money going on Captain Flanagan's side?—Oh, I did hear a report; there was a general flying report going—those parties who promised to vote for Major Knox and afterwards violated their promise—that it must be caused by some promises held out to them, held out by the Flanagan party to induce them to vote.

2705. Could you remember the names of any of the voters that were reported to have got money from Captain Flanagan?—I could not.

2706. Do you know the names of the persons that promised faithfully to vote for Major Knox, and did not vote for him?—[Not answered.]

2707. The *Chief Commissioner.*—You know the names of some; look at the register. [Register handed to witness.]

2708. Mr. *Commissioner Bruce.*—What are the names?—I know Dominick Kilcullen was one. I do not say money was promised, but they were always supposed to be supporters of Major Knox—agreeing that way.

2709. Mr. *Commissioner Byrne.*—We are merely asking you as a rumour?—He did not vote, and I think the report was circulated that he must be induced, through monetary matters or the like of that, to violate his promise to Major Knox. Michael Rooney of Cornagee, I heard.

2710. Anyone else?—Thomas Scanlan of Thomas-street; I heard that he was not to vote; he told me himself he would not vote; I heard he was induced through the same means, but I don't believe it; I know Scanlan so well myself, I don't believe it.

2711. What other names?—In fact, I could not bring them to recollection.

2712. Try your memory?—Certainly, I do not wish—I have no reason in the world to conceal a simple name from you; I am neither afraid nor ashamed to expose it if I can.

2713. Can you remember any other names you heard mentioned by report as having been induced by Captain Flanagan?—There is another in that list that I forgot to mention, Sergeant Boyle.

2714. Mr. *Commissioner Bruce.*—Do you mean in Mrs. Hall's?—Yes. He was a Roman Catholic; there was a man named Rennick who was understood to vote for Major Knox.

2715. The *Chief Commissioner.*—Thomas Rennick?—I think so; I am not sure; but it was always supposed he would vote for Major Knox; the night previous to the polling his house was smashed by the mob; I did not know it was smashed until after the election; I was looking out of Mrs. Hall's window, and I saw him coming up with a body of the voters of Captain Flanagan, and I was surprised to see him coming up along with them.

2716. Mr. *Commissioner Byrne.*—His house was smashed?—His house was smashed.

2717. Mr. *Commissioner Bruce.*—Did he vote?—No, he did not vote; I afterwards heard the mob took him with them.

2718. Mr. *Commissioner Byrne.*—Do you remember anyone else, besides Rennick?—I know Charles Tiernan was to vote for him.

2719. The *Chief Commissioner.*—He was examined?—Yes, he was examined yesterday.

2720. He was to vote for Major Knox?—I know he was, but he said in consequence of the Church question he changed his mind; everyone in court was listening to that.

2721. Mr. *Commissioner Byrne.*—Did you hear of anyone coming to him and inducing him to vote for Captain Flanagan?—Who?

2722. Tiernan?—I did, to be sure. I often canvassed with him myself.

2723. Did you hear of any person in particular having induced him to change his mind?—Not in particular.

2724. Do you see anyone else on the Register besides Tiernan?—Martin Davy of Caltrag. He promised in my presence to vote for Major Knox, he voted afterwards for Captain Flanagan. I do not know who induced him to do so. Francis Dunlevy was to vote for Major Knox, at least his wife told me, for I saw her coming several times to Mr. Phibbs in Stephen's-street, endeavouring to have an interview with him. He refused to see her; and I am perfectly certain if she did not get what she required of him she would make her husband vote on the other side.

2725. The *Chief Commissioner.*—In the way of money?—In the way of money. She told me on one occasion there was some property of hers in the pawn-office—and they were past redemption—and she was going over to Mr. Phibbs, wanting to get them redeemed, and Mr. Phibbs would not hear her, but ordered her out of the place. She told me that as I met her coming out of the door.

2726. Mr. *Commissioner Byrne.*—She told you that?—She told me that.

2727. Is there anyone else besides Francis Dunlevy?—Pat Flynn promised him. There was a man named Gooravin. He said he would vote for Major Knox. I saw him at Mr. Phibb's house.

2728. Do you see any other name?—Patrick Neilan, I understood, was to vote.

2729. The *Chief Commissioner.*—When did you see Patrick Neilan last?—Some time last week, I think, but I have been informed by a person outside that he saw him this morning or yesterday evening. He has been seen in the street.

2730. Mr. *Commissioner Byrne.*—I am merely asking you as to rumour—not whether you believe the rumour—did you hear of any persons on Major Knox's side being bribed, except those that were mentioned either at Carrick or here?—On my oath I never did.

2731. You never heard anyone suspected, or named in connexion with bribery?—No, I cannot bring myself to the recollection of any other person except those named. Those that voted for Major Knox, as a matter of course, the other side said were all bribed; that was the rumour.

2732. Did you hear any rumour or suspicion of anybody being bribed at Captain Flanagan's side except those persons you have named?—No, I did not. I had not the opportunity I might otherwise have had in the matter. Of course all the people in Sligo knew very well that I was to vote for Major Knox, nothing would induce me to vote for any other man but Major Knox; therefore they would not let me into their secrets, and I always avoided going to such places where Captain Flanagan's friends would be. I knew I would not be a welcome guest there, and I did not like to be there, I avoided it as much as possible; in fact the houses of the Catholics which I used generally resort, when I found Captain Flanagan resorted to them, I used to avoid going to, for fear of causing annoyance.

2733. I want now to direct your attention to a transaction with a non-elector that has been mentioned, Laurence Burke, do you know him?—I do.

2734. Did you see him at the time of the election?—No; I do not know when I saw him before the election, although he lived in the town. I might see him before the election, but I do not remember I did.

2735. Do you know anything about his not voting?—Not a ha'porth. It was said as a matter of course—it was reported—it was a public rumour that he was kept back by Major Knox's friends.

2736. But you do not know anything of his going away, or remaining in town?—No, not a ha'porth.

2737. James Devany, do you know anything of him?—I heard he left town. James Doolin of Chapel-lane—I forgot to mention his name—it escaped me here in the list. He was to vote for Major Knox, and he had been induced, I understood, by the opposite party to abstain from voting.

2738. But did he leave town?—No, not to my knowledge. I don't think he did. I don't believe he did.

2739. Do you know Mathew Feeney?—I do.

2740. Do you know anything of his not voting?—No, except from what I heard.

2741. From himself?—Well, from himself. The man was in a public employment, and he did not wish to vote at either side.

2742. James Keebles?—Captain Keebles.

2743. Do you know anything of his not voting?—He was not available then, I think.

2744. Do you know anything of John Kearns not voting?—John Kearns was in the Victoria Hotel. On the night of the day of the polling I saw him in the Victoria Hotel. The night I left Mrs. Hall's, that is the night of the day of the polling, on my return I went into the Victoria Hotel to see the police officers, to get an escort home, and I think I saw him in the Victoria Hotel that evening.

2745. Do you know anything of Henry Mulligan?—Nothing, except that I heard he was away previous to the election.

2746. Mr. *Commissioner Byrne.*—Were you in Sligo at any previous elections?—I was since 1832. I do not suppose there was ever an election in Sligo I was not present at.

2747. Was there not violence at the election when Sergeant Armstrong was returned?—Oh, there are mobs generally in Sligo at every election. There was not violence at every election. At the Right Hon. Mr. Wynne's election; at Mr. Somers' election; at Mr. Butt's; at Mr. Townley's; at Mr. Sadlier's election.

2748. The *Chief Commissioner.*—Do you remember so far back as that?—I took an active part sometimes in them.

2749. Mr. *Commissioner Byrne.*—Did that mob violence prevent electors from voting, as far as you could see?—Oh, I don't know; I could not say if they did or did not. Of course it had a tendency to intimidate them.

2750. As a matter of course it was for that purpose?—It was.

2751. Was there more or less of mob violence at the last election than at the election when Sergeant Armstrong succeeded. There was more of mob violence at the last election than ever I saw in Sligo.

2752. Mr. *Commissioner Bruce.*—Was that long continued before the election?—It was, months before.

2753. The *Chief Commissioner.*—Months before it?—I think so, for months before and after it. For my part I must say I was treated very kindly by them. I think I was the only Roman Catholic elector in Sligo that escaped from insult, or from having his house injured. They did nothing of the kind to me; there was not even a pane of glass broken in my house.

2754. Mr. *Commissioner Byrne.*—Could you give us some instances of the mob violence you witnessed at the last election?—Oh, Gethin's house was torn down; Burke's house; Devany's house; Crozier's house; Kearney's house; Sergeant Boyle's; M'Gowan's.

2755. Were these all voters?—All voters. The whole houses were so dilapidated that no being could live in them—the counters, the windows, the doors were torn down.

2756. The *Chief Commissioner.*—Were all these the houses of Roman Catholic electors who had voted for Major Knox?—Yes, who voted for Major Knox; their property was taken away—everything they could leave their hands on.

2757. Did that appear to be a deliberate attack on the Roman Catholic voters generally who exercised the franchise as they thought fit?—Not a doubt of it; it was after they had exercised the franchise it was done.

2758. After it was known how they did it?—After it was known how they did it.

2759. Mr. *Commissioner Byrne.*—Did the police or the military interfere to protect those people that were attacked?—Not as the people expected; there was a larger force in Sligo than I ever saw at any

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election, and a more useless set of men were never in it. They were standing, actually standing by when these dilapidations were committed, and they did not interfere.

2760. Were the mobs very numerous and very formidable?—Oh, indeed they were, and none so violent as those who were receiving the pay of Major Knox previously.

2761. Were these violent mobs armed with anything else besides sticks and stones?—I do not know. I could not say.

2762. Did you see sticks and stones?—Oh, sticks and stones.

2763. And did they use them very freely?—Yes, I saw them during my stay in the court-house, at Mrs. Hall's, the day of the poll. I looked out of the front window, and the street was in an awful state at the same time.

2764. This M'Guirk that did not vote, whom you represented would not vote, the man at Mrs. Hall's, was he informed of these mobs and the violence?—He was, and from what I could learn, his son, the rere of whose house comes up to the rere of the court-house or Mrs. Hall's, came up from the rere then, and by influence got in to tell his father the state of the case.

2765. Were there any particular leaders of these mobs, do you remember?—Well, I could not say that, the mob were fighting so much with each other.

2766. Mr. *Commissioner Bruce.*—Were they not under command at one side or the other?—[Not answered.]

2767. Was Grey one of a mob?—Sure it was I paid him. He swore yesterday he did not know he was of the mob, but no one in this court believed a word of that.

2768. I do not want your opinion on his evidence. Did you see him in mobs?—I did, to be sure.

2769. The *Chief Commissioner.*—From the experience you have had in elections, can you say are those mobs paid?—They would not turn on their heel without they got it. I have known them on occasions when they had not been paid, or were refused payment, to use the threat that they would go on the other side and fight for them.

2770. Then did these mobs that you have described as acting in this outrageous way at the last election, did they appear to you to be the ordinary organized paid mobs?—Always.

2771. And you say these people would not turn without being paid?—Certainly not.

2772. What is the usual pay of a mob per day?—Why, from what I could learn, from what I know myself, from experience—I know at Mr. Sadlier's election there was plenty of money, and going back so far as that as an instance—I may say they considered £100 a night very little for them.

2773. One hundred pounds a night to be divided amongst a mob?—Yes.

2774. Mr. *Commissioner Bruce.*—How many would be in a mob for £100?—There might be a couple of hundred, or three hundred.

2775. The *Chief Commissioner.*—Do you consider a Sligo mob expects from 5*s.* to 7*s.* 6*d.* per man?—Indeed they do.

2776. Daily?—Daily, and £5 if they could get it.

2777. With regard to the getting up of those mobs, does a ringleader generally command twenty or so?—I suppose so.

2778. You suppose so?—Yes.

2779. Is he paid more than the rest?—I should think a little more sticks to him than any of the rest.

2780. That is if he has the payment of them?—Yes.

2781. He keeps some of it?—Yes.

2782. Can you identify any of these ringleaders at the last election?—Oh, as I said before, they were all so fighting with each other that I could not name one more than another. It is a very delicate thing to name any person.

2783. I don't want you to name anyone in particular?—Well, I am endeavouring to give you the whole truth as I know it, as far as I know.

2784. Mr. *Commissioner Byrne.*—Did the mob violence that you indicate was so strong at Sadlier's election, continue at subsequent-contested elections?—Oh, not so much.

2785. But it did continue, although less in degree. Was there mob violence at all elections from Sadlier's?—There was mob violence to some extent at all elections, but not to such an extent as this time, or at Sadlier's election.

2786. Was there mob violence to a considerable extent at Sergeant Armstrong's election?—No, there was not.

2787. But there was some?—There was some, and I believe in my heart, and I am here sworn on my oath, that there was more money expended at Sergeant Armstrong's election or after it than there was at Major Knox's that there has been a great deal of talk about. I have known myself persons to tell me that they received from £15 to £20 for voting for Sergeant Armstrong.

2788. Mr. *Commissioner Bruce.*—Do you recollect the names of any persons who told you that?—Yes.

2789. Give their names?—Stephen Hughes told me he got £20 for voting for Seregant Armstrong; he told me it was for his vote.

2790. The *Chief Commissioner.*—Give any other names you know?—John O'Beirne of Market-street, told me he got £15; John Reid told me he got £15; Thomas Devans told me he got £15; in fact I believe all the tenants of Colonel Tenison got £15, while others got £20.

2791. They got £15 only when the others got £20?—They were paid £15.

2792. Take up the register and state the names of any voters who told you they were bribed at the last election but one?—Sergeant Armstrong's election.

2793. Yes—any voter who told you he was bribed mention his name?—I don't mean to tell you that he told me he was bribed for voting; I mean to tell you he told me he had got the money after the election—[Reading from printed register]—Pat Barry of Abbey Quarter, I think I recollect hearing him examined at the petition at Carrick. He admitted then that he got £15 if I don't mistake.

2794. State any other names of persons who told you?—It would not be any use to tell you others who came up and voted on promises made to them?

2795. At present I only want the names of the men who told you they got money?—Who personally told me?

2796. Yes?—Pat Neelan told me; he did not tell me how much.

2797. He told you he got it, though?—He did; he will be able to tell you himself. I don't know of any other person that I have recollection of that told me.

2798. Now, mention the name of any person you heard got money at, say Armstrong's election?—That I heard?

2799. Yes?—I heard Andrew O'Beirne got money, Edward Gethins, Pat O'Brien—he is dead—John Hart, Mailcoach-road, Michael Hunt, John M'Grath. I know I heard a great number more merely by report.

2800. Did you hear of any person getting money on Mr. Macdonogh's side?—Yes, I did.

2801. Mention them?—I heard Samuel Gillmore.

2802. Mr. *Commissioner Bruce.*—Tell us those who told you they got money for voting for Mr. Macdonogh?—None.

2803. None told you?—None. I heard he got money.

2804. Only Samuel Gillmore?—That's all.

2805. Mr. *Commissioner Byrne.*—Try and remember any?—I cannot. I was not in the confidence of Mr. Macdonagh.

2806. Mr. *Commissioner Bruce.*—You were supposed to be on Sergeant Armstrong's side?—I was always on the Liberal side until Major Knox's time, and would perhaps to-morrow. Unless the Sergeant was in the field, there is no man I would vote for before Major Knox.

2807. The *Chief Commissioner.*—Did any people at

this election apply to you—any voters—to get them a share of the money that was supposed to be going?—No; oh, yes, in a passing jest they might say to me—"I know you can do us a good deal of service—do what you can for us."

2808. About how many of the electors spoke to you in that way?—You mean as a jest—at least two dozen, but for all that I have not the slightest doubt if I handed it to them they would pocket it.

2809. How many of the electors do you say spoke to you in that way?—I could not name them. I could not number more than twenty, occasionally meeting them in the street.

2810. I ask you did more than twenty-five electors apply to you in that way?—I would not say they did.

2811. How many?—Perhaps a few acquaintances I had of my own, passing me a jest, would ask me. They knew I was in the confidence of Major Knox—in his employment—and they thought I could do them a service, and in fact I would if I could.

2812. You would get money for them if you could?—I would.

2813. Mr. *Commissioner Bruce.*—But except the £5 you say you never got any money?—Never a shilling.

2814. Do you know of any of Major Knox's mob changing sides in consequence of their not being paid money?—[Not answered.]

2815. For instance, did Grey join Captain Flanagan's mob?—Of course he did, and I know there was a lot of the mob, fifty or sixty fellows in Pound-street, who alleged that they had a claim on Major Knox, and were rendering him the greatest service, and on the evening of the election a few days after they all turned over against him; and I saw they were the most violent of the whole mob, these parties that were getting the money of Major Knox.

2816. You told us with respect to certain voters, and of a rumour that they must have been bribed, did these men change in the same way, or was there any other reason for it, these mobsmen?—Of course there were some voters amongst them, and I speak of them as mobsmen.

2817. Was it because Major Knox did not pay them, or stopped paying them, or how?—I cannot say as to that. I had no knowledge of paying or anything of the kind. But the fact is, I told Major Knox, eighteen months previous to his election, that he would be sold by those very parties, and when the petition was over at Carrick Major Knox said he regretted he did not take my advice in time, I knowing them too well.

2818. Was it in fact a strike for wages?—To be sure it was; and the object Major Knox had, he said it was necessary to have these to counteract the violence of the opposite party.

2819. With respect to Clancy, at what time of the evening did he leave Mrs. Hall's?—Is it the Clancy that did not vote? he was not there at all; he was not in Mrs. Hall's at all; he was not in Sligo.

2820. I thought you said you saw him in some yard?—The polling was on Thursday, the 19th, if I don't mistake; and I think he left on the Tuesday night previous.

2821. You stated you saw him putting on an overcoat?—I think I saw him going on Tuesday night previous, by the night mail, which leaves at half-past eight.

2822. Where did you first see him?—I was sitting in my own house in George's-street, as you pass to the railway station; some of my family were at the door, and they saw Clancy, with two or three others, passing by; they came and told me, and it occurred to me, or I suspected, that Clancy was leaving town; in order to be certain of that, I went up to the railway station, and I met his brother outside; in a few minutes I passed in and went into the water closet; I remained there for some time, and before I left I saw Clancy and the other coming into the yard of the water closet; I did not come out, I remained where I was, and watched the whole proceeding that went on, and I am satisfied he left town for the purpose of not voting.

2823. Mr. *Commissioner Byrne.*—With respect to mob violence, are you aware of any threatening language of any sort having been used to intimidate—I mean used on Captain Flanagan's side, by any of his party?—I am not; I could not swear that they had used threatening language, not to my own knowledge, I could not say; I do not think I was threatened myself.

2824. Have you heard of any threatening language being made use of by any person acting for Captain Flanagan?—No, I cannot say; I have no recollection myself; some foolish expressions might be made use of by drunken men, or the like of that—that is all; there was an allusion made on yesterday by Grey to £2—I am anxious to have that explained.

2825. Certainly; explain it?—It is due, I think, to myself.

2826. Explain anything that affects yourself in the evidence given yesterday?—I mentioned that I gave him the £3; the Major said, "Boys, see Doherty in the evening, he will give you the price of a drink," or something to that effect. A man whose name, as well as I can recollect, was Hugh Gallagher, a non-voter, a non-elector, said, "If you give the money to this fellow we will never see a shilling of it; there are four, or five, or six of us who never get a shilling. I will tell you what you will do: keep some of it for us; don't give him the whole of it." So when I got the £5 note, I put £2 into my pocket, and gave £3 to Grey; Mulligan was present, and I said, "Mulligan, you are to get none of this," although a non-elector, for previous to the revision he was not on the register at all. "There is a direct order from the Major that no elector shall receive any portion of this." "Oh," says he, "I don't want it all." The next day I met a man named Michael Mulligan, and I asked him, and he mentioned the names of Henry Gallagher, Michael Gallagher, Denis Cullen, and a man named Garvey; and he said all these fellows should get a drink. "If that is the case," I said, "here is the £2; give it to them in drink or anything else." I gave Michael Mulligan the £2, and that is all the money, public or private, in connexion with the election, that I ever saw from Major Knox or anyone else.

2827. Had you any communication with Major Knox with respect to the £2?—Nothing more than that he gave me £5 to hand to them.

2828. The *Chief Commissioner.*—Did any money pass through your hands at the previous election; Sergeant Armstrong's election?—Nothing; I never received a shilling, as much as would buy a halfpenny worth of tobacco.

2829. Or did you give money to any other people?—Never.

2830. Mr. *Commissioner Bruce.*—Had you ever anything to do with mobs?—When not an elector, I very often took an active part, but I never was paid for it, I always came off worst.

2831. Mr. *Commissioner Byrne.*—Were your companions paid—those in the mobs along with you?—To be sure they were: I must say they were paid, and I must call them companions when I associated with them.

[The witness withdrew.]

Peter Harrison sworn and examined.

2832. The *Chief Commissioner.*—You are a voter for the borough of Sligo?—Yes.

2833. Did you vote at the last election?—No, I did not.

2834. Where were you on the day of polling?—I was in Dublin.

2835. At whose house were you in Dublin?—I think it was at a man's named Hughes.

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2836. What street?—I think in Queen-street.

2837. When did you leave Sligo?—Well, I think it was six or seven days before the election.

2838. The election was on Thursday, the 19th of November?—Yes.

2839. On what day of the week did you leave Sligo?—I can't remember the day of the week; I was either five or six days out of it on the day of the election, but I cannot recollect the very day.

2840. How did you leave Sligo?—I went by the railway.

2841. From the terminus here?—No, from Colooney.

2842. Did you drive out to Colooney on an outside car?—Yes; there was a car of Mr. Williams's going to Colooney on his own business, and two of his boys; I went down on the quay before this occurred, and some of the quay fellows came up to me, and said if I would not vote on the right side the head would be knocked off me; so that I thought it well to get ready and go with those men on the car; I am working for Mr. Williams for the last thirty or thirty-five years; I am forty years in another man's employment in this town.

2843. You are in Mr. Williams's employment?—Yes, and Mr. Anderson's; those are the two employments I had—forty-four years with Anderson.

2844. What are you?—A quay porter.

2845. Did you know where to go to in Dublin when you went up there?—No.

2846. Did you tell anyone you were going to Dublin?—Mr. Williams told me nothing at all—not a word; his two young men were along with me on the car, and they paid the fair in Colooney, whatever it was; I did not pay it.

2847. Two young men of Mr. Williams's, your employer, were on the car with you?—Yes.

2848. What are their names?—Mr. Acheson is one, and the other was Mr. Cloughery; he had business going to Boy, and Acheson had business going to Colooney, and I came with him.

2849. What is Acheson's Christian name?—George.

2850. And the other—Mr. Cloughery's?—I can't tell what is his Christian name.

2851. What hour was it when you left Sligo?—About seven o'clock, in the dark; I dare not go earlier; if I was seen I would not be safe, and if I did not go that night, you know I might lose my life the next day.

2852. You left Sligo about seven o'clock?—About eight o'clock I left Colooney.

2853. About what time did you tell Mr. Williams or Mr. Acheson you wanted to go to Colooney?—They told me they were going; I told them I wanted to leave the town.

2854. When did you tell them that?—The very time I was going; for if I was afraid to stop in town during the election, that I would be destroyed; for if I did stop I would have voted for Major Knox; then if I voted for him, I would lose my life on account of it, and I went very near losing it as it was.

2855. How long was it before the cart started that you told Mr. Williams that you wanted to go out of town?—I did not tell Williams anything at all; it was more than an hour or two before the car started.

2856. Was it a covered car?—No, it was not; it was a side car.

2857. These two gentlemen were with you to Colooney?—They were; one of them was with me to Boyle; I think he belongs to Boyle, I am not quite sure; I think his family are from that side; I am not sure.

2858. Did Acheson drive back on the car from Colooney?—He came home on his own business.

2859. Did you know the car was going to Colooney?—I did; he told me he was going to Colooney.

2860. I want to know why you did not take your passage to Colooney from the railway station here?—Because it might be known I was leaving, and I might be murdered before I got away.

2861. Did you tell Mr. Acheson that?—Mr. Acheson knew it himself as well as me, and so did the whole of them.

2862. Did you tell him that?—No, I did not.

2863. How much money did you bring with you to Dublin?—I did not bring much money to Dublin with me at all; I had just as much as paid my way back, and I came back the whole way on my own account; the night after the election I came into town; I was dragged out of my house, kicked out of my house, my blood was running, there were large pools of blood on it, and I was three weeks in the Infirmary after the beating I got.

2864. Tell everything that happened to you when you came home? Did you come home by rail?—I did.

2865. To Sligo?—To Sligo.

2866. How soon after arriving were you assaulted?—About half-past ten I came, and when I went to my house and saw nobody there, the windows and the door were all broke down by Flanagan's mob, I went in, thinking I might see some of my family in the house, and searched the house all round, but could not see any of them; there were five beds stripped, and everything in the house was taken away that they could carry away; I came downstairs and called to the girl next door to get me a candle; I gave her the price of a candle, and she went in to her master's house to get me one, but she would not be let bring it into me, that man that lived the next door to me; very well, all right then, I came down to the kitchen, I hunted about; I had two coats on me, and I took one of them off and hung it up, and kept the other on; I was going about the kitchen, and did not know what to do, not knowing but my family were all killed; I walked about; there was a gas lamp one side of the door, opposite the street; the front windows were out, and the door was open, and the gaslight played on the door and gave me light, and I saw a man coming in in the door; when he saw me coming to meet him he turned his back to me, but I knew him; I am myself a sober man, a teetotaller for twenty-nine years, and I could not be deceived in him; and with the light of the gas flame I knew him; just as I passed by him he slipped his hand into the collar of my coat and caught a hard hold of me; I was just on the step at the threshold of the doorway, being out on the flags on the street, and he gave me two or three swings, and the third put me out on the flags and knocked me down; and then, the very minute they got me out, there was 100 of them there; everyone was vieing who would give me the first kick or thump; they knocked me down in the channel, and kicked till I was nearly dead; I then came to myself again, and they kicked me again; they gave me three kicks here (on the forehead), and I was bleeding, and every bit of me was all black; I had on a frieze coat, and only it got stiff and hard with the dirt and water, when I was knocked down in the channel, I would not live ten minutes from all the kicks I got; then there was a shout raised, and everyone of the neighbours, both decent and indecent, closed their doors, and not one came to my relief, my neighbours next door, up and down, but not one came to relieve me; there was a woman then just got out of bed; she came over, she thought it was a friend of hers, and she threw herself on the top of me, and then all was right; and when I came to again they gave me three times as much, until another woman cried out to leave the breath in me; so the people began to gather, a few soldiers were coming up then; there were no police to relieve me, and when they saw not the police but the soldiers, they walked away; and these very women who saved me, when they came here to give evidence, they dare not say one word on my behalf in this court house, they were too much afraid; when the mob ran away, I went over to a man named Woods, a baker; I was trembling with my blood, and wet and cold, and I asked him would he let me in through the back door to the bakehouse till morning; he said if I was to die he would not let me in; I went

upstairs again, took off the wet coat I had with me, and drew another working coat on me, and lay down and slept till half-past eight o'clock; in the morning there come in one of the same mob, and called me down to the kitchen; I did not know the man; my nose was bleeding, and I was worse in the back; and I said "I do not know you; who are you?" "I am John Hart," said he. "Well, If you are you don't want me down there," said I. "You must come down," says he. "No," said I, "I won't go down." "Well," said he, "if you don't I will come up." "Well," said I, "if you do I will knock your brains out." The lobby was full of stones, where they fired them in the previous evening; I lifted a stone; then he came upstairs. "Well," I said, "I will never kill a man." I could have struck him with a stone; he came up with a gate before him, and another man came up after him; I ran into my own room and I bolted that room, and I had a bolt on it with a staple; they put the prong of the grate between the door and the jam, and burst the bolt, and the two came in. "Hould him," said one, "till I search his pockets." "Very good." One of them then held my hand, the other searched my pockets; they got no money; they thought I had money with me from Dublin. I went down; other parties were below in the kitchen knocking down the dresser and smashing all the things—you never saw the kitchen in such a state. Shortly after the police came in; they brought me away to the Infirmary, so that I suffered well by the election; I lost a great deal of blood, and I lost all.

2867. Was it on Friday you came home?—The day after the polling? No, in the evening.

2868. On the 20th?—I came home on the 21st; I was brought to the Infirmary.

2869. Was the place you stopped in in Dublin at Hughes, 23, Queen-street?—I think so.

2870. How did you know you were to go there?—Well, I got a card and gave it to the cabman.

2871. Who did you get the card from?—I do not know who it was; I do not know which of them gave me the card who were along with me.

2872. Who were along with you?—Two men were there and another man from Boyle.

2873. But either of the two persons who left Sligo with you—either Mr. M'Cloughery or Acheson gave you the card?—Either one or the other.

2874. Mr. Hughes' house was not a tavern—it was a private house?—A private house.

2875. Did you give him the card?—No, I gave it to a little girl about eight years of age that came to the door.

2876. What was written on that card?—I could not tell what was written on the card.

2877. Was there any writing on it beside the name?—No, I did not see any writing on it at all.

2878. Did you pay Hughes anything for the time you stopped there?—No, but I promised to send the mistress a lot of potatoes—they were dear at the time—when I came home, but I was in the Infirmary before I knew where I was.

2879. You did not send the potatoes?—No, but I will send them to her.

2880. Did you ever see Mr. William Hughes before?—No.

2881. Was it a lodging-house?—I think so.

2882. Were there other people lodging there besides yourself?—Yes, there were people upstairs that did not belong to the house.

2883. Mr. *Commissioner Bruce.*—Did they ask you to pay anything when you were going away?—I went away unawares of them; I knew my house was wrecked; I knew all was gone; I could not rest; I went away unknown to them; I went up in the course of the day to the railway station, and heard the time the railway would be going; I just walked over, paid my passage out of my own pocket, and came home. That is the way I got home, and it was the dear home to me.

2884. The *Chief Commissioner.*—Did anyone give you any money to go away?—No, not a penny I got; but I got 15*s.* from these two young gentlemen—5*s.* and 10*s.*

2885. That was to pay your fare to Dublin?—Yes, to pay my fare to Dublin.

2886. And those two young men that gave it to you were M'Cloughery and Acheson?—Yes, they had no more about them. If they had they would have given it to me for they knew they were sure of getting it back again.

2887. Was that all the money you went to Dublin with?—That is all.

2888. Did you pay back that 15*s.* since?—Yes, I got a deal more, for I work for him. I do a good deal of business.

2889. Do you mean to say that was stopped out of your wages?—I do not know whether it is stopped yet or not. It is every twelve months I settle with him.

2890. Do you know whether it is stopped or not?—I could not swear to that.

2891. After you came home did you get any money at all from Mr. Williams?—He never gave me a pound or a shilling on account of that business at all.

2892. Nor from anybody else?—No, except what I got as my own earnings.

2893. Was the 15*s.* all you had going up to Dublin?—This was all, except some little money of my own.

2894. How much money had you?—Not much; I had 3*s.* after coming home.

2895. Do you know what is the third class fare from Dublin to Sligo?—I do, well—11*s.* 4*d.*

2896. Do you remember what it is from Colooney to Dublin?—No, I do not.

2897. You say you had 3*s.* coming home?—Yes.

2898. Did you expect anything for going away?—I did not expect anything, nor never asked it.

2899. Did you vote at the previous election of Mr. Macdonogh and Sergeant Armstrong?—No, I did not.

2900. Was this the first time you had the franchise?—No, I voted for Sadlier and Somers, and did not get a shilling from them.

2901. You did not vote at the election between Mr. Macdonagh or Sergeant Armstrong?—No, I did not. Had you the franchise then?—No. At the last election I would have gone with Macdonogh against Tennison, but Mr. Tennison did not oppose him. He was going to assist him, but he gave up.

2902. Do you swear positively that you did not go away to Dublin with any hope of getting rewarded?—I did not go away with any hope of reward from Major Knox. I never spoke a word to him or to Captain Flanagan either. I merely went away to save myself. I told the mob I would not vote for either of them, but that if I did it would be for Major Knox.

2903. Do you swear you went away from fear of violence from the mob?—I do, for I knew what I would get, for I had no help. What would one man be amongst a whole lot of them.

2904. What family had you in your house?—My wife, a girl, and a boy.

2905. What became of them?—They went to the country and were near being killed there also. They were near knocking down the house on the top of them.

2906. Mr. *Commissioner Bruce*—Are they in Sligo now?—The boy is in Sligo now, but the daughter is away for her health.

2907. Mr. *Commissioner Byrne.*—What is the Christian name of the son?—Peter.

2908. Mr. *Commissioner Bruce.*—How old is he?—My boy is Peter and my daughter is Maryanne; she is in Ballymore now for the good of her health, in consequence of a fright she got in the country.

2909. Mr. *Commissioner Byrne.*—After that assault you say was made upon you, you were three weeks in the Infirmary?—Yes.

2910. What is the name of the doctor that attended you?—Dr. Little. He was examined at the assizes.

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2911. Mr. *Commissioner Bruce.*—Do you know any of the mob that beat you?—I do not know them very well, but Grey is the man who dragged me out of my own house, and the rest, you know, assisted him. Only I was strong I would not live two days after the beating I got. I got a mortal beating; I never could put my hand back since. I am not able to straighten my arms yet. The velvet collar of my coat they kicked off. They kicked me on the chest. The hair of my head they kicked off.

2912. Do you say that Acheson was the first man you told of your intention to go up to Dublin or away from Sligo?—Yes, I told them I must go.

2913. Did you go to Acheson to tell him you were going away, or did he come to you and say you had better go away?—No; I am continually going into the shop. I am working for that shop. They were saying they were going to Colooney, and I told him I would sooner go than be here. If I had the good fortune to stop two or three days more away, I would be all right, but I could not stop; I was uneasy. I knew everything was wrong. I knew my children were killed.

2914. And when you told him you were going away did he suggest to you to go to Dublin?—He told me I might go as far as Colooney, and that I had a better chance to take train from Colooney than from Sligo.

2915. Was it then that Acheson offered the 10*s.*—did he offer to lend the 10*s.* then?—No; it was in Colooney they gave me all the money they had about them.

2916. Was there anything mentioned by Acheson to you about your travelling expenses before you got to Colooney?—No; not a word. He told me that would do me.

2917. Did he ask you how you intended to pay your railway fare up and down—did he know you had not much money?—He knew very well that I would not want much money, because I was a teetotaller. He knew I would not spend much; I did not spend 2*d.* in Dublin.

2918. Did you get any money in Dublin?—Not a farthing, on my oath; nor did I ask anyone for it, for I had no one to ask it from—not one.

Michael Rooney sworn and examined.

Michael Rooney.

2919. The *Chief Commissioner.*—You live in Coruagh?—Yes.

2920. Whom did you vote for at the last election?—For Captain Flanagan.

2921. Had you promised Major Knox at any time, or any of his party, to vote for him?—He came to me early in February, and there was no other candidate in the field; and at that time I made him a promise, there was no other candidate but himself.

2922. Did you ever get any money?—I got £1 from James Grey.

2923. Did you get any other money—now tell the truth?—I did.

2924. Tell the truth now?—Of course I will.

2925. Tell the whole truth?—Previous to that I heard he was a liberal man in giving money to people back and forward, and I was told if I wrote to him he would send me some money. So I did; and I wrote to his address—Major Knox.

2926. To Dublin?—Yes.

2927. Go on now; tell the whole truth?—And a fortnight or so elapsed before I got an answer, and then I got a cheque with no name to it for £12.

2928. Did you cash that cheque?—I did.

2929. Where did you get the money?—In the Ulster Bank, in Sligo.

2930. Whose name was to the cheque?—Well, I could see no one's name, only not to exceed £12 on it. It was a small cheque.

2931. Was it a cheque or a bank draft?—A cheque.

2932. Was it signed by anyone?—No; I did not see any signature to it. I put my name on the back of it, and then got the money.

2933. You got £12 in the Ulster Bank?—I did.

2934. Was there any letter accompanying that cheque or draft?—There was a blank piece of paper folded round the cheque.

2935. What month was that letter sent to you?—In the latter end of February.

2936. The February before the election?—Yes; on the 20th of the month.

2937. And you put your name on the back of the cheque?—I did.

2938. And got £12?—I did.

2939. You say that was on the 20th of February?—Something about that day, or the end of the month.

2940. Mr. *Commissioner Byrne.*—Was it at the Ulster Bank you cashed it?—It was.

2941. Before you got that £12, what was in the letter you wrote?—I wrote that I was in difficulties—that I did not see him when he was in Sligo—I believe he was in Sligo before that, but I did not see him—and that I would be obliged if he would send me that, and I would pay him again. I wrote for £15 and I got but £12. I asked for £12 or £14; he did not send for about three weeks; I could not see his name to the letter.

2942. Do you remember what colour was the cheque?—Reddish.

2943. Mr. *Commissioner Bruce.*—A red paper?—Yes, I think it was red; not the paper, but the letters were red.

2944. And was the paper white?—It was between red and green.

2945. The *Chief Commissioner.*—How long before you got the cheque was it that you had sent the letter to Major Knox?—It was about three weeks.

2946. Did you show that cheque to anyone before cashing it at the bank?—Not one.

2947. Did you ever tell this before you told it to-day to anyone?—No, I did not, except my misses.

2948. Did Thomas Brennan, for example, ever know of this?—I could not say.

2949. I mean from you?—No.

2950. At the time you got this £12, had you got any money from Brennan?—No, not a shilling I ever got from him or from any other one except the £1 from Grey. There were races here, and in James-street he met me. I said, "You are a bad fellow not to give a treat, and you having plenty of money." He handed me £1. That is all the money ever I got.

2951. What did you do with that £12—I bought seed, oats, and wheat with it, and sowed my land.

2952. Did you yourself, with your own hand, write the letter?—I did.

2953. And direct the letter?—I did.

2954. Where did you get the address of Major Knox from?—I got it in town from some of the boys; I forget whom.

2955. Did you yourself post the letter to Major Knox?—I did.

2956. Have you got the envelope that enclosed the £12?—No.

2957. What became of it?—I mislaid it; I could not keep it. I did not mind it. It had both the Dublin mark and the Sligo mark on it.

2958. You say you never told this story to anyone?—No, except my misses.

2959. Were you subpœned for the trial of the petition at Carrick?—No.

2960. Were you not—I mean the trial before Judge Keogh at Carrick?—No.

2961. Do you know of anyone else having got any money while the election was going on—while the canvassing was going on?—Oh, I heard of people, but I do not know of any man getting money.

2962. Did you vote at the election before?—I did.

2963. Whom did you vote for?—For Sergeant

Armstrong. I have always voted for the liberal party for thirty years.

2964. Did you get anything at the previous election—whether before or after that election did anyone give you any money—you are on your oath now and you must tell the truth?—Well, I did; but not money—in value and money.

2965. Was it before or after the polling?—It was four or five months after.

2966. Who gave it to you?—One Chrystal, in the town here.

2967. What is his Christian name?—I cannot say; I think it is Pat.

2968. What was he, or is he here still?—I think he is.

2969. What did he give you?—He gave me to the amount, between value and cash, of £20.

2970. What value did he give you?—He gave me some bran and some seeds for cattle; an order for it.

2971. An order on whom—what shop did you get it at?—At Mr. Keighron's.

2972. Did he give you a written order?—Sometimes he would, but I continued for six or seven——

2973. Then you got it from time to time?—Yes.

2974. How much money did he give you?—About £9 or £10, and the balance in value up to £20.

2975. How did you know this man was to give the value and money at that election?—He said he could not give any money, and I said I was badly off. I used to deal there off and on, and I went and spoke to him, and he gave me what I wanted.

2976. Do you mean to say that he gave you this as a loan—is that what you mean to convey to the Court?—It was.

2977. Was this money and value given to you after the election?—It was.

2978. Had he given you anything except after the election?—I often had transactions with Mr. Keighron. I was carrier for the railway, and I got accommodation and anything I wanted.

2979. Did you ever pay that £20 since to anybody?—I paid part of it.

2980. How much?—A few bags of oats I brought in, and the next season I would give him more.

2981. How long ago was that—Last season.

2982. But Chrystal's £9—you were paid that?—No.

2983. Now I will bring you down to this election. When did you make up your mind to vote for Captain Flanagan?—I always voted for the liberal party, but there was no one of them in the field when I made the promise to him.

2984. Did you promise Major Knox personally?—When he was canvassing he came past my door, and asked me to vote for him. I said, as he was accompanied by all my friends, I would be in the field along with him, and would not be worse than another.

2985. Did you get any money after the last election?—No, nor anything else—not to the weight of a penny.

2986. Did you get any money before the election began?—No, as I am a sinner, nothing but the £19 mentioned; and I was not along with the mob, or anything else. I did not take any active part in either side, only that I voted when it came to my turn.

2987. Mr. *Commissioner Bruce.*—When did the Major canvass you?—It was, I think, two or three months before the election.

2988. It must be more. That was a long time after you wrote for the £15. You say you got the £12 in February—that was seven or eight months before the election?—He was down here then and was here afterwards again. He used to canvass the town, and did not go outside it till three or four months before the election.

2989. Did he canvass you more than once?—No.

2990. Was there anyone with him when he did convass you?—No one—only Mr. Phibbs and Doherty.

2991. Were they both with him?—They were on the car.

2992. Did you say anything to Major Knox, when he canvassed you, about this £12 that he had sent you?—No; nor did he. He only canvassed—did not delay a moment.

2993. He asked you to vote for him?—He asked my vote. I said, "I am glad to see you accompanied by neighbours, and I will be along with them." He did not come into the house at all, but remained on the road outside.

2994. Was that before Captain Flanagan was in the field?—It was.

2995. I would like to get from you the address you put on the letter you sent to Major Knox?—Well, I cannot remember it.

2996. Just try now and say what was written on the back of it?—I cannot; I do not remember it—but his residence is well known.

2997. Can you not tell the address?—I forget it.

2998. For you said something about a captain?—Laurence Knox was on it, and the letter I got was directed to myself.

2999. How soon after you wrote did it come?—About three weeks; it might be a month. It was long after the fair of Carricknegat, and that is in February.

3000. Did they make any inquiry at the Ulster Bank about the cheque—I suppose you do not keep an account there?—No, they did not. I was a carrier there, bringing my goods, and they knew me.

3001. Mr. *Commissioner Byrne.*—Who told you how to direct the letter to Major Knox?—It was one of the boys, perhaps, in the town.

3002. Do you remember the name of the person who told you?—No, I do not.

3003. Mr. *Commissioner Bruce.*—With regard to this man Chrystal, and what you said about the £20 in money and value—how was it you came to talk of £20 exactly, was not that paid for your vote for Sergeant Armstrong?—No, I do not consider so.

3004. Do you swear that if you had voted for Mr. Macdonagh, Chrystal would have paid that £20 to you?—I could not say.

3005. Do you think he would?—I could not say, for I often had a transaction with Keighron before.

3006. But had you any transaction with Chrystal before?—Well, I had.

3007. What transaction was that?—He deals in eggs, and I used to draw for him from the quays backwards and forwards.

3008. How often used you draw for him?—Several times.

3009. What made you go to him to ask for £20—come now?—What made I?

3010. Yes?—I said I was embarrassed, and I said if he lent it to me, or got it for me—that I heard——

3011. The *Chief Commissioner.*—You heard what?—That he could oblige a man with some money, and that if he could oblige me I would be obliged to him.

3012. Mr. *Commissioner Bruce.*—Who told you he could oblige a man with some money?—I was told it.

3013. Who told it to you?—I do not remember.

3014. Try and recollect. You must tell?—I cannot remember.

3015. The *Chief Commissioner.*—Who told you the money was going at Chrystal's for the election?—Some of the boys that were in the mob.

3016. Told you that the money was going at Chrystal's for the election?—No, I told them how I stood and they said if you speak to him, he will send for you.

3017. Mr. *Commissioner Byrne.*—Do you say some of the boys in the mob?—Yes.

3018. Mr. *Commissioner Bruce.*—That is some of the boys of Sergeant Armstrong's mob?—There was a mob at that time.

3019. Mr. *Commissioner Byrne.*—Did they tell you at the same time that they got money themselves?—No, but they had some money for their accommodation—they had some money I suppose.

3020. The *Chief Commissioner.*—Did anyone else get £20 at Chrystal's beside you?—No, not in my time.

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October 6.

Michael Rooney.

3021. Before that did anyone tell you he got £20 at Chrystal's?—No; there was some people talked of £15.

3022. Was that for Colonel Tennison's voters?—That is what I heard outside the town where they lived, that they got £15.

3023. At Chrystal's?—No.

3024. Where?—I could not say.

3025. I want to know how you were directed to get £20 at Chrystal's?—I told you already it was some of the boys that were in the mob said to call—they did not mention any sum of money to me—and I might be assisted too, and got out of difficulties.

3026. Did you hear of anyone else get £20?—No, I did not; I heard report of it, that is all.

3027. Who?—I think it was John Jennings.

3028. Did you hear he got £20 or £15?—£20.

3029. Well, who else?—I do not remember any other person, except to hear of it.

3030. How do you know that John Jennings got it?—He told me—he told me he got it.

3031. Did he tell you he got it before or after you got it?—About the same time.

3032. Where did he tell you he got it?—From Chrystal, I believe.

3033. You now remember John Jennings. Now, think of somebody else?—I do not remember. He is the only voter near me there—he lives by my place.

3034. Where does he live?—Above my own place.

3035. Is he a Comaghee voter?—He is.

3036. Do you know any other voter at Comaghee, who voted for Sergeant Armstrong, and who got money?—No.

3037. Did they all vote for the Sergeant—the Comaghee boys?—They did, except Colonel Barrett. There are not many in it.

3038. Mr. *Commissioner Bruce.*—When Jennings told you he got £20, did you not hear that others got it?—No, but we heard some of the tenants on the old road got money—£15.

3039. The *Chief Commissioner.*—Who are they?—Colonel Tennison's tenants.

3040. Mr. *Commissioner Bruce.*—He told you they got £15?—Yes.

3041. The *Chief Commissioner.*—Where?—I could not say; some where in town.

3042. Mr. *Commissioner Bruce.*—Did you understand they got the £15 at the same place that he got the £20?—Well, I think not.

3043. And when you heard that you said, "I may as well have £20 as well as you. I voted for the Sergeant as well as you?"—No; I think I got it before him. [The witness withdrew.]

3044. Did you not hear of anybody else by name who got £20?—No, I did not.

3045. The *Chief Commissioner.*—Was it you told Jennings to go to Cherry?—No, it was not.

3046. Did he know it without you?—I do not know; he is a watchman, and up at night; I did not see him.

Henry Mulligan sworn and examined.

Henry Mulligan.

3047. The *Chief Commissioner.*—Are you an elector?—I am.

3048. Did you vote at the last election?—No.

3049. On the polling day where were you?—In Dublin.

3050. What are you by trade?—A cooper.

3051. In whose house were you in Dublin?—My son's.

3052. What business is he?—A cooper.

3053. How long did you remain in Dublin?—I think about seven or eight weeks.

3054. How did you go from Sligo to Dublin?—By railway.

3055. From what station?—From the Sligo station.

3056. On what day did you go?—The Friday before the election.

3057. The Friday in the week before the election?—Yes.

3058. What train did you go by?—The morning train, a quarter-past six.

3059. Before this election what party had you supported in the borough of Sligo?—The Conservative party; I voted always with my landlord.

3060. Who is he?—Mr. Wynne.

3061. You have been a tenant of his?—Yes.

3062. I suppose you are a Roman Catholic?—I am.

3063. Did you vote for Mr. Macdonogh?—I did.

3064. And voted for the Right Hon. M. Wynne whenever he stood?—I did.

3065. Did many speak to you about leaving town on the occasion of the last election?—Not a single one ever spoke to me; I went of my own accord; I would have voted for them, too, but for the Church question, and I went up to my son to avoid voting; for months before the election I said I would not vote, and I told both candidates so.

3066. You tell me you would vote with your landlord except for the Church question?—Exactly.

3067. Did anyone hold out any inducement to you to go to Dublin?—Not one.

3068. On either side?—Not one; nor no one knew it but my son; I told him what I would do, and that I would go until I liked to come back.

3069. Were you afraid of the violence of the people if you remained here and did not vote?—I knew very well if I remained that I perhaps should have to vote contrary to my inclinations.

3070. That is by force?—Yes—just so.

3071. Was your house attacked?—There were some panes broken, not many.

3072. There were only some panes broken?—Only some panes, some few panes.

3073. Mr. *Commissioner Bruce.*—Was that before you went away?—After.

3074. The *Chief Commissioner.*—I suppose it was known in the town you went?—I suppose so, a day or two after.

3075. You went openly from the Sligo station?—Yes.

3076. You say you remained in Dublin seven or eight weeks?—I did.

3077. Were you out of employment all that time?—I was, indeed.

3078. I suppose you had some one who minded your house at home?—We were not very busy at home.

3079. It was the slack time of the year?—It was the slack time of the year.

3080. Now, do you tell me on your oath that no party on either side held out any inducement to you to go away?—I can tell you on my oath that no party at either side interfered with me, nor I with them. I went of my own accord. I had nothing to do with any of them.

3081. And no one gave you any money?—Not a farthing, not a shilling, nor I never looked for it.

3082. Did you expect to be paid because you did not vote at the last election?—No.

3083. Did you get anything for voting at the previous election?—The previous election—some time after the election, a good while after. I never made any bargain, or anything of that sort. I always went with the party. There was a sum of £10 sent to the house to me. I never looked for it—never.

3084. Was that after you voting for Mr. Macdonogh?—Long after it.

3085. But it was after that election?—Yes.

3086. And before the canvassing for this election?—Oh yes, it was.

3087. Who brought the £10 to your house?—Well, he was a man named Rowlett.

3088. Is he a Sligo man?—He is.

3089. Does he live here?—He lives down in the town.

3090. What is he?—He is a clerk.

3091. In whose employment?—I think in Mr. Wynne's.

3092. Was it he brought the ten-pound note to your house?—It was.

3093. Did he give it into your own hand?—He did. I never expected it, nothing of the sort, nor looked after it.

3094. What did he say to you?—He said that was a present sent to me.

3095. By whom?—I did not put the question, but I guessed who it was. He gave me to understand. I did not say anything about it.

3096. Did you understand that ten-pound note was given to you having regard to the election?—I did. I guessed it was from that quarter it came.

3097. Was it a new ten-pound Bank of Ireland note?—Well, I cannot say what Bank.

3098. But at all events you took it?—I did.

3099. Do you know anyone else that got £10 at that election?—No, not one; neither did I inquire or make myself in any way busy about it.

3100. Mr. *Commissioner Bruce.*—Did you hear?—No.

3101. You told us that you feared you would be forced to vote against your inclination?—Certainly, if I stopped.

3102. Was that in consequence of the mobs and the violence about the town?—Certainly.

3103. Were you canvassed for Captain Flanagan by anyone?—I was.

3104. By whom?—I was canvassed by himself. I told him that I had determined not to vote—that I would not vote against him.

3105. And by whom else?—I was canvassed by Major Knox, and I told him the same, that I had made up my mind not to vote, and I would not vote.

3106. But did anybody else canvass you on the other side? I want to know was there any pressure?—No pressure whatever.

3107. Not to vote?—Not to vote. They saw there was no use. I told them bluntly I would not vote, and they never came back again.

3108. They left you in peace?—They did.

3109. You say you left the Sligo station, was it by the night train?—No, by the morning train. The train that leaves at a quarter past six.

3110. Did you meet any people you knew going by the train?—Not one. All I met was a man going to Ballyshannon on business. He came into the carriage when I was at Boyle. He was not a Sligo man.

James Devany sworn and examined.

James Devany.

3111. The *Chief Commissioner.*—You are an elector of the borough of Sligo?—Yes.

3112. How long have you been an elector?—Some twenty years, in or about.

3113. Did you vote at the last election?—No; I did not.

3114. To what party had you belonged before the election?—I always voted with the liberal party up to the last.

3115. Where were you on the day of the polling?—Well, I left my own house about nine o'clock on the night before the polling, and I went to M'Grath's.

3116. What is M'Grath's house?—He in the same manner is one of the absentees that did not vote with either party. He lives in High-street. He has the police barrack convenient to his place, and it was just the safest quarter people could go to.

3117. What is his Christian name?—John.

3118. Were there any other voters there?—There were two more.

3119. Who were they?—Michael Hunt and Laurence Burke.

3120. That is four of you were there?—Four.

3121. What party had the other three belonged to before the last election?—I suppose the same party as myself.

3122. The liberal party?—I suppose so. I cannot speak generally, you know.

3123. How long did you remain at M'Grath's?—We remained in it that night—the night before the election—and we left there then and went to another place, and remained the next day during the polling.

3124. Where were you?—It is rather a delicate thing. They are people in business—females—and you would do me a service if you pass that by. If you press it ——

3125. We will not ask you for the present. Who suggested that you should go to M'Grath's?—It was my own suggestion. No one had anything to say to it.

3126. Do you mean to say that you and the other two electors met by accident at M'Grath's at the same time?—Laurence Burke—I sent down for him to his own house, and he and I walked down that way. I asked him to have a glass of wine, or something that way. I took wine myself at all events, and he came in with me, and we had a glass of wine there. The other two gentlemen were there before me, and we all remained there and did not leave.

3127. How did the whole four of you meet together without any previous arrangement?—There was not the slightest arrangement in it.

3128. Do you mean to tell me the four of you were there by accident?—They are two brothers-in-law, M'Grath and Hunt; they supposed they were in their own place; I had no notion of meeting them there at the time.

3129. At what hour did you leave there?—It was near ten o'clock—about a quarter to ten o'clock—at night.

3130. When you left your own house did you intend to stop away from it?—I did.

3131. Had you made up your mind not to vote?—I had; no—I promised Major Knox to vote.

3132. You had promised him to vote?—I did, distinctly.

3133. When did you promise him?—Well, I promised, I think, some three or four days before the election; but I think, too, six months before that.

3134. You knew the Major was opposed to the liberal party you had always supported?—Well, I will tell about. I had two friends of mine here from Ballysodare; they were going up to Dublin, to Dr. Wilde's. On going up to Dublin, a man I met introduced me to the Major. I never knew him before. He called at my house, but I was absent, away in Glasgow. We went up to Dublin to have the children's eyes examined and put under the care of Sir William Wilde. Major Knox was acquainted with him, and he wrote a note, and sent a man with me to the place. We did not see the Doctor then—he was not at home; but we saw Wilson, his acting man, who acts professionally for him, and we spoke to him, and he looked at the children, and gave me his opinion about them. The children remained in Dublin a considerable time, and the father paid every shilling for them. The Major never paid a shilling, nor anyone else, for them, but the father of the children. He is my father-in-law, Andy O'Hara.

3135. Was it because Major Knox sent his servant to Sir William Wilde's you made a promise to vote for him?—No; I did not imagine that I was wanted to vote for some time. After that we had a chat on the head of the election, and we talked it over, he told me he hoped he would be remunerated; and afterwards he called on me, but he did not see me.

3136. Did any money pass through your hands?—Money—not a shilling.

3137. Did you know of any money passing through

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James Devany.

the hands of anyone who has been mentioned?—Not a shilling, to my knowledge.

3138. Were you afraid to vote for Major Knox from violence?—Well, I could not exactly say I was afraid, for I did not know how the town stood on the day of the election. I knew before that, for every day I walked through the town, backwards and forwards, and saw a good deal, one way or another; and on the day of the election they smashed my own house nearly to the ground.

3139. They smashed your house?—Yes, after the polling was over; I could not exactly tell you when, because I was not there, but the polling was over.

3140. Did you consider when you left your house that you were in danger if you voted for Major Knox?—Well, I did not consider the danger was so great as it really was, for it turned out by-and-by that it would be rather dangerous to vote for him.

3141. Were you afraid to stay in your own house?—Well, I was not; in one sense I was afraid: I knew if they left their hands on me they would bring me up against my will—that is the truth.

3142. Did the other three voters and yourself remain up all night?—No, we slept in Mr. M'Grath's that night.

3143. Was it not for the purpose of concealment you went the following day, the day of the polling, to the house, the name of which you are unwilling to mention?—It was; I found I could hardly remain; notwithstanding the great force of military and police, we could hardly remain without some violence being used towards us.

3144. Did the mob break into M'Grath's place during the day?—I heard so; I did not see them.

3145. How long did the four of you remain in the other house?—We remained up to about one o'clock at night.

3146. Where did you go to then?—I went to my own house, accompanied by Burke; I found it in a state that we could not live in it; it was in a desperate state; I met my wife and poor little children in a terrible way; I asked her "Is that the state of things?" She said, "Yes," and blamed me for leaving them in that terrible way. I said, "Can we live here?" She says, "No, we have nothing here." The covering of the bed, in fact, were all taken and carried away, and we had to go down to Burke's to get blankets, and carry them up to sleep in that night, one under and one over us; they did not leave a single pin's worth in the house that they did not take away; and, worse than all, when I came under Judge Keogh for compensation, I did not get half what would repair my house.

3147. Have you given all the reasons that induced you to leave your pay?—There were no reasons in it but what I have described to you; I have described them to you as near as my memory can bring me; I did not promise the party; I said I did vote; I think Mr. O'Connor was the last gentleman I saw the evening before the election, and I told him I would go up against him.

3148. You told him you would go up against him?—Yes I did, when I heard the state of the poll, and found that I was not required to remain where I was.

3149. Did any people come to you at M'Grath's?—There were people called, but I did not see any of them; it was after I left the locality.

3150. Did anyone come who was managing or conducting the election of Captain Flanagan or of Major Knox?—I heard that some of Captain Flanagan's party did come, and were looking for me and looking for Burke, and so on in that way.

3151. Was it your intention to go up and vote for Major Knox if the state of the poll required it?—I could not say for that; I was disposed myself.

3152. Were you disposed yourself?—I was, although I promised another gentleman I would not vote.

3153. Mr. *Commissioner Bruce.*—Who is that gentleman?—Well, his lordship. His lordship sent for me some days before the election.

3154. The bishop?—The bishop, Dr. Gillooly. He sent for me some four days before the election; or at least some parties requested me to go before him, and I did go; and there and then I had a long chat with him, and I told him my intentions—that I intended voting for the Major. He said, "Sure you will not do that." He took my hand and said, "My child, sure you won't do that?" catching me by the hand. I said, "Well, my lord, I won't vote against you." That is the word I said going out, so I did not vote.

3155. Mr. *Commissioner Byrne.*—You recollect the election of Sergeant Armstrong?—I do.

3156. Did you get anything for voting for him?—Well, I could not say I got it for voting, I got £20; but I never applied, nor asked, nor looked for it; nor did I know of it until I was sent for.

3157. Who gave you the money?—A man named Chrystal gave me two ten pound notes—Bryan Chrystal.

3158. How soon after the election?—It must be more than eight months—six or eight months, as far as my memory serves me. I never knew he had anything of the sort in his possession for me. When he sent to my house to go to him I was away in Glasgow at the time he called. When I came home I was told he was inquiring for me. I went over, and he gave me two ten pound notes.

3159. Mr. *Commissioner Bruce.*—Was he a friend of Sergeant Armstrong's at the election?—I suppose he was, for he canvassed for him, I think.

3160. He canvassed for him?—He did. I know where he canvassed myself.

3161. Tell where he canvassed?—He canvassed a man named M'Goldrick—John M'Goldrick.

3162. The *Chief Commissioner.*—Do you know of anyone else getting £20 at the previous election?—Well, I think, Mr. Burke got the same—Laurence Burke.

3163. Did he tell you?—I cannot say—he did tell me so.

3164. He told you so?—He did.

3165. Do you know of anyone else getting £20?—Well, I do not know of any other one.

3166. I do not mean that you saw getting the money, but that you heard had got it?—Oh, I heard of several parties, but I have no memory now of who they were that got money. In fact, I believe the greater portion of them got money altogether at that time; I think so, if I be right.

3167. They got £20 a piece?—From fifteen to twenty pounds; it is a fact, I believe.

3168. The greater portion of the electors of Sligo?—I think that.

3169. Mr. *Commissioner Bruce.*—That is, you mean the greater portion of those who voted for Sergeant Armstrong.

3170. Did you hear anything as regards money paid to those who voted for Mr. Macdonagh?—I heard something of those other people, but I could not say.

3171. You were not on that side?—No.

3172. Did you get any money at all this time?—No, I never got a shilling from any of them.

3173. Mr. *Commissioner Byrne.*—Was there any promise of money?—No. I never got a man to promise that he would give me money in any case.

3174. Do you mean at the previous election?—Never. I did not know Chrystal had it for me no more than you did when he sent for me.

3175. Where did Chrystal pay you the money?—In his own house, upstairs.

3176. He was not an elector?—He was an elector; whether he is one now or not.

3177. What is Chrystal?—He was in the butter business. I do not know if from the state of his health he is able to be in it. He is rather a delicate man.

3178. Mr. *Commissioner Byrne.*—At Sergeant Armstrong's election were there mobs acting for him?—There were.

3179. Are you aware of any mobs, or persons in mobs getting money?—Well, I cannot say. I never

was connected in that way, that I would know anything about that, I always kept partly by myself. I never mixed myself with them in that way.

3180. Mr. *Commissioner Bruce.*—Did you hear money was going at the last election, at either side?—On which side?

3181. On either side—what was the general report as to money?—Well, they were saying money was going on both sides. I know that some of the parties wanted to tamper with me and offered me money. I would not hear of it at all.

3182. On whose side?—On Captain Flanagan's side.

3183. Give the names of those parties?—Well, he was a stranger, the man that came particularly to me, and told me he would give me £20—told me he would give me £30—told me to take the names of other parties for getting it if I would talk to them.

3184. What were the names?—Young Tighe, young Donegan, young Rooney, three of the parties he said he would give money to, or get it for me.

3185. Do you know the stranger's name?—Well, I will think as much as I can—Lenihan was the name; he was a very active man for Captain Flanagan.

3186. What is the Christian name?—Well, I could not think of that. I did not ask the name although he came to me. I am informed he came ten or fifteen times to my house; I would not hear the man at all. I was always against it; I said I could not take it.

3187. Was Lenihan a Sligo man?—No. He is, if I be properly informed, an under agent of Captain Flanagan's.

3188. He came and said he would give you £20 or £30?—He said he would give me £20. I would not hear tell of it. He came again and said he would give £30. He came again, and said to name my own figure, and I would get it.

3189. You told him you would not take it?—In my house, days before the election, and up to the day of the election he was with me.

3190. He told you to put down the names of young Tighe, young Donegan, and young Rooney, was that to get them money?—No, but to bring them with me, and talk with them, and they would give me the money.

3191. To talk with them, what is the meaning of that?—That is, that often things would go by, they would give me the money.

3192. That you trust them, knowing them?—[Not answered.]

3193. Did you hear of any of your friends, or of any people you know getting money, or being offered money?—Well, no, not particularly. I never heard of any in particular—that is the only time that money was offered me—although James Tighe offered me money at another election—at Sadlier's election. He told me I could get money then. I said I could not think of taking the bribery oath, and take money; that was my answer to it, in James Clement's house.

3194. Try and recollect the name of any other person that got money?—I cannot tell exactly. I am giving my evidence very straight; take it as you like, I am giving you the truth of the matter.

3195. Are you quite sure that you can recollect nothing more?—Nothing than some general report that money was going on both sides; but I never saw it.

3196. The *Chief Commissioner.*—Did you see Lenihan in company with Captain Flanagan's supporters?—Well, I did not. He came unto me—he had another man with him named Conlan.

3197. What is his Christian name?—[Not answered.]

3198. What is Conlan—is he a bailiff or rent-warner?—No, he is not; he is a respectable man, I believe; a farmer like.

3199. Did you know Conlan before that day?—I did.

3200. What is his Christian name?—I could not tell; he is a farmer at Geevagh.

3201. Mr. *Commissioner Bruce.*—Is he an old or a young man?—He is an elderly man, over fifty.

3202. The *Chief Commissioner.*—You say you saw Lenihan in company with him?—He accompanied Lenihan into my house.

3203. Did you see Lenihan in company with Captain Flanagan's supporters?—I did not; but Lenihan told me himself that he had been with different parties through the town; that he was with John Hart and some others that felt aggrieved, as at the last election they got no money, and he was going to have them righted, and so on.

3204. John Hart was one of the men who felt aggrieved?—Yes.

3205. Had he voted for the liberal party at the last election?—I could not say; I suppose he did.

3206. Who else were the aggrieved men?—Well, there was Moran and Hunt and M'Grath.

3207. The man in whose house you were?—Yes.

3208. And they voted for the liberal party at the last election?—They did, I think.

3209. Anyone else?—Thady Kilgannon was one of the aggrieved parties; he did not get money.

3210. Was he looking for money?—I do not know how that was——

3211. Was he looking for money?—I heard so.

3212. Did Lenihan give you to understand that he was going to make it all right with these people?—He did. He told me he saw them, and that everything would be all right.

3213. Were these men refusing to vote for the liberal party?—They were.

3214. Unless they got the money they thought was due to them for the previous election?—I think they were; of course they will speak for themselves; you will have them before you.

3215. That is what you understood from Lenihan and the other people also?—Yes.

3216. From both of them?—Yes.

3217. Did anyone else belong to the aggrieved party?—I think six or eight of them were banded together—five or six of them were banded together——

3218. Hunt, Moran, M'Grath, Kilgan—who else?—Hart; I think that would be all.

3219. You have only given five?—Five or six.

3220. Were you one of the party?—No, I was not.

3221. What is Hart's Christian name?—John Hart. He lives on Mailcoach-road.

3222. Is it William Hunt or Patrick Hunt?—It is Michael Hunt, James Morgan, Thady Kilganan, and John M'Grath.

(The witness then withdrew, and the inquiry was adjourned till Thursday morning.)

Third Day. October 7.

THIRD DAY.

Thursday, October 7, 1869.

The Commissioners sat at ten o'clock, when the following witnesses, who had been summoned, were called, but did not attend :—*Thomas Brennan, Robert Stokes, Stephen Cherry, Patrick Neilan,* and *Francis Dunleavy.*

John Kearns

John Kearns sworn and examined.

3223. The *Chief Commissioner.*—Are you an elector?—Yes.

3224. How long have you been an elector of the borough?—As well as I recollect I am an elector for the last fifteen or sixteen years.

3225. Did you vote at the last election?—I did.

3226. Who did you vote for?—For Mr. Flanagan.

3227. Is there another elector named John Kearns?—There is.

3228. Where do you live?—I live in Abbey Quarter.

3229. And where does the other John Kearns live?—He lives up in Temple-street.

3230. Were you examined at Carrick?—I was.

3231. Was the other John Kearns examined at Carrick?—He was.

3232. Before the last election which party had you belonged to always?—To the Liberal party.

3233. Who did you vote for at the election between Sergeant Armstrong and Mr. Macdonogh; or did you vote at all?—Well, I disremember that.

3234. You disremember?—I do.

3235. Do you know a man named Thomas Brennan?—I did.

3236. Were you offered any money for your vote at the last election?—I was.

3237. Who offered you the money?—I was told by Mr. Lyons that I would get £50 in an envelope.

3238. Where did Mr. Lyons tell you that?—In his own house.

3239. Is that Mr. Henry Lyons?—Yes.

3240. Of Sligo?—Yes.

3241. How long was that before the election?—As well as I recollect that was on the 9th of November.

3242. Was anyone present when he told you?—Yes.

3243. Who?—Mr. Barry.

3244. What is his Christian name?—Pat Barry.

3245. What made you go to Mr. Lyons' house?—Well, Thomas Brennan came with a message to Mr. Barry, and told Mr. Barry for him and I to go to Mr. Lyons, and that we would get some money, so Mr. Barry delivered the message to me, and we both agreed and went.

3246. And was Barry to get money, too?—Yes.

3247. How much was he to get?—£50.

3248. How much were you to get?—£50.

3249. In what sort of money?—Half notes.

3250. Did you agree?—No.

3251. What did you want?—I made Mr. Lyons answer that I would not take half notes, but that if I got the real cash I would take it.

3252. What did Mr. Lyons say to that?—Mr. Lyons then said that we might go home, and about seven o'clock the next evening to come to him, and that he would see what could be done.

3253. Now, what were you to do for the £50; to vote or to go away?—To go away.

3254. Go away where?—To leave the town till after the 23rd.

3255. Were you to get any money for travelling expenses?—Yes, £5 each.

3256. Did you agree to go away for the £50?—No, not in half notes.

3257. I mean did you agree to go away if you got the £50 down?—Well, we were fully determined.

3258. That is what I mean—you would have went?—Yes.

3259. After that did you see Mr. Stokes?—Mr. Lyons then came to Barry next day—on the 10th, about twelve o'clock, and he told Mr. Barry that he withdrew the conversation between him and Barry and I and them. Mr. Stokes came, I think, between four and five o'clock in the evening.

3260. When Mr. Stokes came what did he say to you?—He came to me and he asked me if I would go a message for him. I told him I would.

3261. Go a message where to?—He did not care where to—to Dublin or London, or anywhere I would until after the 23rd.

3262. Did he say what the message was?—He did.

3263. What was the message?—To bring him home after the 23rd either a walking stick or a walking switch.

3264. When were you to get the £50?—On the spot. He then told me that he would go for the cash, and that he would go for pen, ink, and a stamp that I was to sign my name to. Well, I then took counsel with my wife and family about it, and he was to return in half an hour after. As I said, I consulted with my wife and family, and she told me to have nothing to do with him.

3265. Did you then determine to have nothing to do with him?—When Stokes then came back I told him that I would have nothing to do with him—through the Church question that I would have nothing to do with him.

3266. Now, did you get any money at the last election from anybody?—At this last election?

3267. Yes?—Not a shilling, nor a sixpence.

3268. Did anyone promise you any money on either side except what you have mentioned?—No.

3269. On Captain Flanagan's side?—No.

3270. On your oath?—Never.

3271. After the last election between Sergeant Armstrong and Mr. Macdonogh, did you get any money?—I did.

3272. How much?—I got £15.

3273. From whom?—Well, I got it from two. I got £5 from James Leonard, and I got £10 from Mr. Phillips.

3274. What is Mr. Phillips' Christian name?—Martin Phillips.

3275. Is he here in Sligo now?—He is.

3276. How long was that after you had voted?—Well, I think, as well as I recollect, it was eight or nine months after Sergeant Armstrong's election.

3277. Do you remember now, you forgot it before, that you voted for Sergeant Armstrong?—I do.

3278. Did anyone tell you before you got the £15 that you were to get the money?—Not a man—no man ever told me.

3279. Where was the money paid to you?—I got £5 from Leonard on the street, and I got £10 in Mr. Phillips' house.

3280. Did you hear of any other voters being paid £15 the same as yourself?—Well, I did.

3281. Who were they?—I heard of Mr. Barry to get £15.

3282. That is Pat Barry?—Yes, and I heard of Thomas Brennan to get £15, that is all.

3283. Is that Thomas Brennan who took so prominent a part in the last election, or another Thomas Brennan?—Yes.

3284. Another Thomas Brennan?—Yes.

3285. The Thomas Brennan that was in the court to-day?—Yes.

3286. Mr. *Commissioner Bruce.*—Where does that Thomas Brennan live?—He lives in Abbey Quarter.

3287. The *Chief Commissioner.*—Anyone else?—No one else to my recollection.

3288. Did you ever get any money before at any election?—I did, at former elections.

3289. Do you remember the elections at which you were paid?—Well, I do not.

3290. Do you remember that before Sergeant Armstrong was returned Mr. Macdonogh was the member?—It was Mr. Macdonogh and Sergeant Armstrong that contested that election.

3291. Do you remember that before that Mr. Macdonogh was the member?—I do.

3292. And do you remember the time that he was returned—Mr. Macdonogh?—I do.

3293. And do you remember that before that Mr. Wynne and Mr. Somers contested it?—Yes.

3294. And that one time Mr. Wynne was in and another time Mr. Somers was in—Do you remember that?—I do.

3295. Now after which of these elections that I have mentioned were you paid, and by whom were you paid, and for whom did you vote?—I voted at that election for Mr. Somers.

3296. And did you vote before that for Mr. Somers?—I did.

3297. How much were you paid for these elections?—I never received a shilling: no more than you.

3298. Then was it before that?—It was I think—as well as I recollect it was at Sadlier's election.

3299. Then you say you got nothing when you voted for Somers?—Never.

3300. You voted for him twice?—Yes, and I never got a shilling or sixpence.

3301. Mr. *Commissioner Bruce*—Did you hear of others geting money?—No.

3302. Did you get anything the time Mr. Macdonogh was returned when there was no contest?—No, I never received a shilling.

3303. That time you went to Mr. Lyons who spoke about the £50 first—when Barry and you went into Lyons?—When we went in to Mr. Lyons he showed Barry into one room, and he showed me into another, and he went into the room with Mr. Barry. I could not say what passed between them. In about ten minutes after they both came into the room I was in. Mr. Lyons then said that we would get £50 a piece in half notes.

3304. But you are positive Mr. Lyons spoke first?—I cannot say.

3305. Try and recollect?—I do not recollect that.

3306. Are you sure that you did not say it to Mr. Lyons when he came into the room—"if you give me £50 I will go away"?—I am sure I did not.

3307. And Mr. Lyons mentioned the £50 to you first?—Yes; in half notes. He did not say that he would give it to me; but that I would get it in an envelope.

(The witness withdrew.)

Thomas Brennan (Abbey Quarter) sworn and examined.

Thomas Brennan

3308. The *Chief Commissioner*—You are an elector?—Yes.

3309. How long have you been an elector?—I think since '63.

3310. 1863?—Yes.

3311. I believe you were not examined on the trial of the petition before Judge Keogh?—Only a few words were asked me.

3312. Are you any relative of the Thomas Brennan mentioned so often in this inquiry?—I am not.

3313. Whom did you vote for at the last election?—Captain Flanagan.

3314. You were only asked a few words at the petition trial about a letter?—That's all.

3315. You heard the last witness examined?—I did.

3316. Did you get the £15 after the previous election?—I did.

3317. Whom did you vote for at that election?—Serjeant Armstrong.

3318. Who gave you the £15?—Well, it is very painful to be obliged to tell you. If I could, I would not wish to mention any person's name.

3319. You must tell it, I see you have been a constable and you understand the obligation of an oath in a court of justice—you must tell it?—It was, I suppose, about six or eight months after the election that I got the money. When I heard of the report of the money being in town I applied to a particular friend and he got me the £15.

3320. Who was the particular friend?—Mr. Magill.

3321. What is his Christian name?—Daniel Magill.

3322. Was it he gave you the money?—It was.

3323. Who did he apply to for the money?—I could not tell that.

3324. Was it a committee that was giving the money?—So I understand.

3325. Who were the committee?—I cannot tell.

3326. Did you hear of any other persons name except Magill as being one of the committee?—I think Mr. Phillips' name was mentioned.

3327. Martin Phillips?—Yes.

3328. Was that a committee to pay the voters?—Yes, a committee to pay and to arrange matters at the election.

3329. Was Mr. Chrystal one of the committee?—I do not know who were on the committee or who were members of it.

3330. Where were you paid the money?—In Mr. Magill's own house.

3331. How long had you applied for the money before you got it?—Only a few days.

3332. Who told you the money was going?—It was rumoured all through the town that the money had come down from Dublin.

3333. Who did you hear brought the money down?—Oh, indeed I could not tell you that. That is a question I could not answer.

3334. Were you paid at any previous election?—Never in my life since or before, and I did not even expect that at the time.

3335. Do you know about anyone else being paid?—Only Barry and Kearns.

3336. Barry and Kearns?—I heard of them; that is all.

3337. Did any one tell you he got £15 before you got it, any other elector?—Well, I do not recollect that.

3338. Now you seem a respectable man, on your oath, do you know about anyone else being paid?—I do not, on my oath.

3339. Mr. *Commissioner Bruce.*—Was there any report that money was generally going?—The report at this time was that the money was in town for the voters. That was the first time I heard it.

3340. That is for those who had voted for Sergeant Armstrong?—Yes. That is the time I made the application.

3341. Mr. *Commissioner Byrne.*—Did you hear that any money was going on Mr. Macdonogh's side?—I did not hear.

3342. Mr. *Commissioner Bruce.*—You have been a long time in the town—you say you have only been a voter since '63—but do you recollect the election between Mr. Somers and Mr. Wynne?—I had no connexion at all with them at that time.

3343. But do you recollect the election?—I do.

3344. The one in '59?—Yes, I do, and I was here at Sadlier's election.

3345. You were not a voter in 1859?—No.

3346. But did you hear a report about money going on either one side or the other?—I can assure you I did not mix myself up with any party there. I know I did not hear it.

3347. Mr. *Commissioner Byrne.*—Did you hear of any money going at Sadlier's election?—Yes, I heard that there was money going at Sadlier's election.

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Thomas Brennan.

3348. Do you know of any person who got money at Sadlier's election?—I do not. I was not in any way connected with the election at the time.

3349. Were you aware of the mobs at the last election, when Major Knox was returned, being paid—the mobs on Flanagan's side?—I know nothing at all about mobs and parties at all. I am not connected, in any way, with such matters.

3350. Mr. *Commissioner Bruce.*—Were you canvassed by Major Knox last time?—I was.

3351. Did you get any money, or did anybody offer you any money for him?—Not a farthing.

3352. Mr. *Commissioner Bruce.*—Where does Daniel Magill live?—In Pound-street. I think it is called Pound-street.

(The witness withdrew.)

Patrick Barry

Patrick Barry sworn and examined.

3353. The *Chief Commissioner.*—You are an elector?—I am.

3354. How long have you been an elector of the Borough?—I dare say I am about fifteen years.

3355. What is your business?—I am a publican.

3356. Did you vote at the last election?—I did.

3357. Whom did you vote for?—I voted for Mr. Flanagan.

3358. Had you always belonged to the Liberal party?—I had.

3359. Were you examined at the trial of the petition?—I was.

3360. Was any offer made to you of money for your vote at the last election?—There was.

3361. Tell who offered it, and how much?—Well, Mr. Stokes was the man that offered it to me—it was £50.

3362. Where did he offer it to you?—In my own house—in my own room.

3363. Tell what he said to you?—Well, he came into my house, on the evening of the 9th, I think, and he says to me, "I am told," says he, "you are going out of town." "Well," says I, "I intend to do so." "Well," says he, "as you are going, have you any money. I am never without it, and I want you to bring me £50 worth of curled hair." I made him an answer, and the answer I made was that he could write and get the train to take down £50 worth of curled hair. I had a pipe in my hand, with respect to you, sir, and he says, "you are not up to me," says he. "Well," says I, "I am not up to you—I am very ignorant on many points; but I will hear from you what it is." "Well," says he, I had a pipe in my hands, "bring me the full of that pipe of curled hair after the 23rd," says he, "and I will have no claim upon you." With that I said I could not refuse. "Well now," says he, "I am going to have an arrangement between you and I; I am going to bind you that if you are taken any way, no matter where you go, and brought back to Sligo before the 23rd, you are bound to me to be forthcoming with the £50." So I agreed to that, and I thought it very desirable, as I intended to go. "There is no mistake," says he. He asked me then did I know where John Kearns lived. I told him I did, and he and I left the room together, and went out at the back door and through my own field. "Now, Mr. Stokes," I said, "I want to have a remark made to you, do not come with the £50," I says, "if you do not bring my expenses along with it," leading him to Kearns' house at the time, through my own land. "Well," says he, "you are getting the full amount and the amount," says he, "that is not given by many." "I do not know," says I, "but I trust you will bring the expenses and the money both together." Says he, "you might go into a hotel that would be very expensive, and carry on, in your way, according as you wish." "Well, no sir," says I, "you may be sure I would not go to a gentleman's hotel, which is only for those that have an estate; I would go to an humble house that is qualified for me," says I, so he went into John Kearns' house, and I did not see Mr. Stokes afterwards until John Kearns came in with Mr. Stokes on the same door that he went out at—my back door; so he came into me, and the room was dark, and I brought a candle in with me, and he had a pen, and ink, and paper, ready for to sign the stamp as to the arrangement between him and I; so I asked him had he the travelling charges along with the amount, and he said not. "Well," says I, "hurl out yourselves—walk out," and they walked out on the spot; and that is all I know about Mr. Stokes and me.

3364. Did you ultimately get anything at all at the last election?—Never.

3365. Were you paid after the election between Sergeant Armstrong and Mr. Macdonogh?—I was.

3366. How much?—£15.

3367. Who gave you the money?—Mr. Martin Phillips, in the course of eight or nine months after that.

3368. Who told where to get the £15 before you got it?—Well, it was rumoured through the town and I heard it. Stephen Hughes was the first man that told me he got it. That was the first man.

3369. Stephen Hughes told you he got £15?—He told me he got £20.

3370. Is he still living here?—He is.

3371. Whom did he tell you he got the £20 from?—From Mr. Keeghron, of the Mall.

3372. Did you go to Mr. Keeghron?—No.

3373. To whom did you go to try to get the money?—I went to Mr. Conry. I was told Mr. Conry was paying.

3374. What is his Christian name?—Maurice, I think.

3375. Did you hear he was one of the committee?—I did.

3376. Of the committee that paid voters?—Yes, that he was paying voters.

3377. Who else did you hear was on the committee?—Well, now, I cannot say. I am not one that minds these things; I stop about my own place; I do not mind things that way.

3378. What elector besides Stephen Hughes told you he was paid?—John Kearns told me he was paid, and Thomas Brennan told me he was paid.

3379. These are the two men who have been examined to-day?—Yes, they are neighbours of mine.

3380. Who else?—I will not go farther. I do not travel the town for information of any man's business.

3381. In whose place were you paid?—In Mr. Phillips' shop.

3382. What did you say when you went in?—I told him I had a demand on him for £20, that I heard £20 was going. He said that he had not got it, that he was only allowed £15, so I took the £15 from him at the end of six or seven weeks.

3383. Six or seven weeks?—I think so.

3384. Or months; you mentioned months; you said the money came down eight or nine months after the election?—It was eight or nine months.

3385. Do you mean to say that he had paid some before you heard it?—It was some time after the election—three or four months after the election—the money was paid; myself and Kearns were the last paid it.

3386. Take time to consider. You remember the time of the election?—I do.

3387. That is the election at which you voted for Sergeant Armstrong?—I do.

3388. How long after that was it that the word was going of money being in town?—Well, I think eight or nine months, to the best of my recollection. I think it was more than that. I would not swear it.

3389. You were one of the last that was paid?—I was; myself and Kearns were the last.

3390. Did you ever get any money for your vote before that?—Never in my life—not a shilling, nor did I ever look for it. I was not in the habit of voting.

3391. For whom did you vote before that?—Before Mr. Armstrong?

3392. Yes?—I did not vote at all.

3393. Was that the first time you voted, when you voted for Sergeant Armstrong?—No; I was to vote for Mr. Tennison, but he did not come on and I did not vote.

3394. Did you never vote for the Right Honorable Mr. Wynne?—Never, nor I never voted for Mr. Somers. I never was called upon. I had my contract with the town for fourteen or fifteen years, and both parties were satisfied not to call on me. I kept myself to myself all through.

3395. Did you get any money for not voting?—No, never, before my God, from either one side or the other.

3396. What was the contract you had?—For cleansing the town. I had it for fifteen or sixteen years.

3397. Mr. *Commissioner Byrne.*—When you demanded the £20 from Martin Phillips, and he told you he had only been allowed £15, did he tell you why he was allowed £15?—He did not. I took it and made no remark. He only just gave it to me and I walked out. We were not three minutes in conversation.

3398. Mr. *Commissioner Bruce.*—You heard that Maurice Conry was one of the committee, who told you that?—It was from Stephen Hughes I heard it. He said he was paid by Mr. Conry, £20.

3399. Had Mr. Conry canvassed you for Sergeant Armstrong?—Never. I met Sergeant Armstrong in the street with some gentlemen, and he had a smile on his countenance, and he came up and asked me to vote—he asked me to vote in the open street. I had no more notion of voting then than I have now, and I just gave him my vote on the spot.

3400. Was Maurice Conry an active partisan of Sergeant Armstrong's at that election?—Well, I heard he was one of the committee.

3401. You heard he was one of Sergeant Armstrong's committee?—Yes.

3402. From whom did you hear that?—From people passing. I could not swear who it was.

3403. It was Conry sent you to Phillips?—Yes, Mr. Conry told me I would be paid by Mr. Phillips.

3404. Was it Phillips or Conry told you he had only been given the £15?—Mr. Phillips.

3405. Do you recollect having an interview with Mr. Lyons with respect to the last election?—Well, I do.

3406. Tell us about that?—Well, about that. I was in my own house, and Tom Brennan was up on my land, and he sent a messenger down to me, and I spoke to him. Says he, "You are wanted at Mr. Lyons' house at six o'clock this afternoon." I went up to John Kearns, and I told him what Brennan told me, and we both consulted, and we both went to Mr. Lyons' house.

3407. Was there a message for Kearns as well as for you?—The same. The advice for him Brennan gave me, and I gave to Kearns, because I was aware that Kearns was to go away as well as me. There was confidence between us. So Mr. Lyons opened the hall-door, and I went in, and he placed John Kearns in one room on the left, and I went in with him on the right of the hall, and Mr. Lyons said to me—says he, "I am told you are going out of town." "Well, I am, sir," says I; "I intend to do so." "Well," says he, "what is your figure for going?" "Well, sir," says I, "John Kearns and I have determined not to leave Sligo without £50 and travelling expenses." So Mr. Lyons said that was a high figure. "Well, now, sir," says I, "before we go any further, my comrade is in the next room, and I don't want to have any conversation between you and I, unless John Kearns might think you and I had some plot that he was not aware of—anything you have to say to me say it in the presence of John Kearns." So, then Mr. Lyons called John Kearns in, and they had some chat, and I listened and I heard Mr. Lyons say to him that he would get him £50 in half notes in an envelope, but I did not hear Mr. Lyons say he would pay that himself, but that he would get the money for him, and to be certain of it, but Kearns said he would not take anything but the "hard cash." That was the word he used, and Mr. Lyons then left, and we parted; but before we left Mr. Lyons said he would see us about seven o'clock on the following evening. The day came on, and about eleven o'clock I was in my own field, and Mr. Lyons came to me, and he said to me, "Paddy," says he, "what passed between you and I and Kearns last night I have nothing to do with;" opening his hands, he says, "I have nothing to do with you." And on the evening of the same day Mr. Stokes came across me as I told you.

3408. You say Mr. Lyons said to you, "I hear you are going away;" had you intended to go away before you went to Mr. Lyons?—Well, I told Thomas Brennan that I would go away, and I told Thomas Brennan I had no right to vote, for my son was voting on the other side, and I was not asked to vote at either side, and I had a right to go away. My son was going to vote for the Liberal side. I had intended to vote for Major Knox.

3409. Had you intended to vote for Major Knox?—I had, all through the piece.

3410. All through?—All through, up to the very last moment—and I had all my little preparations made at 4 o'clock that morning to go to Dublin to my son—no mistake about it.

3411. When did that conversation with Mr. Lyons take place—how long before the election?—Well, I think it was about the 9th or 10th of November.

3412. That was eight or ten days before the election?—About that. I have not a good recollection of it, but I think it was the 9th or 10th.

3413. And up to that time you had intended to vote for Major Knox?—I had.

3414. What made you change your mind?—Well, Mr. Stokes changed it.

3415. Mr. Stokes changed it?—On my solemn oath my mind was made up that morning that I would vote for Major Knox, and any man I could bring to him—no mistake about it.

3416. But you have told us Stokes offered you £50 to go away?—Yes.

3417. Did you not intend to vote for Major Knox?—I did.

3418. When did you first intend to vote for Major Knox?—When Mr. Phibbs was by in my room, when I pledged myself to Major Knox to vote for him.

3419. How long was that before the election?—There was not a word about Mr. Flanagan before that, it was some months before that, or before the Church question either.

3420. At that time no money was offered to you at all?—Not a shilling.

3421. When was it you first began to think of going away?—After I had pledged my vote to Major Knox, then I settled with Tom Brennan that it would injure my establishment business. And I said I would not vote at either side as my son was voting for the liberal side—and that I thought of going away and not voting for either one or the other.

3422. That conversation with Thomas Brennan was before you saw Mr. Lyons?—Yes.

3423. And it was before you had the conversation with Mr. Stokes about the £50?—It was.

3424. Who put it into your head to ask for £50 if you were determined to go away? Did you want £50 to go away?—I did.

3425. Did you always determine you would get money to go away or did anybody suggest it to you?—Never a man—only my promise to Major Knox. I never was solicited by any man or spoken to by any man. Major Knox never spoke to me or told me he would give me money or any one belonging to him.

3426. I want to know when you first thought of getting £50 for going away?—I thought of it in my own mind; often when I was in bed I would think of it—that if I would get it I would take it.

3427. Was it before you went to Lyons you thought of getting the money for going away?—It was.

THIRD DAY.
October 7.
Patrick Barry

3428. Had you made up your mind to go away supposing you did not get money?—Not answered.

3429. Was this what was in your mind "I will go away if I get Mr. Lyons or Mr. Stokes to give or somebody else to give me £50, but if they will not give me £50 I will stop and vote for Major Knox"—was that what was in you mind?—That was in my mind. I had made my promise to Major Knox, and I still supported that up to the last moment.

3430. You say you made your promise to Major Knox?—Yes.

3431. And you made up your mind you would not vote but go away?—Yes.

3432. Did you make up your mind you would not go away unless you got money?—If I did not get a shilling I would vote for Major Knox.

3433. But you resolved you would try to get the £50?—Yes. I would get it if I could, but if I did not get a shilling I would vote for Major Knox.

3434. But you voted for Mr. Flanagan?—I did, through Mr. Stokes' shabbiness.

3435. You were angry with Mr. Stokes?—I thought I should have the travelling charges. I thought he would put it into his pocket, and that he was tricking me.

3436. Are you quite certain it was Thomas Brennan came to you and told you to go to Mr. Lyons?—I am.

3437. You did not send the message to Mr. Lyons direct?—Indeed I did not.

3438. Mr. *Commissioner Byrne.*—Are you a farmer?—I am.

3439. Who is your landlord?—Sir Richard Gethins.

3440. Did you hear of Mr. Tennison's voters getting £15 a piece after Sergeant Armstrong's election?—Never, nor had I any interference with them.

[The witness withdrew.]

Mary Gourley

Mary Gourley sworn and examined.

3441. The *Chief Commissioner.*—Were you in Mr. Feeney's employment last November?—I was.

3442. Do you remember seeing two gentlemen come to his house one evening before the election?—I do.

3443. Was that gentleman there, Mr. Waugh, one of them?—He was.

3444. Was there a sergeant from the barracks with them at the time they came?—There was.

3445. Tell all that occurred from the time they came in?—I was standing in the kitchen when they came into the shop. They came up to the counter to Mrs. Feeney at the bar, and asked her if Mr. Feeney was in. She said not. They then called for some drink for the sergeant. I can't say what it was, as I was minding my business. They appeared to be two servants from the major in the barracks. They asked if Mr. Feeney was in, and she said not. They then asked her how long he would be out. One of the gentlemen asked her was there any place where they could sit down until he came in. She said there was, and she called on Mary, her daughter, to get a candle to show them upstairs. I said she was not in, and she said I would do.

3446. Did you bring them upstairs?—I did.

3447. To what part of the house did you bring them?—I brought them to the front room looking into the street.

3448. What occurred when you took them upstairs?—One of them asked me if they could be seen off the road. I said they could. He then asked could the windows be screened off. They called for two glasses of ale.

3449. Did you do anything to the windows?—Yes, I asked Mrs. Smith to put the blind on the windows. She took off her apron and put it on the window with pins or nails.

3450. Who told that to be done?—Mr. Waugh asked me if he could be seen off the road; he paid me for the glasses of ale, and told me to send up Mr. Feeney when he'd come in. I said I would.

3451. Mr. *Commissioner Byrne.*—Was there any house on the opposite side of the road?—There wasn't.

3452. Was there a house near it?—No, not for a good distance off.

3453. The window was upstairs?—It was; facing the road.

3454. Mr. *Commissioner Bruce.*—Were there many people on the road at the time?—I don't exactly say there were many on the road at the time. I can't exactly say, as I was in the kitchen doing my business.

3455. Did you observe how the apron was put on the window?—She had no blind convenient to put across it, she then took off her apron and put it up with pins and nails.

Mary Smith.

Mary Smith sworn and examined.

3456. The *Chief Commissioner.*—Were you in Mr. Feeney's house the night the last witness spoke of?—I was.

3457. Are you any relative of his?—Yes, I am his daughter.

3458. Were you assisting in attending to the business for him?—I was.

3459. Did you see that gentleman, Mr. Waugh, come into the house on that night?—I did.

3460. Did you do anything to the window upstairs on that occasion?—I did. I blinded it with my apron, which I took off.

3461. Did you hear Mr. Waugh say anything?—They told me to blind the window.

3462. Which of the two gentlemen said that?—I couldn't say which of the two said it, as their back was turned to me.

3463. Mr. *Commissioner Bruce.*—Did he say why he wished the window to be blinded?—He asked me could they be seen from the road. I said yes. Would you be kind enough, he said, to blind the window. I said I would, and I took off my apron and fastened it to it.

3464. Mr. *Commissioner Byrne.*—How did you stick it up?—With two nails that were in the window fastening the blind the day before.

Mr. Aaron Waugh.

Mr. *Aaron Waugh* recalled.

3465. The *Chief Commissioner.*—Mr. Waugh, you heard the evidence of these two witnesses now examined?—I did.

3466. Was the window blinded when you went upstairs?—There was no blind on the window when I went upstairs—their statement was very correct. My object in blinding the window was—and I am glad I have an opportunity of explaining it—that the road overlooked the room; you could see us from the road in the room. The town was in a very disturbed state at the time; the locality was a bad one, and I didn't like the idea of a stone. The people knew I was Major Knox's reporter, and I thought they might throw in a stone through the window at us. That was my reason for getting the window blinded.

3467. Did you give any explanation of this before Judge Keogh at the trial of the petition at Carrick?—I was not asked anything about it at Carrick.

3468. Mr. *Commissioner Bruce.*—That was a part of the town that was hostile to Major Knox?—It was, exactly.

James M'Donnell was called, but did not answer.

Edward Gethin sworn and examined. Edward Gethin.

3469. The *Chief Commissioner.*—Are you an elector for the borough of Sligo?—Yes.

3470. How long have you been an elector?—Since '64, I think.

3471. Did you vote at the last election?—I did not.

3472. Have you belonged to any political party since you became an elector?—I voted for Sergeant Armstrong at the previous election.

3473. Did you get any money after Sergeant Armstrong's election?—The election, I think, took place in July, and the following April there came a neighbour to me, and said there was a message in such a place for me.

3474. Did he tell you what the message was about?—He didn't, but he asked me to go up to this house.

3475. Did you do so?—I did.

3476. What occurred there?—There was a man there who handed me £15. It was made up in a parcel at the time.

3477. Where did you get the money?—In Brennan's of Market-street.

3478. What is Brennan's Christian name?—Pat.

3479. Mr. *Commissioner Bruce.*—Is that the place you were told to go to?—Not to Brennan's, but to another place.

3480. The *Chief Commissioner.*—Who told you to go there?—Thomas M'Gettrick.

3481. Is he a voter?—He is.

3482. Did he tell you that he got money himself?—He did not.

3483. Do you know of anyone else being paid £15?—I don't.

3484. It was M'Gettrick first told you of the money?—I no more expected a halfpenny than the man in the moon. I didn't look for it. I didn't want it. Of course ——

3485. Of course you would take it, I suppose you were going to say?—Yes.

3486. M'Gettrick told you to go to Brennan's?—He did.

3487. At the last election you did not vote at all?—No.

3488. Where were you on the day of the polling?—Abroad in Mrs. Hall's.

3489. Were you there the whole day?—Yes, from the night before—no, it was on the night of the nomination I went in there.

3490. Who told you to go there?—I went there for my own protection.

3491. But who suggested to you that it was a place to go for protection?—No one; but being in conversation with other men of the same way of thinking—some eight or ten others—I heard it. I never would have gone there but for the treatment I received.

3492. Tell the truth and you will be protected for it. What treatment did you receive?—It was circulated about town that I was a supporter of Major Knox, when I wasn't; and through that my house was watched, my customers were assailed, and different things of that sort. The next time Major Knox came round and asked my vote I promised him.

3493. What business are you in?—A grocer and provision dealer.

3494. Did you see any of your customers assailed?—I caught one man in the act of assailing a customer. I had to shake him for it.

3495. How long did that treatment continue—when did it commence?—It was some time in August it commenced.

3496. Go on—you say you promised Major Knox?—Yes.

3497. And you went to Mrs. Hall's the day of the nomination?—The evening of the nomination.

3498. The other electors who were mentioned were with you there?—There came only very few after I went there. There was a whole lot when I went there.

3499. What did you pay for what you got there?—I paid fifteen shillings. I didn't use five shillings worth, and I paid for what she demanded.

3500. Why did not you vote at the last election?—I had the voting paper in my hand to record my vote when my wife came in a terribly abused and agitated state she received the night before. She also told me that Captain King was shot. She was in such a miserable state that I didn't wish to go out to vote.

3501. What hour of the day was that?—About eleven o'clock.

3502. Was any injury done to your house?—They couldn't do any more.

3503. Were the windows broken?—They were.

3504. Was the furniture injured?—It was.

3505. Did you afterwards go to get it off the county?—I did. I put in a presentment. I got £158, and if I got £400 it wouldn't cover all my losses.

3506. Were there any threats used to you in reference to your business?—Not to me.

3507. What do you mean by "not to me?"—Not to me personally.

3508. Were there any threats used to your wife?—Not that I am aware of. It didn't amount to that when the customers were abused, and were afraid to enter the shop.

3509. Do you swear that they were afraid to enter the shop?—It might as well not be opened at all for three months after the election, and for three months before it.

3510. Mr. *Commissioner Bruce.*—Did any of them tell you that they were afraid to enter your shop?—They did.

3511. Can you give any of the names of those who said they were afraid to enter your shop?—There was one.

3512. Did you go to Mrs. Hall's of your own free will and notion?—Yes, certainly.

3513. And you did so in consequence of the violence you apprehended?—Yes.

3514. You had a conversation with other people of the same way of thinking, as you said, and by that you mean that you were to vote for Major Knox?—Yes.

3515. Are you a Roman Catholic?—Yes, I am.

3516. The others that were in Mrs. Hall's when you went there, went there, you think, of their own free will?—They had good reason for it.

3517. Had you any conversation with them on the subject?—I hadn't much conversation with them.

3518. You saw no restraint placed on them while you were there—were they at liberty to go where they pleased?—They were; they were as free as air, they could go where they wished.

3519. The *Chief Commissioner.*—Did you ever get money before the £15?—Never.

3520. Nor any promise of any money?—Never. At that time I wouldn't take £100 to vote against Sergeant Armstrong—no consideration whatever would induce me to vote against him..

3521. Mr. *Commissioner Bruce.*—Did you ever hear up to that time of the custom of voting, of money being given for votes?—No, I was only a new voter at the time. I was only a short time in business, and I knew nothing of it.

3522. Are you a native of the town?—I am.

3523. Mr. *Commissioner Byrne.*—What is your wife's name?—Adelia.

3524. Mr. *Commissioner Bruce.*—You say it was £15 you got after Sergeant Armstrong's election?—Yes.

3525. Do you know a man of the name of Brennan?—It wasn't Brennan gave me the money.

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Edward Gethin.

3526. You said just now it was?—I did not.

3527. The *Chief Commissioner.*—You did?—I didn't. I said I got it in Brennan's house.

3528. Then who gave it to you?—A man named Foley.

3529. What is his Christian name?—Michael.

3530. Is he in Sligo now?—I think so.

3531. What is he?—A merchant.

3532. Mr. *Commissioner Bruce.*—Where does he live?—In the town.

3533. In what street?—In the suburbs of the town.

3534. The *Chief Commissioner.*—Who was by when the money was given to you?—I think Brennan was.

3535. Who else was present?—No one.

3536. Mr. *Commissioner Bruce.*—Was it in the shop you got it?—It was not; it was in a little parlour up stairs.

3537. The *Chief Commissioner.*—Did you see any more money there than the £15 you got yourself?—I did not.

3538. Mr. *Commissioner Bruce.*—You say the £15 was made up in a parcel when you got it?—It was. I was unprepared for it, I didn't expect it, I didn't look for it, nor did I want it.

3539. The *Chief Commissioner.*—Do you mean to say you did not know what you were going for when you went to this place?—I did not.

3540. Mr. *Commissioner Bruce.*—But when you got the £15 I suppose you knew what it was for?—I had an idea.

3541. Was Michael Foley engaged on behalf of Sergeant Armstrong?—I don't think he was. It's a great pain to me to mention his name at all.

3542. Mr. *Commissioner Bruce.*—You are only doing your duty.

Mrs. Anne Hall.

Mrs. *Anne Hall* sworn and examined.

3543. The *Chief Commissioner.*—I believe you were examined before Judge Keogh at the trial at Carrick?—I was.

3544. You remember the voters coming to your house before the last election?—Yes.

3545. Where is the book in reference to the entries about which you were examined before Judge Keogh?—The judge kept it at Carrick. There were in it only a few names—the names of the men who paid me.

3546. Mr. *Whitty* (registrar to Judge Keogh).—It was handed back to this lady at Carrick.

3547. The *Chief Commissioner.*—You swear you never got it back?—To the best of my knowledge I never did. I heard the judge, or the gentleman who addressed me—I don't know which—say they would keep the book.

3548. Who paid for the lodging and entertainment of these people that came to your house before the election?—The men themselves. The most part of the men there paid me. There were a few who did not pay.

3549. Tell me the names of the men who did not pay you?—I couldn't tell you. It's a long time ago.

3550. How many men paid you?—Twelve or fourteen paid me.

3551. How many were in your house altogether at that time?—There were, I think, nineteen altogether.

3552. Are you sure of that?—To the best of my opinion that was the number.

3553. These five or six who did not pay you, I suppose they owe you fifteen shillings or a pound each?—I can't exactly say; it is according to the time they remained with me; they may owe me more, and they may not.

3554. Have you sent bills to those who did not pay you?—I did; I sent bills to all, to the best of my recollection.

3555. Did you never look after payment afterwards?—Never; it dropped there; I never thought of it more.

3556. Did anyone else give you anything for these days the voters were in your house?—Certainly not.

3557. No one?—No one but the men themselves.

3558. Had you any voters in your house at the previous elections?—Never before; nor would I have these, only that they came to me to ask me to protect them. They said they were so badly treated at the other election it would be a great charity to take them in. It was very distressing to me. I felt for the men; I pitied them, and I took them in. O'Brien, the first man that came to me, asked me would I take him and some friends of his in as they wanted protection. I said they would get it elsewhere. He said, "I think they would be better protected with you, as having the army and police about the place."

3559. I suppose they all went away at the end of the polling day?—Yes.

3560. From whom did you get the names of the men that were in your house?—I got a list of the names from Mr. Cherry.

3561. Was Mr. Cherry in and out of your house during these days?—I was very intimately acquainted with Mr. Cherry, and he used to come in very frequently as he knew I was a very nervous woman.

3562. You were to protect the nineteen voters in your house?—Yes; it wasn't a pleasant thing at all.

3563. At all events Mr. Cherry gave you the list of the names?—He did.

3564. Why did he give the list of names?—I asked him for it, as I didn't know the men themselves.

3565. Did Mr. Cherry write down the list in your house?—He did.

3566. Of the nineteen men?—It may be twenty-one names. I can't say now how many there were.

3567. Do you know these names now?—I think I would know them if they were read for me.

3568. Well I will read them for you—Michael Larkin?—Yes.

3569. Michael Dogherty?—Yes.

3570. John Reid?—Yes.

3571. John Maguire?—Yes.

3572. Patrick Clancy?—Yes.

3573. Timothy Fallon?—Yes.

3574. The two M'Goldricks?—Yes.

3575. Patrick O'Brien?—Yes.

3576. George Beatty?—Yes.

3577. Edward Ferguson?—Yes.

3578. John Grey?—Yes.

3579. James Grey?—Yes.

3580. Robert Lindsay?—Yes.

3581. Andrew O'Beirne?—Yes.

3582. Patrick Gallagher?—Yes.

3583. Do you remember any others?—I do not; but if they were named to me I might. That was about the number. How many names are there there?

3584. Fifteen?—Well, there were more.

3585. Edward Gethen?—Yes.

3586. You are sure there were nineteen or twenty-one?—I am. It is a very long time ago now, but to the best of my opinion I think I had nineteen or twenty-one men there.

3587. I believe Mr. Cherry sent you mattresses for these men?—I had not beds sufficient for them, and they said they would throw themselves on the floor as they came there for protection. I then asked Mr. Cherry to lend me five or six mattresses, he said he would, or anything in the house, and he did lend them.

3588. Did Mr. Cherry call on you again about these men?—No, he called in occasionally as he passed by the house, and I often called him in when I saw him passing by.

3589. Were there any people watching these men that were in your house at the time?—How watching.

3590. Taking a list of the names. I believe some of Major Knox's friends were stopping in your house at the time?—Counsellor Robinson was stopping there.

3591. What arrangement did you make with the

electors as to what you were to charge?—I asked them if they were agreeable to pay a certain amount, and they said they were.

3592. How much was the amount?—Five shillings a day.

3593. Was Mr. Mossom staying in your house?—He was.

3594. Was he there before the election?—I really couldn't say.

3595. Had he anything to do with the election—had he a vote at the election?—He had a vote—a lodger vote.

3596. Was he one of the electors that came to your house for protection?—He lived with me.

3597. Did he vote out of your house?—He did.

3598. Was Gilmore—I do not mean the Major, but one of the electors—there?—Yes. I remember that name.

3599. That is in addition to those read?—Yes.

3600. I do not mean the Major, remember?—No, he is from the country. There was also there a man named Beatty.

3601. I mentioned him—George Beatty?—Yes.

3602. Who else were staying in your house at that time, sleeping in the house?—I don't remember.

3603. Had you thirty persons in your house on that occasion?—I think not.

3604. Who, besides Mr. Mossom, had been staying in your house previously?—I hadn't more than two or three gentlemen in the house.

3605. Who were they?—Mr. Mossom, Mr. Robinson.

3606. Anyone else?—I can't say.

3607. Had you any strangers from Dublin staying with you at the time?—I can't say. I think not, to the best of my knowledge.

3608. Can you mention the names of the five or six who had not paid you, I mean the electors who were staying in your house for protection?—I can't, as I left the memorandum with the Judge, at Carrick. I kept no account of the names. I don't know who they were. I thought there never would be any more about it. I will tell you one man didn't pay me, I think he lives over near the old church, I don't remember his name.

3609. If you do not remember the other names—the names of those who did not pay you—unless they come in of themselves to pay you, you never will be paid?—I don't mind that—it will be no great loss—they were very poor people, one of them told me he was very poor.

3610. Mr. *Commissioner Byrne.*—When the electors came to your house was the town in a very disturbed state?—It was very disturbed at the time.

3611. On the morning of the election what state was it in?—It was as bad as it could be, with uproar and tumult. I had to call on the police officers to send in some men.

3612. Was there a mob outside the door of your house?—There was a violent mob outside.

3613. Did they do any damage to your place?—I don't know. I couldn't see. I couldn't look on I was so much alarmed, and I had to ask the officers to send in some men, as I was certain the place would be broken into.

3614. Was there any gentlemen stopping in your house, who was injured on that occasion?—There was one friend of Major Knox's who was near being injured.

3615. Who was that?—Mr. Morrison.

3616. Mr. *Commissioner Bruce.*—Was he a voter?—He was not; he was an intimate friend of Major Knox.

3617. The *Chief Commissioner.*—You understood he was an English Barrister?—Yes.

3618. Mr. *Commissioner Bruce.*—You know Mr. Cherry?—I do.

3619. I believe he came several times to your house—he was in the habit of dropping in occasionally?—He came in a few times, I asked him to come in once or twice.

3620. What part of the house were these nineteen men?—I had rooms for them in different parts of the house; when the bedrooms were supplied I had larger rooms for them.

3621. Did Mr. Cherry, when he came in, go through the rooms where these men were, to have a conversation with them?—He didn't.

3622. But he gave you a list of the names?—I asked him to see who the men were, and he went and got a list of their names. I didn't know the men personally myself, though I knew a great many of them by sight.

3623. Was there any understanding, as far as you know, between Mr. Cherry and these men?—To my knowledge there was none whatever.

3624. There was a gentleman in regard to whom you were examined before Judge Keogh, at Carrick—Mr. Harloe Phibbs?—Yes.

3625. He was not in your house at this time?—He was not, to my knowledge. The time is so long ago, I can't remember.

3626. There is, I believe, a passage leading from your house to the Court-house, by which a person can go into the Court-house without passing into the street?—There is.

3627. Did any of the men go to the Court-house by that passage?—Yes, some of them did.

3628. Some of them?—Yes; some of them were afraid to go by the hall-door to vote.

3629. I believe there was a polling place in the Court-house?—Yes.

3630. And some of the men you say were afraid to go out by the hall-door to vote?—Yes.

3631. Who were they?—The Roman Catholics were afraid to go out by the hall-door, and they asked me to allow them out by the passage.

3632. Did the Protestants also go to vote by that passage?—No; the Protestant party went to vote through the hall-door.

3633. Do you remember who used the passage?—The Roman Catholics.

3634. Did all the Roman Catholics use it?—They did, to the best of my opinion.

3635. Mr. *Commissioner Byrne.*—Do you keep the Court-house?—I do.

3636. There is immediate connexion between your house and the Court-house, I believe?—There is.

3637. So that people can pass from your house into the Court-house without going out on the street?—Precisely.

3638. Your house is part of these buildings?—It is.

3639. Mr. *Commissioner Bruce.*—Do you recollect a man named Andrew O'Beirne being one of those who came to your house for protection?—I do.

3640. Do you know whether he used the passage or not?—To the best of my opinion all the Roman Catholics used that passage; as many as could were passed on by it.

3641. Mr. *Commissioner Byrne.*—Your door, I suppose, was locked during the night always?—Yes.

3642. Was it locked during the day?—Certainly not; we could not have it locked during the day.

3643. Why did you take these men into your house?—I asked the voters to leave the house; they wouldn't do so; they said they could not, they wanted protection.

3644. Mr. *Commissioner Bruce.*—Did you hear any cries outside from the mob on the polling day?—I did. I thought they were going to break in the door.

3645. What kind of cries did you hear outside?—I heard very wonderful noises and tumult and uproar outside.

3646. What were the mobs doing?—I don't know what they were doing. I thought they were going to break in the door. I was afraid to go to the window to see what they were doing. I was afraid if I opened the door they would rush in, and that the men might be injured. The police asked me to send out for men as they hadn't enough of men to protect them.

3647. Do you say the Inspector asked you to do so?—No, the police said they hadn't sufficient men to protect the men inside, and they asked me to send out for men to the hall-door.

THIRD DAY.

October 7.

Mr. Benjamin Whitty.

Mr. *Benjamin Whitty* sworn and examined.

3648. The *Chief Commissioner.*—You were Registrar to Judge Keogh at the trial of the election petition at Carrick?—Yes.

3649. Have you any documents that his lordship ordered to be kept by you after the trial?—Yes.

3650. I will ask you to give these to the Secretary, and he will make copies of them?—I have them as I folded them up at the trial. I never opened them since. This is Mrs. Buchanan's book—[Book handed in.] These are the documents that relate to the Sheils', and are separate, and those relate to Dominick Kilcullen.—[Documents handed in.]

3651. Mr. *Commissioner Bruce.*—All these have been in your possession since the trial?—Yes.

3652. They never left it?—Never. I folded them up, and I never opened the parcel since the trial at Carrick. It contains all the documents and telegrams, and a list of the persons who asked for certificates after giving evidence. Mr. Palles asked for the list, and Judge Keogh gave it. This is the registry of the electors for the borough.—[List of certificates and registry handed in.]

3653. Did you receive telegrams from the telegraph office?—Yes, these are the telegrams which Mr. Sanger was asked to produce, and he produced them.

The following witnesses who had been summoned, were called, but did not answer to their names:—*Michael M'Goldrick, senior* and *junior, Daniel M'Goldrick* and *John M'Goldrick.*

Charles Tighe

Charles Tighe sworn and examined.

3654. The *Chief Commissioner.*—You are an elector?—I am.

3655. How long have you been an elector?—The last election, only.

3656. Only since the last election?—Yes.

3657. Whom did you vote for at the last election?—Captain Flanagan.

3658. What is your trade or occupation?—I am a cooper by trade.

3659. In whose employment are you?—Mr. Gorman's.

3660. Did anyone offer you anything for your vote at the last election?—There did.

3661. Who did?—Mr. Stokes.

3662. What did he offer you, and where did he offer it?—He was in the yard, and the first time I was not there. When I heard he was there I went over. He wasn't there when I went; but he was almost as soon as I was there.

3663. Tell us now what occurred when he came into the yard?—"Good day, Mr. Tighe," said he. "Good day," said I. "Have you a vote?" said he. "I have," said I. "For whom are you going to vote?" said he. "For Captain Flanagan," said I. "Well," said he, "come over here," said he, "I want to speak to you." He then brought me to the turf house, and looked about him; there was a loft over head. When I went over with him we went out to another house outside it again. He then said, "What would please you for your vote?" "I don't know," said I, "what would please me for my vote." I heard that a good deal of money was going. He took a stick, and with it made thirty-five strokes. He said, "Would them thirty-five strokes please you?" I asked him what he meant by that. "My dear child," said he, "they are nothing but pounds." "I haven't made up my mind yet," said I, "about what I'll do." "Well," said he, "I will put five more to it; will that please you?" "I must see what my son will say first," said I. "Well, my dear sir," said he, "I can't allow a third person to be by," so I went away.

3664. That is to be a witness?—Yes. So then he asked me hadn't I made up my mind. I said not; so he said he would meet me again. The same evening I was going over the bridge; there was a great gathering outside. He brought me into a parlour off the shop, and put me sitting down. His wife was in it at the time. I can't say whether there was a man there or not. He told the person there to withdraw for a while. He said, "have you made up your mind yet." I said, "I haven't made up my mind; I have no money." "Well," said he, "you won't want money, but where ever you like to go I will send you, and you will get money." "How will I go," said I. "There will be a man at the train that will meet you and send you to Dublin." I don't remember the man's name; I did not mind it at Carrick. He said, "you will go to Dublin, and a person will be there to meet you. You will be treated well there, and when you come back there will be smiling faces for you, and it will never be forgotten to you." So I sat down in a chair, he said, "you haven't your mind made up yet." I said, "I will go." He said, "we'll part, you and I will not be the worse friends." I then wanted to go out through the shop door. He said I couldn't go that way. I said I would go by the same way I came in. He said, "no, you can't, you will go this way, which the whole of them went by."

3665. Well, what else occurred?—That's all.

3666. Would you have taken the money if you got it?—I would.

3667. And voted for Major Knox if you got it?—I would.

3668. Or gone away if they wanted you to do so?—I wouldn't. I would stand my ground and vote for Flanagan.

3669. If you took money for your vote, would you have voted for Major Knox?—I would. If I took his money I would certainly vote for Major Knox; but I never promised him.

3670. Did you intend to vote for Major Knox?—Never. If I took his money I would vote for him.

3671. Did he canvass you?—Yes. I refused him when he came to canvass me.

3672. Were you in earnest in endeavouring to get the money?—Never.

3673. Then am I to conclude that you would not have taken it?—I would have taken it if I got it. I never looked after it.

3674. Were you going about during the election, trying to do your best for Captain Flanagan?—I wasn't.

3675. Did you go about canvassing for him?—I never canvassed anyone for him.

3676. Did you get anything by the last election?—No, sir, I didn't.

3677. Nothing at all?—Not a farthing.

3678. Were you promised anything by anyone?—Never.

3679. Were not you promised money by Stokes?—That was the only promise.

3680. Did you get no treat of any sort?—Never.

3681. Did you ever talk to anyone, or did anyone talk to you about going away to avoid recording your vote?—Never.

3682. Mr. *Commissioner Bruce.*—Do you mean to say you never talked to anyone about going away?—Never.

3683. Do you mean to say you never talked to Stokes about going away?—I did, that night, in his parlour.

3684. Would you go away?—I would.

3685. You said, a moment ago, you would not go

away—that you would stand your ground?—I said I would vote for Major Knox, if I got his money.

3686. Mr. *Commissioner Byrne.*—Do you say that, if you got his money, you would have voted for Major Knox?—I would.

3687. Were you examined at Carrick?—I was.

Let me read for you this question, and answer from your evidence given at Carrick. "I suppose you would not take £10,000 to vote for Knox?—No, I would not. I am a poor man, but I would not take all the money he has in the world, or you either, or any man in court, to vote for him. I told him that, and he is there now."

3688. Did you say that?—I said I wouldn't vote for him, but if I took his money I'd vote for him.

3689. Which is the true answer?—Before that—the time that Mr. Stokes spoke to me, I said I wouldn't vote for Major Knox.

3690. Were you telling the Judge the truth?—I was.

3691. Are you telling us the truth?—I am.

3692. Do you expect us to believe you?—[No answer.]

Dominick Oates sworn and examined.

Dominick Oates.

3693. The *Chief Commissioner.*—Are you an elector?—I am.

3694. How long have you been an elector?—At the last election.

3695. You never voted before the last election?—Never.

3696. What business are you in?—I am a baker.

3697. Did you get anything for your vote?—Not a half-penny.

3698. Were you promised anything for your vote at the last election?—No, only that I was brought to Mr. Stokes to see if I would take it.

3699. Who brought you to Stokes?—Aleck Shaw.

3700. What is Shaw?—He is a watchmaker in the town.

3701. What did Shaw say to you?—He had fixed a clock for me, and it was not going right. He called in to my place one day, and when he came in he went up to the clock; and said he came to see how it was going; I was in bed at the time; it was half-past eight or nine o'clock at the time, and he said to me, "sure, it's not there you should be." "Why," said I, "any one that has to stay up all night, it's little enough for them to sleep a few hours in the evening." "Well," said he, "it's looking after the election affairs you should be, to get some of the money." "I think there isn't any money going," said I. "There's plenty," said he. My wife was in the room, she walked down stairs, and came up with a candle. "Would you take it, if you got it," said she. "Why wouldn't I," said I. "I know a man, that is an acting man for Major Knox, if you would take it I would speak to him about it." It was a week or ten days after when he came to me again. I was in bed at the time; he called me and asked me if I would go down to Mr. Stokes, as he and Mr. Stokes had all the arrangements. I said I would not. "Well," said he, "you may as well come, he is waiting for you at the door." "If," said I, "I were seen going down to that man, I might not come back alive." "Change your clothes," said he. "I have no other clothes," said I, "except my Sunday clothes."

3702. Do not mind the conversation with Shaw, did you go to Stokes?—I did.

3703. Where did you see him?—I saw him in a little room off the shop. He was at the door when I went down.

3704. What did he say to you?—He asked me would I go over to Glasgow in the morning in the boat. I said I wouldn't, that I was not prepared for it. "Well," said he, "if you aren't, sure you can go to Dublin and cross over to Glasgow for a few days." "What am I to go for," said I. He said, "I will give you a letter and travelling charges, and you will meet a man on the quay at Glasgow, who will give you a hearty shake-hands, and kind reception and your money.

3705. How much money were you to get, did he say?—"Twenty-five thanks," he said I was to get. I said I didn't understand that style of speaking. He said "Shaw will tell you all about it." Shaw told me it was £25. "I wouldn't put on one of my shoes for it," said I, "nor lose one of my customers. I think I am long enough here. I wish I was out of it." I then rose and came away.

3706. Did he offer you more than £25?—He sent a man named Leonard to see if I would take five pounds more.

5707. What is Leonard's Christian name?—Thomas Leonard.

3708. What did Leonard say to you?—He said Mr. Stokes sent him to see if I would take £5—that is £30—to vote.

3709. Is Leonard a voter?—He isn't, sir.

3710. Do you know Thomas Brennan?—I do. I know the man you mean.

3711. I mean the young man?—Yes. I know him.

3712. Did you go to Brennan?—I went with him. I didn't know where he asked me to go, and he said to go up a bit of the road to Fox's stables.

3713. What Fox is that?—Captain Fox. He told me he was sorry he didn't see me in time. "We have enough," said he, "out of the way now, unless for the honour of a great majority, we like to have a few more; your neighbour is gone since last night. Williams has him settled."

3714. What Williams is that?—Tom Williams, he said.

3715. Who was by when you had the conversation with Brennan?—No one, he came out of the stables to me.

3716. Had you any conversation with anyone else on the subject of money?—Shaw called me the Sunday before the election, and asked me if I wasn't settled with. I said I wasn't. He said "I hear you are." He said, "I amn't."

3717. Would you have taken the money if you got enough of it?—I wouldn't. I didn't like to go against them.

3718. Why did you go to Stokes and Brennan, if you would not take money?—I went to see how much was going.

3719. Would you have gone for £50?—I wouldn't.

3720. Did you ever intend to vote for Major Knox?—No; I never had any intention to vote for anyone but Captain Flanagan.

3721. Did Major Knox ever canvass you for your vote?—He did. He asked me to promise him. I said I wouldn't, that I didn't know I would be on the revision. He asked me what my valuation was. I said £7. He said, "you are sure to be on, there's a long time to consider yet."

3722. You voted ultimately for Captain Flanagan?—I did.

3723. Mr. *Commissioner Bruce.*—Do you swear you had no intention of taking money when you went to Mr. Stokes?—I hadn't a bit.

3724. The *Chief Commissioner.*—Were you in the town the time of the election between Sergeant Armstrong and Mr. Macdonagh?—I am living in the town eighteen years.

3725. Did you get anything for your vote at that election?—No, I didn't.

3726. Mr. *Commissioner Bruce.*—You were not an elector then, I believe?—I wasn't.

3727. Were you a mobsman then?—I wasn't. I never was a mobsman, and I never will be a mobsman in my life.

3728. When Shaw came to you and asked you to go down to Stokes, you said you had no clothes?—Yes.

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3729. What did he say to that?—He told me to put on my other clothes.

3730. Why did you not like to go down to Stokes?—Because I thought that a man having the name of going away, if there was a drunken man passing, might not be safe in coming back.

3731. Notwithstanding all that, you say it was to see how much was going—pure curiosity—that took you down to Stokes?—[Not answered.]

Michael M'Goldrick, junior.

Michael M'Goldrick, junior, sworn and examined.

3732. The *Chief Commissioner.*—I believe you were not examined at the trial of the petition at Carrick?—I wasn't.

3733. Did you vote at the last election?—I did.

3734. For whom did you vote?—For Major Knox.

3735. How long have you been an elector for the borough?—Twelve months.

3736. You were not on the registry at any previous election?—I wasn't.

3737. Were you in Mrs. Hall's at the last election?—I was.

3738. When did you go there?—On the Tuesday before the election.

3739. I believe you are a Roman Catholic?—I am.

3740. Have you or any of your family ever belonged to the Liberal party in this town?—My father voted for Sergeant Armstrong.

3741. Were there any threats made use of towards you before you went to Mrs. Hall's?—There were. The town was in a very bad state. I was told I would get my head smashed, and I thought I wouldn't be safe if I remained at home.

3742. Who was it that suggested to you to go to Mrs. Hall's?—I heard that there were lodgings in Mr. Farrell's and Mrs. Hall's. I went to Farrell's to see them, and I didn't like them. I knew that Mrs. Hall had a comfortable house and I went there.

3743. Were you rated with your father?—I was.

3744. What business do you carry on?—We have post horses and cars.

3745. Was any injury done to your house during the election?—There was.

3746. What?—The windows and doors were all smashed.

3747. Did you send in a presentment in consequence?—Yes.

3748. How much did you recover?—£17 19*s.* 6*d.*

3749. Mr. *Commissioner Bruce.*—Was any injury done to your furniture?—Very little.

3750. The *Chief Commissioner.*—Did you pay Mrs. Hall for what you had while you were at her house?—I did.

3751. Are you sure of that?—I am, for she sent me a bill for £2 for my father and myself. I disputed it as the agreement was for five shillings a day, which would make it only £1 15*s.* I paid that.

3752. Did you pay it out of your own pocket?—Yes, out of my own pocket.

3753. Have you been ever repaid it?—Never.

3754. Did you get any money since the election?—I didn't.

3755. Did you ever promise Major Knox to vote for him?—I don't believe I ever promised Major Knox to vote for him.

3756. When you went to Mrs. Hall's on Tuesday morning did not you intend to vote for him?—I did.

3757. And you knew his supporters were there?—I heard of it.

3758. You did not hear that that house was for the supporters of Captain Flanagan?—I didn't.

3759. Did you see any one protecting?—I saw no one protecting it, except the police and military, and they were in the back of the house.

3760. Mr. *Commissioner Byrne.*—Your father, you said, voted for Sergeant Armstrong?—Yes.

3761. Do you know if he received any money, at any time, for voting for Sergeant Armstrong?—I never knew him to receive a shilling for bribery, for voting for him.

3762. Was he ever promised any money for voting for Sergeant Armstrong?—Never.

3763. Was he ever canvassed by him?—He was. Sergeant Armstrong came in and canvassed my father for his vote. I said to Sergeant Armstrong I would not vote against him. I took my father to the poll, and he voted for Sergeant Armstrong. My father didn't tell or promise Sergeant Armstrong that he would vote for him, but I said he wouldn't vote against him.

3764. At the last election did he vote for Major Knox?—He did.

3765. Was there any talk of money going at the last election?—I never knew of it to be going.

3766. But I suppose you heard it was going?—I might have heard it.

3767. You know Mr. Stokes the saddler?—I do.

3768. Had you any conversation with him about the election?—Not before the election.

3769. Who canvassed you to vote for Major Knox?—I can't say.

3770. Did Cherry?—He didn't.

3771. Did Tom Brennan?—No.

3772. Were you ever in Brennan's house?—Never.

3773. Were you ever in Stokes', upstairs?—Never. I never was further than the hall-door.

3774. Were you ever in Cherry's upstairs before the election?—I bought goods in Cherry's before the election.

3775. What brought you to his place before the election?—I bought goods there.

3776. How often were you in Cherry's before the election?—I don't think I was ever more than once or twice in his house before the election.

3777. How long before the election was it since you were in Cherry's house?—I can't say; it might be years.

3778. Did you canvass for Major Knox at the last election?—I didn't.

3779. When did you make up your mind to vote for Major Knox at the last election?—I made up my mind for a good while before.

3780. How was it that you voted for Major Knox when your father had at the previous election voted for the Liberal candidate?—Because I was supported by the Conservatives in business, and I was determined not to put them against me. My father voted for Somers every time he was a candidate, and at the last election he voted for Mr. Macdonogh when Mr. Somers stood.

3781. You are likely mistaken—there was no contest with Mr. Somers when Mr. Macdonogh stood as a candidate?—I don't know.

3782. Mr. *Commissioner Byrne.*—Who is your landlord?—Mr. Middleton of Pollardstown.

3783. Mr. *Commissioner Bruce.*—You said, I think, that you are supported by the Conservatives?—Yes.

3784. How was it that you advised your father to vote for Sergeant Armstrong at the previous election?—I was young an inexperienced in election matters when I told Sergeant Armstrong that my father wouldn't vote against him.

3785. The *Chief Commissioner.*—Did you get any money after Sergeant Armstrong's election?—I didn't.

3786. Mr. *Commissioner Byrne.*—Did you lose any of your custom for voting for Sergeant Armstrong?—It didn't serve it, I think: it might have injured it.

3787. Mr. *Commissioner Bruce.*—You must have been canvassed for Major Knox?—I gave him to understand that I would vote for him.

3788. Did any of your customers ask you to vote for him?—No, none of them did.

3789. Did you or any of your family ever receive any remuneration for your vote for Major Knox?—No, except that Major Knox got a nomination for my brother in the Excise office.

3790. The *Chief Commissioner.*—Had Major Knox promised to get it for him?—He did.

3791. Was your brother appointed since?—He was.

3792. Mr. *Commissioner Bruce.*—When was he appointed?—He was appointed the 26th August of this year.

3793. The *Chief Commissioner.*—Was it this last August that he was appointed?—It was.

3794. When did he get the nomination?—He got it in July.

3795. Was there any promise about it?—Yes. Major Knox promised to get him a situation.

3796. Has your brother a vote?—He has not.

3797. When did you hear that Major Knox promised to get him a situation?—About twelve months ago.

3798. Where did he promise it?—My brother was a clerk in the *Irish Times* office at the time.

3799. Was he then in the *Irish Times* office when the promise was made?—He was.

3800. When was he first employed in the *Irish Times* office?—In May, '68.

3801. Was it after Major Knox was canvassing the town?—I think it was.

3802. Previous to the election who told you that your brother was promised by Major Knox a situation in the Excise?—I think it was Tom Woods introduced my brother to Major Knox; Major Knox promised to get him a situation at first, but not being able to get it for him at the time he offered him a situation in the *Irish Times* office.

3803. Are you certain it was Tom Woods that spoke to Major Knox about your brother?—I am not; but I think it was.

3804. Mr. *Commissioner Byrne.*—Was it your father was promised the situation?—It wasn't; it was my mother—it was she was looking for the situation for him: she always tried to forward him as much as she could. He was at school until lately.

3805. Who applied for the situation?—It was he himself wrote for it.

3806. But you were all aware of it?—We were.

3807. And approved of it, I suppose?—It was against the will of my father that he went to the *Irish Times* office.

3808. The *Chief Commissioner*—Why was that?—Because my brother, he thought, was too young to go to Dublin, where he had no one to see after him.

3809. Mr. *Commissioner Byrne*—It was the situation in the *Irish Times* office your father was opposed to?—Yes.

3810. You had no objection to his taking a situation in the Excise?—Not at all.

3811. The *Chief Commissioner*—Do you know anything of anyone getting money at the last election?—Not one.

3812. Did you get it yourself?—Never. I never asked for it, I never looked for it—it never cost me a thought.

3813. Mr. *Commissioner Bruce.*—Was the situation in the Excise offered as a consideration for your father's vote?—It wasn't.

3814. Or for your own vote?—I had no vote at the time. If I wanted anything of the sort there are several gentlemen in the town and neighbourhood to whom I would apply, and who would get it for me. I never applied to Major Knox for anything of the sort.

Michael M'Goldrick sworn and examined.

3815. The *Chief Commissioner*—You are the father of the last witness?—I am.

3816. How long have you been an elector for the Borough of Sligo?—Since Mr. Somers first came to town.

3817. You went to Mrs. Hall's house at the last election?—I did.

3818. You voted, I believe, for Sergeant Armstrong at the previous election?—I did, and I voted for Mr. Macdonogh. I voted for Somers all through until it came to two votes, until I found it to be no use. When Mr. Macdonogh was in the field I voted for him.

3819. But you voted for Sergeant Armstrong afterwards?—I did.

3820. At any previous election had you left your own house to go for protection anywhere?—Never, though it was smashed at the time.

3821. At what time did you make up your mind to leave your own house to go to Mrs. Hall's?—Through the mobs and intimidation that was everywhere I thought no one was safe who voted for Major Knox, and I made up my mind to leave my house.

3822. Who told you to go to Mrs. Hall's?—I can't say how it came round, some of them told me to go there.

3823. Who told you?—I can't say.

3824. Was it some of Major Knox's supporters?—It was.

3825. Did you know that there were police in Mrs. Hall's house protecting it?—I didn't until the next day. The police were at the back of the house to prevent people coming in at the back.

3826. At what hour did you go to Mrs. Hall's?—At daylight on Tuesday, when there was not much noise in the streets.

3827. Was your son with you when you went there?—He was not.

3828. Which of you went first?—I went first, my son followed me.

3829. Was there much disturbance in the streets when you left your house?—There wasn't. There was great noise abroad during the night.

3830. When had you made up your mind to vote for Major Knox?—When I heard that he was in the field I did so.

3831. Did you always vote for the Conservative candidate?—I did.

3832. Did you never vote for the Liberal candidate?—I voted for Somers, because I thought he was badly treated.

3833. You voted also for Mr. Sergeant Armstrong?—I believe I did.

3834. After Sergeant Armstrong's election did you get any money?—Never, I never asked for it.

3835. Did you hear, after his election, about money going about the town?—I didn't know it myself. I heard that there was a rumour of that kind, but I can't say who said it.

3836. Do you swear you didn't ask for any of the money that was going after Sergeant Armstrong's election?—I never did, not since I was born.

3837. Were you ever offered money for your vote at any election?—I was offered money by Sadleir when Somers was in the field; I voted for Somers against Sadleir and John Wynne—in every case I voted for Somers, because I considered that he was badly treated.

3838. Do you know of anyone having got money for you after Sergeant Armstrong's election?—I don't.

3839. Do you believe that anyone did?—I don't believe there did.

3840. Did you make any application for any money?—I didn't.

3841. You heard that money was going, and you made no application for it?—I didn't. I gave no credit to the rumour.

3842. Do you swear that you went to Mrs. Hall's house because you were afraid to stay in your own house?—I do; my wife was afraid to let me stay in my own house, and she told me to go there.

3843. Your house was smashed at the last election?

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Michael M'Goldrick.

—It was. I came to Mrs. Hall's on Tuesday, and went away on Friday; and when I went back I found my house was smashed.

3844. Was any intimidation or violence offered to you at the last election?—They insulted and blackguarded me, but I didn't mind that.

3845. Was any annoyance given to you?—Yes, but I didn't mind it.

3846. Mr. *Commissioner Byrne.*—Did you ever vote for the Conservative candidate, previous to the last election?—I voted for Mr. Macdonogh and for Mr. Adams, sir.

3847. Are you sure you voted for Mr. Macdonogh?—I am, though he never asked me.

3848. Mr. *Commissioner Bruce.*—Were you ever canvassed for Captain Flanagan?—I was.

3849. By whom?—By the mob.

3850. Did Captain Flanagan ever canvass you himself?—He did, he canvassed me twice.

3851. What did you say to him?—I told him I never promised anyone until I go to the hustings.

3852. Mr. *Commissioner Byrne.*—How long, previous to Major Knox's election, did you hear that he asked for a situation for your son?—I can't say. My son went to the *Irish Times* office; he was a smart fellow, and Major Knox got him into the Post Office—I think it was. He then got him a nomination, but my son did not pass his examination.

3853. How long, before his appointment, did your son get his nomination?—It was a long time.

3854. Did you suffer for voting for Mr. Macdonogh?—I didn't. I lost by Sadleir's election.

3855. Mr. *Commissioner Bruce.*—Are you in the posting business too, as well as your son?—I am.

3856. Who are your principal customers?—I may say the Conservatives are.

3857. Is that since the last election?—It was so, both before and after the election.

3858. Mr. *Commissioner Byrne.*—Are you, yourself, a Liberal in politics; are your opinions Liberal?—I am a Liberal as far as I'd think there would be justice going.

John Dolan.

John Dolan sworn and examined.

3859. The *Chief Commissioner.*—You are an elector?—I am.

3860. Did you vote at the last election?—I didn't.

3861. How long have you been an elector?—I don't exactly know the year.

3862. Have you voted at every election before the last?—I have not voted for the last two or three elections.

3863. Whom did you vote for at the election between Sergeant Armstrong and Mr. Macdonogh?—I was, in fact, driven to vote for Sergeant Armstrong.

3864. What is that?—I was persuaded to vote for Sergeant Armstrong.

3865. You did vote for him?—I did.

3866. Previous to the last election did you get any money from Mr. Utred Knox, the Clerk of the Peace?—I did. I borrowed £6 12*s.* 6*d.* from him.

3867. Under what circumstances did you borrow it?—My landlord, at the time the rent was due, on the 1st February, '67, put in a bailiff on me. I was lying ill in bed for many weeks before that. I came out after that; I met Mr. Tom Browne and Mr. Utred Knox, and I told them what had been done by my landlord. They asked me what was the sum due by me for rent. I said a half-year's rent—£6. "It's a small sum," said Mr. Knox, "I'll lend it to you on your I. O. U." He was aware that Major Knox was applying for compensation for me, for injuries received by me as mail-guard. I told Mr. Knox that if he lent me the money I would repay him when I'd receive the compensation I applied for. He then asked me upstairs, drew out an I. O. U. for £6 12*s.* 6*d.* in presence of Mr. Tom Browne. I got the money, and by it I discharged the bailiff.

3868. Mr. Knox stated he gave you money on two occasions?—He did. A few weeks afterwards I had a small bill of £7 on the Bank of Ireland, and I asked him if he'd lend me £5. I said I would repay him when I got compensation. He lent me the £5.

3869. Do you fairly and honestly owe Mr. Knox these two sums?—I do, fairly and honestly owe £11 12*s.* 6*d.* to Mr. Knox. I apologised to him for not paying him, and he said it was time enough to apologise when I was pressed for payment.

3870. Did he ever apply to you for that money?—Never. I apologised to him two or three times for not paying it, and he always said it was time enough to apologise when he pressed me for payment. I told him the moment I'd get a settlement for the injuries I received I'd repay him.

3871. What injuries have you received?—I met with three railway and two coach accidents in Ireland, and three railway accidents in England, which incapacitated me as a guard.

3872. You say you voted for Sergeant Armstrong at one time?—I did; I may say I was driven to do so.

3873. How were you driven to do so?—By the threats of persons who threatened me with the anger of the O'Conor Don; it was the O'Conor Don's father got me the appointment of mail-guard.

3874. After Sergeant Armstrong's election did you get any money, eight or nine months afterwards?—From anyone in Sligo, is it?

3875. From anyone in Sligo or elsewhere?—I was promised it by Maurice Conry.

3876. How much were you promised?—He said I'd get £20.

3877. Where did he promise it to you?—I was living in Sligo after that election, and he promised it to me at my own house.

3878. When was that?—It was the April after the election. The election was in July, and the April following I was to get it.

3879. Do you mean that the promise of the money was made after the election?—Nearly twelve months.

3880. Did you apply for it then?—I went down to know if the money was forthcoming, and he said not at that time.

3881. Did anyone else promise you money?—Never.

3882. Were you promised any money before that election?—I wasn't.

3883. Did you ever get money for any election?—I got a present from Sergeant Armstrong after the election—twelve months nearly after it—but he said it had nothing whatever to do with the election.

3884. How much was the present?—£20.

3885. Mr. *Commissioner Bruce.*—How did you see Sergeant Armstrong when he gave you the £20?—I saw him at his own house.

3886. The *Chief Commissioner.*—Was that after the promise to Conry?—It was.

3887. Who told you to go to Dublin to Sergeant Armstrong's?—I was on the Dublin and Sligo mails at the time.

3888. I know, but who told you to go to the Sergeant's house?—No one.

3889. Did you tell the Sergeant, when you went to his house, of Conry's promise?—I didn't. It was before Conry's promise that I was with him.

3890. How long before it?—It was the day before, I think.

3891. Did you get the £20 the day before Conry spoke to you?—I did.

3892. Did Conry send for you, or did you go to him?—He didn't send for me, I went to him.

3893. Was the word passed through the town that money was there?—I can't say.

3894. Did Conry tell you to go to him?—He did.

3895. You must relate all the conversation that passed between you and Sergeant Armstrong when you went to his house?—He told me that his friends were that day in Sligo.

3896. Doing what?—Settling his bills and his accounts: he said that after the election his accounts were never settled up to that. "I am sorry," he said, "you were not there, maybe you'd seen them." I said I had no knowledge of anyone being there. He then made me the present, and said, "this has nothing to do, mind, with the election."

3897. How was the money given?—By a cheque.

3898. Where did you cash it?—At Cork Hill, in Dublin.

3899. At the Hibernian bank?—Yes.

3900. Did you tell Conry you got the £20 from Sergeant Armstrong?—I didn't.

3901. Did you try to get £20 from Conry also?—When I went down to him he said I had got in Dublin what settled with me. I said, "Sergeant Armstrong will be here to-morrow"—which he was, at the banquet—"you will meet me, I will go face to face, and ask the Sergeant had you anything with him." He wouldn't come the following evening. Therefore, I wrote an explanation and gave it to the Sergeant. I never heard any more about it from that day to this.

3902. What was the explanation you wrote, it was about what Mr. Conry said.

3903. Listen to me now, did you, when Conry was in Sligo, mention that amount in order to get the other £20 from him?—Certainly. I expected he would give me what he promised. I did.

3904. You did not tell him that you got £20 from the Sergeant?—I didn't; because I was told by Sergeant Armstrong not to mention it to mortal man—that it had nothing to do with the election.

3905. Did you write the explanation?—I did.

3906. Asking for the £20 Conry promised you?—No, I told him to come to meet the Sergeant, because I would like him to say whether he did or not—that was the word I said.

3907. Was Sergeant Armstrong in Sligo the day following?—He was, at the banquet.

3908. Were you at the dinner?—I wasn't.

3909. Did you ever get any other money afterwards, for the election?—Never.

3910. Or any promise of it?—Never.

3911. Was your name in the cheque you got from Sergeant Armstrong in Dublin?—I signed my name on the back of it.

3912. Was your name in the body of the cheque?—I couldn't say.

3913. Had you done anything at the election?—Nothing, except to give my vote.

3914. Did you know of anyone else getting £20 or £15 of the money that was going for votes?—I heard of some persons getting it.

3915. Who did you hear got it?—I heard that Bernard Flynn and John Mooney got £15. They are dead.

3916. Try and mention the names of those who are living, and who got some of the money for their votes?—I cannot.

3917. Do not you know the town and the people in the town?—I do.

3918. And cannot you tell me the names of those who you heard got money?—If I knew any more I would tell you as well as I told them.

3919. Who did you hear was giving the money?—I heard it was an old man over at Stephen-street that was giving it, and that Bryan Chrystal was the messenger.

3920. From whom?—From the person that gave these two sums I mentioned; that was what I heard.

3921. Do you know was there a committee named for conducting the election?—I heard of its being in existence.

3922. Did you hear the names of that committee?—I did not hear.

3923. Do you know where the committee-rooms at the election were?—I do not.

3924. Tell me, do you, on your oath, intend to repay the £11 you borrowed from Mr. Utred Knox?—I do.

3925. Do you intend to repay the £20?—I do not, because it was given to me as a present. I borrowed the £11 12*s.* 6*d.*

3926. How long is your application for compensation for the injuries you sustained in?—Since '67.

3927. Has it been refused?—It has not.

3928. Do you still expect to get it?—I do.

3929. Were you told that it was refused?—I got no plump or decisive refusal. I got a promise of a favourable result.

3930. Have you any pension?—I have.

3931. What is the compensation for that you applied for?—I want compensation for injuries which caused me to retire from my post as mail-guard nine years before I should give up. The medical certificate from Dr. Toler is attached to the memorial.

3932. Mr. *Commissioner Bruce.*—Who threatened you with the anger of the O'Conor Don?—Mr. Cogan.

3933. What Mr. Cogan is that?—The sub-sheriff.

3934. Did you go to Sergeant Armstrong to ask him for anything, in Dublin?—I did. I did not ask him for any sum. When I went in he went to his desk, filled a cheque, and handed it to me as a present.

3935. Did you go to his house in Stephen's-green?—I did.

3936. Mr. *Commissioner Byrne.*—Was that in April?—It was.

3937. In what year?—I think it was '65; I won't be certain as to the year.

3938. That was the April after the election?—It was.

3939. Mr. *Commissioner Bruce.*—Why did you go to Sergeant Armstrong?—I had a little amount to meet at the time, and I intended to ask him for some favour. I never asked him anything when he made me the present.

3940. He surely asked you what you came for?—He never asked that question.

3941. Did not he ask what brought you to Dublin?—He did not. He knew I was in the habit of going to Dublin, being the mail-guard.

3942. Mr. *Commissioner Byrne.*—You stated that Mr. Cogan threatened you with the anger of the O'Conor Don. What did he say to you when he so threatened you?—He said, "You would not wish to incur the anger of the O'Conor Don."

3943. What did you say to that?—I said I wouldn't, as I got my appointment through his late father. "Well, judge for yourself," said he, and he walked off.

3944. That was the only threat you got at that election?—The only one.

3945. Mr. *Commissioner Bruce.*—Did you vote for Mr. Somers?—I didn't. I wasn't here in these days.

3946. Were you an elector at Mr. Macdonogh's first election?—I was, and I promised to vote for him.

3947. Did you get any money for your vote on that occasion?—Not a sixpence.

3948. Did you ever get any money for it?—Never.

John Reid sworn and examined.

John Reid.

3949. The *Chief Commissioner.*—Were you examined at the trial before Judge Keogh?—No, I was not.

3950. You are an elector?—Yes.

3951. How long have you been an elector?—About six years.

3952. Whom did you vote for at the last election?—Major Knox.

3953. Whom did you vote for at the election before that?—Sergeant Armstrong.

3954. After Sergeant Armstrong's election did you get any money?—I did.

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John Reid.

3955. How much?—£15.

3956. Who paid that?—Mr. Poe paid me. He is dead now.

3957. What was his Christian name?—Robert.

3958. Where did he live?—In Knox-street.

3959. Who told you to go to him?—Mr. Phillips.

3960. Mr. Martin Phillips?—Yes.

3961. What did he tell you?—Two or three days before the election I promised Sergeant Armstrong when he came in to canvass me that I would vote for him. Mr. Phillips came in in a day or two afterwards, between that and the polling day, and said there was a certain thing allowed for me. I never asked him what it was, nor never applied. Mr. Poe came in in a day or two afterwards and told me the same, that there was a certain thing. I never applied to Mr. Poe, nor never asked any of them for anything.

3962. When you say that they told you a certain thing was allowed to you, how much did they tell you?—They never told me anything.

3963. Was the phrase, "A certain thing," used?—A certain thing was allowed.

3964. You understood that that meant money?—Well, I took it to be that. I never asked whether it was money or what it was, but I took it to be that. So I said no more until the time came on—I think it was the April after—that I heard the money was given out. I was not at home on the day I believe it was supposed to be given out. I was at Dumsna at an auction. When I came home I heard that these two gentlemen were not ——

3965. According to promise?—I heard of others getting it.

3966. What others did you hear got the money?—Well, I heard that Pat Carroll got it. He is dead. I cannot exactly say who was the other at the time; but I went to Mr. Phillips and said I supposed there was a certain thing, whatever it was, that I was to get. "I have nothing to do with you," said he. "I never promised it to anyone, nor never said anything about it." "Well," I said, "which is it you or Mr. Poe that I am to rely on?" "Oh, go to Mr. Poe," said he, "you are on his list."

3967. On his list?—On his list. So I went down to Mr. Poe and he told me there was £15 allowed to me, so I got £15.

3968. Was not it before the election that Mr. Phibbs told you that something would be allowed to you?—It was.

3969. A certain thing?—Yes.

3970. And also before the election Mr. Poe told you?—Yes; Mr. Poe came to my own house; I never went after any of them.

3971. Go on about the payment of the money?—So I went down then to Mr. Poe and said, "I suppose that certain thing, whatever it is, you will be equal to your word now." Says he, "There is £15 allowed for you." "How comes it," says I, "that others are getting £20 and others £40; is not one man's vote as good as another's?"

3972. You mean as valuable as another's?—Yes.

3973. What did he say to that?—He said the committee would not allow me more, because, he said, the fact of the matter was I did not want it. I said, "I did not come after any of you to ask you; you came voluntarily yourself."

3974. Who did you hear got the £40?—Mr. Patrick Neilan.

3975. When did you see him last?—I saw him last week.

3976. He is living here in Sligo?—Yes.

3977. Who else did you hear got £40?—I did not hear of any other.

3978. Who did you hear got £20?—Paddy Carr.

3979. Anybody else?—Gunning.

3980. What is his Christian name?—I don't know.

3981. He is on the registry?—Yes.

3982. Is he a voter still?—I think he is.

3983. Is it Patrick Gunning of Pound-street?—Yes.

3984. Did these men tell you that they had got that?—They did.

3985. Patrick Neilan told you he had got £40?—No, he did not. He did not tell me anything, but that is what I heard. I had no speaking with Patrick Neilan.

3986. Did Carr tell you?—He did.

3987. That he got £20;—Yes.

3988. Did any other voter tell you that he took it?—Well, I am not exactly sure.

3989. I think Peter Cunningham got it?—He is not fit to come here, because he is bedfast.

3990. Of Market-street?—Yes.

3991. Is he bedridden?—He is.

3992. Anyone else?—I did not hear; I could not recollect them.

3993. How many did you hear got them?—To the best of my opinion—why the fact of the matter is, a great number of them; I could not give you a correct account.

3994. Were there fifty?—Well, there might be thirty or forty; I could not say; I never calculated them in my own mind, for I minded my own business and had enough to do.

3995. Did you ever get any money before for voting?—Never.

3996. Did you vote at the election before that?—I had no vote before that.

3997. Was it all twenties and fifteens that you heard were given, except the case of Patrick Neilan?—Yes, twenties and fifteens, and some tens.

3998. Who did you hear got ten?—I heard that Patrick O'Brien did. He is dead.

3999. Did you hear who were the gentlemen paying these sums of money?—Well, I heard of Mr. Martin Phillips, Mick Foley, and I think Mr. Kidd.

4000. Which Mr. Kidd?—I think Mr. Kidd of Knox-street.

4001. Do you mean Mr. James Kidd?—Yes, and Bryan Chrystal.

4002. Did you hear of anyone else paying money?—Michael Foley.

4003. Now, was your name down in any list to vote for the Sergeant?—Not that I am aware of, because I was independent myself. I wanted to be on no man's list, for I never went after one of them to ask for sixpence.

4004. When you did vote, did you vote according to your principles?—I did, according to my principles at the time.

4005. Do you remember the time you got the money—was Sergeant Armstrong in town?—No, he was not.

4006. Did he come to the town after that?—I think on the day after.

4007. Did you see the Sergeant then?—I did, but I never spoke to him.

4008. Of course not?—I never spoke to him except once, and that was the day he came to canvass me.

4009. About how long after the election was it that the money was paid to you?—I think it was in April.

4010. Now, on the occasion of the election between Major Knox and Captain Flanagan were you canvassed by both parties?—I was not canvassed by Major Knox. I was canvassed about eighteen months before that by himself; but I was canvassed by Captain Flanagan and his party.

4011. Did you promise Captain Flanagan?—No, I did not. I had no inclination to vote for the gentleman or his party either; and, therefore, I was not going to promise to him.

4012. You are a Roman Catholic?—Yes.

4013. When did you make up your mind to vote for Major Knox?—A month before the election I had made up my mind not to vote for either side; but from the intimidation that was carried on with me I said I would vote for Major Knox then in spite of any people, and I carried out that resolution, and would to-morrow if he were here again. I would go from this to Belfast

to vote for him in preference to the persecution I suffered from the Liberal party.

4014. Now, describe the intimidation or persecution you say you suffered?—On the first day, I think it was, about the 14th or 15th of October—that was the second day of the canvass of Captain Flanagan—I was not in my own house but was out on my business. I believe Captain Flanagan called to my house, but I was not there.

4015. What is your business?—I am a furniture-broker. I was coming up Knox-street and Captain Flanagan's party was in Castle-street. There was a great gathering, a great mob, and they belonged to both town and country. One man got a hold of me and brought me back through the mob. I had two pictures with me. Another man got a hold of me, and another. One man came over with great fury and got a hold of me by the cravat; and they all began to haul me here and haul me there, and kick me, and my pictures were kicked and smashed, and my face was scraped and the cap taken off my head and kicked. It was Father Morris that came and took me out of the mob and let me home. The police could not get near me with the fury of the mob. My cap was kicked after me to my own door. From that day I was determined I would vote for Major Knox if I was brought to the infirmary; if I had it said that I would be carried on a door I would vote for him; in spite of the Liberal party I will as long as I am in Sligo, for I will never be coerced by any man.

4016. That was, you say, about the 14th of October?—I think so, to the best of my opinion.

4017. Did you receive any other insults?—I did.

4018. Go on?—The people hooted me every time they would go up and down the street; my shop windows were broken, and on the following Sunday night my windows were broken; that was the Sunday night before the election.

4019. Why did you go to Mrs. Hall's?—For protection for my life.

4020. Do you tell the Court that that was your sole reason for going?—That was my sole reason, because I did not want to have myself dragged and hauled on the day of the polling, leaving my own house; for I knew the fury of the mob, and that they were so determined that they would not certainly let me safe from my own house to the Court-house. I did not care at what expense, I was determined to go there for protection for my own life.

4021. I suppose you had learned that Major Knox's friends and supporters would be protected at Mrs. Hall's?—Yes.

4022. And that the house was there for them if they wished to go?—Yes.

4023. Who informed you of that?—No one informed me at all. I just partly guessed it from myself and from others that I heard went to it.

4024. Did you pay Mrs. Hall?—I did.

4025. Out of your own money?—Out of my own hard, honest earnings.

4026. Do you expect ever to be repaid that by anyone?—Never; nor never asked it. I would pay it to-morrow again for the same occasion.

4027. Was any offer of money made to you at this last election for your vote by either side?—No, sir, no money.

4028. Was any promise of any kind made to you?—No promise. I asked none, and was promised none.

4029. By either side?—By either side. I kept within myself, as my mind was fixed to vote for Major Knox from the intimidation that was carried out against me; and I would to-morrow. I would go from this to Belfast to vote for him.

4030. Did you ever get any other money for your vote at an election except the £15?—That's all the money I ever got for any election.

4031. Do you expect any money now in relation to this last election?—No, nor don't expect it; nor never will ask it.

4032. Has anyone directly or indirectly given you a promise, or have you heard a word about money?—Neither indirectly nor anything else; nor never asked it. They won't come to me, nor did I go to anybody.

4033. Was your house injured in any way?—It was.

4034. What was done to it?—The shuts were broken, and the greater portion of the windows were broken, and my doors were smashed.

4035. Did you make application for compensation?—I did, and got £10.

4036. Mr. *Commissioner Bruce.*—You thought you ought to have got £20 instead of £15?—No, £14 was what I had in for compensation.

4037. Yes, but as to the voting for Sergeant Armstrong—you thought you ought to have got £20 instead of £15?—I did. I thought I was as well entitled to it as others. I did not see what distinction there was as to my vote.

4038. Before you went to Mrs. Hall's had you heard that money was going on Major Knox's side?—No, nor on Captain Flanagan's. I never bothered my head about these things, for I mind my own business.

4039. Did anybody tell you that there would be money going on Major Knox's side?—No, they did not.

4040. Did anyone tell you?—No.

4041. When were you first canvassed for the Major?—The Major canvassed me, I think, eighteen months before the election.

4042. So I think you said; but I mean after that?—Never, but one.

4043. What did you tell him that first time?—I told him that it was rather soon to make a promise before there was a word of an election. There was a rumour of a dissolution at the time, and I told him it was rather soon to make a promise; that I had no fault to find with Sergeant Armstrong — that he was a gentleman.

4044. Did you think he was a gentleman for giving you the £15?—No, sir. It wasn't for that that I gave him my vote. I never went after any person to ask till they came to the house.

4045. The *Chief Commissioner.*—Did you do any work at the election for the Sergeant?—No, I never interfered more than on the day of the polling.

4046. To give your vote?—Yes.

4047. Mr. *Commissioner Bruce.*—Tell us again what was said to you when you said you were as well entitled to the £20 as others?—He said that was all they allowed—the committee allowed.

4048. Did he give you any reason why they allowed you less than another?—Why they thought I was a little more independent, and that I did not want it at all; that was it. I made this reply to him—what did he know as to my private affairs.

4049. At the time you say this first assault was made on you, about the 14th of October, had you been canvassed by Captain Flanagan?—I had.

4050. What did you say?—It was in the latter end of July or August, I cannot say which, that Captain Flanagan came in to me and asked me to vote for him. I said it was too soon to make a promise. He asked me would I promise not to vote against him. I told him I would promise no such thing; that I would act freely and independently, as I thought fit, myself; that I would not be coerced by any man; that I was my own master; that I would do as I liked with what belonged to myself—and will do it.

4051. Mr. *Commissioner Byrne.*—Well, now, what induced you to change from the Liberal side to the Conservative—you voted for Sergeant Armstrong?—I did.

4052. What made you change your politics to Conservative?—I tell you, sir. I believed that Major Knox was a man that could represent the borough of Sligo. He had done a good deal for it; and hearing of his papers being read, and everything else, I believed that he was a man that would serve the borough more than any other member that could be returned for it. I believe that up to this day.

4053. When you say that he could do better than anyone else, do you mean by that that he could get

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situations?—I don't mean situations. I mean that I believed him to be a man that could get up a company, or factory, or something of that sort, and forward the interests of the town.

4054. The *Chief Commissioner.*—You mean that he was a man that would promote public works, and the general improvement of the town?—Exactly, sir. He was an advocate for tenant-right, according to his paper.

(The witness withdrew.)

Laurence Burke.

Laurence Burke sworn and examined.

4055. The *Chief Commissioner.*—I believe you were not examined at the trial before Judge Keogh?—No.

4056. Did you vote at the last election?—No.

4057. Did you vote at the election before that, between Sergeant Armstrong and Mr. Macdonogh?—I did.

4058. Whom did you vote for then?—Sergeant Armstrong.

4059. How long have you been an elector of the borough?—About twenty-five years—something about that.

4060. After the election between Sergeant Armstrong and Mr. Macdonogh did you get any money?—Twenty pounds.

4061. Who gave it to you?—A man named Brien Chrystal.

4062. Who told you to go to him?—I did not go to him.

4063. Did he come to you?—He came to me with the money.

4064. Did he pay it to you in your own place of business?—He did.

4065. What is your business?—I am a hatter.

4066. Did you know you were going to get that money—Well, I don't think I did. I did not think I would get it.

4067. What do you mean?—I could not swear I was sure.

4068. I do not mean sure; but did you hear before you got the money that money was in town for voters?—I heard that there would be money got.

4069. Did you hear of that before or after the polling?—I think I heard it both times, but after the polling I think I heard it most.

4070. Who told you before the polling?—Well, I think one Devanny.

4071. What is his Christian name?—James Devanny.

4072. What did he tell you?—He told me that there would be money given; but the amount I did not know.

4073. To whom?—To me and to him, and to others, he said.

4074. Whose supporters were you to be?—Oh, this was after the election, I think.

4075. What was the money to be given for?—I could not tell unless for voting.

4076. Was it for voting for Macdonogh?—It was Armstrong I voted for.

4077. At whose side was the money to be given that you heard about?—At Armstrong's side.

4078. Do you know of anyone else having got £20 besides yourself?—Bedad, I heard of James Devanny getting it, but I know of no person.

4079. Did James Devanny tell you he got it?—He did.

4080. Who else told you?—I am not certain.

4081. Tell according to the best of your recollection—amongst your neighbours and friends?—Well, I heard nothing. I could not tell. Several told me they got money.

4082. Electors?—Several persons.

4083. Did ten tell you?—I could not be certain.

4084. Did you hear of any person having got £15?—I did.

4085. Besides £20, did a different set of people get £15?—I did—I heard of that.

4086. Do you know what was the reason of the difference?—I could not say.

4087. How many electors altogether did you hear of as having got money?—I could not tell you.

4088. Did you hear of twenty?—I could not say.

4089. What did Chrystal say to you when he gave you the money?—He told me he was told to give me that £20.

4090. By whom?—He did not mention.

4091. Was it bank notes or a cheque?—In bank notes.

4092. Was it in your shop he gave it to you?—It was in a room over my shop.

4093. Then I suppose when he called you were in your shop attending to your business?—Yes.

4094. Did he bring you upstairs to give it to you?—Yes.

4095. Had he a list?—I did not see one.

4096. Did you see any paper with him except the notes he gave you?—Not to my knowledge.

4097. Had you ever got any money at any election before?—Never to my knowledge. At Sadleir's election £5 10*s.*, or something, was given for windows broken, but a penny of election money I never received but that from man breathing.

4098. You have mentioned Sadleir's election—did you vote for Sadleir?—I did.

4099. You say you got £5 10*s.* for broken windows?—Yes, for what was broken in my windows, but not for voting.

4100. Did you vote for Somers in his elections?—I did, several times.

4101. Were you always before this a member of the Liberal party?—Well, sir, I could not say. I was very indifferent about either party since 1848 I may say.

4102. Now, at this last election where were you on the day of the polling?—I was—well I prefer that you did not ask me that question—I went to Magrath's with Devanny the night before the polling.

4103. Who were there?—There was no person there when I went in but, I think, John Magrath himself. We sat awhile there, and Michael Hunt came in, and we sat together there.

4104. Yes?—And agreed to remain.

4105. At that time had you made up your mind not to vote?—Well, I had not.

4106. You had not?—I had not made up my mind not to vote.

4107. Whom did you intend to vote for, then?—Well, if I voted for any person I think I would have voted for Flanagan; but I was indifferent to vote for either.

4108. Then why did you leave your house if you intended to vote for Flanagan?—Devanny sent for me, and I went up to him, and he and I left the house together, and came down the street, and we went into Magrath's both of us, and sat down to drink.

4109. Well?—Then we agreed, and Michael Hunt came in shortly afterwards, and sat down with us, and we remained there.

4110. Did the whole of that party that you mentioned yesterday as the absentees—did the whole of that party there not vote?—None of them voted. There were but four—three, and Magrath, the man of the house.

4111. And none of you voted?—No.

4112. Did you intend not to vote when the whole of you were together there?—I did.

4113. What passed between you as to making up your minds not to vote?—Well, I could not tell; but we made up our minds to remain, and not vote at all.

4114. Did you get any promise for not voting for anyone?—No.

4115. From any human being did you get any promise?—No, sir; no person promised.

4116. Did you get any money?—No, not a shilling.

4117. Did anyone lend you any money?—No person lent me money.

4118. I do not mean about your business; did anyone lend you any money about that time?—No such thing.

4119. Did you pass an I O U about that time?—No.

4120. Did you pass any I O U the week before the election?—No.

4121. Or promissory note?—No.

4122. Has anyone now promised you any money?—No, sir.

4123. Why didn't you vote?—Well, I was indifferent to voting, and when I sat down to drink I suppose it made it worse. I did not care much about voting at any time on account of the way in which members go on in the House of Commons; it is only places they look for. Before this I absented myself from voting.

4124. Did your drink add much to your indifference?—Well, I don't know.

4125. You said that after you took a drop of drink you became more indifferent?—Well, certainly I was more so.

4126. You say you went away from Magrath's on the polling day?—Yes, that morning.

4127. What is your objection to tell the name of the house you went to?—Well, it's a lady that keeps the place, and it might injure her business.

4128. Do you tell me that really your only reason for not wishing to mention it is lest the lady should be injured in her business?—Nothing, on my oath, more.

If so, I will not ask you.

4129. Mr. *Commissioner Bruce.*—Did the Major canvass you?—No, sir. He was there, but I was out at the time.

4130. Did anybody ask you to vote for him?—No, sir; there might be people who asked me what way I would vote, but I said I was indifferent as to voting at all.

4131. Did anybody ask you to vote for Major Knox?—Not to my knowledge.

4132. Do you know Thomas Brennan?—I do.

4133. The young man?—Yes, I do.

4134. Did he often ask you?—Never had a word with the man.

4135. You know Cherry?—I do, well.

4136. Did he never ask you?—Never.

4137. Nor Mr. Stokes?—No man.

4138. Was there a good deal of rioting going on about the day of the election?—There was awful, sir—awful—desperate. Dreadful rioting that day. Awful. My house was destroyed altogether.

4139. Was your house smashed?—It was.

4140. Yet you say you were quite indifferent as to whether you voted or not?—Well, I may say since Sadleir's affair I was indifferent.

4141. Why did you not vote, and prevent your house from being smashed if you did not care much?—I don't know about that.

4142. Did not you believe that you would have some violence done, and some inconvenience done to your house if you did not vote?—No, sir, not at that time I did not.

4143. Why did you go away to Magrath's?—I went in with this young man to take a sup.

4144. Devanny asked Magrath to take a drink?—He did.

4145. What day was it that he asked you?—On the eve of the election, about half-past nine at night.

4146. When you went into Magrath's did you intend to stop all the election day there?—Yes, when I sat down a while I made up my mind to remain with him.

4147. Was it in consequence of anything Devanny said to you that you made up your mind to spend the day there?—No, I think not.

4148. Did you intend to stop there drinking the whole night and the whole day?—No, sir, I intended to stop there.

4149. You say you went there on Wednesday night?—Yes, I did.

4150. Well?—And then I made up my mind to remain with him.

4151. All night?—Yes.

4152. And all the next day?—And all the next day.

4153. And not to vote?—And not to vote.

4154. At that time did you believe your house would be smashed?—I did not. I had no knowledge of it at all.

4155. On the morning of the election was there any crowd about Magrath's?—There was a crowd on that day.

4156. You mean on the morning of the polling day?—There was a great crowd.

4157. Were they trying to get you out?—I don't know about that. I could not say. I believe they were trying to get them all out; but I don't know anything about it. I could not say. I was not up, and did not see them.

4158. Did you leave Magrath's in consequence of that crowd—were you afraid of violence?—We left it in the morning.

4159. Yes, but there was a crowd that morning?—Yes, sir, there came a crowd about that time, but we had left it.

4160. You had left before there was a crowd?—Yes.

4161. Mr. *Commissioner Byrne.*—I suppose there was plenty of drink?—There was.

4162. Mr. *Commissioner Bruce.*—Did you pay for any?—I suppose I paid my part.

4163. I do not want to know what you suppose, but what you did?—Well, I did. I seldom or ever drink at another man's expense.

4164. Tell us distinctly whether you did pay or not?—I know I paid money in it.

4165. You did pay money?—Yes.

4166. Did you pay for your bed?—No.

(The witness withdrew.)

Michael Hunt sworn and examined.

Michael Hunt

4167. The *Chief Commissioner.*—You are an elector of the borough of Sligo?—I am.

4168. How long have you been an elector?—About a quarter of a century.

4169. Did you vote at the last election?—No.

4170. Where were you on the polling day?—I was in Magrath's.

4171. Were you with the last witness?—I was.

4172. Did you vote at the election before that?—I did.

4173. Whom did you vote for?—Sergeant Armstrong.

4174. After the election did you get any money?—No. I would not take any money, nor never got any money. I would scorn the idea of it.

4175. Have you been a supporter of the Liberal party?—Just when I thought they were right.

4176. Up to the last election?—When I thought they were right.

4177. I mean did you vote for Somers?—I did, always.

4178. Against Mr. Wynne?—Yes.

4179. And you voted for Sergeant Armstrong against Macdonogh?—I did.

4180. Did you promise anyone to vote before the last election?—I promised Major Knox that he would have my sympathy; I did not promise him my vote.

4181. Did you refuse Captain Flanagan's party?—I did. I thought he was not a fit man.

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4182. Did you refuse him at the same time before the election?—I did at all times.

4183. Was there any intimidation practised upon you?—There was plenty of it, but I did not care for it.

4184. Just describe what it was?—All my windows were broken, and shutters smashed, and everything of that sort.

4185. Was that before the election?—It was and after.

4186. Were you one of those who made claims for compensation?—Yes, I was.

4187. How much did you get?—£10 only, though it cost me more.

4188. Why did you go into Magrath's?—He is my brother-in-law, and I just walked in there casually.

4189. Did you stay there the evening before the polling?—I did, sir.

4190. The whole night?—I did, sir. I stopped there the night before.

4191. Why on that occasion did you leave your own house?—I did not leave it for any particular occasion; I just happened to walk in there.

4192. Were you afraid to remain in your own house?—Well, I was not afraid, but I did not care about stopping there.

4193. When you left your own house did you intend to remain with your brother-in-law?—Well, I think I did at that time.

4194. Did you make an arrangement about the other electors being there?—No, not a bit. I just happened to meet them there casually.

4195. How did it happen that they all went to Magrath's?—I don't know indeed. He keeps a public-house, and they were in there. I found them tasting a drop when I went there.

4196. You had no arrangement with them?—No arrangement. I just met them casually, and they asked me to have a drink with them, and I did so.

4197. Did you remain up late that night at Magrath's?—I did remain I think to about eleven or twelve o'clock or so.

4198. You stopped with your brother-in-law that night?—I did, and slept with himself too.

4199. How long did you stay in his house the following day?—I think to about eight or nine o'clock, or something of that kind.

4200. In the morning?—Yes.

4201. And you did not then go home?—I did. I went home the evening I went to Magrath's, and came back again. It was only just two or three houses off, and I could go up as I liked.

4202. The polling began at eight o'clock, where were you then?—It commenced at eight o'clock I suppose.

4203. Were you then at Magrath's?—No, I was not there. Oh, I left Magrath's, I think—I did not leave it till the polling commenced. I did not leave it till about nine o'clock. It was hardly light at eight o'clock, and I don't think I left it till about nine.

4204. Where did you go to then?—Well, I would rather you would not ask that question. It is of no importance where I was then. I am found now.

4205. Did you remain away from home during the polling?—Yes, and when the poll closed I came up to Magrath's; and I went down to see how my house was, and came back again.

4206. Did you canvass anyone?—I was very anxious about his return, because I thought he was a fit and proper man, and that is just the reason.

4207. Then why did you not vote?—Well, perhaps that is just the question you might not ask me.

4208. I must ask you?—Well, if you do, his lordship, the bishop, sent for me.

4209. Now go on; tell what occurred?—He went so far that I just did not like to vote against him. I would rather not answer if you don't ask me.

4210. What did he say?—Two days before the election I told him that I had promised and that I would not break my word.

4211. That is, by voting against Major Knox?—Yes.

4212. You told him that?—Yes.

4213. You must now tell us all that occured between you and his lordship?—He went very hard on me to vote against my promise, but I would not do so. I told him then and there that I would not do it.

4214. Mr. *Commissioner Bruce.*—Just tell us what passed, Mr. Hunt, as far as you can?—He sent for me and Magrath both; and we went down and walked in and asked him did he want us particularly. He said about the election. I said I had promised Major Knox and did not like to go back on my word; that I was an anxious supporter of his and thought that he was a good man,—the right man in the right place; that I did not think an imbecile man like Captain Flanagan would be a useful member if returned; that he was a country gentleman and a man not suited for Parliament; and that if his return would please a few fanatics it would not please me at all. I told him that explicitly. I parted with him and said I would not vote.

4215. What did he say?—He could not say anything, once I said that, unless he took me by the neck and choked me. I did not care about priest or bishop, or any man,—I would not break my word for St. Peter.

4216. He did not use any threats?—Oh! no. Why would he use them to me? I am not so much afraid of a bishop.

4217. What did he say?—He said I was not bound by the promise I made and all that sort of thing.

4218. Did he say why you were not bound by your promise?—He did not say why, but he said he thought I was not bound by it, but I thought differently myself.

4219. Was there anything more on that conversation?—Oh! there was a great deal—casual conversation.

4220. Try and remember it?—I could not recollect it indeed. There was a good deal about one thing and another.

4221. Try and remember all he said to you?—Well I think it turned all on Martin Phillips. He said he thought he was a very good proper man. I said perhaps if he knew as much about him as I did he would think differently. Because after Sergeant Armstrong's election he called on me and offered to put £20 into my hand, saying I should give a receipt for it. "What's this for?" said I. "Oh! £20 for voting," said he. "Go along, sir," said I. "I never took money in such a way and I have been voting for a quarter of a century;" and I ignominiously rejected it.

4222. The *Chief Commissioner.*—Did he do that after Armstrong's election?—He did, and put it into my hands, but I put him outside the door. I am telling you the truth.

4223. You were perfectly right. What you say is to your credit and honour. You say that Phillips paid another man £10?—He did.

4224. Who was that?—Patrick O'Brien.

4225. In your shop?—Yes.

4226. And had a £20 note for you?—He put the £20 note into my hand. I asked him what it was for.

4227. What did he say?—He said it was of course what they were all getting; said I, "I never take money on such occasions as that." "Well," said he, "I will give you the address of the party and you can return it." "I don't want to have anything to do with you or your money," said I—"Go out of that, you common scoundrel; how dare you come to me with your money?"

4228. Do you know of any other money having been paid on that occasion?—I heard of plenty of money being paid, of course, because the whole of them were paid.

4229. How many were paid on that occasion?—Oh, God knows how many. I went over the list, and I think they were all paid except thirty.

4230. Everyone who voted for Armstrong?—Yes, all paid except thirty.

4231. How many were on that list?—Oh, I think about a hundred and seventy, or something like that.

I happen to know them all pretty well, you know, this long time.

4232. How did you go over the list?—I went over the printed forms.

4233. With whom?—Oh, with one or two more perhaps, scanning it over, for I knew them to be all paid.

4234. Was there any committee?—The committee were Patrick Keighron, Maurice Conroy, James Kidd, Martin Phillips, Michael Foley, and a whole lot of them.

4235. You mentioned Patrick Keighron?—Yes.

4236. Any other person?—Robert Poe; he that paid Reid.

4237. Did any of the voters themselves tell you they were paid?—They did, some of them.

4238. About how many?—Oh, plenty of them. Peter Davy told me he got £20 from Maurice Conroy for himself and £20 for his son; and not only that, but he told me he had great trouble to get it from him. He was promised £30.

4239. Did any more electors tell you they were paid?—Oh, plenty told me, but I cannot recollect them now. Thomas M'Gettrick told me he was paid £25 by Foley.

4240. Refresh your memory by going over the list?—(List handed to witness.)—What list is this?

4241. That is the present list?—Oh, I could point out plenty that I heard got it.

4242. Yes, that you heard got it for the election of 1865? (Looks at list.)—I heard that Owen Brewer got it—that is, from Armstrong's election; and Laurence Burke. This is not the list for that year; perhaps there are some names here of persons who were not electors then.

4243. Name any others?—Bryan Crystal, down there, was the paymaster—one of those fellows down there; Patrick Clancy, Hugh Conlon, Michael Coyne, Edward Crummie—he got £10 from James Kidd; Peter Cunningham, Peter Davy.

4244. Take this list, now, of 1865, it will tell you better?—These are parties that I heard got money, you know.

4245. Yes, certainly. (Takes another list)?—James Devanny, Owen Devanny, Thomas Devanny, Francis Donleavy, John Gallagher, James Gallavagh, Michael Gilligan, Michael Gillam, Charley Gillam, John Hagerty, Richard Hanna, John Jennings, John Kearns, Thomas M'Gettrick, John Mooney, Patrick Neilan, Andrew O'Beirne, John O'Beirne, Michael O'Beirne, Patrick O'Brien, William Pyne, Patrick Pyne, John Reid, James Reckey, Peter Tallant.

4246. Did any of these men tell you that they received money?—Some of them did.

4247. Did they tell you when they got the money and from whom?—Yes.

4248. These are the names you have already mentioned?—They are.

4249. Do you know anything at all about similar transactions on either side at the last election—that is, between Knox and Flanagan?—Well, I think there was not a shilling on either side at it—at least I did not hear it. I think it was the purest election that ever occurred in Sligo. In fact the electors were always pure in Sligo until Priest Phillips brought the notorious Sadleir here, and that was the man that ruined the whole town. The elections of Somers were very pure, for he was too poor, and we used to subscribe to keep him in.

4250. Are you giving us information now about the election of 1865?—I am giving you what I know to be true.

4251. I want to know do you know anything at all, on either Knox's or Flanagan's side, about anybody paying money at the last election?—I don't know one person who was paid money, not one, nor never heard of one.

4252. Mr. *Commissioner Bruce.*—But you have read the evidence taken before Judge Keogh?—I was present listening to it. I was summoned, but was not examined.

4253. You heard them admit there that they got money?—It was true, I suppose. They would not admit it unless they got it.

4254. Mr. *Commissioner Byrne.*—From your knowledge of the borough do you think Sadleir thoroughly corrupted the constituency?—I may almost swear that he was the greatest curse Sligo ever saw. They were the purest and honestest electors until foreigners and scoundrels were imported here. Until then I never saw purer or more decent electors. They subscribed to put Somers in; until scoundrels that wanted to put money in their pockets—

4255. It was not made purer by Sergeant Armstrong's election?—The man was imposed upon. It was extorted out of him. He had no more notion of paying them than you had, or I either.

4256. Mr. *Commissioner Bruce.*—Did you hear anything of money going on Macdonogh's side between him and Armstrong?—I heard there was.

4257. Could you point out on the registry any names of persons that you heard got money on Macdonogh's side?—(Registry handed)—That got money on Macdonogh's side?

4258. You have told us of a large number getting money on Sergeant Armstrong's side?—At that time, having voted for Sergeant Armstrong, I had not the same opportunity of talking with the electors; but from repute I could point out a few that I heard got it, and some that told me they got it.

4259. Just go over the list and tell us the names of those who told you that they got money, and the names of those who you heard got it?—I heard that George Blair got money, whoever he got it from.

4260. He voted for Macdonogh?—I don't know whether he did or not. I happen to catch a name here now, whoever he got it from, I heard that he did get it. John Burke I heard got it. James Burrows——

4261. Mr. *Commissioner Byrne.*—Mention any of those that told you they got money from Mr. Macdonogh?—Samuel Gilmore, I heard got some; Thomas Graham; Alexander Jackson, I heard got it; James Kerr; Henry Mulligan, I heard got it, James Wallace. There are a good many more; but I say what I heard.

4262. The *Chief Commissioner.*—Did any of them tell you?—Some of them did—two or three, perhaps.

4263. Whom did they tell you they got money from?—One of them told me it was put under his door in an envelope—fifty pounds.

4264. Who told you that?—James Johnston.

4265. Who else told you that he got any that you remember, and how did he get it?—I forget now, really. I could not think of them, it is so long since; but I know I had conversations with some of them.

4266. Who was the paymaster on that side?—Well, I could not tell that. I did not hear it, I think, directly from anybody.

4267. Was the name Rowlett mentioned?—I never knew him to be anything of the sort.

4268. Mr. *Commissioner Bruce.*—Did you know him?—I did, well, sir. He is a land agent who lives three miles out of this.

4269. What is his Christian name?—Mathew Rowlett.

4270. You have told us that the corruption began in Sligo when Sadleir came?—That is the first I ever knew of it.

4271. Do you mean to say that in the election between Somers and Wynne there was not any?—Mr. Wynne would not lose a farthing, and Mr. Somers hadn't it, so how could it be?

4272. As a matter of fact?—As a matter of fact there was none to my knowledge. If there was I had nothing to do with it.

4273. I am not saying that you had anything to do with it?—No, I would scorn the scoundrels.

4274. Is it your opinion, from your knowledge, that neither in 1857 nor 1859, was there money going on either one side or the other?—In 1857 or 1859?

4275. Oh, yes, at both these elections?—That was Wynne and Somers. I don't know of such a thing at all. I don't recollect it. On one occasion Somers got

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only a few votes, and they all voted for Mr. Wynne, so that there was no trouble then.

4276. The year before that was the one in which Somers was unseated on a petition?—That's the one.

4277. He had a majority of six then?—That was it; and Mr. Somers could have been returned at that, only for a clap-trap meeting held in a newspaper-room in Knox-street, and they got thirty or forty Liberal electors together, and made them vote for Wynne to get rid of Somers. He had no money for them, and they wanted to get rid of a nuisance.

4278. Was that in 1859?—When they put Somers out.

4279. Mr. *Commissioner Byrne.*—Was it after that that Sadleir came at the next election?—Sadleir was in 1853, I think; '52 or '53. I never paid much attention. I did not think I would be brought here for any nuisance of this sort. Set of rubbish! They were all plundering and robbing, and that is all they care about.

4280. The *Chief Commissioner.*—You are now giving evidence, and you are not to give opinions?—I am giving what I believe to be true.

4281. Mr. *Commissioner Bruce.*—You say they turned Somers out in 1859, because they could get no money out of him?—I think that is the reason they wanted to get rid of him. He was a favourite, and they kept him in by subscribing for a long time.

4282. Surely they expected money from Mr. Wynne?—No, he would not lose a farthing. He did not care about it until it was actually forced on him. He came to canvass me and said, "I don't care much about it."

4283. You said you went over the list that you have been going over now. On what occasion was that; was it just from curiosity that you did so?—The thing was so notorious that my attention was called to it; that was the reason.

4284. It was from no political reason that you did so?—Not a bit. I did not care a jack straw about any of them. I was under no compliment to any man living; there is not a man in Europe that I am under compliment to. In fact I would not identify myself with some of them at all.

4285. You have told us about that interview between you and the bishop; had you any other interview with any other clergyman?—Oh, I had; they called frequently. I always told them the same thing—that I thought the Major was a good man, and would vote for him. And so I would vote for him only for the intimidation that was carried on. If he came to-morrow I would vote for him. I think him to be the right man in the right place. They will never get as good a man.

4286. Were there any threats, religious or otherwise, used towards you?—Nobody dared to do so to me.

4287. I do not want to know whether they dared, but whether they did?—There was no such thing. I would not allow anybody to threaten me at all.

4288. The *Chief Commissioner.*—Do you know anything about ten voters agreeing together and wanting to get £1,000 from Captain Flanagan?—I don't know any thing at all about ten voters. I never knew of more than four or five.

4289. That what?—From Captain Flanagan—no such thing at all.

4290. Do you know anything about any small body of voters?—I recollect that at the Armstrong election there were five or six.

4291. What did they want?—They were making some terms, I don't know what. I never had any conversation with them about it.

4292. Making what?—Making terms with some parties to vote for Armstrong. The fact is, I was anxious that Armstrong should be returned, and I kept them secured. If I take an interest in a man, I take to him with heart and soul; and if I don't, I am against him.

4293. Who were these four or five?—Well, James Moran, John Magrath, Thady Kilgallon, and John Harte.

4294. Are these the men?—These are the men.

4295. Were they going together?—They seemed to be. Whichever one would vote for they would all vote for.

4296. Were these men to be secured by money?—I am not aware of that of my own knowledge. I don't know anything about it.

4297. How much did they want a piece?—I never heard of anything of the sort. I heard some one say about £50 a man, or something like that. I don't know it of my own knowledge—mere hearsay.

4298. Did they offer themselves to the Sergeant's side for £50 a man?—I don't think they offered themselves at all, inasmuch as they were all anxious to vote for him; and I was doubly anxious, and strove to secure them as well as I could, for it was a crisis.

4299. How did you strive to secure them?—Well, I just kept secreting them. I thought I would bring them in a tally, and make them vote together, as they were all anxious to do.

4300. Where did you keep them?—A while in my own house, another while in another house. I was trying to make a tally as I thought Armstrong was in a very close crisis.

4301. How long did you keep them together?—About an hour or two; but they were not kept together; they were going and coming.

4302. And whatever one was to do the others were to do?—Well, I thought so.

4303. You mentioned £50 a man?—I heard that; something about that.

4304. Did you hear Kilgallon say that?—I did not.

4305. Who did you hear say there would be £50 a man for them?—I heard Moran and Magrath and some of those talking about £50 a man; that it was scarcely enough for them, or something like that.

4306. Did you know any man that wanted a small sum this last election?—I did not.

4307. Did you ever ask anybody for money—I don't say for yourself, but for some of the poor electors?—Did I ever ask anybody for money? An elector may have told me to speak for him, or something like that.

4308. Just so?—That is the very thing I would do. I might sign a memorial for him, or something like that, if he was wanting something.

4309. Did you, in point of fact, as regards this last election?—No, sir. I did not, indeed, that I recollect.

4310. You say, "signing a memorial?"—I don't recollect that I did.

4311. Why did you use the phrase, "signing a memorial?"—Well, that they might have asked me, and that I would have done so.

4312. To whom?—To anybody; to either of the members. If anybody said he was distressed, and asked me to write a bit of a note for him, I would do so.

4313. Do you think you have done so?—Well, I don't know. I am sure I did not do so at this last election, for I don't know whom I would write to. Of course I would not write to Captain Flanagan, and I would not like to intrude on Major Knox.

4314. Did you mention to anyone on Captain Flanagan's side that some of the poor electors would have to be bought?—Not that I recollect. Indeed I did not, because I did not care about any party; that's the truth. I did not care about any party, and I let everybody fight for themselves, and return whom they could.

4315. Did you mention anything about money to the bishop?—Oh, not a word. I never heard about money.

4316. The bishop, I presume, spoke to you about other electors!—He did. I don't recollect that there was a word about money.

4317. No. Understand me?—He just sent for me to strive to bring me round to make me vote for Flanagan against my will and against my promise, and that's all about it.

4318. I am not asking you about yourself, but in giving your opinion did you mention any person who, you said, would require to be paid?—No, I did not.

4319. Are you sure?—I am quite sure, for I know I would not be capable of doing such a thing.

4320. I do not mean that you asked money for them, but did you give your opinion that they were men that would have to be paid?—I don't think I did. To be candid, I would not do anything so openly.

4321. Did you know any knot or "cave" of men—some five, six, or ten—that were going together this time?—No, I did not.

4322. Were there the same men who were in the band of five at the election of 1865?—I knew that some of them voted for Flanagan; I think about three out of six—Hart, Moran, and Kilgallen.

4323. Did you poll these five men for Armstrong?—I did, and returned him too.

4324. Who else were working at those five men?—I don't recollect anyone working at them, or striving to keep them together, except myself. That is my opinion.

4325. Did you give them the word, that it would be all right after the election. I did not. They had some word about it. I did not care about any consideration whatever.

4326. Were these men paid afterwards?—I think they were not.

4327. Not paid?—No, this Phillips went round gathering them together. He even came to myself, insulting me with £20. It would have been rather late, after twenty-five years, to take £20 from a scoundrel like that. It would have been very low to do such a thing, indeed.

4328. Well, I am glad I asked you the question, for you acted as became an honourable man?—I am very glad myself, for if they had said the contrary of me I would have come up to tell you that some of the fellows were damned liars.

The *Chief Commissioner.*—Well, I can make allowance for your excited feelings.

4329. Mr. *Commissioner Bruce.*—Do you remember when Mr. Macdonogh was the sole candidate, and got in without a contest?—I do.

4330. Did you hear of any money going then?—I heard he paid them very liberally after it, though there was no contest at all.

4331. Do you know the names of any of them that you heard were paid?—I heard of a great lot, but I cannot just give them now.

4332. The *Chief Commissioner.*—Were they the same men?—The very same men that I read out for you the second time.

4333. Were they, as you understood, paid at the uncontested election?—They were; that was the time that they were paid. I heard them all exclaim, the last time, that they got nothing at all. When the man was out they got nothing. He paid them liberally, in order to ensure them and have them for him; but you know they have new politics every day in Sligo, and if you are with them this day you are not with them next week. You cannot depend much on them—that is one thing certain.

(The witness withdrew.)

James Moran examined.

James Moran.

4334. The *Chief Commissioner.*—Were you examined at the trial in Carrick?—Yes, I was, one day. I never was called upon there. I merely went up upon a letter.

4335. Were you sworn and examined there?—Never.

4336. Are you an elector?—Yes.

4337. How long have you been an elector?—I have been a long time—nearly thirty years.

4338. Whom did you vote for at the last election, or did you vote at all?—I did.

4339. Whom did you vote for?—Captain Flanagan.

4340. Was any offer of money made to you at the last election?—No, never.

4341. By any one?—By any one.

4342. Whom did you vote for at the election before between Mr. Macdonogh and Sergeant Armstrong?—I voted for Sergeant Armstrong.

4343. Did you get any money after the election?—Never.

4344. Did you hear that any money was going?—Oh, indeed I did.

4345. Did you apply for any?—Well, I did.

4346. Whom did you ask for the money?—Mr. Phillips.

4347. Mr. Martin Phillips?—Yes.

4348. What did he tell you?—Well, he told me he had only a certain complement.

4349. How much?—£20.

4350. That is £20 a man, is it?—Yes.

4351. Did you refuse to take that?—I did not take it.

4352. Did you refuse to take it?—I did.

4353. Because you did not think it was enough?—I suppose so.

4354. You must answer—you are on your oath?—Yes.

4355. You put your name on that (piece of paper exhibited)?—Yes.

4356. You are one of the persons that the witness yesterday described as the aggrieved party?—Yes.

4357. How many others were in the same position as yourself—who would not take the £20?—Five, I think.

4358. Who were the five?—Hunt, himself, M'Grath——

4359. Hunt, himself?—Yes.

4360. Do you mean the Hunt that was examined here just now?—Yes. Michael Hunt that was here now and John M'Grath.

4361. And do you mean to say that he refused to take the £20 because it was not enough?—I heard him say so.

4362. Where did you hear him say so?—Well, so far as that, I can't well say, but it was some time about the time of the occurrence.

4363. Now, there were five of the aggrieved party—who were the other two?—M'Grath, John Hart, Hunt, and myself.

4364. Do you remember who the fifth was?—Haven't I told you five? Hunt, M'Grath, Hart, and myself.

4365. That is only four?—'Pon my word, I can't well call to mind.

4366. Was it Thady Kilgallen?—It was not. He never was in the place at all.

4367. Thady Kilgallen you mean?—Yes. He was not in the place at all.

4368. Was it Laurence Burke?—It was not.

4369. How do you know that all these men refused to take the £20—did they tell you so?—Yes, they did; some of them I think told me.

4370. Who did they tell you offered them the £20?—Well, I believe it was Mr. Phillips.

4371. Did you speak to Mr. Phillips more than once on the subject?—I did.

4372. What did you say to him?—Well, I said at the time he told me he had it for me, he never offered it to me—I said I would not take it. Then again I demanded it, and I would not get it.

4373. Then you demanded it afterwards?—Yes, but I could not get it. He said he had none.

4374. How long was it afterwards that you demanded it, when you found you would get no more?—Well, I suppose it was a week or two. I could not say.

4375. Did you complain of this treatment?—To whom?

4376. To any one—did you complain of it to Sergeant Armstrong?—I did.

4377. Did you write to him?—Not I.

4378. Who wrote for you?—Well, I think it was Hunt.

4379. Do you mean Hunt who was examined here to-day?—Yes.

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4380. Did you ask him to write for you?—Well, indeed I never did.

4381. How did you know he wrote for you?—Well, I suppose when he wrote for me he wrote for the party.

4382. For the five?—Decidedly.

4383. For the aggrieved party?—Well, there was no agreement more than that we went in one day at the election, and we took a glass or half glass of brandy from one to the other, and we just agreed to have it so.

4384. Did Hunt apply for the five of you?—He never did anything at all of the kind. We went in as he kept a public-house, and told the terms one to another, and we compacted to do so.

4385. Were the five agreed to go together—that is, the way one was to vote the others were to do the same?—Decidedly.

4386. And you had not made up your mind whether to vote for Sergeant Armstrong or Mr. Macdonogh?—Well, we were inclined to vote for Sergeant Armstrong.

4387. Were you quite made up on the subject?—Well, I am sure we would vote, no matter how it went.

4388. Did Mr. Hunt ever speak to you about his having written to the Sergeant for you?—He never did.

4389. And how did you know he wrote to the Sergeant?—Well, I give you my word and oath I could not well say, but since you put the question, I think there was something about it.

4390. Between whom?—Magrath and Hunt. I don't know if there was a fourth person in it.

4391. Did you complain of your treatment at the last election when you were canvassed by the Liberal party at this election?—Complain!—well, I believe I did.

4392. To whom?—Troth, I don't know now who it was.

4393. You must tell us now; that gentleman will be examined afterwards?—Well, I never made my appearance to them at the time of the canvass I did not chance to be in. I didn't hide from them, but I did not chance to be in my own house at the time. I might have complained to several parties.

4394. You must tell us to whom did you complain of the bad way you were treated in not being paid for your vote at the election of '65?—Whom did I complain to?

4395. Yes?—I could not point out any single person now.

4396. Well, name two or three if you like?—I don't know that I complained at all in a matter of the kind.

4397. Did you want on this election to be paid your losses in '65?—Did I want it?

4398. Did you want to be paid the money—the £20 that you ought to have got for the '65 election?—I did not want it.

4399. Did you ask for it?—I never asked any party except a young man that was in my own place that said he knew these parties that were going to the room. But to make it public to anybody I didn't.

4400. Who was the young man?—A young man named Boyle, a clerk to myself and Mr. Foley. We were in partnership at that time.

4401. Was that Michael Foley?—Yes.

4402. And in what business was he in partnership with you?—In the butter trade.

4403. What did you tell it to Boyle for?—Merely because he was a clerk in the tally-room of the other party.

4404. Which other party?—The Liberal party, at Captain Flanagan's. I am not in the way of making complaint to anyone save and except to him, and it passed between ourselves.

4405. What was the complaint you made to him—was it that you had not been paid for the election of '65?—Decidedly, and that I wished to be compensated.

4406. Did you mention the names of the other five at all?—I believe I did not, for he knew the circumstances as well as I did myself.

4407. And the whole town knew it, too, I suppose?—That may be.

4408. That you were not paid what other voters were paid at the time—that you did not get the £20?—I could not say.

4409. Who told you that they were paid?—I heard a great deal of rumours that people were paid, but whether they were or not I can't say.

4410. Did anyone ever speak to you about compensating you?—Compensating me at the last election?

4411. Yes?—Never to my knowledge.

4412. I mean compensating you for your losses at the '65 election?—I have no recollection of it.

4413. Is that all you swear?—That is what I swear distinctly.

4414. Was this at the time of the revision?—No; but just coming on the election.

4415. Did Boyle, the clerk in the tally-room, ever bring any word back to you from head-quarters?—Yes. Well, he used to tell me stories—whether they were true or not—to the effect that I would be compensated.

4416. Tell what he told you—did he tell you you would be compensated?—He told me I would.

4417. And the rest of the fry?—No, I don't recollect that.

4418. When did he tell you that?—Some days previous to the election.

4419. Did you believe him then?—Well, I could not well now say whether I did or not.

4420. Whom did he tell you that he had spoken to?—I give you my word I could not say that.

4421. Did he tell you he had spoken to anyone on the subject?—I give you my word I could not say any one certain person was.

4422. When Boyle told you that you would be compensated did you understand that to be the £20?—I did not.

4423. What did you understand it to mean?—Well, I could not say.

4424. How much?—Whether it would be a bigger or a lessor sum I could not say.

4425. Did you ever ask £50?—I did.

4426. Whom did you ask it from?—I said I thought I should get £50, or some words to that effect.

4427. Whom did you say that to?—To Boyle.

4428. Did that mean the £50 you were promised for your vote in '65?—Well, I believe it was.

4429. Cannot you answer me frankly?—I say it was distinctly.

4430. Who promised you that £50 in '65?—Who promised it to me?

4431. Yes?—We were promised it at Hunt's by Mr. R. Phillips.

4432. Was Michael Hunt present?—Well, he was in the place, but I could not know whether he was distinctly listening to the words.

4433. Was he in the room with you when Mr. Phillips promised the £50 for your vote in '65, that is a plain question?—He was in the room, in the one apartment, but whether he was listening or not I could not swear.

4434. Were the rest of the men there?—They were all there.

4435. Were they promised £50 a piece by Mr. Phillips?—I think I was promised it on their part.

4436. That is Mr. Phillips promised you that each of the five would get £50—did he?—Well, he did something to that effect. I could not well say whether what he said was that we would be liberally treated or not. He came round it. I don't know on my oath that he mentioned pounds distinctly.

4437. But "fifty" was mentioned between you?—Well, there was certainly.

4438. Very well. We will not say £50, but "fifty" was mentioned?—Certainly.

4439. Was Hunt also to get "fifty?"—Well, we were all the same.

4440. Was Hunt one of the five that were to get £50 a piece?—Decidedly.

4441. Did Hunt know that?—I believe he knew it as well as we did.

4442. Was that the reason he refused the £20?—Yes.

4443. Then in order to get the compensation for the breaking of the previous promise in '65, did you think the Liberal party this time would give the £50?—I would be glad they would.

4444. Did you try to get it from them?—I did, on conditions. I'll tell you——

4445. What conditions?—Through the clerk going to their tally room.

4446. Did Boyle give you to understand you would get £50 a piece, the five men?—He did not.

4447. Did he give you to understand you would get it yourself?—No, he did not, but he was telling me we would be all right, and this, that, and the other you know, but he never could say it from himself.

4448. He never said, I suppose, "I will give you £50 for your vote?"—He never said it as plain as that.

4449. But did he tell you it would be all right?—Yes.

4450. Was there any word going at the last election beside "all right?"—Any word?

4451. Any hard word that you understood?—Never. I was asked, and I said I would vote for Flanagan, no matter what the consequences would be. A certain gentleman asked me.

4452. Who asked you?—Father Morris.

4453. Now, was there any talk about the £50 between you and anyone else beside Boyle?—Never. I had nobody; I did not look after it. I never interfered in my life in any election to ask a penny except on one occasion, and I think it was through taking liquor then, and I was sorry for it, and I never intended the like after.

4454. But through taking liquor you did ask some money?—I did.

4455. Whom did you ask it from?—I am after telling you over and over; I asked it from Mr. Phillips and a whole lot of those Liberal men that wanted, you know, to get at the voters, and, of course, when we refused, and they found that we were there, they came and insisted that we should.

4456. Was that this last election?—Not at all.

4457. You are talking about the previous occasion?—I am telling you about the last.

4458. Mr. *Commissioner Bruce.*—When you voted did you expect it would be "all right?"—At the last election?

4459. Yes?—I never intended to get a shilling.

4460. Attend to what you say. You said you told Boyle you expected to be compensated?—I did till it came to the latter days; but finding no money going, I made no inquiries, nor did not look for anything.

4461. Who told you there was no money going?—I found it; I knew it, from hearing the talk of the people over the town, that there was not a shilling to be given on the part of Captain Flanagan.

4462. Who told you that?—I heard it talked of by several; I could not exactly say by whom.

4463. Try and recollect the name of any person who told you?—Oh, I could not; I heard it by many persons that there was not a shilling to be given on the part of Captain Flanagan; that his lordship and the clergy prohibited him from losing a shilling on that occasion.

4464. Was that after you had the interview with Boyle?—Yes.

4465. And did you go to Boyle again after that?—No, I did not. He was only a young man that was backwards and forwards in this tally-room, and, of course, when he was in my employment, he would like to tell me matters of that kind.

4466. But did you not say to Boyle, "How is this? You said it would be all right, and afterwards I find there was no money going?"—Finding after that there was no money. There was a great report that there would be money, I suppose, or something to that effect—dear knows. I cannot——

4467. But I want clearly to understand what you mean. You say that you first believed it would be all right?—I say that when they came and canvassed me in my own place, and when I was not there, I said to this Boyle that I should like to get what I was put out of on the former election, and he said he had made some inquiries, and that I would be all right, or something to that effect. I cannot say for a certainty, but I am telling you what I know of it.

4468. And you heard afterwards it would not be "all right?"—I found afterwards that there was no money on the part of Captain Flanagan whatever; then I did not go further with it.

4469.—Mr. *Commissioner Byrne.*—Did you make any application to Mr. Phillips for money till the April after Sergeant Armstrong's election?—I did not. I don't know for the exact time, but I did not make any application to him till I heard such was going.

4470. You made no application till you heard the money was being paid?—Decidedly.

4471. Did you hear of any money being paid after Mr. Macdonogh got in without a contest?—Mr. Macdonogh.

4472. You remember Mr. Macdonogh getting in without a contest?—I do.

4473. Did you hear of any money being paid to his supporters?—I might hear it, but I have no recollection, for I had no great conversation with that party that I know anything at all about it.

4474. Did you hear it?—I did. I often heard it. Some months after his return? It might be. I don't know what certain time.

4475. And you were quite content to wait for Sergeant Armstrong's money till some months after the election?—Well I suppose I had to do what every one was doing.

4476. Mr. *Commissioner Bruce.*—Did you vote for Mr. Somers?—I did at all times, and I gave £10 myself on one occasion to help to support him.

4477. Did you get any money for voting for him?—Never.

4478. But you gave £10?—Yes.

4479. When Mr. Sadleir was elected, who did you vote for?—For Mr. Sadleir.

4480. And did you get any money for voting from him?—I never did, or in my whole life get a shilling.

(The witness withdrew.)

Mr. *Robert M'Cullagh* sworn and examined:

4481. The *Chief Commissioner.*—You are manager of the Ulster bank here?—Yes.

4482. A person named Rooney was examined as a witness yesterday. He stated that he brought a cheque without a name to it, to your bank, and that he was paid £12 on it. Have you made search in the books for the entry?—Yes.

4483. Will you refer to it?—We never paid any such document—we never saw it. The only thing I can find with his name was on the 14th of February. I am quite sure the man has misdescribed it.

4484. What you mean is, that you never paid a cheque without a name to it?—Certainly not.

4485. But on the 14th of February was there £12 paid to him through your office in Sligo?—I don't know that it was to him, but there was to a Mr. Rooney. These are the full particulars (hands in a document).

4486. Did your office pay £12 to Michael Rooney on the 14th of February?—Yes, on that letter of credit.

4487. On a letter of credit drawn by the Ulster bank in Dublin upon the Ulster bank in Sligo?—Yes.

4488. The letter of credit was dated 13th of February, '68.—Yes.

4489. Now in the course of business in your bank,

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can it be ascertained who lodged or gave in the name when the £12 was lodged that was transmitted from Dublin to Sligo through your bank?—At the Dublin branch I am sure they could give the name. They generally take the name of the party getting a letter of credit.

4490. In the course of your business at your office, the person fills the docket or paper with his own name?—His own name as applicable to the letter of credit.

4491. Is this letter numbered in your books?—It is merely our own number is on it, but it would give no information. It is numbered though in Dublin.

4492. Does not the number indicate that £12 was paid to the Dublin branch in February?—Certainly.

4493. And in that way it can be ascertained?—Yes.

4494. Well, in order not to put the bank to any inconvenience I will ask you to write to Dublin for that information?—Very well.

4495. Otherwise we will have to subpœna the gentlemen from Dublin to bring the bank books, and of course we do not wish to cause unnecessary inconvenience to a public office such as yours. Now would it be possible to get the original requisition?—Certainly.

4496. Is that filled regularly?—They are filled regularly.

4497. Well, will you write to Dublin this evening for the original requisition, and when it comes I will ask you to produce it here.

4498. Mr. *Commissioner Bruce.*—If by any chance the original requisition is lost, ask for an extract from the bank book?—Yes.

4499. The *Chief Commissioner.*—The name of the man who lodged money is put in the bank book also?—Yes.

4500. Very well, get a copy of that and the original requisition.

John Hart.

John Hart sworn and examined.

4501. The *Chief Commissioner.*—You are an elector of the borough?—Yes.

4502. How long have you been an elector?—For ten or twelve years, I suppose, something like that.

4503. Did you vote at the last election?—I did.

4504. For whom?—For Captain Flanagan.

4505. Now at the election of '65, for whom did you vote?—For Sergeant Armstrong.

4506. Did Martin Phillips make you any promise before you voted?—Never.

4507. Were you in the room with the four other men?—Unfortunately I was.

4508. Why unfortunately?—Because I went in to take a drop of drink along with the others, and I was sorry afterwards for going into it in consequence of that.

4509. Did you see Phillips there speaking to Moran?—No.

4510. Did you ever hear you were to get any money?—Well, in the course of the evening I heard them say—he mentioned promises but did not say what.

4511. You heard Phillips say that?—Oh, no.

4512. Whom, then?—I heard Moran and some of the party say that Phillips made promises.

4513. For the five?—I could not say. I was a little hearty, and I pledge you my word I never got it nor never asked.

4514. Do you remember what occurred?—Very badly.

4515. You say you remember there was some talk about promises?—Yes.

4516. That it would be "all right," was that phrase used?—No.

4517. What phrase was used?—I could not rightly tell. Allow me to explain. I went in to have half a glass of whiskey and I got half a glass of brandy. I am not a good drinker, and I did not think myself altogether the better of it.

4518. You heard that Phillips made some sort of promises?—I heard either Moran or M'Grath—I could not say which of the two—say that they were talking to Phillips about it, and that Phillips made them some sort of promise—I could not say what.

4519. Do not you now know perfectly well that that was a promise of money for your vote?—I dare say.

4520. Do not use the phrase "I dare say." Have you any doubt on the subject?—I have not a doubt about it.

4521. How much?—I could not say.

4522. How much did you understand? How much money?—I heard them talking about £250 or £300, I could not tell you which.

4523. Between whom was that to be divided?—Between the five that were there.

4524. Who were they?—Hunt, M'Grath, Moran, and myself. I can't say who the other was.

4525. You cannot say who the fifth was?—I am not sure whether it was young Hunt, a brother-in-law of Michael Hunt or not. I was a little tipsy and could not say.

4526. Was young Hunt a relative of the Hunt examined here to-day?—I think he is his brother-in-law. I don't know him. I heard them talking of Thady Kilgallen. I was a little tipsy. I heard them talking of it afterwards.

4527. £250 or £300 you say were to be divided?—Something like that.

4528. Who was to get that money for the rest?—I cannot say, really; I think it was Moran or M'Grath, or some of those that were speaking to Phillips.

4529. Did you dissent from that arrangement, and say you would not take the money?—I did not.

4530. And would you have taken the money if you got it?—Indeed I suppose I would.

4531. Do not say "I suppose?"—I would certainly; positively I would.

4532. After that election did Mr. Phillips offer you £20?—He called me in one day off the street.

4533. Did he offer you £20?—No, £15.

4534. When did he offer you the £15?—Well, I could not rightly tell you; it is a good while ago.

4535. Was it about the month of April after the election?—I think it was coming on May.

4536. Was it close to the time Sergeant Armstrong came down to visit Sligo?—I do not recollect that. It was about March or April, I cannot say which.

4537. He called you in and offered you the money?—Yes.

4538. What did you say?—Well, I really could not say what I said.

4539. Did you refuse to take it because it was too little?—I certainly did not.

4540. Did you refuse to take it?—I did.

4541. Why?—Well, I thought that he spoke some way bitter to me. He said he had money to give me, or something like that, and I said I would not take it.

4542. Do you mean to say you told him you would not take it?—I would not take it.

4543. You would not take a shilling?—Well, now, it's likely I would, but I would not like to take it.

4544. Do you mean to say that he had the money counted out for you?—He had two £5 notes on the counter.

4545. That is only £10?—And a cartridge of silver.

4546. Why did you refuse to take the money?—I told you before he called me in and appeared to be angry. I was intimate with him before that, and I thought he spoke crossly to me.

4547. Were you afraid if you took the money you would be lowered in his esteem?—No, I was not; but I felt I would be lowered in my own esteem, for I was tipsy when I went in, and I would not wish for £20 Sergeant Armstrong would be beaten as a Liberal.

4548. Did you say then that you would have nothing to say to the money?—I did.

4549. Did you afterwards ask for it?—No, nor would not take it.

4550. Did you make any complaint about not having got the money?—Never.

4551. Never?—Oh, I might be talking about it.

4552. Did you make any complaint about not having got the money?—I do not recollect.

4553. You do not recollect?—Well, no; I might say to the parties that might be sitting and talking to me that I did not get it, of course.

4554. That you were badly treated?—Well, I did not say that I was. I might say it, but I forget.

4555. In your own opinion did you think you were badly treated?—I think I was well treated not to get it, because I knew it was a very bad job, and a low act of the Liberals to do. I was very sorry for it. I just went in and took a drop of drink.

4556. Did you ever get any money before at an election?—Never, nor I would not take it.

4557. Did you vote for Mr. Somers?—I did.

4558. Did you vote for Mr. Sadleir?—No, I was sick at the time.

4559. Did you speak to anyone coming on this last election about not having got this money?—No; if I had £20 I would give them to Flanagan and no mistake.

4560. Did you ever ask them to compensate you?—Never. I was very sorry for it, indeed; and I think the man treated me and the others right not to give it, because it was a very low act, and I was sorry for it; but it was the drop of drink that got me to it.

4561. Do you not think Phillips thought you would take it when he offered it to you?—Oh, I was perfectly sober when he offered it.

4562. Do not you think he offered it to you intending that you should take it?—Well, I suppose he did.

4563. Mr. *Commissioner Bruce.*—If he had offered you £50 would you have taken it?—If he had offered me £150 in the way he spoke to me, I would not take it.

4564. Did Phillips offer it to you after he had offered it to Moran?—I could not say that.

4565. You say Phillips looked angry?—Well, he did. He had a better notion about me. He thought I should not do a thing of the sort, and he spoke very angrily.

4566. Tell us what he said?—I could not tell.

4567. Try now?—Well, I really could not recollect.

4568. This is rather a remarkable incident in your life?—I really could not tell. He was distant to me and said something cross to me, and then I said something the same to him.

4569. Try, now, and recollect what he said?—I think he said I was a mean, low fellow, and I said I certainly was; and one word borrowed another till I got a little angry with him.

4570. Did he say you were a mean, low hound?—No, fellow; something like that.

4571. Did he come in and put that £15 into your hands, and say, "You are a mean, low fellow?"—No.

4572. How was it?—He stood behind his own counter, and laid the two five pound notes on the counter and a cartridge of silver, and he said, "You are a low fellow to look for the like," and I said I never looked for the like nor never told you that I looked for it, nor I never did in my life. I went unfortunately in to take a half glass of brandy, and I was very sorry for it.

4573. Had you any conversation with Hunt about the £250?—No, we were merely smoking and talking and laughing like over half a glass of whiskey.

4574. Did Hunt ever tell you he expected £50?—Well, I don't think he did. We had not much conversation. We had very little conversation.

4575. Because, you know, Hunt says this is all humbug—that nothing of the sort took place at all?—What do you mean?

4576. Hunt says he never was promised any money at all?—Well, I don't say whether he was or not.

4577. The *Chief Commissioner.*—Who was to get the £300?—I am after telling you I heard mention of £250 or £300, or something of the sort, and consequently, of course, the four or five, whoever they were, were.

4578. Was not Hunt one of them?—Yes. I would not wish for £50 I went there myself.

Patrick Clancy sworn and examined.

4579. The *Chief Commissioner.*—You are an elector?—Yes.

4580. How long have you been an elector?—Ten years.

4581. Whom did you vote for at the last election; or did you vote at all?—I voted for Major Knox.

4582. At the previous election whom did you vote for?—Mr. Macdonogh.

4583. Have you always supported the Conservative party?—Yes, except at the time of Mr. Somers's election.

4584. You voted for Mr. Somers?—Yes.

4585. Had you any promise made to you at the last election?—None.

4586. Did you get any money?—No.

4587. Did you get any money after Mr. Macdonogh was returned?—I neither asked for it, looked for it, nor got it.

4588. Did you get any money after Mr. Macdonogh was defeated?—No, I did not vote for him that time; I only voted for him once.

4589. Were you at Mrs. Hall's?—I was.

4590. Were any threats or intimidation offered to you?—During Captain Flanagan's canvass my shop window was broken, and I went on the morning of the poll to Mrs. Hall's and left it that evening again.

4591. You were there only one day, then?—That's all—during the polling day, for which I paid her.

4592. In your own money?—I did.

4593. Have you any promise or expectation of being paid that money back?—Not the least.

4594. Do you know anything about Clancy, who went away to avoid voting?—He is a son of mine. I think he did not promise either of the gentlemen.

4595. When did he go away; was he living with you?—He is.

4596. When did he go away?—I don't know if it was the evening or the second evening before the poll, but it was close to it.

4597. Did you know he was going away?—Yes.

4598. What did he tell you about it?—He seemed to me to be very much afraid for the last fortnight.

4599. Afraid of violence?—Just so.

4600. Where did he go?—He went to Dublin at his own expense, and came back again, and told no one—voluntarily from himself.

4601. And told no one he was going?—Not one.

4602. Mr. *Commissioner Byrne.*—Had you voted for the Liberals before the last election?—I voted the time Mr. Somers was here, for Mr. Somers.

4603. Did you ever vote for a Liberal candidate before?—No.

4604. What is your business?—A hairdresser.

4605. And are your customers principally on the Conservative or Liberal side?—I have a mixed party.

4606. Mr. *Commissioner Bruce.*—Did you get any money at all at the time Mr. Macdonogh was elected, when there was no contest?—I never got a halfpenny at any election, nor looked for it, nor asked for it.

4607. Were you ever offered it?—Never.

4608. Mr. *Commissioner Byrne.*—Did any of your family get any money?—Not one.

4609. Mr. *Commissioner Bruce.*—Were you canvassed for Captain Flanagan?—Captain Flanagan canvassed me.

4610. Anybody else on his side?—Mr. O'Loughlin canvassed me three times, and he asked me would I

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venture to say I would not vote, and I said that I would not lead him astray, that I would vote.

4611. Did anyone else canvass you?—Well, I dare say Mr. O'Loughlin canvassed me, and a gentleman, Mr. Kelly, I think, who was on the canvass with Captain Flanagan, I think, was there.

4612. Were there any threats used to you by any person in case you did not vote?—Nothing more except the window was broken on the day of the canvass.

4613. But no threats were used towards you?—Oh, no, I did not interfere at all; I kept within and did not interfere with any man, backwards or forwards.

4614. Mr. *Commissioner Byrne.*—Did Major Knox say he would give you anything?—No; he never canvassed me but once, twelve months before the election.

4615. And what induced you to vote for him?—I thought he would be the proper person to represent Sligo.

4616. Did he ever get any situation for any of your family?—None; I didn't want it.

4617. Or promise to interest himself for any of your family?—No.

4618. Or did any connexion of Major Knox's?—No, not one.

Mr. Alexander Gilmore.

Mr. *Alexander Gilmore* sworn and examined.

4619. The *Chief Commissioner.*—You are Mayor of Sligo, Mr. Gilmore?—Yes.

4620. How long have you been Mayor?—Since the 1st of January.

4621. A year nearly?—Yes.

4622. Were you in Sligo at the time of the last contested election?—I was.

4623. And for some time previously?—For a number of years.

4624. Will you describe the state of the town as regards the mob on either side—and what they were doing, and what was going on? What state was the town in?—In a very bad state indeed. It could scarcely be worse, particularly for a fortnight previous to the election, it was in a very riotous state.

4625. Were there mobs in the streets?—Yes.

4626. Were they on both sides?—Oh, no; certainly not.

4627. On which side were the mobs?—Well, the mob was altogether on the Liberal side; no question of it.

4628. What was the mob doing?—Well, they were carrying on shouting, stone throwing, and window breaking at night, and such as that for a length of time.

4629. Were the supporters of Major Knox, in your opinion, in danger?—I think so.

4630. Going about the town?—Yes.

4631. Were there police and military in the town?—There were, a large number.

4632. Were they kept in the streets?—Yes, I saw them patrolling the streets occasionally.

4633. Now, in reference to the mob breaking windows, was that done by night or by day?—Principally at night—in the evenings. The days, you know, are very short in November, and perhaps from five o'clock till eleven or twelve, or one at night, you would hear those noises going.

4634. Were the mobs so great that it was impossible for the authorities to prevent this?—Well, I declare I think it would have been very hard to do it, for unless you had military and police in every street in the town almost, you could scarcely check it, for the police would be in one end of the town and you would hear the rioting in the other. The mob took advantage of that.

4635. Could the supporters of Major Knox, in your opinion, canvass the town openly with any safety?—I don't think there were any people with Major Knox canvassing, except, perhaps, Mr. Phibbs. I think everyone studiously avoided canvassing with him; that's my opinion.

4636. I must ask you, Mr. Gilmore, some questions in reference to transactions that you were examined about at Carrick?—Yes.

4637. Did you pay any money for a man who was arrested?—I did; at least I lent it to him.

4638. Who was he?—A man named Currid.

4639. Had you known him before?—Not till the day before.

4640. Had you known what way he would vote?—No; I never saw him in my life till the evening previously.

4641. Had you known what way he was going to vote?—Only that he promised me that he was going to vote for Major Knox.

4642. Just describe the occurrence?—The night previously a man came to me in the street, and said Currid wished to see me, and I asked, "Where is he; let him come to me." The man said, "No; he does not like to leave the house because there is a decree against him;" and I went up and saw him for the first time in my life. He said that as I was a friend of Major Knox's he wanted to tell me there was great pressure brought to bear on him to vote for Captain Flanagan, and that as it would be contrary to his principles to vote for him, he would vote for Major Knox. But he said, "A decree is hanging over me, and it is likely that when I am going to vote I may be arrested." I said, "In the excitement of the polling, if you go down in the morning, perhaps, no one will notice you;" so he said he would take chance and come down. I was in the hall of the court and saw the man coming up the steps without anyone with him, and suddenly I saw him arrested by two men. I was about twenty yards from him, and it was about ten o'clock in the morning. When I saw him arrested, it struck me that he was arrested under the decree. I approached him, but was struck, and nearly knocked down by the mob who got between him and me, and I thought the best plan was to let him go away. He did go away, and I began to consider over the matter. I thought to myself that I had brought this man—I said to myself, "I brought that man into a wrong position, and as a matter of honour I ought to leave him as I found him—he came down to vote for Major Knox." I went to a solicitor and asked him was there any danger if I lent the money the man was arrested for. He said he thought there was not. I then asked a member of the Bar who was here at the time; he said, "Not at all, but have nothing to say to him or to his voting." So I walked over and lent him the £15, and he paid the fellow, and I never saw him afterwards, until I saw him on the table here.

4643. Has he ever paid you that money?—No. He wrote me a letter saying he would pay it very shortly, some time ago.

4644. Some time ago?—A couple of months ago.

4645. Did you ever ask that man to vote for anyone?—Never. I have told you the occurrence as it took place. I never saw the man in my life before.

4646. You know Mrs. Dunleavy?—Yes.

4647. You were here while she was examined, and you heard what she said here and in Carrick?—I heard her in Carrick; I did not hear her evidence here.

4648. Did she ever speak to you?—She repeatedly asked me to get money from Major Knox for her.

4649. State what she said?—She said she wanted the loan of some £10 or £12, and she thought if I asked Major Knox he would give it, and would I do so. I said I would not take such a liberty, and I would not do it.

4650. Did you ever speak to Major Knox on the subject?—I did not. I never attempted to do such a thing.

4651. Mr. *Commissioner Bruce.*—Can you fix the

time she came to you?—It was some time previous to the revision, as well as my memory serves me—July or August; certainly, two or three months previous to the revision.

4652. Did Dunleavy the voter ever speak to you?—He did.

4653. What did he say?—He came on a similar errand.

4654. Did he ask for money?—To get it for him from Major Knox, just as she asked me.

4655. What did she say about voting?—She said she would get him to vote for him when he got it, but he had not a vote at the time of the revision.

4656. What did you tell Dunleavy?—I gave him a similar reply; that I would not take such a liberty with Major Knox to ask money for such a purpose.

4657. Mr. *Commissioner Bruce.*—Are you quite certain that it was before the revision that Mr. Dunleavy called on you?—He called on me after the revision, I recollect.

4658. Think a moment. Can you positively say whether she came after the revision?—She did, certainly. She called on me once after the revision.

4659. What did she say to you then?—She made a sad complaint, as I took it. She said, "I have asked for money from Major Knox, now that Francis has a vote, and he refuses me. I think it is very hard. He might have done so when he had not a vote."

4660. That must be after the revision?—It was, certainly, that is what impressed it so much on my mind.

4661. The *Chief Commissioner.*—Did Currid give you an I O U?—He did.

4662. Do you never expect to be paid?—Most assuredly.

4663. Mr. *Commissioner Byrne.*—Do you know the house called Haggerty's house?—I do.

4664. Did you go there from time to time before the election?—No.

4665. Did you ever go?—I might be once in it perhaps. I recollect one day going into it, of a Saturday, I think, it was.

4666. For what purpose?—I will tell you exactly the purpose. I met a man named Anderson, who lives inside the town. He complained bitterly that Major Knox never called on him. He was a Conservative voter. I was talking to him when who should come up at the moment but Major Knox. I said, "By-the-by, Major Knox, here is a gentleman you did not call on—you never called on him during your canvass." "Well, we had better not talk here just at the door," Major Knox said, "come inside." We then went in—that was all.

4667. Whom did you see in Haggerty's house?—I don't believe anyone on that occasion.

4668. Did you ever see any managers of the mobs there?—I saw Thomas Brennan. I heard he had got a great beating, and I went in to see him, over at the river side—that was, perhaps, three or four days before the election.

4669. Was Thomas Brennan what is called a manager of the mobs?—I never heard of it.

4670. Had you anything to say to the getting up of mobs?—I had no communication with Thomas Brennan at all.

4671. But as a matter of fact, was there no rumour?—Oh, yes, there was a rumour, he was the leader of a few men in Pound-street.

4672. He was the leader of a mob for Major Knox?—Yes; as far as rumour went. I heard that certainly, but I knew nothing of him.

4673. Have you heard of these mobs being got up in Sligo, and of the paying of the leaders of them?—Well, nothing beyond the general rumour.

4674. Nothing beyond that?—Nothing beyond that.

4675. The *Chief Commissioner.*—I put it to you this way. Would any of these men go out unless they were paid—these mobsmen?—Well, I do not wish to mention that, but if I must give my own opinion, I think they would not.

4676. Are they very wild?—Yes, in fact half drunk. One fellow followed me into my house, and beat me in my house.

4677. Was he one of a half drunken mob?—Yes.

4678. Did you see the houses in which those people composing the mobs got drunk?—No. I never saw them getting drunk anywhere.

4679. Do you know anything of the management of elections—do you know what are called "orders?"—No; nothing whatever.

4680. You never heard that phrase in Sligo?—No, never.

4681. Do you know anything about any houses where these people were getting drunk?—No; certainly not.

4682. You can give us no information on that subject?—None whatever.

4683. Mr. *Commissioner Bruce.*—You took an interest in the election?—I was anxious for the return of Major Knox.

4684. Could you tell me the names of any gentlemen who were actively engaged for Major Knox in the conduct of the election—you must, of course, know them?—Well, I do not know any person beyond his agent who might be called actively engaged.

4685. Do you mean only Mr. Lawler?—Yes.

4686. Was Mr. Harlowe Phibbs acting for him at all?—I know nothing of him.

4687. Or of Thomas Brennan?—I know nothing of it beyond what I have told you.

4688. Seeing him in Haggerty's house?—Yes; on that occasion I had heard he got a great beating and I went in to see did he get a great beating, and at least he had the appearance of it.

4689. Or Mr. Woods?—I am told he took no part, that he was very indifferent about the matter.

4690. I would like to have some description from you of the size and description of these mobs—were there mobs of one hundred or several hundreds, or of forty or fifty people?—On the morning of the election I saw a mob come down the street, and take possession of it, that would terrify an army, every man with a cudgel or weapon; there were 3,000 of them I am sure when they got possession of the street, immediatly after it Captain King's death occurred. I begged of some of the military to draw the military across the street, to prevent them——

4691. When the rioting first began, how many months or weeks was it before the election?—What I may call general rioting was going on for three weeks before the election; there might be occasional fighting before that between the two parties.

4692. But you think the greatest amount of violence was for three weeks up to the election?—Yes, I am satisfied of that.

4693. The *Chief Commissioner.*—This mob of 3,000 individuals, were they composed of the townspeople or of people from the country?—Oh, I think most of them were country people.

4694. That is, from a distance?—I could not say from what distance; they had the appearance of country people.

4695. Were they farmers' boys, or that class of lads?—They were lads of say from twenty to twenty-five, stout, young country fellows.

4696. Mr. *Commissioner Bruce.*—What is the population of Sligo?—I think at least between 12,000 and 13,000. You will get it in Thom's.

4697. There is, of course, a town clerk of the borough?—Yes.

4698. With respect to those mobs, how long was the rioting continued after the election? I suppose it culminated in violence at that time?—Oh, there was a great deal of it immediately after the election, after the night of the polling and the next day. After that there were occasional rows and smashing of windows, but not to any very great extent I should say.

4699. How many houses do you know had their windows smashed?—I could not say. A great number.

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Mr. Alexander Gilmore.

4700. Do you think 50?—Oh, perhaps not so many; perhaps 30. For instance, my own house was smashed; 50 or 60 panes were smashed.

4701. Were any houses wrecked—we were told that some houses were utterly smashed?—I think you have heard of most, if not all.

4702. Can you give me an idea of how many of them?—Well, I think, Gethins', Devany's, and Burke's houses were injured; I cannot think of any others at present.

4703. Were all the persons whose houses were wrecked, or to whose houses great damage was done, Roman Catholics; who had either voted for Major Knox or had abstained from voting?—Quite so.

4704. You do not know any case of a Protestant who had serious damage done to his house?—I really don't know.

4705. Are you a Protestant or Catholic yourself?—A Protestant.

4706. Your windows were smashed?—Yes.

4707. Do you know of any other Protestant whose windows were smashed?—I do not.

4708. But the windows of Protestants were smashed?—Oh, yes.

4709. You are familiar with the register of voters?—Yes.

4710. Can you tell me how many voted, and how, at the last election—I believe 241 voted for Major Knox, and 229 for Captain Flanagan?—Yes, I think there were nine or ten between them; I think there were thirteen.

4711. Can you tell me how many of those 241 that voted for Major Knox were Roman Catholics?—Well, I could not tell without looking at the list.

4712. We would feel obliged to you if you would go over the register of voters at the last election, and mark the names—I suppose you know the religion of all of them?—Yes. I should think so.

4713. If you marked the names and religion, and how they voted it would probably save the expense of sending to Dublin for the poll books—we must get the information some way or other, and we are anxious to avoid expense if we can?—I think I can suggest a place where you can get a copy of the poll books.

4714. Where?—I think the agents will have them—Mr. Lauder may have them. The gentlemen acting for Major Knox kept exactly the same record as the poll books, and that record will tell you how the people voted.

4715. Will you mark the list, showing the Roman Catholics and the Protestants?—With pleasure.

4716. Who is the town clerk?—Mr. James M'Kinn.

4717. Has he been town clerk long?—About three years I am informed.

4718. I suppose you as mayor would be the returning officer?—I would be this year.

4719. That is what I mean—the mayor of Sligo is the returning officer?—Yes.

4720. Have you the custody of any books showing or giving information as to former elections?—No, I have not the poll books.

4721. Have you any official documents showing the number of voters, and how they voted?—No. I think the official books are returned to the Hanaper's office, all the official documents I think go back.

(The witness then withdrew, and the inquiry was adjourned till Friday morning.)

FOURTH DAY
October 8.

FOURTH DAY.

FRIDAY, OCTOBER 8, 1869.

The Commissioners sat at ten o'clock, when *James M'Dowell*, *Martin Phillips*, and *John M'Grath* who had been summoned were called, but did not answer.

Thomas Kavanagh.

Thomas Kavanagh sworn and examined.

4722. The *Chief Commissioner.*—Where do you reside?—At 50 Lower Dominick-street.

4723. Do you know the two M'Mullens who were examined here?—I do.

4724. Had you known them before the last election?—No.

4725. I presume you never had seen them?—I never had seen them.

4726. Do you remember these men coming to you?—I do.

4727. On what evening was it?—I could not tell you—it was immediately previous to the election—a very short time previously.

4728. Did they bring with them a letter?—They did not.

4729. Did they bring with them any message?—They said they were sent to me.

4730. By whom?—They did not say. I asked where they were from—they said Sligo. Then I got into a detail of conversation with them. They told me they were voters of Major Knox's, and that they had to leave the town—that they were sent out of town—had to leave. That they would have voted for Major Knox, but were not wanted, and left the town and were sent to me—but I never received a line from anybody about them.

4731. Did they not mention to you who sent them?—They did not.

4732. Do you know Mr. Stokes?—I do not know a single one of them. I do not know a single man connected with the Borough of Sligo.

4733. You are not a Sligo man?—This is the second time I was in Sligo in my life.

4734. Did they inform you why they were sent to you?—They did not. I beg your pardon. I keep a house—a furnished house—in Dominick-street, and I presume they thought they could come lodge with me. Well, the men were not suited to my lodgings, and I provided a lodging for them at M'Dowell's in Henry-street.

4735. Do you know Major Knox?—I do, well.

4736. You have a house of furnished lodgings?—I have; and I had two lords lodging with me at the time—a lord and his brother.

4737. You thought these two men would not suit your house?—They would not. I was sure of it.

4738. Did you bring them down to M'Dowell's?—I did.

4739. Without any previous communication between you and M'Dowell?—No, we had no previous communication with M'Dowell; but I told him they were from Sligo, and to keep them there, and it was likely he would be paid for them, and so he was paid by me, and out of my own pocket, and I never received a farthing of it myself since. At the time they went there I did not expect I would have to pay, but I found after they went there nobody to pay; so, under the circumstances, I thought it was not fair that he should be at the loss, and I put my hand into my pocket and paid M'Dowell myself. Not the whole, but at least one-half.

4740. How much did you pay M'Dowell?—I paid altogether about £33; it might be more or it might be less.

4741. You say you paid it out of your own pocket?—I do; and I did not receive a single farthing since.

4742. Did you know the men were brought away to Manchester, to Clithero, and to Liverpool?—I know they were there. I did not know they were going at the time, but I knew they were there afterwards.

4743. Why were the men brought away from Dublin—tell me frankly as one man should deal with another—why were they brought away from Dublin?—I could not tell. I suppose it was to be there during the petition. I would say so.

4744. That is the answer I would expect from you?—I will tell you all I know, and nothing but the truth.

4745. Had you any talk with M'Dowell about the petition coming on?—No, I had not; I had no talk about it. We never talked it over.

4746. The M'Mullens, or one of them, said here they spoke to you in the street, and you refused to speak to them?—Well, I did. I did not want to do so. I did speak to them afterwards, and I may remark that I told the two M'Mullens, and, I think, in the presence of M'Dowell, for I called on him, that I had no control over them, that they might go home to Sligo or anywhere, that I had no control, and that I would be glad they came away.

4747. I suppose they were a nuisance at M'Dowell's house?—I know they were a nuisance to myself at all events to have to pay for them.

4748. Did you hear they were going away when the trial of the petition was coming on?—Well, I believe I did. I will not positively swear I did, but I believe I did.

4749. Whom did you hear it from?—I think from M'Dowell.

4750. Did you ever tell Major Knox that these men were up in Dublin?—I never did.

4751. Did you expect to be repaid that £33?—I did expect, and do expect if they have honour, to be paid still. I have no means of getting it if they don't pay it.

4752. You have no legal means?—No legal means.

4753. But in honour you expect to be paid?—I do.

4754. If there is honour in anybody you have a right to be paid. Does that £33 include the expense of the trip to England?—No, I had nothing to do with that. I paid nothing for them there.

4755. We have November the 14th as the date fixed when the M'Mullens left Sligo and they did not return till the 27th of March?—I paid nothing for them in England.

4756. Up to what time did you pay the money to M'Dowell?—I paid it at two or three different times. I did not pay the amount altogether. I could not tell you the date of the payments.

4757. I presume you did not pay anything after they went to England?—I think I did pay something to M'Dowell after they returned.

4758. You told me you did not pay anything for them in England?—I did not pay anything for them whilst they were in England.

4759. To anybody?—To anybody—I really thought I was done with them.

4760. When they went to England?—Yes.

4761. You thought you would hear no more of them?—I thought I would not. I would be very glad I did not.

4762. Did the M'Mullens see you after in Dublin? No.

4763. Did they ask you for money?—They did.

4764. What did you say?—I said I had none to give.

4765. Did they often ask you for money?—No.

4766. I suppose you know Mr. Hignell?—I do.

4767. Did you tell him the men were up there?—I did.

4768. When did you tell him?—Well, I told him after the election that they were there—he said he had nothing to do with them.

4769. What did you tell him?—I told him two men had come up to me named M'Mullen, and I asked "Did you send them?" He said, "I never saw or heard anything about them in my life."

5770. Did these men when they came to your house ask you to accommodate them?—They did not.

4771. What did they ask you to do?—They told me they had come from Sligo to me.

4772. To stay with you?—I don't know whether to stay or to come to me. I asked them who sent them and they did not tell me.

4773. They did not tell you?—They did not tell me.

4774. Do you expect to be repaid by Major Knox?—Well, I could not say. I will take it from anybody that will give it. I do not expect Major Knox will pay me personally.

4775. Not personally—but do you expect the money ultimately will come from him?—I would expect it.

4776. At all events in honour?—In honour.

4777. Did any other man come to you from Sligo?—No.

4778. At the election time?—No, these were the only two men that came to me at the election. I saw other men in Dublin.

4779. What other men?—Oh, I saw two or three. I did not know them. They were only pointed out to me as being from Sligo.

4780. Who pointed them out to you?—I think it was a man named Thomas Brennan. He pointed out two or three of them.

4781. He pointed out two or three of the Sligo voters?—Yes, but not at the election time, weeks after it, a month, or a fortnight after.

4782. Where did he point them out to you?—In Sackville-street.

4783. Were you walking with him?—No. I never walked with him. I met him in the street. I did not know exactly who he was. I was told.

4784. Who told you who he was?—I could not exactly say who told me. It was a long time after the election I was told who he was.

4785. Do you know Mr. Lawder?—I do not.

4786. You told me before you did not know the Sligo people?—No, I do not.

4787. How did you happen to meet Thomas Brennan—was he walking with anyone he knew?—Upon my word and oath I could not tell you.

4788. Was he ever at your house?—Never, to my knowledge. Oh, he was in my house, but it was five weeks ago.

4789. About five weeks ago?—Yes. He came to my house. I do not know why on earth he called. I never had any conversation with him. I was not there at the time he called.

4790. But you understood from your servant that he had called?—Yes; I met him frequently afterwards through the street, and I spoke to him any time I met him.

4791. You spoke to him?—Yes.

4792. You knew he was a witness that had been examined at Carrick?—I did. He told me himself he was.

4793. The men that he pointed out to you in Sackville-street, was he walking with them?—He was not. They happened to be passing by accident.

4794. Was it by accident you met Thomas Brennan?—I was coming up to Mr. Nelson's office when I met him in the street, and Brennan spoke to me. I saw him before.

4795. Who introduced Brennan to you?—I could not tell. I cannot remember who did.

4796. How long had you known him before?—I never knew him until he came down, until I saw him in Dublin. I never saw the man in my life until about a month after the election.

4797. Mr. *Commissioner Bruce.*—Did you ever see him in the *Irish Times'* office?—I saw him at the door frequently.

4798. The *Chief Commissioner.*—Do you call to see Major Knox often?—I do not, indeed. I did not see him more than three times for the last four months.

4799. Did any money for the election pass through your hands?—None whatever; not a farthing.

4800. Did you send anyone to Sligo?—I did not.

4801. Do you know Mr. Cherry of Sligo?—I do not.

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Thomas Kavanagh.

4802. Nor Mr. Stokes?—Nor Mr. Stokes; I never saw them to my knowledge.

4803. And you had no previous communication with them, either socially or in a business way?—No, indeed; never in my life.

4804. Did you know them by name even?—Only by what I heard and read in the paper.

4805. But before the two M'Mullens came to you?—I did not; nor know any elector at all in Sligo save the two M'Mullens who came up to me at that time.

4806. Tell me how it was the M'Mullens came to your house?—I cannot tell you more than I have told you.

4807. Do you mean you can give no information?—No.

4808. I ask you on your belief?—I cannot give you the slightest—any more than I told you.

4809. Did you not think it a most extraordinary thing that these two men should come to you?—Well, I did think it was an extraordinary thing that they should come.

4810. And you cannot tell us anything more than what you have told us?—Nothing but what I have told you.

4811. Why did you not speak to Major Knox on the subject of the M'Mullens?—He never spoke to me, and I never spoke to him on the subject.

4812. Did you avoid speaking to him on the subject?—No.

4813. Did you assist him at all in preparing for the petition?—I did not.

4814. Mr. *Commissioner Bruce.*—Was there any arrangement made between you before the election that voters should be sent up to you?—No, never.

4815. The *Chief Commissioner.*—Or a hint?—No.

4816. Mr. *Commissioner Byrne.*—Are you quite sure when the M'Mullens came up to you that a letter was not handed to you by one or the other?—I swear most positively I never got a letter from either of them.

4817. From either of them?—From anybody—a line of anything.

4818. And did you act on their own statement alone in sending them to M'Dowell's?—I did.

4819. Entirely?—Entirely.

4820. Were you aware beforehand that voters were to be sent up to you to get lodgings?—No.

4821. Is it not strange that you should act on the statement of two men strangers to you?—No doubt about it, it looks strange to you gentlemen, but it did not look strange to me, and unfortunately I am the victim.

4822. Had you no reason to believe before the M'Mullens came to you that they were voters?—None whatever.

4823. And you acted merely on their statement?—I did.

4824. You know Major Knox well?—Well, Major Knox befriended me very frequently, and I would do anything I could for him. The name was quite sufficient for us. When they mentioned his name, I would do anything I could for them, that is if I knew I was doing nothing that was wrong. I swear that positively.

4825. The *Chief Commissioner.*—Do you swear you can give us no further information about this occurrence?—I cannot, indeed.

4826. Mr. *Commissioner Byrne.*—Had you no conversation with Major Knox about the M'Mullens?—Not a word—not a sentence—in fact I had no conversation with him at all.

4827. The *Chief Commissioner.*—What did Brennan say when he pointed out the men to you in Sackville-street?—He said, "There are some of the men that were down in Sligo—some of the men that voted in Sligo. I suppose they had, like myself, to cut."

4828. Was that coming on the time for the trial of the petition?—Oh, it was long after the trial of the petition. I think so. It was long after the trial of the petition.

4829. Mr. *Commissioner Bruce.*—Did you ever say anything to Brennan about the extraordinary occurrence of these M'Mullens coming to you?—No, I did not say anything at all to him. I did not talk it over with anybody.

4830. The *Chief Commissioner.*—You are a shrewd man. Do you not know the M'Mullens were brought away to England for the purpose of not appearing to give evidence at the trial of the petition?—I do not know; I suppose so.

4831. Is not that what you believe?—That is what I suppose.

4832. Mr. *Commissioner Bruce.*—Do you recollect did Brennan introduce himself to you the first time you met?—No, he did not. Some person pointed out Brennan to me.

4833. Who was it?—I cannot tell you who it was.

4834. Do you recollect where it was?—I think it was in the street—somewhere about Sackville-street.

4835. The *Chief Commissioner.*—Was it the first time you were introduced that he pointed out the Sligo voters to you?—Well, I would not be positive it was. I could not say it was.

4836. You told us, you know, that at the time the Sligo men were pointed out the petition trial was over?—That is the time, I think.

4837. But you knew Brennan long before that?—I don't think I did much longer than that. In fact I do not know him at all more than to see him. I did not know him until I saw him in Dublin.

4838. Mr. *Commissioner Byrne.*—Had you or have you any employment from Major Knox?—No; I am in Mr. Nelson's office in Abbey-street. I am cashier there.

4839. Is there any relative of yours in his employment?—No brother or relative in the world.

4840. Mr. *Commissioner Bruce.*—How did you pay the £33 to M'Dowell?—I left a portion of it with his wife; I left a portion of it in his house, some more with another party who gave it to him.

4841. Was it all given in two sums?—No. I think in three sums—about three sums—that is what I paid.

4842. Were they all paid about the same time?—No; they were paid at different times.

4843. Can you give us about the times?—I could not give you the date or a single thing. I know I paid it.

4844. The *Chief Commissioner.*—Did you take receipts from him?—No, I did not.

4845. No writing passed between you and M'Dowell at all?—No, I think not—M'Dowell will tell you himself.

4846. Did you ever write on this subject to anyone?—No, I did not.

4847. You never mentioned M'Mullen's name in any letter?—Never, to my knowledge.

4848. Mr. *Commissioner Bruce.*—What was the reason of your not speaking to Major Knox on the subject?—I had no right to go ask him about Sligo. I do not think he would speak to me on the subject—that is one reason.

4849. Why do you think he would not speak to you?—I don't know. I don't think he would.

4850. Mr. *Commissioner Byrne.*—Do you remember at what time you paid the £33?—I could not give you the date.

4851. Was it after the trial at Carrick?—It was long after the trial at Carrick I paid the £20—long after it.

4852. Mr. *Commissioner Bruce.*—That is when you paid the £33?—No, the £20. I could not give you the date—but it was long after the trial at Carrick I paid £20 of it.

4853. That must be after they were in England?—I should say so. I think I told you before it was after they were in England.

(The witness withdrew.)

James M'Dowell sworn and examined.

4854. The *Chief Commissioner.*—Have you read in the newspapers the evidence that has been given by the M'Mullens?—I read a portion of James M'Mullen's evidence in Dublin.

4855. I presume you did not know these men before they were brought to you by Mr. Kavanagh?—I never saw them.

4856. What did Mr. Kavanagh tell you?—He asked me had I not accommodation for these two men—board and lodging—I told him I had, and he told me to take charge of these men and I would be paid for it; so they remained in my house.

4857. I find by the Directory that you keep a confectionery establishment?—Yes.

4858. Do you also keep a lodging house?—Yes.

4859. Did you understand how long these men were to be with you?—I did not.

4860. Did you know they were Sligo voters?—I did not know at the time.

4861. How soon did you ascertain that they were Sligo voters?—Well, I should think about, perhaps, a month; when they were about a month in the house.

4862. Did they tell you themselves?—The old man told me one day that he was a dyer by trade, and from Sligo. That was the first intimation of what they were, or where they came from.

4863. Was it usual for you in your business to have lodgers of that class—tradesmen?—Oh, certainly.

4864. These men remained with you until they and you went to England?—Yes.

4865. Who suggested to you the trip to England?—Well, I received a note—the party that brought it was a perfect stranger; a man I never saw before—to take these men to England if I could go at the time.

4866. Have you the note?—I have not.

4867. Can you not tell the party who brought it to you?—I cannot.

4868. Tell what was in that note, every syllable of it?—To the best of my recollection I will tell you. It was to take the two M'Mullens to any part of England—and I got £9 in the note, and to communicate then back, to send word here to my own place, when I arrived, and when I went to Liverpool I wrote back to my wife, and told her I was there.

4869. Do you mean to say that that was all that was in the note?—That is all. Not a word more, to the best of my recollection.

4870. Was there not a signature to it?—There was no signature to it.

4871. Did it come to you by post?—No, by hand.

4872. Did you see the man that brought it?—I did.

4873. Did he give it to you?—He did.

4874. Would you know him again?—I would know him again.

4875. Did you know him then?—I did not personally; he never was in my place before. I never saw him before.

4876. Mr. *Commissioner Bruce.*—Did you ever see him since?—Not since.

4877. The *Chief Commissioner.*—What sort of a man was he?—He was a young man, about twenty-two or twenty-five years of age.

4878. Was he a gentleman by appearance?—Well, not particularly; he appeared to be a working mechanic.

4879. Was he a printer?—Well, I do not know. I could not say.

4880. A man in Dublin could give a guess as to the trade another man belonged to?—Well, that is a fact; but he said nothing about his trade he belonged to. I never saw the man before.

4881. But could you not guess by his appearance?—Well, he was dressed very respectably. I would consider him perhaps a clerk.

4882. You said a working mechanic a moment ago?—I cannot define the man accurately. In fact, I never saw the man before.

4883. What I mean is, you would know a man that was a tradesman from another man?—Well, he was, in fact, I think, something in connexion with the law business.

4884. He had the appearance of a respectable attorney's clerk?—Yes.

4885. Nine pounds were in the note?—Nine pounds.

4886. In what notes?—One pound notes.

4887. Was there any direction in that note that you should tear it up?—No.

4888. You got no word to do so?—No.

4889. Did you destroy it at the moment of getting it?—I did. When I read the letter I thought it better not to keep it. I did certainly.

4890. Had you any business of your own to England?—Well, I had not.

4891. Did you know at that time that the election petition was coming on?—I did not.

4892. Did you not pay any attention to that?—I did not. I had my own business to attend to in the shop.

4893. What day did you leave Dublin for Liverpool?—Well, I think, on a Thursday night.

4894. How soon after you got the note?—Well, about three hours.

4895. The trial of the election petition began on the 19th of February, now tell me when you left Dublin with the two voters for Liverpool?—Well, I could not give you the date.

4896. Friday, the 19th of February, was the day of the trial of the petition?—I left on a Thursday.

4897. Do you not now know, refreshing your memory with what the M'Mullens have sworn, and what you have read, that it was sometime about the middle of February you left?—Well, I could not say without going back to the date.

4898. Without going back to what?—Without refreshing my memory for the date. I could not tell you now what month it was.

4899. You brought them by the North Wall to Liverpool?—Yes.

4900. What did you tell them when you said you would bring them over?—They were sitting up in the room, and I told them I was going to Liverpool, and I wished them to come along with me—that I received a note wishing them to comply, and the two of them complied and said they would go.

4901. Did you know people were looking for them to try and find out where they were, to have them examined as witnesses?—No, I did not.

4902. Did you, at the time, suspect you were taking away witnesses, in order to prevent them being examined in a court of justice?—On my oath, I swear I did not.

4903. Did you not know it was an offence against society to do so?—I did not.

4904. How much money did you bring with you for yourself and the men?—£9 to pay our expenses when going first to Liverpool.

4905. How many days did you remain there?—Two days.

4906. Did you keep the men with you always?—Yes.

4907. Where did you go to then?—To Manchester.

4908. Where did you stop at in Liverpool?—I think Reynold's hotel in Lime-street.

4909. When you say you think, you remember it was in Reynold's hotel?—Yes.

4910. Where did you stop at in Manchester?—At Mr. Greaves', on the London road.

4911. A tavern on the London road?—Yes.

4912. How long did you stop there?—Well, I think, about fourteen or fifteen days.

4913. And were you keeping these two men all that time?—I was.

4914. Did you get any money while you were in England?—I wrote home to my wife for money, and she sent me £5 of her own money.

4915. You were fourteen or fifteen days in Manchester?—Yes.

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4916. Why did you go from Liverpool to Manchester?—Well, we went up to see the town. I never was there before. I was anxious to see Manchester.

4917. Do you mean to say it was curiosity—to see the streets as a visitor?—No, not for that, we used to go to the theatre. I used to bring them to the theatre.

4918. Every night?—Not every night.

4919. I suppose they got the best of everything?—Well, as far as I could, that is, for their station in life.

4920. There was punch every day for them?—Not every day.

4921. You then went to Clithero?—Yes.

4922. Why did you go?—I received a letter to go there.

4923. A letter?—Yes.

4924. From whom?—I received a letter from Mr. Kavanagh to go to Clithero.

4925. From Mr. Kavanagh?—Yes.

4926. Have you that letter?—I have not.

4927. Did you burn it or tear it up when you read it?—Well, I cannot say. I don't think I burned it at the time, but it was destroyed afterwards, with some papers in my pocket.

4928. How long after you got it did you destroy it?—I was in Clithero. I destroyed it, perhaps, about a week after that.

4929. What was in the letter?—To leave Manchester and go on to Clithero.

4930. With the two M'Mullens?—Yes.

4931. Do you mean to say that was all that was in the letter?—Yes.

4932. Are you sure that letter was written to you from Dublin by Kavanagh?—Yes.

4933. Did it begin, "My dear M'Dowell"?—No, it commenced in this way:—"Leave Manchester and go up to Clithero—go there and you will see a gentleman there who will accommodate you with a lodging." I went, and saw the gentleman.

4934. Was that all?—That was all.

4935. It was signed "Thomas Kavanagh?"—Yes.

4936. I suppose you had known Mr. Kavanagh a long time?—A long time.

4937. And knew his handwriting?—Yes.

4938. You then moved on to Clithero?—Yes.

4939. Where did you go to there?—To the Brownlow Arms.

4940. Was that mentioned in Kavanagh's letter?—No, it was not; a gentleman I met there brought me.

4941. Whom did you meet there?—Mr. Mitchell.

4942. What is his Christian name?—I do not know; the gentleman was a stranger to me, but he lives in Clithero.

4943. How did he find you out?—I had this letter to him, to meet him——

4944. A letter directed to Mr. Mitchell?—No; my instructions were to see Mr. Mitchell.

4945. You did not mention that before—he gave you Mitchell's address?—Yes.

4946. What is the street?—I could not call to mind, it is about a quarter of a mile out of town; I asked at the railway, and a railway porter told me he was well known there.

4947. What business does Mr. Mitchell follow?—He is a paper manufacturer.

4948. Wholesale?—Oh, wholesale.

4949. A man of position?—Yes.

4950. Mr. *Commissioner Bruce.*—Do you know his Christian name?—I do not; I never saw the gentleman before.

4951. Were you at his place of business—the factory?—Yes.

4952. What is the name of the firm?—Mitchell and Sons.

4953. Was it old Mitchell you saw?—No, his son.

4954. What is his name?—I do not know.

4955. How many of the family are there conducting business?—Old Mitchell and his sons.

4956. Do you know the Christian name of any of them?—No, I do not.

4957. You went according to directions to Mr. Mitchell's house?—I went to the factory.

4958. You went up to the office?—I went up to the office.

4959. Whom did you see?—Mr. Mitchell, junior.

4960. What did you say to him?—I showed him my note, and he appeared to be aware of it; then he came along with me and provided accommodation at a hotel for me and the M'Mullens, and after arranging that he retired, and I saw no more of him.

4961. Did he give you any money?—No, he gave me no money.

4962. Did you get any money in Clithero when coming away?—I got £3 from him to pay my expenses when coming away.

4963. How long did you remain in Clithero?—I cannot be positive; I suppose about four weeks.

4964. What were you doing all this time away from your business; you were nearly two months in England?—I was going through the country, seeing the country. I went out every day; whatever was to be seen I saw; I went and saw the factories, and went through the place.

4965. And you brought the M'Mullens with you—you never let them out of your sight?—I did frequently.

4966. You knew they had no money?—That I could not say.

4967. Did you not believe it?—I could not say.

4968. Did you not support them and pay their railway fare?—I did.

4969. And did you allow them any pocket-money?—They had some; I think they had 10*s.* a piece.

4970. Do you mean when coming away from England?—No; going to England.

4971. Who gave them that?—I did.

4972. How much money did you give the M'Mullen's altogether?—I suppose I gave the two altogether something under £2.

4973. Do you mean all the time from first to last?—From first to last.

4974. Did you know at Clithero that the election petition was over—M'Mullen swore he did—did you?—Yes, I did know.

4975. Who told you?—I read it on a placard outside a periodical shop.

4976. And then you went in and bought the paper?—Yes, I bought the paper.

4977. When you saw the news?—Yes, and I read that the trial was over.

4978. And you told the M'Mullens?—I did.

4979. And on the following day did you leave Clithero?—Not the following day.

4980. How soon after?—A couple of days after.

4981. How often did you see the M'Mullens during the time you were in Clithero?—On the occasion I was going away—the day before I went away—that is the only interview I had.

4982. Did you not know that you were bringing these men about the country to avoid their being examined at the trial of the petition?—No.

4983. Did you believe it?—I did not believe it.

4984. What did you believe the men were brought there for?—They were brought to me perfect strangers, put into my house by Mr. Kavanagh; on the faith of his word that I would be paid for them, I kept them, and then when I was wanted, when I was asked to go to England, having no particular business to prevent me going, I availed myself of the opportunity, and I went along with them.

4985. What were your entire expenses while in England, you were nearly two months there?—I could not tell you what the expenses were entirely; £12 I had altogether.

4986. Do you mean to say that you supported yourself and two men, and defrayed your travelling expenses, for £12?—No, I do not; I suppose it was Mr. Mitchell, for I did not pay the bill in Clithero.

4987. You did not pay the bill in Clithero?—No.

4988. For four weeks?—No.

4989. You had £9 going away?—Yes, and my wife sent me £5 in Manchester, and I had £3 from Mr. Mitchell; that was all I got.

4990. Did you spend the £17, or did you bring back any of it?—I brought back about *5s.*, and no more.

4991. Do you expect to be paid for your loss of time?—Well, I don't know, for old M'Mullen walked away while I was out.

4992. He gave you the slip?—Yes, and his son did the same thing, so I have no security for my money.

4993. Did you make any application to anyone?—I spoke to Mr. Kavanagh, and he expressed his astonishment when they were gone away that he did not know it.

4994. Did you ask for payment?—I hold him responsible for it.

4995. How much did you demand?—Well, there is £30 due to me.

4996. How much did you get?—Well, I never received any money in connexion with the M'Mullens, but Mr. Kavanagh paid my wife in the place, and left with my shop girl money, altogether amounting to twenty-two or twenty-three pounds.

4997. Did you never record what the M'Mullen's got in your books?—No; I took them at so much a week.

4998. How much do you charge a week for them?—Two pounds.

4999. Two pounds a week each?—Yes.

5000. And do you charge anything at all for your loss of time while you were in England?—Yes, I charge for my time; that is included in my bill.

5001. Did you write out a bill?—Yes, I wrote out a bill.

5002. And gave it to Mr. Kavanagh?—Yes; that included my own time and all.

5003. Have you a copy of that bill?—I have not.

5004. Tell me what is in the bill?—My first item was the balance due by M'Mullens, and then there was for my own personal services——

5005. How much do you charge of personal services?—Twenty-four pounds.

5006. Mr. *Commissioner Bruce.*—Including your expenses?—Including all.

5007. The *Chief Commissioner.*—You charge £24, as it were, for your loss of time and what you did?—Yes.

5008. And your maintenance?—Yes.

5009. Was Kavanagh the only person you made any application to?—Yes; I had no dealing with any other party or any interview but with Mr. Kavanagh.

5010. Did you know that young M'Mullen went to the *Irish Times* office to get money to go to Sligo to see his dying wife?—Yes, he told me that.

5011. Who did he tell you he got the money from?—I think Mr. Hignell gave it to him.

5012. Do you know Mr. Hignell?—I saw him once or twice.

5013. Was it in your house?—Not to my knowledge.

5014. Where did you see him?—In Lower Abbey-street.

5015. Do you mean in the *Irish Times* office?—No, not in the office; towards the Marlborough-street end.

5016. Did you see him in any house there?—Yes, at the corner—Mr. Greville's tavern.

5017. Do you mean you only met him there socially?—Socially.

5018. To have a glass in the evening?—Yes.

5019. Do you know him well?—No.

5020. Do you know Major Knox?—No; I never spoke to the man in my life; I never had an interview with him; I know nothing whatsoever of him.

5021. Do you read the Dublin papers every morning?—Not every morning.

5022. Do you swear when you brought the men to England you did not know of the trial of the petition about the Sligo election?—No, I could not swear that. I was aware that the petition did come off, but when I did not know.

5023. You were aware of the petition?—Yes, certainly.

5024. Do you mean to say you did not suspect you were bringing away the men to avoid being examined?—No; nor did I know there was a necessity to bring them there.

5025. For what purpose did you suppose the men were brought to England?—Well, I could not assign any particular reason for it.

5026. Did you ever bring voters away before?—Never.

5027. I would advise you not to do so again?—I will not have any more connexion with it.

5028. Mr. *Commissioner Byrne.*—Was it at Manchester you got the letter from Kavanagh to move on to Clithero?—Yes.

5029. How did he know you were at Manchester?—Because I wrote home to my wife.

5030. Was it from Manchester you wrote to your wife?—Yes; and from Liverpool I wrote—from Liverpool home; and, I presume, she met Kavanagh and told him.

5031. Did you receive any letter from Kavanagh before you got the letter at Manchester telling you to go to Clithero?—No; unless the letter to go to Clithero, that is the only communication I had from Kavanagh.

5032. What is your servant's Christian name?—Jane—her name is Jane Branagan.

5033. Is she with you now?—She is, I think, in Tuam.

5034. *The Chief Commissioner.*—What is your wife's Christian name?—Mary.

5035. Mr. *Commissioner Bruce.*—You say a month after the election you heard from the M'Mullens that they were Sligo voters?—Yes, a month.

5036. Did you get into conversation about the Sligo election?—No. It was not about the election then we were talking, but about his business.

5037. Did you ever talk with him about the election between the time you heard they were Sligo electors and your going to England?—Well, there might be some remarks made that I cannot call to mind at the present time about the election.

5038. Try?—I cannot remember anything particular in connexion with it.

5039. Did you never ask them had they voted?—No; I never asked them.

5040. Did you designedly abstain from asking them whether they had voted?—I had no particular reason for not asking them; but I am positive I did not ask them such a question as that.

5041. Did they never tell you they had come away to avoid voting?—No.

5042. Neither one nor the other?—No; they never told me that.

5043. When did you first hear that they had come away to avoid voting?—I never heard that they had come away to avoid voting. The first intimation I had that they were Sligo men was after a month's expiration, in my place, in a conversation with the father.

5044. Can you state the conversation?—We were walking through town, and he saw a dyer's shop, and stopped to explain the texture of some article in the window, and he told me then that his business was in Sligo. That was the first intimation I ever had of where he was from.

5045. That was a month afterwards?—A month afterwards—it may, perhaps, be a few days over that.

5046. And you felt no curiosity at all about them?—Not the slightest.

5047. And when you got the note with the £9 did you not ask any question from the man who brought it to you, as to what it was for?—No; he put the note into my hand. He asked me was my name M'Dowell, put the note into my hand, and walked away.

5048. Before you read the note?—Before I opened the note.

5049. Had you known Hignell at that time?—No, I had not.

5050. Had you any suspicion of from where the note came?—Well, I thought first it might be a note

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from Kavanagh, but when I opened the note I found it was another handwriting entirely—not his.

5051. That satisfied you it was not from Kavanagh?—Yes.

5052. Had you any suspicion of from whom it came?—I had not at the time.

5053. Have you any suspicion now?—Well, no; I could not positively say.

5054. I ask you have you any suspicion now?—No, I have not.

5055. Did you ever speak to Mr. Kavanagh about the receipt of that note?—I spoke to him, I think, when I came back.

5056. You did not see him between the receipt of the note and your going away?—No, I did not.

5057. You went away, did you not tell us, within three hours of your receiving the note?—Yes, in three hours.

5058. Was there nothing in the note to point to that very earnest haste of three hours—so short a time for making your preparations, leaving your shop for an indefinite period?—No, nothing particular in the note more than just merely what I told you.

5059. You tell us that you were two days in Liverpool, fourteen or fifteen in Manchester, and about a month in Clithero. Was it towards the end of the month you read the account of the Sligo Election Petition Trial being over?—Well, I could not tell you the date.

5060. Try and fix it?—I cannot tell. I do not know anything of it. I could not go back positively to swear to the date.

5061. I do not ask you to swear to the day, but was it towards the end of the month?—I could not tell you distinctly.

5062. You say you saw the news in the window of a shop where they sold newspapers?—Yes.

5063. An advertisement of the news of that day's paper?—A summary of the news of the *Manchester Guardian*.

5064. And there was a paragraph announcing the Sligo Election Petition?—Yes.

5065. I suppose it was of that day's paper, or of the paper the day before?—I think it was of the day before.

5066. How soon after you read that did you go to Mr. Mitchell?—The following day.

5067. What did you say to Mr. Mitchell when you went to him?—I told him that I saw by the papers that the inquiry in Sligo was over, and I wanted to know if he knew anything about my remaining—to see what time I would stop in Clithero, and he told me he did not feel why I should stop any longer.

5068. What then?—I told him I wanted some money to take these men back, and he gave me £3.

5069. And then you went back immediately?—No, in about two days or so after; we stopped in Liverpool a day.

5070. So it must be within three days of the end of the month you were stopping in Clithero that you saw the account in the newspaper?—Well, I cannot say what date it was.

5071. Did you not tell me you went immediately to Mr. Mitchell?—Yes, but I cannot give you the date.

5072. I do not want the date of the month, or the day of the week, but was it within the last three or four days of your stopping in Clithero that you saw the newspaper account?—Yes.

5073. Did you ever see Mr. Mitchell between the first interview you had, when you gave him Kavanagh's letter, and the last, in which you got the £3?—Yes; I saw him on one occasion; I went up to see Mr. Mitchell——

5074. Tell us what passed?—Nothing; I never opened my lips to him; it was his foreman met me and took me over the place.

5075. You went to see the mill?—Yes, to see the manufacturing of paper.

5076. Had you no personal interview with him at all?—No.

5077. Did the M'Mullens, during the time they were with you, converse with you regarding Sligo and the election?—No, not that I am aware of; it might be mentioned; there might be some allusion to the election, but there is nothing to refresh my memory of anything; it is possible it may have occurred.

5078. You have told us that immediately upon reading in the paper about the Sligo petition—that being over—you went to Mr. Mitchell, and said, now that the trial was over, was there anything to keep you there?—Yes.

5079. Do you now persist in your former answer, that you had not any idea of why these people were taken to England?—Well, when I was taking the men to England——

5080. Answer the question in the first place—"Yes," or "No." Do you persist in your answer, that you had no idea of why these men were taken to England?—I had an idea.

5081. Tell us what that idea was?—Well, they were taken to England by me in connexion with a letter I received at the time, and I had an idea that they wanted to have them in England.

5082. What for?—That, I could not tell; perhaps the reason was that they feared meeting any of these men.

5083. Who do you mean by "they"?—Any of the parties down here.

5084. What parties?—Well, I do not know; they told me on one occasion they feared some parties were in Dublin from Sligo.

5085. Who told you that?—Old M'Mullen, that there were some parties in Dublin he was afraid would see him.

5086. The *Chief Commissioner*.—What parties?—Oh, I do not know who they were.

5087. Mr. *Commissioner Bruce*.—Did he say why he was afraid?—No, he did not.

5088. Had you any idea that because it was "they" wanted them, that they were taken away?—No; I did not know.

5089. The *Chief Commissioner*.—When you came back what conversation had you with the last witness about the £9?—Oh, when I saw him I told him that I went away, and I received the £9 for going away, and he asked me who gave it. I said I could not tell who the party was.

5090. Do you think it was he sent it to you?—I think he did.

5091. Did you ask him?—No; I do not think I did.

5092. When you mentioned the £9 was there any debit and credit account between you and him?—No. When I met him some days after I came home, I told him that I was home for two days previous. He asked me who sent me away, and I told him a party called on me, that I never saw him before, and I did not know who he was at the time I received the note with the £9 enclosed in it.

5093. Did you speak to him about his own letter to you to go to Clithero?—I did, certainly.

5094. What did he say?—I said I received the letter and acted in accordance with it, and went from Manchester and remained there.

5095. Did he ask you instantly who sent you the letter he wrote to you to go to Clithero?—I had written to my wife apprising her ——

5096. See, do you mean to say that the last witness asked you who sent you away, as if he did not know who it was?—No. I mean to tell you when I told him I received this letter he asked me to give it to him. I was under the impression at that time that he had sent it to me.

5097. You told him you had acted on his advice about going to Clithero?—Yes.

5098. What did he say to that?—Well, he made no reply. He said it was all right, at least.

5099. He said it was all right?—Yes.

5100. Did Hignell know you were away?—No.

5101. Do you swear that?—I do not know.

5101. Did you speak to him about it after coming back?—No, I did not.

5102. Did you never speak to him on the subject?—Oh, I spoke on the subject to him about a month ago, when I met him in the tavern.

5103. What did you say to him?—I told him I was in Liverpool with these men—with these two men, and he asked me which two men. So I told him two men who were stopping in my house. He asked me who they were, and I told him the two M'Mullens from Sligo.

5104. Do you mean to say that Hignell asked you that question as if he did not know the M'Mullens?—That is what he asked me as if he knew nothing about it.

5105. Did you know then he had given young M'Mullen £2?—I did not hear anything about £2.

5106. Did you not read the evidence of the younger M'Mullen that he got £2 to go to Sligo?—But I was not aware of it from M'Mullen.

5107. You were not aware of it from either of the M'Mullens?—No; I never heard of it.

5108. Did you not tell me that M'Mullen told you he got £2?—No; I do not remember telling you such a thing as that.

The *Chief Commissioner.*—Let the shorthand notes be referred to.

[The shorthand writer read the previous answers of the witness.]

5109. The *Chief Commissioner.*—What do you say to that?—That is not saying I knew he got £2; I did not know what money he got.

5110. That is the point you make—you knew he got money?—That is my answer to your question.

5111. You knew he got money?—He told me he got money—he told me he got money when he was going away.

5112. The phrase he used was, he got money?—Yes, "money."

5113. But did not know the exact amount?—Yes, he did not tell me.

5114. When did he go to Sligo?—Well, I cannot exactly say the date.

5115. Was it before or after Christmas?—[Not answered.]

5116. How long before you brought him to England was it?—I could not tell the date.

5117. We can fix the exact time you went back to England; you read the newspapers of the day in Clithero?—Yes.

5118. Judge Keogh's judgment was delivered on the 24th of February, and, when you read it, you had been five or six weeks in England?—Yes.

5119. Do you now remember that you went away early in January?—Yes; I cannot say it was early in January—I could not say positively as to the date. I cannot give you the date of M'Mullen's going home to see his wife.

5120. Was it before or after Christmas—he only came to you in November?—Well, I think it was after Christmas.

5121. How long before you brought him to England?—Oh, I think it was after we came back from England he went to see his wife.

5122. After he came back?—I think it was; I am not positive.

5123. You do not remember?—I do not remember; I think, to the best of my belief, it was after he came back we went.

5124. Mr. *Commissioner Bruce.*—Did Mr. Mitchell tell you to destroy Mr. Kavanagh's note?—No, he did not.

5125. Did he give the note back to you?—Yes; he handed it back to me, to the best of my recollection.

5126. How soon afterwards was it destroyed?—Well, I put it into my pocket, and a day or two afterwards I was sitting in a room in the hotel, and I took it out with some other papers from my pocket and threw them into the fire.

5127. The *Chief Commissioner.*—Had you anything else to do with this Sligo election but that?—Not a ha'porth.

5128. Had you any other papers connected with it?—No papers connected with it.

5129. Mr. *Commissioner Bruce.*—You say you met Mr. Hignell two or three times in a public-house?—No, I met him only on one occasion in that house in Marlborough-street.

5130. Were you talking to him then?—Yes.

5131. Had you ever seen him before that?—Well, I might have seen him—not to know the man—he was a perfect stranger to me up to that time.

5132. He was a perfect stranger to you at that interview?—Yes, at that interview.

5133. Did you meet him in the public room taking a drink?—Yes; in the public room, standing just at the bar.

5134. Did he enter into conversation with you then, do you recollect?—Well, I cannot positively say.

5135. Try and recollect?—There were Mr. Kavanagh, and Mr. Hignell there and I.

5136. Mr. Kavanagh was there?—Yes. I was going down Marlborough-street, and I met Mr. Kavanagh.

5137. And you went into this place for refreshment?—Yes, and he introduced me to Mr. Hignell.

5138. How did he introduce you to Mr. Hignell?—As his friend, Mr. M'Dowell.

5139. Did Mr. Hignell appear, from his manner, to know anything about you?—No, I don't think he did, for he was rather reserved, I thought, at the time.

5140. Are you perfectly certain that M'Mullen's name was not mentioned in that conversation?—I am positive.

5141. Did you ever meet Mr. Highnell afterwards in that house?—No; I met him in Sackville-street, the second interview I ever had with him.

5142. How soon was it after that?—I suppose a month, or perhaps five weeks.

5143. Five weeks after the first?—Yes.

5144. When was the first interview?—I do not recollect, as I told you.

5145. Think?—It might be ten days or so after I came back.

5146. After you came back from England?—Yes.

5147. Did anything take place at that second interview with Hignell?—No, nothing particular. It was standing at the corner of Sackville-street.

5148. Was anything ever said by you to Hignell, or by Hignell to you about the Sligo election?—Well, to the best of my recollection, Mr. Hignell never mentioned the name of Sligo in the interviews I had with him. I am positive he never made use of the word Sligo, or anything in connexion with it.

5149. Did he never make any mention of the election without using the word "Sligo"?—No, he never alluded to the election—he never made any allusion in connexion with the election to me.

5150. Did you ever make any allusion to it to him?—No I did not, for I had nothing to do with Mr. Hignell. [The witness then withdrew.]

Thomas Kavanagh recalled.

5151. The *Chief Commissioner.*—You are already sworn?—Yes.

5152. I think you can give us more information about this matter than you have done?—I don't think I can.

5153. You don't think you can?—No.

5154. Did you write that letter?—On my oath I have not the slightest recollection of doing anything of the kind. If I can bring it to my recollection when I arrive in Dublin I will tell you.

5155. We must have your evidence in court?—I cannot give you any more.

5156. Did you hear Mr. M'Dowell?—I did. I did

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not know Mr. Mitchell; I had nothing to do with him; I did not know anything at all about him; I did not write to a man I knew nothing about. I never heard of his name in my existence.

5157. You heard the last witness?—I did.

5158. Do you now contradict him?—Well, I cannot contradict him. I don't believe I did write. I may have written, but I cannot recollect. I cannot recollect that I did.

5159. Did you ever hear of Mitchell in your life before to-day?—I did.

5160. It is a well known house, I would say, Mitchell and Sons?—I did—but at the time he was away. I did not hear of it at the time he went away, nor did I know a single particle more of it; and what he was speaking of, the £9 enclosed in a note, I know nothing. I never knew of it.

5161. Did you hear the last witness say he spoke to you on his return from England, about having followed your letter of instructions and gone to Clithero?—I did.

5162. On your oath did that conversation take place?—I cannot say.

5163. Do you expect to be believed?—Well, I don't know, you may believe me.

5164. I ask you do you expect that answer to be believed?—I do. I would not give it to you if it was not true. I had a conversation with him, but as to the letter I do not know anything. I have nothing to gain by telling an untruth. If I wrote it I would tell you. If I had the slightest recollection of it I would tell you.

5165. Is it possible such a transaction could escape your memory?—On my oath I have no memory of it. If I can call it to memory I will come back and tell you.

5166. Did he tell you he had been in England?—He did.

5167. You knew he was in England?—I will tell you how——

5168. Who told you?—Mrs. M'Dowell, his wife, told me he wrote to her.

5169. What took you to the shop?—I used to go to the shop very frequently—every day.

5170. Did you ask about the M'Mullens?—No.

5171. You did not?—No.

5172. Did Mrs. M'Dowell tell you her husband was away with the M'Mullens?—She did—she told me they were in England.

5173. On your oath did you tell that to anyone?—I cannot say that I did—maybe I did—I did.

5174. Are you not sure you did?—I did. I think I told it to Mr. Hignell.

5175. To Mr. Hignell?—Yes—that I heard they were, from Mrs. M'Dowell.

5176. Where did you tell that to Hignell?—Well, I think it was in the *Irish Times* office.

5177. Did you walk down from the confectioner's shop to the *Irish Times*?—Indeed I did not—not probably for a day after or two days after.

5178. What business had you to go to the *Irish Times* to tell Hignell that the two M'Mullens were in England?—Well, I used to go into the *Irish Times* office every day in the week.

5179. What concern was it of yours to tell Hignell that the M'Mullens were in England?—I think it concerned me when I was paying for them.

5180. Were you paying for them in England?—No.

5181. Well, what concern had the English portion of it with you?—It had no concern, no more than I have told you. I have told you all I know about them.

James M'Dowell and Thomas Kavanagh.

James M'Dowell and *Thomas Kavanagh* confronted.

5182. The *Chief Commissioner* (To James M'Dowell).—Did you receive a letter in the handwriting of the witness, Thomas Kavanagh while you were in Manchester?—Well, to the best of my belief it was a letter in Mr. Kavanagh's handwriting.

5183. You have known him for years?—Yes.

5184. As a friend?—Yes.

5185. It was a letter, as you have described, signed "Thomas Kavanagh"?—Yes.

5186. And that letter directed you to go to Clithero?—To go to Clithero.

5187. The *Chief Commissioner*. (To Thomas Kavanagh).—On your oath did that occur?—On my oath I do not recollect it. On my oath I do not.

5188. Mr. *Commissioner Bruce*.—Do you deny it?—I do not deny it. I do not recollect.

5189. The *Chief Commissioner*.—You do not deny it?—I don't deny it. It may have occurred, but I do not recollect it.

5190. You now say it may have occurred?—I said that all through. It may have occurred, but I do not recollect; if I did recollect I would at once have told you.

5191. Mr. *Commissioner Bruce*.—(To James M'Dowell). Did that conversation take place between you and Mr. Kavanagh, in which you referred to the letter?—Yes. I told him when I came back that I received his letter.

5192. His letter?—His letter, and removed to Clithero up to the time we returned.

5193. Mr. Kavanagh did not deny having written any letter?—No, I don't think he did.

5194. This is an important point—are you positive?—He did not.

5195. The *Chief Commissioner*.—Did he say he never wrote such a letter?—No, he did not.

5196. Did the conversation go on after you said you got his letter and acted upon it?—Yes, there were some more words after that.

5197. The *Chief Commissioner*.—(To Thomas Kavanagh) How did you know about the Mitchells?—I think it was a letter of M'Dowell's that caused me to know—a letter to his wife.

5198. About the Mitchells?—I think so.

5199. What was in that letter?—I could not tell—she told it to me.

5200. Did you see the letter?—I did not.

5201. What did she tell you?—She told me they were at Clithero.

5202. At Mr. Mitchell's?—I think so, or something like that.

5203. Was that the first you heard about them being at Clithero?—I cannot say.

5204. On your oath?—On my oath I cannot say whether it was the first or not.

5205. Did you go to Mrs. M'Dowell to ask were they at Clithero?—I did not.

5206. Did you know Clithero?—I did not. I never was in it in my life.

5207. You never spoke to Mr. Mitchell?—In my life—never—or knew there was such a man in existence.

5208. Did you know the house of Mitchell was supplying any Dublin establishment with paper?—I did.

5209. What establishment?—The *Irish Times*.

5210. What establishment?—The *Irish Times*.

5211. Who told you that?—I heard it in the *Irish Times*.

5212. From Mr. Hignell?—Yes.

5213. From anybody else?—No.

5214. When did Mr. Hignell tell you that?—I could not tell.

5215. Did you know that before they went to Clithero?—I did not know they were in Clithero, or gone at all until I heard it.

5216. Do you swear that you did not know they were gone to Clithero, or gone at all until you heard they were there?—I did not know. I did not hear of their going to Clithero.

5217. Do you swear positively you did not hear of them going to Clithero?—I do swear positively.

5218. Do you swear positively you did not write

the letter?—I will not swear positively I did not write; it may be.

5219. Do you swear at all you did not write the letter?—I do not swear positively.

5220. Do you swear at all you did not write it?—I won't.

5221. Do you know that you said before that you did not write that letter?—I believe I did not. My belief at the present time is that I didn't. If the letter is here it is easy to decide it—it is very easy to see whether I wrote it or not.

5222. Mr. *Commissioner Bruce.*—You say you heard Mr. Mitchell's name mentioned, and by Mr. Hignell?—I did.

5223. Can you fix the time you heard it?—I cannot.

5224. Can you swear positively it was not before the M'Mullens went to England?—I do swear positively it was not before it.

5225. You swear positively it was not before it?—I do.

5226. Do you swear it was not during their absence?—Yes, it was during their absence.

5227. It was during their absence?—It was. I swear it was.

5228. Can you not fix the time more closely than that?—I cannot.

5229. You will not swear it was not during the first week or fortnight of their absence?—I think it was. I believe it was.

5230. That is, you admit that you heard of Mitchells, and of their supplying paper to the *Irish Times* before the date which M'Dowell fixes to the letter?—I do; but I do not know the date of the letter, and I cannot.

5231. Have you had any conversation with Mr. Hignell lately?—Well, I see him every day of the week.

5232. Did you see him after you received the subpœna?—I did.

5233. State accurately what conversation took place?—Nothing at all—none at all. I had not a minute. I got it at two o'clock—run home—and leave at four.

5234. Where did you get it?—At my house. After getting it I had to go to my office and called round and told him I had got a subpœna to come down here. I returned to my office and house and then came down here.

5235. Where is your house?—In lower Dominick-street.

5236. Where is your office?—In 104, Abbey-street.

5237. Which Abbey-street?—Middle Abbey-street.

5238. Why did you go to Mr. Hignell?—Well, I I think I did not do any harm by going to tell him I had got a subpœna to come down.

5239. Had you any reason for going?—No, I had none whatever; I did not stay five minutes when I went away and got ready to come down.

5240. You say you see Mr. Hignell every day—I suppose you have had some conversation about this election inquiry?—Well, we had very little.

5241. But you had some?—Very little, only about myself. When I saw it in the newspapers I said, "I suppose they will be bringing me down."

5242. When did that take place?—When I saw in the papers that M'Mullen mentioned my name.

5243. But had you any conversation with Mr. Hignell about this inquiry before that?—No, I had not.

5244. When you had that conversation with Mr. Hignell after you read the newspapers what took place—did Mr. Hignell express any surprise at hearing of the M'Mullens?—He did not; not the slightest.

5245. What did he say to you?—Well, I could not tell. No more than to say they were examined and gave evidence; that is all.

5246. Do you mean to say that Mr. Hignell said nothing to you about the M'Mullens?—He must have read the newspapers. I know I did.

5247. You said to him with respect to their examination that you supposed they would be wanting you?—I did, and he said he supposed they would.

5248. Did anything else pass?—I cannot recollect.

5249. You must recollect it is only two days ago?—I tell you honestly——

5250. The *Chief Commissioner.*—Don't be protesting?—I tell you all——

5251. Mr. *Commissioner Bruce.*—Tell me the conversation?—I cannot tell any more.

5252. Do you mean to swear that nothing more passed between you two than your saying, "I suppose I will have to go to Sligo," and he saying, "I suppose you will?"—Nothing that I am aware of.

5253. Do you swear nothing else did pass?—I will. Nothing else passed. Nothing about the Sligo petition.

5254. Mr. *Commissioner Byrne.*—Did Hignell say to you, "Give as little information as you possibly can?"—No.

5255. Or anything of that sort?—No. He never advised me to do anything of the kind.

5256. Mr. *Commissioner Bruce.*—You told us before that Hignell denied all knowledge of the M'Mullens?—He did.

5257. Did he say, "What is the meaning of all this about the M'Mullens?"—No, he did not.

5258. Have you been paid this money?—No.

[The witness then withdrew.]

Major *Laurence E. Knox* sworn and examined.

5259. The *Chief Commissioner.*—Major Knox, I believe it was in February, 1867, you formed the idea of canvassing for the representation of Sligo?—Yes; not of canvassing, but of standing. I did not canvass until the year after.

5260. State, after having formed the idea, what steps you took in any way, and whom you consulted and advised with about the success of your candidature?—Well, I chiefly consulted with Mr. Wynne of Hazlewood and different gentlemen—the leading men of the party. I consulted with them. I did not consult much for some time; not for a few months. I was away a good deal.

5261. It would be convenient for us if you would just state in your own way what you did after you formed the idea?—Well, there was a meeting held here, at which they asked me to come forward. There was likely to be a vacancy. The Reform question was before the House of Commons; and soon after they passed that resolution I came down. I did not canvass, but I called on some leading, certain leading supporters I expected to have, and I saw them. The next thing I did was to subscribe to the registry. That was chiefly what I did. There was no vacancy then in question.

5262. You mentioned a subscription to the Registry. How much did you subscribe, and what expense were you at altogether about the registry?—That year very little. My recollection is that I did not—I am sure I only gave £25 the first year.

5263. That is '67?—'67; yes. In '68 I gave a very large subscription.

5264. How much?—Well, the Registry for '68 cost me at least £600. I think, perhaps, that is almost under the amount.

5265. Did you keep an account of what I may call the election expenditure?—Oh, I did of the election expenditure.

5266. I mean the expenditure with a view to forwarding your election?—No, not in *toto*. I kept no account of that registry expense accurately. I could tell you what it was exactly, but I did not keep any.

5267. To whom did you give principally the £600?—Well, I gave a good deal of it to the Conservative Society here, which was then represented by the late Captain Fawcett and Mr. Robinson; they were trea-

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surer and secretary; but in addition to that I paid fees to counsel and agents—fifty guineas to counsel, and thirty and forty to agents, and so on.

5268. I presume that £600 was paid principally by cheques?—I think it was entirely, almost entirely by letters of credit. I generally to the country send letters of credit; it is the most convenient.

5269. Did you keep an account at a branch bank in Sligo?—No, never;—no, I think I never kept an account, but I arranged sometimes to have a cheque paid here by the bank.

5270. Which bank?—The Ulster Bank in this town. They paid my cheques—any cheque I drew.

5271. You made an arrangement, a very usual one, with the manager?—To pay my cheques.

5272. That your cheques should be honoured?—Exactly.

5273. When did you make that arrangement?—My recollection is, it was some time before the revision of 1868. I think I wrote to Dublin for my banker there to "advise" them here to pay any cheques I would require larger than I usually would draw on the bank. It was before the revision of 1868; I remember something of the kind occurring.

5274. You have stated you gave £25 for the revision of 1867, and about £600 for the revision of 1868?—Yes.

5275. When in 1867 or 1868 did you begin to make an expenditure with a view to forward the election?—Well, there was no expenditure as regards the election until the election almost. I was not here till about ten days of it. I spent nothing until I came down; not a shilling until I came down about the 2nd of November.

5276. Had you an agent for election expenses?—I had Mr. Andrew Clokey of the Bank of Ireland.

5277. Did you appoint him?—I did; a regular agent.

5278. It was a regular appointment?—Yes.

5279. Did he lodge an account with the Sheriff?—He did. I am sure he did. I had to sign an account, I know, for the Sheriff, and I think it was £800 or £900. It was published; but I think it was £800 or £900 my expenses were.

5280. That was the "Expenses Agent" account?—Yes.

5281. It was the "Expenses Agent" account returned to the Sheriff?—Exactly; I looked for it, but could not find it coming down here. It was published in the local papers.

5282. Did you return to the Sheriff the bills and vouchers?—To the Mayor; he is the returning officer of the borough.

5283. That was about £800 or £900?—I think it was £800, as far as I can remember. I paid one or two since then that ought to have been in it; one or two agents—Mr. Rutherford, and one or two others that were forgotten.

5284. What amount did you pay in the same category of expenses as the "Expenses Agent" account since?—Oh, not much; about £20, not more; between £20 and £25. Two agents I think that had been forgotten.

5285. Now, Thomas Brennan has been mentioned both on the petition trial and here?—Yes.

5286. Where is he now?—I don't know; I have no idea where he is.

5287. Where did you see him last?—I saw him some weeks ago; not very long ago in Dublin. He was looking for employment. I recommended him to the Dublin Brewery Company, or one or two places. I do not know whether he got it. I do not think he did.

5288. You mean employment as a clerk?—Yes, or something. He cannot come back here; he was desperately maltreated before.

5289. Was any of the money expended by Thomas Brennan included in the "Expenses Agent's account?"—No.

5290. How much money did he get from you?—He got at first—the first time we decided that we ought to have a mob—he got £50. I remember then he got another £50. He got altogether fully £200. My cousin, Valentine Knox, since gave him money for me. He got fully £200. He told me he expended more. He told me he spent his mother's money—some money of his mother's.

5291. You say that £200 was for the purpose of employing a mob?—Yes.

5292. Did you give any other money for that purpose except to Brennan?—No, never; oh, never; except once or twice when we were out a mob would come and ask for drink, and I gave £2 or £3 once or twice to get rid of them; but it was only a small thing out of my pocket—what I happened to have. I gave £5 one time and £3 another.

5293. Did you at any time make up an account of what the last election has actually cost you up to the present?—No, not accurately; but I calculated that the election and petition together cost me £7,000—the two together, but I never kept them separately.

5294. Seven thousand pounds?—Seven thousand pounds at least.

5295. At least seven thousand?—At least seven thousand.

5296. Did you make that up on paper in any way?—No, merely as a man of business going through my accounts at the end of the year—that is the way—I think it was the last quarter I did that, but I have kept no regular account of these—I could not accurately say—but it cost me fully that.

5297. You have mentioned the "Expenses Agent's Account"—we have sent to the Mayor of Sligo for it—did you keep any particular cheque books for election expenses; I have known in some cases that was done, and then by taking up the particular cheques, the numbers would tell?—No. I did not—of election expenses—but the sums can be ascertained; there were some things I paid myself separately before Mr. Clokey was appointed; and I believe the law was that he should put them into the return, and both he and I signed it. I believe that is the way.

5298. You have mentioned Brennan and Clokey?—Yes.

5299. To what other persons did you give money for the purposes of the election?—Well, there were the agents, of course, at the different revisions—there was a great deal of money spent on houses for making votes.

5300. How is that?—Many houses were taken or bought and votes made; of course that involved a loss of the rent or nearly the rent—then there were a few cases of distress which were relieved—there were very large subscriptions to local things—innumerable matters of that kind. In fact my desire was to do everything I could that was not illegal, as liberally as possible.

5301. We will want in some way to have the names of the persons to whom?—I doubt being able to give it in detail. There was constantly one thing or another. Brennan got this money. Mr. Phibbs expended money for me on different things about the votes and the revision, and things of that kind. We had houses. I paid a considerable sum to Mr. Wynne, and other landlords for houses. I bought a few myself. £500 or £600 I paid one time for houses.

5302. Five or six hundred pounds for houses?—Yes, for houses. If all that is totted up it makes nearly £4,000 with the revision expenses, and then the petition cost me £3,000.

5303. Now, I want you to analyse the £4,000 as conveniently as you can?—Very nearly £1,000 of public expenses—nearly £1,000, taking it roughly; then £600 for the revision, that makes £1,600; then £200 or £250 to Brennan for the mobs that is £1,850; there were £600 at least paid for houses, or more—perhaps more—that makes £2,400 or £2,500. Then there were a great many things—whenever I came down—for instance we had regattas here. I had to pay a great deal of money in different ways. I had a yacht here, and a number of the mob pulled it through the streets. I think I paid £50 for pulling the boat through the streets—I think it cost me that. I gave it to a man named M'Carrick, I gave £50.

5304. Mr. *Commissioner Bruce.*—Was that the Regatta of 1868?—It was, I think, at both regattas. The boat was brought to sea across through the town, to the lake—then perhaps I include my expenditure for building the yacht—things of that kind—I rather think I do, but I know it cost me fully altogether £7,000. There were a great many local subscriptions —cases of distress and other things.

5305. Mr. Hignell is still in your employment?—He is.

5306. Had he any authority to pay money for you?—None whatever. Do you mean here—in any way connected with the election.

5307. Yes?—No—none whatever. He paid none.

5308. Did you hear of the evidence that he gave £2 to M'Mullen?—I know all about that. I am aware of that; and though I did not hear of it till after the petition, I said I approved of it. This young M'Mullen and his father were always regarded as supporters of mine—no doubt they were—but the state of the town was such that they could not vote, and they went away. They were, I believe, in Dublin,—so I hear; I don't know where they were, but Mrs. Lyons wrote up to Mr. Hignell and said young M'Mullen's wife was dying and it would be a charity to send him down, and that he would call. I believe Mr. Hignell never saw him; he would call on him at the *Irish Times* office. I was not there. I think I was in London. He did come and Mr. Hignell gave him £2. He told me after the petition; he thought he should not tell me before that. I quite approved of it and gave him the £2. I fully approved of what he had done. I would have done it myself had I been at the *Irish Times* office.

5309. Did you know M'Mullen had not voted for you?—I did, quite—I knew it, of course. I may have forgotten the name at the moment, but I knew he was a supporter. I was very glad they did not vote; they would be murdered if they did.

5310. Did you know that they were going away from Sligo?—I did not at the time; but I knew it at the petition; it was alleged there.

5311. But did you know before the trial of the petition that they were away?—No, I did not know it. I was not aware of that. In fact, I thought they got out of the way like some others, but had not left the town.

5312. Did you make any inquiry in view of the election petition trial as to where they were?—I think during the petition I did. I think I asked and I do not know that I heard at the time; but I knew afterwards they were in England. I got a letter from Mr. Mitchell and another man, whose name I forget, in Clithero, where they stayed. I took no notice of it. I wrote to Mr. Mitchell. I have said I knew nothing of it, but notwithstanding these men having left because they were supporters of mine, I must say I should most unhesitatingly have paid their expenses. I would do it for every man, a supporter of mine, who had to leave from such violence. I did not do it. I did not know the facts, but I should have done it. I did it in one instance.

5313. In whose instance?—A man named M'Morrow who voted for me. He was maltreated very badly. He came to Dublin and I paid for him where he stayed.

5314. How much did you pay for M'Morrow?—I paid £15 or £16 at the rate of thirty-five shillings a week for him while he was here. He returned when the town quieted; but I would have paid it from that time to this such was the state of the town. He was examined, I think. He suffered a good deal. You can have no conception of the state of the town; you could not believe it possible.

5315. We will examine you fully as to that. Where was M'Morrow staying in Dublin?—He was staying with a man, I think, of the name of Armstrong—Mr. Armstrong, I think, a man in Guinness and Mahon's office. That is my recollection.

5316. Was it to Armstrong you paid it?—He called on me and told me the man had been staying there. I ascertained he was the right man and I paid him at once.

5317. With regard to M'Mullens, I asked you at the time of the petition trial in Carrick, or immediately after, did you ascertain that they were in England?—I ascertained it in Carrick—but I think——

5318. Who told you in Carrick that the men were in England?—Well, I think it was Mr. Hignell—that is my recollection—whether I heard it from him direct I do not know, but I heard it through him. I remember talking of it and asking him what became of them.

5319. You knew they were in Clithero then?—I did not. I did not know they were in Clithero until I got a letter from that place afterwards from Mr. Mitchell stating that they were staying at some place and he should pay the money for them.

5320. It has been stated to us already that this house of Mitchell and Son supply you with paper?—They have off and on, not many times, but he is a very old friend of mine Mr. Mitchell and of Mr. Hignell's; I believe they knew each other in England.

5321. Mr. *Commissioner Bruce.*—Have you got the letter Mr. Mitchell wrote to you?—No, I did not keep it. It merely mentioned that.

5322. The *Chief Commissioner.*—At the time Mr. Mitchell wrote were the men staying in Clithero?—Well, I am not certain, I cannot say—that is the first I heard of their being in Clithero. I was rather surprised. I did not know that they had gone there at all, and I don't know, I think they were, but I am not quite sure, but it is my idea that they were still there, and I think it was at Rancliffe's house, some name like that, Rancliffe or Radcliffe—but there was no secret about it. It was known that several of my supporters had to stay away. It was an absolute necessity; they would be killed if they came back here; I quite approved of it.

5323. You are, of course, to pay all the expenses of the M'Mullens while being away?—Well, I have not. Mr. Mitchell did not ask me, but if he asks me I will pay it.

5324. If he asks you, you will pay it?—Yes.

5325. And of course you will pay James M'Dowell's bill?—Well, I don't know anything about him at all. He wrote to me for it and I refused to pay it. I did not authorize it. I did not know anything of it, but I know they could not return here from what I heard, and I feel bound to pay the expenses of anyone who could not return and who supported me.

5326. Mr. *Commissioner Bruce.*—Did you know of any other supporters of yours being in England?—I thought so more than once; I did not know where they were—but I knew Mr. Gethins was away.

5327. The *Chief Commissioner.*—During the trial of the election petition was it?—Well, I don't know. When he came back I knew he was away.

5328. Who else do you know was away?—I knew Mr. Brennan was away. He came up with his ankle dislocated and his nose broken, and I sent him to the Meath Hospital, and paid the fee to my doctor for attending him—afterwards when he left the place he was attended by the doctor out of hospital. There was another who had to leave. My recollection is that Devanny had to leave. I think he had to leave too.

5329. You paid nothing for him?—No, I did not. I think he paid it himself.

5330. Have you paid anything else for voters that absented themselves?—The names I mentioned of those who absented themselves would have all voted for me except the two M'Mullens, and I paid nothing at all except for M'Morrow. I paid for him. He voted for me, and was beaten and came up to town.

5331. How much have you paid—irrespective of the petition, and the expenses of witnesses—since the election?—Since the polling day, with the exception of M'Morrow's—that payment of £15, or £16, I have not paid sixpence—since the polling day—nor was I asked for sixpence, nor is sixpence due of an account.

5332. I wish to have it quite clear that since the polling day, with the exception of M'Morrow's which

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you have mentioned, you paid nothing connected with the election?—Not a shilling, nor have I been asked.

5333. And the whole of the £3,000 you have mentioned was paid prior and up to the polling day?—Yes.

5334. Mr. *Commissioner Bruce.*—Of course, to that you must add the £20 you said was omitted from the auditor's account?—I mentioned that—yes—Mr. Rutherford, an agent, and a couple of poll clerks—a mere trifling thing that I paid. With reference to the payments of money, it is due to my constituents to state that 241 voted for me, and of that number not one either before or since the election asked me for sixpence for his vote or anything else. I wasn't asked for a farthing or for anything in the world by any of them. It is also due to the memory of my late opponent to say that I am certain he paid nothing either—if he did we would have known it, for we took steps to know it. Nothing of the kind was asked for on either side.

5335. Do you know a man named Michael Rooney?—I never saw him. I know of the man. I know he lives at a place called Cornagee.

5336. Did he write a letter to you for money?—I remember he did. My recollection is that he sent me a kind of memorial, signed by others—it must be a long time ago, two years ago; I don't remember the date.

5337. What Rooney stated in evidence was that he got £12 enclosed in a blank envelope?—What occurred was this, as well as I remember—he sent a memorial to me. I acknowledged the receipt by return of post, as I always do in these cases, and said I would give it my attention. I forgot it, and I got a second letter from him. I was, I think, going to London at the time, and I gave directions that Mr. Barker (who, I think, was in my employment at the time) should look into the thing and send the money. He asked it, I think, for a loan, or for his crops, or for something of the sort; but he said nothing of his vote at all.

5338. And you sent the £12?—Yes. I didn't know that it was sent until afterwards.

5339. Did any others apply to you for money?—One or two others did at about the same time as Rooney applied to me. There was one man named Neilan, I remember.

5340. Did you know Rooney was an elector?—I didn't know; I believed he was an elector, but he said nothing about his vote.

5341. Did he vote for you?—He voted against me.

5342. Did you canvass him?—I didn't; I knew he wouldn't vote for me; for some reason or other we knew he wouldn't vote for me; the man was in distress.

5343. Mr. *Commissioner Byrne.*—Did anyone else besides Rooney and Neilan apply to you for money?—Yes, I think a man named Flanagan did; I remember I sent him money; he wasn't a voter, I think.

5444. How much did you send Flanagan?—Six pounds. He asked me for something to pay his lodgings or his rent, or something.

5345. The *Chief Commissioner.*—Did you know Neilan was a voter?—I did not; I didn't know it; Mr. Pollock didn't know it.

5346. How much was given to Neilan?—I think it was £20; I am not quite certain how much it was.

5347. Was it through Mr. Pollock that money was sent?—It was. I sent the letter to him, and asked him to do what was right in the matter, and if he found that the man ought to be relieved to relieve him.

5348. How long before the election was that?—It was about the same time as Rooney's, whatever time that was.

5349. When did you ascertain that Neilan was an elector?—I didn't know it until the petition at Carrick; I thought he was not an elector even then.

5350. Did you ever canvass him?—I did not; I mentioned that at Carrick.

5351. When did you ascertain that Rooney was an elector?—I inquired about it this morning and I ascertained that he was.

5352. This morning?—Yes, this morning.

5353. Will you look over the return of election expenses—this is what is returned to the Mayor; it amounts to £797 4*s.*?—Yes. [Return handed to witness.]

5354. I find in this return only the statutable expenses for counsel, agents, clerks, and messengers are one item—I mean as one classification; then the advertising and other statutable expenses amount to £614 10*s.* 4*d.*; the remainder is put down here as for car-hire, for the purchase of a house for a residence, and for household expenses; canvassers and messengers, £49; telegrams, £21; bill-sticker, £20; now, it is quite obvious, Major Knox, that the items here form a very small portion of the election expenses?—I don't think there are any fees for counsel or agents there. No agent got fees at the election, for if they got fees they couldn't vote; and we therefore thought we might be more liberal towards them at the revision.

5355. Why didn't you return all the expenses for the election?—I think they are all here as far as I know. There wasn't a shilling charged which is not here that I ever heard of.

5356. Why did you not put down the £250 you gave to Brennan?—That had nothing to do with the election. He got it before the revision for a mob. There was no mob at the election, nor since the revision.

5357. Had you any house where your friends met to consult?—Some of them used to meet at a house in this (Albert) street; in Hegarty's, I think, it was.

5358. Did you pay for the use of that house?—I did not; it's my own house.

5359. Who used to meet there?—I don't know that they used to meet there exactly; they met at Farrell's, the next house, and there is a communication between the two.

5360. Tell me the names of some of those who used to meet there?—I heard some of the names at Carrick. A man named Williams.

5361. Thomas Williams?—Yes.

5362. And Stokes?—He said he was there once.

5363. Cherry?—I don't know whether he was there or not. I was only once there myself, and there was no one there at the time but Woods and some one else.

5364. I see an item here for canvassers; who were the canvassers; was Frazer a canvasser?—I think he was. There was some one of the name a canvasser, I know.

5365. Frazer, P. O'Connor, Waugh, M. O'Connor, Leonard, Garlick—was Frazer a canvasser?—He was, I think.

5366. Was Waugh?—He came down to do all he could, and as we paid his expenses we had no other head under which we could put them.

5367. M. O'Connor?—Are there two O'Connors?

5368. Yes?—I don't know him.

5369. Leonard?—Yes.

5370. Is that Thomas Leonard?—He was a messenger. I gave him £5.

5371. Mr. *Commissioner Bruce.*—When you say you gave him £5, do you mean by that you paid £5?—He and others used go messages, and I gave £1 to each of them.

5372. The *Chief Commissioner.*—Do you know that your cousin, Mr. Utred Knox, used some money to persons?—I heard it at Carrick.

5373. He never told you he did it?—He didn't; it was his own money.

5374. Have you learned since that anyone else lent money in the same way?—No, I have not.

5375. Have you any doubt of its having been done?—I doubt of its being done. He did it because he was very anxious about me. I don't believe anyone else did.

5376. You have no doubt he did it to forward your interests in every way?—I am sure he did. I once had a conversation about relieving cases of distress, and we were told that it was a legitimate way of doing it, where we didn't know that the parties had votes, or where we knew they had no votes.

5377. Did you take advice as to whether you could relieve the distress of a voter?—We did to that effect, that if a man did not say he had a vote, and we were told it didn't signify.

5378. Were you advised to that effect?—Yes, junior counsel so advised us.

5379. To the effect, that if he didn't mention that he was a voter, you could relieve him?—Yes, decidedly.

5380. In how many instances did you act on that advice?—I know my cousin relieved a man whom I would not relieve.

5381. Who was that?—A man named Tierney.

5382. Charles Tierney?—Yes, I knew his history previously.

5383. Tell us about that?—It is well known that at a former election here there were two candidates—Mr. Townley and some other man. When he was going to vote he went to one of the candidates, who said, "Didn't you shave me this morning?" "I did," he said, "but I've cut some one else's hair since."

5384. Did Tierney apply to you for money?—He did, frequently.

5385. Who else of the electors applied to you for money?—A man named Kilcullen.

5386. Is that Thady Kilcullen?—Dominic Kilcullen.

5387. Mr. *Commissioner Bruce.*—He applied to you for money?—He did, once or twice.

5388. The *Chief Commissioner.*—How long before the election was that?—When I was down here staying on the Mall, at the revision in '68, or in the July of '68, at the regatta, I remember his coming there.

5389. I now refer you to the applications for money about which you were examined at Carrick by, I think, the Judge—I refer you to the minutes of evidence commencing with question

"5620. You mentioned last evening that numbers—I think the word you used was a 'great number,' a 'great number of elector fellows'—were constantly coming to you and asking you for money?—They were, these poor ones.

"And in writing?—Oh, perpetually.

"When you said a 'great number of these elector fellows,' to what extent would you say?—Well, there appeared to me to be a certain class of them.

"But what number?—I think they were nearly the whole of the inhabitants of that poor part of the place. I should think, I am sure I got from thirty to forty.

"Asking money?—Generally.

"Asking for money, of course?—They always used to begin by saying they were distressed, and then saying they would be great supporters of mine when the time came, and they hoped, in the meantime, I would remember them, and that kind of thing.

"Does your recollection go to the extent of thirty or forty?—I am sure there were fully thirty at different times. It used to be a long thing, generally on blue paper. My table was covered with them at Mr. Knox's house. It was a dreadful thing. The doors used to be knocked all day by these people.

"Asking for assistance?—Asking for money. My hall was full of them. I had to go out and stay at Mount Shannon, I was so persecuted; but they were all of the same class."

5390. Does your recollection extend to thirty or forty applications for money?—There were thirty or forty applications. I can tell you of a good many of electors.

5391. Mention some of them?—A man named Flynn came to me once, and sent a letter to me once; Reynolds, Dunleavy and wife; this man Flanagan, and several others from the same district. They appeared to me to look on a candidate as legitimate prey.

5392. Mr. *Commissioner Bruce.*—Tierney was one of these?—Yes, he applied for money several times.

5393. The *Chief Commissioner.*—They all applied for money?—Yes. They didn't say they would vote for me if I gave it; but they wished his honour long life, and said they would be supporters of mine, and hoped I would succeed. Not one of them, however, voted for me.

5394. Did you refer any of them to Mr. Utred Knox or Mr. Pollock?—No; I may have mentioned the matter to them. I always saw every one of them myself, that came; I generally had some one with me when I saw them.

5395. I wish you to mention to how many electors you gave money, or authorized it to be given. I mean all persons whom we now know to be electors?—There was Rooney, Neilan, Kilcullen, got money.

5396. From whom?—From Brennan, Kilcullen told me he got up a good mob. I got a letter when I came down here, and was staying at Leech's house, in which he said he had 12 men ready. I understood he said he did not get money.

[Letter read from Kilcullen to witness, dated Nov. 5th, 1868, enclosing the names of the men.]

5397. Were any of these men voters?—I am not sure of one—I think not. I didn't read them carefully. [Witness reads the names.] I think not. I am not sure of the man Hart.

5398. Mr. *Commissioner.*—John Hart is a voter.

5399. The *Chief Commissioner.*—Mention any more that applied for or got money?—There were no more who got money, but I am sure that more applied for it. Some applied for situations for their sons, and some for recommendations to Dublin. It wasn't so much the money they applied for, but the perpetual memorials that were coming in, and all from the same class of people.

5400. At all events you remember writing a letter to Kilcullen, that I will read for you from the evidence given at Carrick? I didn't remember that letter; I remember it now.

"53, Fitzwilliam-square, Dublin,
"January 25th, 1868.

"DEAR SIR,—Would you kindly let me know what appointment your son would wish to have, as I will do my best to obtain it for him, and it will afford me pleasure to further your wishes regarding him.

"I remain, dear sir, yours respectfully,

"LAURENCE E. KNOX.

"Dominick Kilcullen, esq."

Witness.—That is January, 1868, before I had the pleasure of knowing him. I didn't put "esq." to his name afterwards.

5401. Did you know he was an elector then?—I didn't.

5402. Have you his letter to you?—I have not.

5403. Did he apply for a situation for his son, in his letter?—He did; I forget what his son wanted. I think it was something in the post office—I am not sure what it was.

5404. Did he afterwards write to you for the situation he wanted?—I am sure he did.

5405. Had you then the registry of the electors?—No; I used to get a return of it.

5406. From whom?—From Mr. Wilson.

5407. Who is he?—The secretary of the Conservative Society.

5408. What sort of a return was it?—It was the registry marked. They were not classified.

5409. When did he send it to you?—Towards the end of each year, after the registry.

5410. Did he send it in October, 1867?—He did, probably. I suspect he did. If he didn't, he sent an analysis of it.

5411. Was Kilcullen, or Neilan, or Rooney mentioned in it?—I am not aware. I was asked that at Carrick. We looked into it, and Neilan and Kilcullen were on it.

5412. Is Rooney an opponent of yours?—Decidedly.

5413. That was on the registry in October, 1867?—Yes. Mr. Wilson will assure you of it himself.

5414. When these applications used be made to you, did you look at the registry to see who were electors, and who were not?—Never. I was not aware it made any difference as long as the application was not asked as a condition for the applicant's vote.

5415. Didn't you believe when you advanced money to those people that it would influence their votes?—I believed that relieving cases of distress would be looked on as a popular thing, and that such a thing would be expected from a candidate.

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5416. Did you think it would forward the election?—Certainly; it would advance one's position in the borough.

5417. In the list of expenses elections you mentioned £4,000. I ask you now to classify the balance of £3,300?—There is, first for instance, now annually spent on houses several hundred a year; furnishing the house on the Mall, two or three hundred; expenses connected with the yacht, five or six hundred; subscriptions to everything in the town, which I, as a candidate, had to pay as a matter of right; subscription to the registry, and there was the revision, which cost me £700 for '68, because my subscription was not sufficient. There were a great many agents, and, not being able to give fees to them at the election, of course we had to retain them all at the revision instead.

5418. How was the £600 expended at the revision?—Fifty guineas each to counsel—there were two counsel, 100 guineas; each agent got ten guineas retainer, and thirty guineas fee; I think ten guineas retainer, and forty guineas fee.

5419. Do you mean the solicitors?—Yes; there were six of them—Mr. Phibbs, the two Mr. Sedleys, Mr. Pollock, Mr. Beckett, and another Mr. Phibbs—Mr. Griffin Phibbs.

5420. When you were giving this money at the revision, it was, I suppose, with a view to their services at the election?—Well, the revision under the Reform Bill required a great deal of working, as you know; it was a new Act of Parliament—to do in the most effective manner the work dependent on it; and, secondly, we knew we could not give a fee to them at the election; it was, therefore, necessary to be very liberal to them at the revision.

5421. I will have to ask you, Major Knox, to make out from your bankbook the details of all the expenses in addition to the election expenses returned in the return to the Mayor?—I will go into that for you.

5422. I want to know did you know the M'Mullens were going to leave Sligo?—I didn't.

5423. What voters did you know were going to leave?—As to leaving actually, I knew that O'Connor on the day of polling was afraid to vote for me, and had to keep out of the way. M'Guirk, Gethen, Mark Anthony, and several others could not come up.

5424. Did you know Harrison to go away?—No; I don't know him at all.

5425. The old man?—I always looked on him to be a supporter; he is on my list; I think he is on Mr. Watson's list as a supporter. The M'Mullens were always supporters of mine.

5426. Mrs. Dunleavy you heard examined in Carrick?—Yes.

5427. Did you ever give her any money?—I never gave her any money in my life; there isn't a word of truth in it.

5428. State all that occurred between you, her husband and Mrs. Dunleavy?—She called several times at the house on the Mall where I was staying. The servant didn't leave her in—she made some excuse, as I was bothered by people calling. At last she wouldn't go away one morning, she was shown in. She commenced making some request when Mr. Pollock came in, and immediately went off. He got rid of her, and said he wanted to speak to me. She went away, I think. I told Mr. Pollock what occurred, and said I was persecuted by her. He told me that she was a dangerous woman. I saw no more of her then until next evening, when she called again at the house. I saw her then. I was not civil to her at all. I told her she really must not come again—that I would give her nothing. She was very abusive, and went away. I never spoke to her since. The servant came back and told me she was very abusive. I was twice, I should state, at her house—passing once canvassing with Mr. Phibbs; I had no conversation, except to bid good morning to the man, and ask him if he would give me his support. I don't know what he said. Another time I was canvassing, and Mr. Pollock was with me; he wished her good morning, and said nothing more. These were the only times, but as to offering her money ——

5429. It is unnecessary to go into details—she also stated that you gave her £10 in her shop?—She alleged that at Carrick, and Judge Keogh scouted it, because I told him there wasn't a word of truth in it.

5430. Not a word?—Emphatically, there isn't a syllable of truth in it. The statement of another witness, Feeny, was that I offered him £50. Observe, as regards one item in that woman's evidence—she stated that I took out my purse, counted out £10 in notes, and gave it to her. It so happens I never had a purse in my life. I always carry my money loosely in my pocket.

5431. Mr. *Commissioner Bruce.*—She said it was from a pocket-book you took it, I think?—I never carried that either.

5432. The *Chief Commissioner.*—You did not carry it in a portmonnaie?—No; I carry it like that [producing some papers from his side pocket].

5433. You remember it was a man named Pat Flynn whose ejectment was paid?—Yes, I remember that at Carrick.

5434. There was £10 and the costs of the ejectment paid—out of whose pocket were the costs of the ejectment paid?—That was explained at Carrick. Brennan raised it on a bill on the bank.

5435. Do you mean to say that Brennan paid it out of his own pocket?—He did; he raised it on a bill which, I understand, is still unpaid.

5436. You say that Brennan paid that £10 out of his own pocket?—He and Flynn, I understand, put their names on a bill on the bank; I find that the bill is still unpaid.

5437. Have you, or any one on your behalf, paid that £10?—I never heard of it.

5438. If Brennan is to pay that bill, do you consider yourself in honour bound to pay it?—Most decidedly not.

5439. Mr. *Commissioner Bruce.*—To what purpose was that money applied?—It was, I believe, applied for paying rent due by Flynn. Flynn was one of Brennan's mob.

5440. The *Chief Commissioner.*—Who recommended Neilan to you about the money?—I think he wrote to me himself.

5441. Do you know did Leonard interfere in the matter?—Not with me.

5442. Did anyone else?—Not that I know of. I am sure if he did I would have sent the letter to Mr. Pollock. I sent Mr. Pollock only one letter—I sent him only two letters.

5443. How much did Mr. Pollock say he gave Neilan?—I think £20.

5444. When did you repay him?—We were not clear about that at Carrick.

5445. Did you include that £20 and the two sums paid to electors in the general expenditure of the £4,000?—Yes, quite.

5446. What friends, strangers to Sligo, had you coming with you from Dublin for the election?—Mr. Hans Morrison, a young English barrister; Mr. John Valentine Knox, my cousin; that was all that came with me. Perhaps a reporter from the *Irish Times* also came.

5447. Did Mr. Hignell come with you?—He came down afterwards.

5448. Where did Mr. Hignell stay when he came down?—I think it was at the Victoria hotel. I know I saw him in and out there. I am nearly sure it was.

5449. Where did Mr. Morrison and Mr. Valentine Knox stay?—They were staying at Mr. Leech's with me.

5450. Mr. Morrison came as your personal friend I suppose?—Yes; he came to make a speech.

5451. What did Mr. Hignell come down for?—He came down to give all the help he could in every way; he was a good deal of assistance to us.

5452. In canvassing?—No. He had to send tele-

grams for us; he wrote letters for, and he did everything that was required to be done; he was my man. I sent him to Dublin to bring down some one.

5453. Of the £4,000 how much went through the Sligo branch bank—to your bank in Sligo?—Nothing except what Clokey paid here, which was paid by the Ulster bank when I told him to pay my cheques for the revision.

5454. Do you know the amount of your cheques that were honoured here?—£400 or £500. I couldn't tell you exactly.

5455. Did anyone else, to your knowledge, pay any money except the £4,000 you paid?—Decidedly, nothing except what I paid myself.

5456. Do you believe that no other money was paid at the election?—Certainly. I am sure there was not.

5457. Do you know that Stokes and Cherry were very active, and canvassed for you?—I don't know that they canvassed, but I know they were very anxious about me. Stokes was especially so.

5458. Mr. *Commissioner Bruce.*—You know that a witness named Sheil gave evidence before Judge Keogh with regard to certain transactions with Cherry. Certain receipts were produced to show that a certain amount of money was paid by him. You don't include that at all?—I don't. That wasn't my money at all.

5459. Only £4,000, as you say, is what the election cost. Do you believe that that was all the money that was expended by you or by anyone on your behalf?—I don't believe there was a sixpence expended beyond what I told you. I am convinced there was nothing more expended.

5460. You don't include in the £4,000 the loans from Mr. Utred Knox?—I don't. They were all out of his own pocket.

5461. Whether do you believe that there was any other money expended with regard to the election?—I understood from his evidence that the men who got the loans from Mr. Utred Knox were only men who went to him as Clerk of the Peace. He had nothing to do with me, and no one else did so.

5462. Mr. *Commissioner Byrne.*—Was Sligo in a disturbed state during the election?—It was very much disturbed for a long time prior to the election; but it was very much more so for eight or nine days before the election. The town was excessively disturbed during the revision for one or two days. I was very much mobbed myself; and I and my supporters were obliged to have a guard of police from this place. There was no actual injury done. A week before the election mobs came into the town. To the credit of the people I must say they were strangers to it. They were like savages from the mountains, and we had a hot time of it for that week.

5463. Have you had any experience of elections in Ireland, I do not mean as a candidate, but as a spectator merely?—I have, both as a spectator and while in the army.

5464. Is it your opinion that there was more violence at the last election in Sligo than at ordinary elections in boroughs in Ireland?—On the polling day I saw more violence at the last election here used by unarmed mobs, but on the other days I saw as much in other places in Ireland; for instance, in Tipperary I have seen as much.

5465. Were there any instances of violence that struck your attention particularly?—Yes, they broke into my house at Mr. Leech's, and we had great trouble to get them out certainly; my servant and I had to come down stairs with pistols.

5466. When was that?—It was the night before the election. I am glad to say they were all strangers to Sligo.

5467. Were the mobs numerous?—They were very large. They rather appeared to me to flock into town to see the fun.

5468. Did they appear to be under any head?—I should say they weren't under any leaders; there wasn't much organization. The question at the time—the Irish Church question—naturally excited them.

5469. What day did you see most violence?—On the polling day I had to get a guard of police, and on the nomination day also, to get from this place to my hotel.

5470. You mentioned a sum of £600 for the purchase of houses, could you give more particulars of that expenditure?—I can give you more particulars, but I think the expenditure was more than that, it is nearer to £1,000.

5471. Mr. *Commissioner Bruce.*—Were these houses purchased for the purpose of making votes?—Yes, for the purpose of increasing the number on the registry of those who would vote for me.

5472. How was that done?—A house or townpark, as the case may be, was taken or bought, and if it was rated sufficiently high to put three tenants into legitimate occupation, these were thus made voters.

5473. The *Chief Commissioner.*—How many electors were manufactured in that way?—Not a great many were actually made in the end. Something always happened; they didn't come on the registry.

5474. Mr. *Commissioner Byrne.*—You say you paid £6 to a man named Flanagan?—I think £6 was the amount.

5475. Was he a voter?—I understand he was not a voter. I didn't ask at the time.

5476. Do you remember at what time you gave that sum?—It was early in '68, or at the end of '67; it was some time after it was known that I was coming here.

5477. Was the application made to you by himself?—He wrote to me himself, and he referred me to Mr. Wynne of Hazlewood, to whom, he said, he had been a teacher.

5478. Had you got memorials, previous to the election, for money, signed by voters, to be given to other persons, and not to themselves?—I got one in favour of a man named Jenkins, who was found to be useful at the revision, which was signed by a good many in his favour. It was stated that he should get £10, and I gave it. In '68 I gave it again to him.

5479. Was he a voter?—He was not.

5480. You said you were aware of Rooney being an elector this morning for the first time?—Yes, I mistook him for another man, until this day I was under that impression.

5481. The *Chief Commissioner.*—Were you a party to keeping away witnesses from the Carrick trial?—I was not, but I mentioned the absence of Brennan to Mr. Macdonogh, and I told him that he should be produced. Mr. Macdonogh said he should. I sent to London to get him. At the conclusion of the trial I heard that the M'Mullens were away.

5482. Didn't you say you got the letter from Clithero?—That was long after. My belief is that they left Clithero and that Radcliffe had kept them.

5483. Had you ever any conversation with Kavanagh?—Never. I knew him to be in the police; I knew him to be one of the heads of the detective force—that was the way I knew him, having come to the office once that some things were taken from it.

5484. You said the mobs were mainly composed of strangers to the town?—Yes, I think so.

5485. Can you state from what estates they came? I believe they mainly came from the direction of the estate of Mr. M'Ternan, a barrister in this country. I heard a great deal of knowledge of him among them.

5486. How far is his estate from the town?—Five or six miles or so. I think they came from that side of the country.

5487. Mr. *Commissioner Bruce.*—Was he a voter?—He was a very active supporter of Captain Flanagan. I must say that Captain Flanagan was most anxious that there should be no violence whatever during the election; he was most anxious that everything should be conducted in a legitimate way.

5488. You told us that it was February, 1867, you first came to Sligo?—That was the first time I came here as a visitor; I stayed two days here at the time.

5489. Did you make any canvass then?—I did not, as there was no vacancy.

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5490. But you called on some of the principal voters?—Yes, I called on the leading gentlemen.

5491. Did you ask any promises of support?—I didn't.

5492. It was on that occasion you subscribed to the registry?—It was, or very soon after.

5493. When did you come back next?—I did not come back again until the regatta, which in '67 was in September. I came down for the regatta.

5494. Between these two dates—February and September—had you any correspondence with Sligo, or was anything done with a view to your personal candidature?—A good many of the houses had to be taken between these two dates.

5495. Mr. Phibbs was your agent in Sligo?—He was, for the Conservative Society.

5496. Was not he your own private solicitor?—He was not. Mr. Pollock did anything in the way of deeds, or in the way of purchasing houses for me.

5497. That was your chief connexion with the borough between these two dates?—I knew very few of the electors for some time later.

5498. Was it in September you first thought of building the yacht?—Yes, when the regatta was over I had it built. It was then I first met Brennan, who had a boat running at the regatta.

5499. Some boat of his he called after your paper, the *Irish Times*?—Yes.

5500. Of course your yacht was built here?—It was, by Mr. M'Carrick.

5501. Was he a voter?—He was not. I knew he was not.

5502. Do I understand that you include the expense of this yacht in your expenses?—Oh, I include everything that my thinking of the borough of Sligo involved of every description.

5503. Of course your building of the yacht seemed to you a very natural thing under the circumstances?—Exactly; and I built a number of boats here, rowing gigs, with the same view. They were built by another M'Carrick, a cousin of the man already mentioned.

5504. Is this other man a voter?—No, he is not.

5505. What was your next visit to Sligo—I suppose you were down at the revision in the year 1867?—No, I was not. I was not here again until a ball, perhaps. I am not sure whether I was down here till the regatta of 1868. I don't think I was. If I was it was only for a day just; but I came to the regatta of 1868, in July.

5506. That was the time——?—She was running then—the yacht: and I came down and staid here some little time, and then called on a great many electors.

5507. In fact you then began your canvass?—Yes. The Reform Bill had just passed; and we knew that the £4 voters would come in, and we called on as many as we thought would be in.

5508. And, I suppose, made preparations for the revision?—Yes; made almost all our preparations then.

5509. Were the agents engaged at that time?—No, they were not. They were not engaged, I am nearly sure, till late in August, or perhaps early in September.

5510. Are you certain whether you received, after the revision of 1867, the registered list of voters, or could you ascertain that?—I will try to ascertain it. I certainly did the one for 1868, but I am not so certain as to 1867. I was rather new here, and I am not sure if I did. The one of '68 I did, undoubtedly.

5511. The *Chief Commissioner.*—Who was the gentleman that used to send it to you?—Mr. Thomas Wilson. He would know.

5512. Mr. *Commissioner Byrne.*—At what time did you first get the support of the Conservative Society of Sligo?—They held a meeting here in February, 1867, I am sure—a large meeting—and asked me to come forward, and they sent me resolutions—a requisition.

5513. Were you at that time the Conservative candidate for the borough?—Yes, I was a candidate.

5514. The *Chief Commissioner.*—Major Knox had got very extensive Liberal support?—Yes; I got very large Liberal support.

5515. Mr. *Commissioner Byrne.*—From that time were your friends, the members of the Conservative Society, active in seeing what houses would probably constitute votes under the new Reform Act?—I don't think the Society—certainly the Society supplied no money for the purpose, for I paid everything of the kind.

5516. When I say the Society, I mean the active members of the Society?—Oh, yes.

5517. They looked after the houses?—Mr. Phibbs did. Yes. Mr. Pollock took an active part for me in securing and arranging the purchases.

5518. The *Chief Commissioner.*—How many votes do you calculate that you made by that means?—Well, I think, I suppose, there may have been thirty, perhaps.

5519. Thirty?—Perhaps not so many, twenty-three I would say.

5520. Can you give a list?—Perhaps I am rather over it still, and should say twenty, because some would have been on for their own houses, and they sometimes made it a way of getting a better house by coming into my house at a less rent. Twenty is the utmost.

5521. Mr. *Commissioner Bruce.*—Did they all vote for you?—No, they did not.

5522. The *Chief Commissioner.*—Did some of them vote against you?—One man went away, and I am not even sure if one or two did not vote against me; but one man, Clancy, went away.

5523. Charles Clancy?—Charles, yes.

5524. Mr. *Commissioner Byrne.*—Before the revision, did you get any list of names likely to be put on the registry under the new Reform Act?—I did.

5525. How long before the revision?—Oh, a very short time before the Reform Bill passed; I think in the end of July, or, I suppose, about the middle of August. It took some time—perhaps the end of August.

5526. Whom did you get the list from?—I got it from Mr. Farrell, the poor-rate collector, through Mr. Wilson. We sent to Mr. Farrell for it, and he got it for us from the rate-book.

5527. While the Reform Bill was under discussion in Parliament, did you get any list as to persons who would be likely to become voters under the future Reform Bill which would pass?—Not a list; but I know I got up once or twice a list of its probable effects on the constituency.

5528. Of its probable effects?—Yes, and I sent it to Lord Mayo.

5529. How far back did you get these lists?—Well, I got these lists during the discussion, and that would be—the Irish Reform Bill was on late in the session—June or July, July, I should think. Yes.

5530. What was the earliest of these lists that was furnished to you?—I got no real list until about near September; but I may have got—I doubt if there were names in the early list I got. I suspect it was merely an analysis as to the probable effects on my supporters, how many would be on, and how many would be likely to be against me. The state of the case was this exactly. Before that Reform Bill I had a certain majority of seventy or eighty nearly; but the result of the Reform Bill would be, to reduce my majority, we calculated to about thirty.

5531. So that very early in the progress of the Reform Bill you were getting information as to the probable effects of the Reform Bill on the constituency?—As an Irish question.

5532. As an Irish question?—Not as a Sligo question. I took a great interest in the Irish Reform Bill, and was in London nearly the whole time during its passing. I got the same return from some other boroughs too.

5533. What I am anxious to know, if you can remember it, is, when was the first of these returns in point of date, that you got from Sligo?—Well, it would

be, I should think, July. The Irish Reform Bill was very late; the English Bill had passed before it began. I should think it would be about the first week in July.

5534. Before July did you get any information in a rude, rough way?—Oh, I had letters constantly. Mr. Phibbs wrote to me several times.

5535. In fact, I suppose, from that time your attention was very much directed to the condition of the town, and the number of houses that would give votes, and so on?—Well, I did not know much about details; but if a house was to be sold at such a price I used to write to Mr. Pollock to complete it for me, and I approved of it. That was all I did.

5536. Mr. *Commissioner Bruce.*—To your knowledge, Major Knox, was any money given to any person—any voter registering his vote at the revision?—Oh, certainly not, not a shilling.

5537. As far as you know?—No.

5538. You don't believe such a thing was done?—No, certainly not, for registering his vote.

5539. Are you aware of any exertions having been made to keep persons off the registry?—I am.

5540. Mention them?—There were several men who expressed the view that they would wish to support me, but thought, from the state of feeling that was growing up, that if they were on the registry they would be coerced to vote against me. So several of these—I don't know their names, in fact I heard their names—I know did not come up. I remember one man did not come up, and they went down and brought him up, and he was put on. He hid himself in a yard. I don't know his name, but I heard of it. There were a few cases of that kind—I should think not many—only three or four cases.

5541. Was any money given for it?—Not that I am aware of; but I heard there was. I did not give any.

5542. You heard that there was money given for that purpose?—Yes, some small sum.

5543. Who gave it?—I don't know. I did not hear. I heard that Mr. Stokes got one or two to stay away who were tenants of mine.

5544. The *Chief Commissioner.*—By giving them money?—Well, I don't know that he gave them money. There was a kind of report of it though I gave none. There was one man by the by, that I think got something—whether he got it through me I don't know, but I think he did—for not registering his vote; a young man—I forget his name.

5545. How much did he get?—I think he got £10 or something of the kind. We consulted counsel on that question, and they told us we could do anything we liked of that sort.

5546. Of that sort?—Yes; that we could pay any of them for not being registered; that it was nothing illegal before they were on the registry—that you could pay them in any way. We consulted both our counsel.

5547. How much money was paid away in that way?—Well, not much. I think £10 or £20, or £30. It was given *in globo* in a cheque. I can send you the details.

5548. Whom was the cheque given to?—Well, I gave the cheque to Mr. Ormsby.

5549. Which Mr. Ormsby?—To Mr. William Ormsby to pay two or three things of that kind. I don't exactly know how he distributed it.

5550. How much was it?—Well, I can tell you. I forget the amount of the cheque.

5551. Mr. *Commissioner Byrne.*—You only paid one man on that occasion?—Oh, that's all. It was considered no harm. I can get you all the information about it here in town without leaving.

5552. Mr. *Commissioner Bruce.*—Before you came down to Sligo, Major Knox, had you any information or belief with regard to money having been formerly spent at elections for illegal purposes?—No, I had not.

5553. You had neither information or belief?—No.

5554. Had you not heard a report that Sligo was a place where elections were to be gained by bribery?—No; but from my knowledge of the place after a little time I came to this conclusion, that there were a certain number of birds of prey, and that these birds of prey would go to any candidates who came down, and that they would take his money if they could get it, and vote just any way they chose to vote. That is the opinion I formed of a certain class in the poorer district, and I fancy from what I heard, that it is the case.

5555. That is, that they would take your money and vote against you?—Just exactly, and that it made no difference with their votes. That is what I gathered.

5556. Could you give me any idea as to the number of those birds of prey?—Well, it is hard to say, because I did not encourage them. After I began to know them better I took no notice of them; but if once I had encouraged them they would have increased in number. I dare say there were twenty-five or twenty perhaps.

5557. Were those five and twenty persons whom you include in the thirty or forty?—Oh, they were decidedly. The people who sent me letters were twenty or twenty-five. There were a few of them not electors; and perhaps as many had votes. A man named Reynolds had not a vote but expected to get one. He was not put on because he had not paid his rates; and he was constantly visiting me at my house on the Mall. I always found him there every evening.

5558. In that class of voters that you call "birds of prey," do you include Kilcullen and Rooney?—Most decidedly. No, not Rooney, I did not. Rooney's letter to me was that of a really respectable man in a distressed state. He never mentioned anything at all; but that Kilcullen was a man who took money regularly for mobs. Brennan once or twice sent me a list of names—I have been looking for it but have not got it—of his mobs. Kilcullen was always a prominent man.

5559. The *Chief Commissioner.*—What was the name of the man who got £10 for not putting his name on the registry?—I don't know his name. I am not aware of it. I should know it if I heard it. I forget his name. I could find it out and let you know.

5560. Mr. *Commissioner Bruce.*—You never heard of more than one?—I never heard of more than one; but I heard of three or four, who it was thought likely, would be disposed not to register, and that kind of thing; but whether more than one did it or not, I don't know. I think not. I think at the last they all came up.

5561. I don't know whether you were in court when Kavanagh and M'Dowell were examined?—Only part of the time; just near the end.

5562. M'Dowell said that, when the M'Mullens were lodging in his house—and the time fixed was about the latter end or the middle of January—he got a letter from a person whom he did not know, and never saw before or since, containing £9, and a direction to take the M'Mullens over to England?—I heard that to-day.

5563. I suppose you believe that that was done by somebody to get him out of the way of the Election Petition?—Well, I have no doubt of it. I heard afterwards that they did not wish to be examined at all, and that they were greatly afraid of being examined. I think they were afraid of their lives. One of them—the old man—came to me one day at my office, and told me he would be killed.

5564. The *Chief Commissioner.*—That was before he went away?—No, long afterwards. It was after the Petition that he came. I asked him what he was doing in Dublin, and what he wanted. I did not know the man; and I asked him if he had voted for me, and whether he had been injured in consequence. He said no, he had not, but that he would be maltreated if he came down. He really was afraid, I believe.

5565. You did not give him any money on that

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occasion?—Oh, never. The only money I was aware of this M'Mullen getting was £2, which I repaid to Mr. Hignell after the Petition.

5566. Have you any idea of from whom that letter came containing the £9?—I have not the least. No, not the most remote; I never heard of them at all till to-day.

5567. You have no idea of through whose influence the M'Mullens were taken away to England?—To England? Not the least. No; but I was astonished at their being away from Sligo. My impression for a long time was, that they were taken away to damage me—I mean by the opposite party. That was my impression always. I always looked on them as thorough supporters of mine.

5568. Did Mr. Hignell, at the hearing of the Carrick petition, appear to know where they were?—He certainly did. Before the petition was over, and before I left Carrick, he evidently knew—that's my recollection—that they were in England; but I don't think he knew the place. It occurred to me that he knew just that they had gone; and I don't think he knew anything about them till the petition came on.

5569. Mr. *Commissioner Bruce.*—Of course, Major Knox, either now, or when you shall be recalled to give us a detailed account, if you have any statement that you wish to make relating to the election in any way, we shall be most happy to hear you?—I don't know whether you will require any explanation of the man named Tiernan, or any further one as to Mrs. Dunleavy, or the man Flynn.

5570. The *Chief Commissioner.*—Unless you wish to give it Major Knox?—No; in the most unqualified way I deny having ever given any of these men money; and my cousin, Mr. Utred Knox, I think, will be here to-day, and I think he will explain as to Tiernan.

5571. Mr. *Pollock.*—It was alleged by Mrs. Dunleavy that he gave me £10 to give to her. Perhaps you would kindly ask him whether there is a word of truth in that statement?

5572. *Witness.*—No, certainly not.

5573. Mr. *Commissioner Bruce.*—Did you give a man called Clancy any money?—Clancy? No, never.

5574. That was with regard to the £1 that you said you gave Brennan to give to Mrs. Marra?—In Pound-street. I remember. I explained that at Carrick.

5575. You gave that for drink?—To get out of the house.

5576. The *Chief Commissioner.*—There are some trifling matters of that kind that we have not asked you. Try to make up the account as well as you can.

(The witness then withdrew.)

Mr. *Sergeant Armstrong*, sworn and examined.

Mr. Sergeant Armstrong.

5577. The *Chief Commissioner.*—You were returned for the borough, as we know, in the election for 1865?—Yes.

5578. Have you estimated what that election cost you from first to last?—Not with accuracy, but I can approximate to it tolerably closely.

5579. About how much?—Well, before I answer that question I should like to know if you require me to include in it subscriptions given for charitable purposes, and local purposes of a perfectly—as appears to me—obvious character, such as regattas and races in the neighbourhood.

5580. No, because I should say these are matters that the member of a county or borough is expected to give everywhere?—Well, I should think so. Exclusive of these, if you will just give me a moment—(calculates). Subject to correcting by such means as I have in my power, I should say about £2,200.

5581. After the election in the following April—the following spring—were your bills settled in the town?—I understood everything to be settled. So I was assured both by my conducting agent and my agent for expenses.

5582. Who were your conducting agents?—Mr. Tracy, of the firm of Kernan and Tracy was my sole agent—I had no other.

5583. Who was your agent for election expenses?—Mr. James Lynch Byrne of the Hibernian Bank.

5584. To whom did you pay money for the purposes of the election?—To Mr. Tracy. I estimated in my own mind, having regard to what I heard in reference to the expenses of this place, that something within £500 would be a fair sum to put into his hands to work upon—that it should cover all legitimate expenses. So I calculated. I gave him a cheque for £475.

5585. That was before the election?—Before the election, for the purposes of the election and accompanied with a very strict letter of instruction as to its application.

5586. Then to whom did you give the other sums amounting to the sum of £2,200?—Well, I should say almost the entire of it to Mr. Byrne, I think two cheques—either two or three would represent the substance of the rest.

5587. Now the whole of that expenditure of £2,200—at which date do you close that?—Well, I would close it in April 1866, to the best of my recollection, and I am pretty certain, too, about it.

5588. Did you pay any large sum about April, 1866,—Yes.

5589. How much then?—To the best of my recollection, I think it was in two cheques. Their amount can be ascertained with accuracy; but I am pretty close to it I think. £1,484, I think it was—close on £1,500.

5590. And that was given to Mr. James Byrne?—That was given to Mr. Byrne, in I think, two cheques. I think so; but the very figures can be ascertained, because they were cheques on the Hibernian Bank.

5591. Did you ever get a return from him as to how he applied the money?—I did.

5592. To whom then, according to the return, did he pay that money?—Well I would desire to offer a little explanation in reference to that. Having consulted with some of the leading Liberal gentlemen of the place, I was strongly advised,—urgently advised—especially by his lordship the Roman Catholic bishop here, to carefully avoid anything whatever in the shape of undue interference with the liberty of election, in any shape or way, and to rely upon the exposition of my principles, which were pretty well known. These were my instructions, very stringent, and very peremptory, in writing, to Mr. Tracy: and having giving him that cheque for £475, and having come down for the election, I left this town under the impression that not a shilling had been illegitimately applied, nor any illegitimate promise whatever made; and I believe now, that no promise ever was made. But in the month of March particularly, as well as I now recollect, letters began to come to me, some of them rather urgent, and numerous, from persons whose names I was barely acquainted with, men and humble voters making claims and asking for something. I in all cases referred these matters to Mr. Tracy for his advice on them. He told me to take no notice of them. Afterwards I received very urgent letters from gentlemen of superior position, who had been—particularly two of them—active friends of mine; and the upshot of these letters was—all of which I destroyed long since; I never kept them; it is not my habit to keep letters and I kept none of these, not supposing that it would ever become the subject of investigation—having no such prospect, I preserved none of them, but I recollect the substance; it was, that very urgent dissatisfaction was preserved by the people of Sligo at my not doing something for them. That was the tenor of them. Having got, I think, either two or three such letters as these, I

referred them to Mr. Tracy for his advice. I was rather indisposed to move in the matter; but nevertheless having seen a very urgent letter finally he came down at my request, with Mr. Byrne, to see the writers of these letters and other gentlemen who had acted as my friends here, and to see what was to be done, and what was wanted. They returned to me stating that it was money that was required: and accordingly they came down and made such arrangements as they could. I said—"do the best you can; if anything is done it is wholly opposite to my instructions at the time of the election. I never authorized it. I gave Mr. Tracy distinct directions to the very contrary; but if any promises were made and that gentlemen have undergone engagements to me, I don't see what course I have but to meet them." And accordingly I gave cheques to the amount which Mr. Byrne represented to me was required. That's the way.

5593. To over £1,400?—A little more, I think the payments were close upon £1,500.

5594. Did you understand that that sum was to be given to electors who had voted for you?—I most unquestionably did. I could not imagine otherwise, and for this reason, that I believed and was assured that everything I ever owed was paid. I could not bear the notion of owing anything, and I believed it was all settled for. I did believe everything was settled for. I would not have allowed a matter to remain for a moment that I knew to be due.

5595. Was anything said to you of the number of persons to be so paid, and the sums they were to receive each?—Not one word until the whole thing was settled here. Not a word beforehand to me—not a word.

5596. Did you then ascertain how many had so received money?—Well, as represented to me——

5597. As represented to you?—I believe to the best of my recollection, ninety-seven.

5598. How much each?—It varied; I cannot——

5599. What was the largest sum?—Well, I have a recollection; I think that one voter got £40, and I do not recollect a higher sum than that to any person. Some got £5, and some £15, and some £25; I recollect they varied. But until all that was done here I did not know what was going to be done. I know there was a strong dissatisfaction; and I formed the belief in my own mind—though in any communication the language was most ambiguous, and I would not say designedly mysterious, but without intimating exactly what was meant—but my own common sense drew the conclusion that it was meant to be given to these people, and that they had nothing else to be dissatisfied about except at not getting it. And I was under the impression that the gentlemen who applied to me and made these representations—I was under the belief that they had entered into engagements. I now believe they never had—that they never made a promise. I don't believe that a promise was made; but I was led into the notion because you can well understand poor people here put a pressure on me and said "we have behaved very generously; we have exacted no terms; we have voted according to our consciences, and it is a very bad thing not to give us something." I can understand that, and I believe it was the truth.

5600. Did you get from Mr. Byrne, or were you afterwards informed who were the persons in the town of Sligo, your supporters who distributed this money in April, 1866?—Yes.

5601. Who were the gentlemen?—I am sure it is quite unnecessary to say it is with the deepest dissatisfaction to my own mind that I make these statements; but I know the obligation I am under, and I have no alternative. The obligation to the Commission amounts to my own obligation under which I speak. I cannot forbear, of course; I must answer the questions; it is very annoying to have to do so, of course, but I must answer. Well, I can give the names of some; I will not undertake to give the names of all; but there is no difficulty about that for Mr. Byrne, I venture to say, will recollect them, though I have not seen him since I was summoned. I don't know if he is coming here. He is in Ballinasloe today. I conclude some of them will be able to tell who are his colleagues and associates.

5602. As far as you remember now who were they?—Well, as far as I can recollect, there were Mr. James Kidd, Mr. Conroy.

5603. Was that Maurice?—Maurice Conroy, Martin Philips.

5604. Was Michael Foley one of them?—I think not. I will not answer that as I cannot say.

5605. Was Chrystal?—No, I think not. I don't know. I am trying to be accurate.

5606. Perhaps some of those gentlemen will tell us?—They will tell you the rest but I wish to give you as far as my memory serves me. I have my own feelings on that subject. Mr. Petrie was one; Mr Harper Campbell was one as well as I recollect. There may have been others, and I believe were; but at the present moment I cannot recollect. But anyone can tell you.

5607. Now James Doolan was examined here, and he says that he is a superannuated mail-coach guard, and that in that April he called on you at your house in Dublin, and made some demand about money, and that you made him a present of £20 by a cheque—do you remember that?—Well, I shall tell you as far as I recollect what occurred in reference to that. As to whether he was Doolan or Dolan, or what he was, I believed him to be an elector of the place at the time; and I believed what was told to me that he was a mail-guard, and had no doubt that he was representing the truth. He came to me and told me that he was in deep distress and difficulties, arising from the pendency, as well as I remember, of a process against him, something very peremptory; that he had been a warm supporter of mine, and had voted for me, and that without the slightest expectation of ever getting anything; and he put it entirely *ad misericordiam*. He said, "I have acted generously towards you, and am now in extreme difficulties; and in fact if I were arrested, on any process of that sort issued against me I should forfeit my situation as mail-guard; and will you see me ruined and in such an extremity?" I gave him a cheque, I believe, for £20; I have no doubt he got it. I venture to think it must have been a cheque on the Hibernian Bank, for I would not be likely to have had so much money lying in my drawer. But I most distinctly gave him that as a piece of charity; I yielded to the man's earnest solicitations. I endeavoured to postpone the matter, at all events, in order that I might see Mr. Tracy on the subject, and have some conference about it; but the man was very urgent and stated that the thing was absolutely necessary, and that he did not know the moment he would be in difficulty; and I gave him the money. I have no doubt I gave him the money.

5608. Do you remember saying to James Doolan that your friends were now in Sligo settling matters?—I think so. My recollection is, that it was after I had sent Mr. Byrne and Mr. Tracy to Sligo that he called upon me, or about that time; and it may have been that they were actually there at the moment. I really cannot now say; but it was about the same epoch; and I recollect stating that I really could not give him any money, and I endeavoured to avoid giving him any money.

5609. Mr. Tracy, I believe, is not now in Ireland?—I am sorry to hear that he is not; but I believe he left it on matters wholly unconnected with the Sligo election.

5610. The *Chief Commissioner.*—I have no doubt at all about that.

Witness.—I am sure that if he were here he would tell you whatever he knew.

5611. Did you give any money to any other elector but Dolan?—Never, to my recollection, for anything connected with his vote at all. I must be very particular. As soon as it was ascertained that I was about to be a candidate here, the Conservative local

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press, of course, wrote such articles and such strictures as they thought judicious and fit, having regard to the circumstances of my candidature. Mr. O'Farrell, of the *Sligo Champion*, very warmly espoused my cause and my views; and I have no doubt that many articles appeared in his paper which he would not have gone to the trouble of, but upon my account; and he was a warm personal friend. I made him a present; but it was no more with the idea of influencing his vote, or in the slightest degree of affecting his mind, than any other transaction in the world could be—it had nothing whatever to do with it. I gave him the very small sum of £25. I have mentioned this matter, and I felt great reluctance in doing it; but I know I am not to suppress anything which might have any possible bearing on the present subject of inquiry. I also gave him a loan, and he insisted himself on giving his promissory note for it. I did not want it; but he would not take it otherwise than as a loan. That promissory note I hold, but I don't intend to make him pay a penny of it, although he insisted on becoming responsible. I say it had nothing to do with influencing his vote, for he was a warm and anxious supporter of mine.

5612. Were these the only cases in which money passed between you personally and electors?—I have not the slightest recollection, though there were numberless applications. People came to me in Dublin, and in a very peremptory way some of them, without exactly stating what they wanted; but, from their manners, and gestures, and intimations, I could perfectly understand what they wanted; and in all cases, they not putting their case upon any ground of the immediate pressure of poverty, I never yielded to them, and I never gave anything.

5613. Was there any application of that nature after the settlement of 1866?—Certainly.

5614. After that?—Yes.

5615. And from these ninety-seven men that were paid?—I think not. Well, I have no doubt that they were paid, because if I can be certain of anything in the world it is, that the gentlemen who got my money never kept a single sixpence of it.

5616. You knew them to be your supporters?—Yes, I did. However, I had not known Sligo before; and though I had canvassed the entire Liberal constituency, I have but a very partial recollection of some of them. Two, in particular, I recollect very well, came on more occasions than one in a very peremptory manner, but I declined to have anything to do with them.

5617. There was mentioned a party of five, called in the course of the inquiry by the witnesses, "the aggrieved party," namely, Harte, Moran, Hunt, Magrath. I am uncertain whether Thady Kilgallon was one of them or not. Some of these men it is stated, were promised £50 a piece?—Never by me; never by any person by my authority. I never made the slightest promise nor held out the slightest inducement to any man, woman, or child, in this place to expect aid from me. On the contrary, the only case of a direct suggestion to me that occurred in the whole course of my canvass was this. I should say that I was met in the most generous way. Instead of any reluctance to accept my pledge I was met in the most open and warm-hearted manner by the Liberal party generally, and the only single occasion was this,—and I now neither recollect the precise position in the town, for it was the first day I was going through it, nor the individual, and I doubt if I should know him if I saw him. But I was canvassing in the usual way, requesting the honour of his support. I was accompanied by a few gentlemen of the town who were good enough to come with me as an introduction. He asked me to come into a little parlour, for he had not a shop, and he closed the door and said that on a former election—by which I believe he referred to Mr. Sadlier's time; I think he did not name it, but he clearly referred to it—he put his hand on the chimney-piece and said there was a £50 note put there and another £50 note put on the top of it at that time, and "What I said was," he said, "if there was another £50 put there I would not vote for you." "Sir," said I, "if you mean to insinuate that you would get anything from me I would not give you one shilling to be returned for the borough of Sligo with that object," and I turned round and walked out of the place. That was the only instance of any direct overture to me during the whole of my canvass; that was the answer I gave; and neither directly nor indirectly did I ever hold out the slightest hope to any person that they would be one shilling the better of me in consequence of my candidature.

5618. Did you mention that man's name?—I cannot recollect it.

5619. Do you know in what street he lives?—prefaced what I said by stating the fact that I cannot recollect. I know it was a small house and a small hall, and he appeared to be in no sort of business or trade, but to be of some other way of life; an humble-looking man. I doubt if I would know him.

5620. I have mentioned these five that called themselves the "aggrieved party"?—They never had the slightest promise from me.

5621. Did any of them apply to you about the £50?—There are two that I think I could identify, and that I take now to be Moran and Magrath. I will not be positive. If there be any difficulty I would like to see them.

5622. I may mention that these men said that they were afterwards offered £20 at the settlement, and that they refused to take it?—I know nothing whatever about that. I know nothing whatever about what was done on the subject, save what was afterwards represented to me.

5623. He said he refused to take it because they had been promised £50—I want to know what any of these men, or the two that you took to be Moran and Magrath said to you at any time?—The substance of it was this—of course their visit was unexpected—I was engaged upon some professional matter, possibly, in my study, when they came in in an abrupt and not very courteous way, and they said, "Arn't you going to settle, or give us satisfaction?" or words to that effect, that clearly indicated that they wanted money. I said that I would certainly give them nothing whatever; that I had put my affairs into the hands of two gentlemen whom I had sent down, and that I could not interfere with them in any sort of way. But they never alleged any promise nor pretended anything of the sort; nor there never was.

5624. Was that after you had put your affairs into the hands of the two gentlemen, or was it before you paid a visit to Sligo that spring, or was it after you paid that visit to Sligo?—Oh, it was before it.

5625. Before?—I think so.

5626. Mr. *Commissioner Bruce.*—It is stated that you came down to some dinner at the Imperial Hotel, and it appears in evidence that it was shortly before that?—And that's what I believe what I am stating. My impression is, that they were in town twice with me—that's my impression; but at least one visit of these men was just at or after the time. Messrs. Byrne and Tracy were here or had just returned—I cannot say which.

5627. Did you ever get a letter from a man called Michael Hunt, said to be one of those five men, claiming £250 or £300?—Oh, never, never got any claim whatever in writing from any man. No man ever named a figure to me—a sum of money. I got a great many letters, written in a hand which I really never could read, from a poor fellow of the name of Hunt—but he is not this Michael Hunt at all—never asking money, but always congratulating me on being member for the borough, and saying that he was a great friend of mine; and he latterly became very lengthened in his correspondence, and the handwriting so bad that I could not read it; but there never was any demand of money.

5628. Except these things which you understood to be demands, and which led to the settlement?—Oh, of course.

5629. It was said that you put this settlement in the hands of two gentlemen; were they any one of these, James Kidd, Michael Conroy, or Martin Phillips?—No; the two gentlemen I refer to are Mr. Byrne and Mr. Tracy. I sent them down. I consulted Mr. Tracy, and said—"Here are these urgent letters; what's the meaning of them?" I said—"It is perfectly plain to my mind that you must go down and see about the meaning of those letters;" and the next thing I heard was that this arrangement was come to; and though they never told me—no one told me, and I now believe there never was a promise made to any man to induce him to vote, that I firmly believe—nevertheless, at that time, from the urgency of the letters I received, I was under a different impression; and I considered in my own mind that if these gentlemen had, wisely or unwisely, made themselves responsible, either by having beforehand put their hands into their pockets, or by having made promises, I had no alternative but not to leave them in a difficulty.

5630. Mr. *Commissioner Bruce.*—At the time when you were communicated with, with regard to the complaints and matters which brought forward this settlement, did you hear anything that led you to believe that though there was no promise given, there was an understanding that money should be paid?—Never; on the contrary.

5631. I am speaking, you know, of long subsequent to the election, in March or April afterwards?—I have always heard that there never were promises.

5632. But there may have been an understanding?—I never heard that there was—that is, an understanding in which both minds concurred. I can well understand that poor people about the town would expect something, as they got it according to all accounts on former occasions from Mr. Sadlier, as I heard; but beyond that I believe that no gentleman who espoused my cause in town had any understanding with any of them. I have no reason to think it.

5633. When these applications were made to you in March did you consult any of your principal supporters in Sligo?—Well, I considered that the two gentlemen who wrote these urgent letters were important supporters, and I rank them amongst my principal supporters; and I instructed Messrs. Byrne and Tracy to see the other gentlemen whose names I have given you and to consult generally.

5634. Who were these two gentlemen whom you refer to?—From whom I received the urgent letters—they were Mr. Phillips and Mr. Petrie, I really think there were two or three letters of Mr. Phillips, certainly two; and there was one jointly signed by Mr. Petrie and Mr. Phillips.

5635. Was there any representation or statement made to you by Mr. Petrie or Mr. Phillips, that some months after the contested election a certain class of the Sligo voters expected to get something?—Never further than these letters contained. It was the first I heard of it.

5636. Do you remember what was in these letters; what were the contents of them or the substance of them?—To this effect that there was a strong feeling of dissatisfaction, and that people were complaining, and that sort of general language—perfectly general language.

5637. In a mysterious way?—Well, now a man of intelligence could draw his own inference. I had no difficulty in drawing mine.

5638. Did they say in these letters that the people of Sligo did not think they were treated as they used to be?—No, there was no reference to anything former whatever—certainly not.

5639. But that they were badly treated?—That was the substance.

5640. The applications to you did not commence until the time you have mentioned, namely March?—I believe not. I am pretty certain they did not. I would recollect it.

5641. There was no reference to money having been received on the other side?—Not any, the slightest allusion to anything of the sort. In fact I never heard of such a thing. I have no imputation to make on the subject. I did not mix myself up with such a matter at all. There were no such statements in any letters to me. You know at an election you hear that there is money going—various rumours, which I let in at one ear and out at the other.

5642. The *Chief Commissioner.*—How did you ascertain the sum for which you gave the cheques to Mr. Byrne?—It was in writing—put down in writing.

5643. From Sligo?—It was in writing.

5644. I want to know why you gave that exact sum?—I don't understand ——

5645. The £1,420?—Whatever the tot came to.

5646. I want to know by what calculations that was ascertained to be the correct sum which you were to send to Sligo?—The sums that these gentlemen had ascertained amongst themselves, as I understood, would be satisfactory to the men who were to get them.

5647. That is the sums that your Sligo friends agreed ought to be paid?—Precisely. I understood that Mr. Byrne and Mr. Tracy met these gentlemen, and that they considered what was best to be done, and that they arrived at that tot; and I was under the impression—though it was never represented to me, and I don't now believe that they had promised or ever gave a penny out of their own pockets, and I hope they never did—that they had made themselves responsible in some way or other; now I believe they had not, and I would not leave them in the lurch, be the consequences what they might. There is another very small matter which I don't know whether, under this thing of telling the whole truth, I should mention—it is a very small matter, a mere matter of personal confidence. I was told that one of the voters was hesitatating very much as to whom he would give his vote to at the election; and that his little son, not more than nine or ten years of age, said to the father—I was told he said it—in a very animated way, "Father, mother is looking down from heaven at you; vote for your country and the Sergeant;" and the man immediately said, "I will vote for Armstrong." I sent the little boy a locket with a small likeness of myself in it, in an attitude of speaking with my hand up, as I was speaking in the Court-house here, as I had had struck off. The child afterwards wrote me a letter of thanks, in which he stated that his father was very poor and in great want, and asked if he could get some schooling; and I gave a few pounds—I think £4 a year—and promised to have him put to school. It was a mere bagatelle, and had nothing whatever to do with the vote.

5648. The two cheques amounted to £1,400 odd?—That's my recollection.

5649. The original cheque to Mr. Tracy amounted to £475?—Yes. That £1,400 was after the election. Then there was another; I have it down here. I stated that there was £2,200.

5650. I want to know about the difference?—The way I put it down—here is my calculation now. The return of expenses that I made to the Mayor of course is forthcoming—I only speak from memory. I should say that I never read these things. I never troubled myself about reading them; I knew I was liable to pay them. I never went into details; I had my reasons for that. I had the highest reliance on the personal honour and friendship of Mr. Tracy, and never taxed nor scrutinized his account. I never did, and would not do it. He offered to furnish an account, but I declined. I said, "If £475 is paid to yourself and Mr. Gethin, and the other solicitor, it appears to me to be very extraordinary if I look into the account; I won't do it;" and I never did. Then Mr. Byrne, with a view to settling the expenses of the election, got a cheque amounting to—to my recollection, and I speak from recollection—I know it is less than £300, and I put it down here at £286; my cheque-book will show the very figure. That £475

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and £286 were what may be called the election expenses. That £475, I rather think, we returned, but there were other matters. What they were I really cannot tell, because Mr. Byrne is my brother-in-law —he is married to Mrs. Armstrong's sister—and I scrutinized nothing in his account, but took his word for everything. In fact, I scrutinized nothing, but was resolved, when I was left under the impression that gentlemen whom I met as strangers, and who warmly espoused my cause here, and with whom I formed great and warm friendships, had either actually paid or promised money, I was determined that they should not be at a loss, though it was in the very teeth of my express instructions to Mr. Tracy; and I left Sligo believing that I left it as clean and as pure from corruption as ever any man left a borough going to Dublin.

5651. Mr. *Commissioner Bruce.*—These two sums of £475 and £286 I understand you to include in the expenses of the election?—They represent the expenses. As I understand, about £486 was returned to the Mayor, but there were other matters. You are bound to make the return to the Mayor at a certain time. I understood from Mr. Byrne, in general terms, after he did his best to make up the account and return it truly to the Mayor, according to the best of his calculation, some other claims came in, which I was not the least astonished at, and which I honoured at once, and felt no difficulty about.

5652. You talked about voters coming in after the settlement in a peremptory manner?—Who came after I had given this authority to Mr. Byrne and Mr. Tracy to go down and see what it was all about.

5653. Could you give me any idea of the names of those persons that came?—Only two that I recollect upon that occasion—I speak in reference to what the Chief Commissioner was pleased to call the "ill-used"——

5654. The "aggrieved party" was what they called themselves?—Well, I think only two of these ever came; but poor men, that I did not know at all, used occasionally to present themselves at my house. For instance, a very poor man came, almost in the rank of a beggarman—a labouring man—who said he shouted for me in Sligo, and that he was going to Liverpool, and asked me, for God's sake, to give him some relief, and I put my hand in my pocket and gave him £1. I don't know his name.

5655. Did you know whether he was a voter or not?—I am sure not; I am certain he was not, for he was in the rank of a poor beggarman. I don't know whether he came from Sligo or not either.

5656. I do not know if I understand you to say that the two voters came at the time you put your affairs into the hands of Mr. Byrne and Mr. Tracy?—After I had done so.

5657. I understood you before to have said that after that you had a good many persons who came and made peremptory demands—pressed for money?—Well, I would be wrong in saying "after that," if I said so. I don't say that a good many came. I recollect a respectable looking lady called—I cannot tell her name—accompanied by a younger lady, and they said that they had some sort of house of refreshments in the town, and that a number of glasses and tumblers were broken and never paid for. I said that really I could not notice such a thing. She said that she had a daughter in town sick, and that she would be very much obliged to me for £10; I said I could not listen to it at all. No, I don't say "after that." I don't recollect any peremptory applications; in fact, I never heard of anything of a formidable—I mean of an unpleasant kind—but these two gentlewomen who came and presented themselves in a very forward way, as if they had some right; and, in reference to that, I would wish to say, in reference to what are called the "aggrieved party," that I never heard the expression until the Chief Commissioner mentioned it; and I recollect the party that, I believe, are referred to. I heard that there were five or six men who were not coming down to vote, and I went up to the shop of one of them, appealed to him, and requested him to come down and vote, saying, it was still important, and that they were required; and without the slightest inducement but my simple request, in the most off-hand and, as it struck me at the time, generous manner, he collected the others and we marched down, two abreast, myself escorting them as a sort of sergeant's guard. They all happened to vote together, and they voted for me. The voters on the other side were getting thin at the time; and these six, all at the same time, created such an impression, that I dare say the men thought they ought to get something particular for it in their own minds. Beyond that, there was not the slightest foundation for it.

5658. The *Chief Commissioner.*—You paid no money for a mob, Sergeant?—I told you that I never read what Mr. Tracy did with the money; and I do believe there may have been to a certain extent, but I never was aware of it; and this I must say, that if there was a mob they never behaved like one, for there never was a stone thrown in the town, nor window broken, nor offensive word used to man while I was in it; and I have no reason to think that there was any mob save for the just purpose of preventing my supporters from being carried away at night; and I believe it was for that purpose; I think Mr. Tracy told me so; but I believe that to be quite a legitimate purpose.

5659. Were they called "watchers"?—Watchmen, and I was informed that while I was sleeping comfortably in bed, these poor fellows were up all night to prevent my men from being carried away. I know one case in which I was obliged myself to go out to a house where one of my supporters was a prisoner, and I, myself in person, went in with three or four gentlemen, my supporters, and released him from the fellows who had him in custody, and brought him to the poll.

5660. Mr. *Commissioner Bruce.*—Was there any violence on the other side?—I understand there was no shadow of violence in the town. The only thing approaching to violence was an inclination to offer insult in words which might have ripened into action towards a highly respectable gentleman, a Conservative of this place. I happened to overhear it, and made an appeal to the men and said, "you are no friends of mine if you do such a thing—don't presume to insult him;" and finding that they were irritated I said, "I want to make a speech to you," and took them off to a different part of the town, and made a speech to them, and the whole thing was soon perfectly quiet. There never was a policeman brought into the town, nor were there windows broken, nor any mobbing whatever. There was an attempt, in this court, to prevent one man, that it was known, from popular rumour, would vote against me from doing so. My supporters were very anxious that he should vote for me, and thought that if he consulted the dictates of his own conscience, he ought to do so. There was a very violent screaming of people in court—of the better class of people—to prevent him. I got on the table myself, and entreated them to allow the man to exercise his vote freely. They did so—the clamour subsided, and he voted for the other side. I saw no violence whatever; there was none.

5661. Have you any reason to suppose that there was any other money spent by any person in your behalf, at that election?—Not one farthing. I don't believe that directly or indirectly any body of men or any individual ever gave one sixpence; I would not allow it. If I thought there was any gentleman a pound note out of pocket I would pay him to-morrow, no matter what the consequence, or what the law might be.

5662. The *Chief Commissioner.*—In reference to anything you have seen in the evidence, and know yourself about the election, do you wish to say anything further now to us?—Well, Mr. Commissioner, in reference to some of the evidence I read coming down in the train yesterday—so much of it as appeared in the *Mail*, and *Post*, and *Irish Times*—the record is not very ample, not perhaps quite full, and I know nothing of what occurred yesterday;

therefore, if there be any matter that you think my attention ought to be directed to, I shall feel obliged by your doing so, as I am not in a position to recapitulate it.

5663. I have mentioned to you the case of Doolin, the mail-guard?—And I have told you that I had no object whatever in conciliating the man. I didn't care anything about him; the election was long gone by at the time.

5664. There was nothing that occurred yesterday in reference to your election that we have not directed your attention to?—Very well.

5665. Several electors were examined, who deposed that they got either £15 or £20; and the names of others were mentioned who stated that they got either £15 or £20 at your election?—I cannot doubt that, because I know that the gentlemen got the money from me, and are utterly incapable of appropriating one single sixpence of it. Of course, they got it to do the best they could.

5666. That is the only matter connected with your election referred to yesterday, and in reference to that we have examined you?—And I don't recollect anything in connexion with the other evidence—nothing occurs to me at the present moment. In matters so full of detail, and covering such a period of time, it is hard to recollect.

5667. The *Chief Commissioner.*—If you wish, Sergeant Armstrong, to make any other reference to the election, we will be most happy to hear you.

5668. *Sergeant Armstrong.*—I wish to make this observation, that, in addition to explaining my political views, and how I intended to act if elected, as I thought it very natural, and becoming, and necessary to do, I applied to the bishop—the bishop of the place here. I had the advantage of his lordship's cordial support, but it was accompanied by his urgent advice to me—and I think I referred to this before, not to him by name—to take care to avoid anything in the shape of illegitimate expenditure. I communicated that, in the most marked way, at any meetings which took place amongst my friends. I never had a committee, it is right to say. I never had agents; I appointed nobody. Gentlemen used to meet kindly, and consider over matters; but there was no committtee, and no agent, but Mr. Tracy and my expense agent, none whatever. I communicated that; and, as I said before, I left Sligo, believing in my heart that not a promise had been made to any man, and that no man got an unfair shilling, and that it was perfectly understood that poor fellows who were up all night to look after mobs, and see that they did not carry off my voters, ought to be paid. I thought that was perfectly fair, and that the election could not be carried on otherwise.

5669. The *Chief Commissioner.*—The Commissioners do not require your further attendance at present, Sergeant Armstrong. Sergeant Armstrong intimated his readiness to attend again when required, and then withdrew.

The *Mayor of Sligo* was sworn and examined.

5670. The *Chief Commissioner.*—Do you hand us in a copy of the registry, with the Protestants and Roman Catholics marked on it, and the way they voted at the last election; and also the electors who did not vote, divided into Conservatives and Liberals; and also showing the Protestants who voted for Captain Flanagan and the Roman Catholics who voted for Major Knox, truly returned?—Yes.

5671. Mr. *Commissioner Bruce.*—You made out the list from your knowledge of the borough?—Yes.

Martin Phillips sworn and examined.

5672. The *Chief Commissioner.*—Were you a supporter of Sergeant Armstrong at his election?—I was.

5673. Did you after that election get any money to distribute among voters?—I did.

5674. In April, 1866?—I did.

5675. How much did you get?—I think about £180.

5676. Who gave you the money?—Mr. Harper Campbell.

5677. What did he tell you to do with it?—He did not tell me to do anything with it; I knew what to do with it without getting any instructions from him.

5678. How did you know?—Well, a number of gentlemen were engaged to assist in the election for the return of Sergeant Armstrong. Mr. Harper Campbell was one of them, and I received the money from him.

5679. Did you know you were to get it?—I did.

5680. How did you know you were to get it?—I met Mr. Tracy and Mr. Byrne at the hotel, and on that occasion there were present Mr. Harper Campbell, and I think twelve or fourteen other gentlemen. There was a sum named for each gentleman to distribute.

5681. Was there any list of electors there?—I don't think there was a list.

5682. Did you get any list of your men to be paid?—I made out a list; I don't know whether I gave it in or not.

5683. Of how many?—I cannot say whether there were thirteen or seventeen—not less than thirteen or more than seventeen.

5684. Give the names of those thirteen or seventeen as far as you remember?—I may perhaps forget some of them, but as well as my memory serves me, Peter Cunningham——

5685. Have you that list?—No, I have no list.

5686. Go on and give their names?—Peter Cunningham, John M'Gouldrick, Felix Derham, Denis Rooney, Patrick Collery, James Leonard, Paddy Barry, John Cairns, a man named M'Hugh; I really don't know his Christian name; he lives in the neighbourhood of the courthouse; a man named Hickey, and Pat. O'Brien. There may be others, and I am sure there are, but I can't call them to mind.

5687. How did you happen to have these men on your list?—They called on me after the election and made statements to me.

5688. How soon after the election?—Well, perhaps it may have been two or three months after the election. They repeatedly called afterwards.

5689. And made statements?—And represented to me that having lost by having voted for Sergeant Armstrong, made enemies for themselves in business, and lost employment as tradesmen; and as I had strongly recommended them and urged them to vote for Sergeant Armstrong, and as they did vote, I was bound to make them some remuneration.

5690. Did you think you were bound to make them some remuneration?—I was not bound by any promise to do so.

5691. Did you think you were bound in honour?—Well, I don't think I was. I think if I had not made them, that in honour or principle I could hardly have suffered in any way.

5692. Was any sum mentioned between you and them that you were to get?—No sum whatever.

5693. How did you arrange the sums that your committee paid these men?—According to circumstances. According to the position in life in which they were, and the injury that I considered they suffered by having voted for Sergeant Armstrong.

5694. Did you afterwards pay all these men?—I did.

5695. What sums did you pay them?—I paid some of them £20.

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5696. To whom did you pay £20?—To Peter Cunningham. Some of them £15—most of the others £15; to some I paid £10, and so on.

5697. Did you, at a meeting of the Sergeant's supporters, mention the sums that in your opinion those men ought to get?—I might have mentioned it. I hardly recollect having done so.

5698. Don't you think it likely that you did?—The sums that these men should get was a subject of conversation, and very likely I may have given an opinion that certain sums should be given to certain individuals.

5699. Had you ever paid money similarly before?—Never.

5700. Had you ever given any money to any elector?—Never. I might have on one occasion. I think I assisted, or had something to do with giving £6 for a municipal vote. I think I was some way connected with it, either in accepting the money for the voter, or I think I had something to do with it; but in no other way had I ever been connected with an election.

5701. You mean a vote for the election of an alderman?—A member of the Town Council.

5702. Did any money besides that pass through your hands?—No other money but the sums I have mentioned.

5703. Did any money go through your hands at the last election?—Not a penny. I used some of that £180 that I mentioned to you for other purposes as well.

5704. What other purposes?—There was an attack made on the house of a Mr. Irwin, who lives on the mail-coach road, a very feeble gentleman who was then one of the electors. Lest an effort might be made during the night previous to the election to take him away, I paid a sum of money for the defence of the house and to prevent Mr. Irwin from being taken away.

5705. How much did you pay?—I hardly recollect the sum I paid.

5706. Was it £20?—Not so much as that. It was not £10.

5707. Did you pay it to a number?—To one to be distributed amongst the men.

5708. Who was the man to whom you paid it?—He was a servant of Mr. Irwin.

5709. What is his name?—Well, I am not very certain about his name, but I think it was Marley. Within the last two days his mother showed me a letter she had received from him in America, and I think the name was Marley.

5710. You know Michael Hunt?—I do.

5711. Did you get £20 for him?—Yes.

5712. Why was £20 got for him?—Well, it was considered that he would be hardly satisfied with less.

5713. Had he made application for it before he got the £20—to you?—No, not to me, unless in this way, that he had five or six voters in his house, and that it was considered, about three o'clock on the day of the election, that the polling of these six voters would be of the utmost importance to Sergeant Armstrong; and I was requested by a number of neighbours and friends of the Sergeant to call at Hunt's house, and I did so.

5714. Were these John Hart——?—Yes, he was one of them.

5715. James Moran, John Nugent, and Michael Hunt. Who was the fifth man?—Dominic Hunt.

5716. What relation is he to Michael Hunt?—Brother-in-law.

5717. When you went up to the house on that day, the polling day of the Sergeant's election, what occurred between you and these five men?—The five men, as well as I can recollect, must have been aware—I was going to mention to you, that I think they were in the house.

5718. Did you know beforehand that these five men were going together?—I had reason to think that they were; it was generally believed through the town that they were.

5719. Go on?—I went to Hunt's house. They were drinking brandy. There was a bottle of brandy before the number of men whose names I have mentioned to you, on the table. I was urging them very strongly, and recommending them as well as I could, to give their votes to the Sergeant. They were rather reluctant to do what I asked them. They spoke plainly to me enough about terms, and told me there was a very large sum offered to them from the other side.

5720. From Mr. Macdonogh's side?—Yes. I reasoned with them, and told them their sympathies should lie in favour of the popular candidate. They were disposed to come to business.

5721. What do you mean by "coming to business?"—That is, to speak of pounds, shillings, and pence.

5722. Yes; go on, Mr. Phillips?—One of the parties took me into an adjoining hall, and put his hand into his pocket, and took out a fist full of coins—I don't know what the coins were, but I think they were mixed silver and copper—and took his oath that a certain gentleman in town had offered him half notes for £300.

5723. Who was the certain gentleman he named?—Am I called on to mention his name?

5724. You must?—Mr. Henry Lyons. I am sorry to be obliged to mention his name. He offered him half notes for £300.

5725. Who was the man that told you that?—James Moran.

5726. Go on?—And that if he was asked to vote for the Sergeant for less than that, it would be an injury to him; and that if I deceived him in any way, he would never forgive me.

5727. I suppose you understood that the £300 was for five votes?—No; there were to be six votes for the £300.

5728. Who was the sixth man?—I am not at liberty. I can only guess. He did not mention to me.

5729. The sixth man?—The sixth; but the sixth was talked of by the others in the house.

5730. What was the name?—Mr. Thady Kilgallon. I don't know whether he was the man he meant or not.

5731. But at all events he was talked of in the house?—Yes.

5732. When Moran mentioned that Mr. Lyons offered £300 for the six votes, what did you say?—I put up my hand, and said, I can't speak to you about money; I shall make no offer or promise; unless you come and act with the Sergeant without promise I shall leave the house. I did leave the house.

5733. Did you tell him to go and vote for Sergeant Armstrong?—I did; I recommended him strongly.

5734. Did you say, "go now and give your vote"?—I recommended him as strong as I possibly could to go and vote for the Sergeant.

5735. After he mentioned about the money?—I might have done so after he mentioned about the money. I think I left him very abruptly after he mentioned to me that £300 had been offered for six votes.

5736. Look here—did you tell him you would not give him a penny?—I did.

5737. And that it was illegal to offer it?—I did not speak of the illegality of it, but I said I would not make him a promise or give him a penny.

5738. Did you tell him to go and vote?—I did.

5739. And were you smiling at him the way you are smiling now at the court?—I have no reason to do anything but smile now, sir, and I would have smiled then.

5740. Were you looking at him plainly and telling him to go and vote?—Well, at the election time people look as plainly as they can, if they want to coax people to do things they are not inclined to do.

5741. You have heard some of them examined?—I did not hear their names.

5742. You heard about what some of the five men swore?—I heard that Hunt was leaning very heavily on me, but I pay no attention to it.

5743. Never mind that?—I thought you were alluding to that.

5744. When you were getting the money that was to be distributed after the election, did you get £20 for Michael Hunt?—I did intend to give him £20.

5745. Twenty pounds for James Moran?—I did.

5746. Twenty pounds for John Harte?—I did.

5747. Twenty pounds for Magrath?—I did.

5748. Twenty pounds for Dominic Hunt?—I did.

5749. And twenty pounds for Thady Kilgallon?—No, I could not take him in, because his name was not mentioned to me.

5750. Not to you?—I had no list.

5751. Then you got £100 out of £180 for these five men?—I think so.

5752. You are not sure of it?—Well, I am pretty sure of it.

5753. Did you get that £100 for them, because you had canvassed them, and asked them to vote for the Sergeant?—No, I did not.

5754. You did not?—Not because I asked them to vote.

5755. Why did you get the £100 for the five men of the "aggrieved party"?—Because the number of persons near town who were to get money was divided. There were gentlemen present at this meeting.

5756. Who were the gentlemen?—Shall I mention their names?

5757. Certainly?—Mr. Harper Campbell, Mr. James Kidd, Mr. William Petrie, Mr. Daniel Magill, Mr. Maurice Conroy, Mr. Patrick Keighron—I think there may have been others present.

5758. Now, did you return any other voters to be paid £20 except those five men?—I don't recollect.

5759. What did you return the others to get?—I returned them to get from £15 to £10; and I was to exercise my own judgment as well as the rest of the other gentlemen who were to act in distributing that money.

5760. You were to have the same control in distributing the money?—That was the arrangement made between those who were engaged in the distribution of the money.

5761. Now, do you mean to convey to the court that these five men who had suffered most and lost most, as you say, lost a penny by the transaction?—I had reason to suspect that an offer of £300 had been made to them; and I thought that their voting for Sergeant Armstrong deprived them of that £300.

5762. Is that the loss to which you referred on making compensation to them and giving them £100?—Well, that might be an item in the loss.

5763. An item in the loss?—Yes.

5764. That is, they having lost £300 you thought you would give them £100, is that what you mean?—That is what I mean.

5765. Did any of them apply to you for any money before you put down their names for £20 apiece?—They did.

5766. Who?—John Harte.

5767. Did he charge you with having promised him money?—He came to me and stated that James Moran had accommodated him with a bill for £50, in the expectation of receiving £50 from Sergeant Armstrong.

5768. Go on?—That that bill was about coming due and that he had no funds to meet it. I listened to the conversation. I made him no promise or pledge. That was a considerable time—perhaps two or three months before I offered him £15.

5769. Did you ever write to the Sergeant yourself?—I did.

5770. Did you convey to him that his friends had made promises for him?—I think I did, I think I conveyed it to him in this way, that without promises having been made, those who voted on the recommendation of the Sergeant's friends expected to be remunerated.

5771. When they voted?—Not when they voted.

5772. Did you convey to him that the Sergeant's friends had made promises for him?—Well, I don't know exactly. I have not a copy of the letter.

5773. If we had a copy of the letter I would not be asking you. Did you convey to him that the Sergeant's friends had made promises for him, on your oath?—I conveyed to him, I think, that it was expected by those who voted on the recommendation of the Sergeant's friends, that they should be remunerated.

5774. Paid?—Remunerated.

5775. When was that expectation formed—was it at the voting, or immediately after the voting?—It was after the Sergeant had been returned.

5776. That they expected to be paid?—Yes.

5777. How soon did applications begin to come in to you for payment?—They were applying to me for payment immediately after his return.

5778. The week after?—Not so soon, perhaps.

5779. Within a month?—Perhaps a month or two.

5780. Did you pay John Harte?—I offered him the money.

5781. He refused to take it?—He did.

5782. Did he not demand £50 from you, saying you had promised it to him?—I don't know exactly whether he said I promised £50.

5783. Did he demand it?—In the way I mentioned to you he did, on account of the bill.

5784. Did you offer it to James Moran?—No.

5785. Never offered it to him?—Never.

5786. Why?—James Moran came to my house and demanded money from me.

5787. How much—£50?—He became exceedingly rude and insolent to me insomuch that I was obliged to put him out of the place; and I instructed my solicitor to take proceedings against him.

5788. For slander?—For slander.

5789. For saying you had money to give him, and would not pay it—was not that it?—Well, something of that kind. He was very abusive. I know he annoyed me.

5790. Did he say you had money to give him?—Oh, I believe he said I kept the money.

5791. Had you any money?—I had not then. I will explain to you why. I had £105 of the sum in my hands, and was coming from England where I had been on business. I called at the Hibernian Bank in Dublin, on a friend of Sergeant Armstrong's.

5792. What friend?—Mr. Byrne. I said, "Mr. Byrne, I hold £105 of the sum placed in my hands for distribution. I feel uncomfortable about having this sum of money in my hands. It is not mine, and I wish you would take it from me." Mr. Byrne requested me to keep it for a few days, as he had reason to think that some of the voters were still suffering for having voted for Sergeant Armstrong, and he would let me know in the course of the week who these were. Some short time afterwards a gentleman called on me with a list of names.

5793. Who called on you?—Mr. Maurice Conroy. He gave me a list of names to give the sums to the parties named in that list, and it left me a surplus of £3, which I handed to Mr. Conroy, and that disposes of the £180.

5794. Michael Hunt—you offered him £20?—I went to his house.

5795. Tell all that occurred about that?—After having received that money I was giving a sum of money to a man now no more, and taking his receipt——

5796. Paddy O'Brien?—Yes; the money was on the counter, and I offered it to Hunt, and Hunt said he would not take it.

5797. Did he say why?—No, he did not tell me why.

5798. Did you understand from him that he would not take it because he would not take a bribe?—If I could interpret his manner it would look like that.

5799. Did you offer the money to Magrath?—No.

5800. Why?—Because Moran in the course of the day came to me and said he was dissatisfied with it, that he expected £50, when he heard that only £20 had been given to him.

5801. Then you did not pay Magrath at all?—No.

5802. Did you give anything to Dominic Hunt?—I did.

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5803. What did he say?—Dominic Hunt took it, and in an hour afterwards he came back to say his wife would not allow him to take it, as she had reason to think that £50 was given for him.

5804. Given to you?—Yes.

5805. Did he return the money to you?—He did.

5806. And he never got it afterwards?—Never from me.

5807. Did you know that persons were dissatisfied at the last election at not having been paid this money?—At the last election?

5808. At the election between Knox and Flanagan?—Well, I heard they were always dissatisfied. It is generally believed that they are dissatisfied; hardly ever satisfied.

5809. Do you mean that nothing would satisfy them?—Well, I don't know, but they are always grumbling.

5810. Did you know a man named Lenihan?—No.

5811. Did you know a man named Lenihan who came from Geeva, and who was working for Captain Flanagan?—No, I don't know him.

5812. Did you know any man that came from Geeva side?—No man whatever.

5813. I wish you, before you leave court now, to write out a list of the voters to whom you paid that £180 that you got, and the sums you paid to each?—Very well, I will do it. If I cannot do it in court, will you give me a day or the course of the evening to think of it?

5814. Certainly, because I want to have an accurate list from you of the voters who got the money?—I may mention to you that I gave some of that money to the party who defended the house.

5815. I know you did?—I may add that after having given the money some of the supporters of Sergeant Armstrong called on me, and whom I knew to be in distress. I had then no money, having given the surplus to Conroy, and I gave the clothes off my shelves, for which I never will be paid, to those that I considered had suffered for having voted for Sergeant Armstrong. I can name them if necessary.

5816. How much did you give in that way?—I might have given £9 or £10.

5817. I want to ask you another question—do you swear that no money passed through your hands at the last election?—Positively I swear it; not a penny.

5818. I presume you voted for Captain Flanagan?—I did indeed, and was very glad to have the opportunity of doing so.

5819. Do you know anything about the organization of mobs?—Nothing, whatever.

5820. You saw the mobs in town on his side?—Well, I saw the ordinary crowd that attend an election contest.

5821. You know the town well these many years?—Very well.

5822. Were not these people who came into the town strangers?—Most of them were strangers.

5823. From a distance?—Perhaps ten or twelve miles.

5824. From which side did this mob come—I mean whose tenants were they, for example, as you understood?—I could hardly say whose tenants they were. There were persons from the county Leitrim on that occasion who seemed to take a deep interest in it. I saw many from Leitrim—from the neighbourhood of Dromahair.

5825. Acting as part of the mob?—They seemed to take a deep interest in the return of Captain Flanagan. I knew them to be distant countrymen.

5826. Were these the men that were throwing stones and breaking windows?—I should think not.

5827. Mr. *Commissioner Bruce.*—Did you see any of them throwing stones or breaking windows?—I saw stones thrown but it was at night. I saw the glass breaking from the effects of the stones; I did not see any stone thrown.

5828. Were there not violent mobs during the whole of the polling day?—I think not.

5829. You swear there were not?—I do, considering the provocation, as you might call it, the mobs got.

5830. What do you call the provocation the mobs got?—On one occasion three gentlemen came through the street with revolvers in their hands. I considered that very great provocation to an excited crowd.

5831. I am not speaking of that occasion?—That was the occasion that I refer to—the late election.

5832. Was the town not in the possession of a violent mob at that time?—Not violent. There was a very large crowd, but I did not consider they were violent.

5833. How long have you been a resident of Sligo?—Perhaps about sixteen years.

5834. Do you recollect the election at which Mr. Macdonogh was returned, and at which there was no contest; do you recollect that in 1866?—I do.

5835. Do you recollect the time at which Mr. Wynne was returned?—I do.

5836. Did you take an active part in Mr. Wynne's election?—I took as active a part as I could on every occasion of the kind, and made myself as useful on the Liberal side as I possibly could. We have had so many elections that I can hardly distinguish one of them from the other.

5837. On whose side did you work so actively in 1859, when Mr. Wynne was returned?—It is not likely that it would be on Mr. Wynne's side.

5838. I want to know on whose side it was?—My political feelings were not always in unison with his.

5839. Was it for Somers you worked?—There was one occasion on which I was active for Somers, but only one occasion.

5840. Was that in 1859?—I could hardly say. I could hardly tell you. In one of the last elections at which he was returned I was active in his support.

5841. Do you tell us that you never got any money to distribute at the time of Wynne's election?—Not a shilling ever passed through my hands for election purposes but those I have mentioned in my examination.

5842. You have told us that applications were made for payment by persons who had voted for Sergeant Armstrong shortly after the election?—Yes.

5843. Why did the persons who made these applications expect money when no money was given on the former occasion?—They stated to me—"You recommended me to vote for Sergeant Armstrong; you know the offers that have been made to me from the other side; I might have got £25 or £30," and mentioned extravagant sums that I did not always believe.

5844. I should like to get a little more about that. You told us, you know, that one man, Moran, said he was offered £300 to vote for Mr. Macdonogh by Lyons?—Yes.

5845. Mention any other person who made an application to you stating that he was offered money by the other side?—The wife of Peter Cunningham repeatedly mentioned to me that she could get £50 for her husband's vote.

5846. The *Chief Commissioner.*—What was her Christian name?—I could hardly tell you.

5847. Mr. *Commissioner Byrne.*—Did she say who offered it to her?—She mentioned three or four names.

5848. The *Chief Commissioner.*—Who were they?—She mentioned the name, I think, of Harloe Phibbs; she mentioned the name of Mr. Henry Lyons. I hardly recollect any other name. I think she mentioned these two.

5849. Did anyone else make a similar application?—Well, Hart frequently said to me too, ——

5850. He was one of the five?—Yes.

5851. Did Hart mention any person except Henry Lyons?—He did not mention Henry Lyons. Hart always represented himself to me as having lost seriously by having voted for Sergeant Armstrong.

5852. When you say "lost by having voted for Sergeant Armstrong," you mean that he did not make money by voting for Mr. Macdonogh?—Yes. He is in the butter trade, and always represented to me that he made enemies for himself among his Conservative supporters, and lost thereby. He is a cooper as well.

5853. Can you mention any other person to whom you paid money, or who said he was offered money by

Mr. Macdonogh?—John M'Gouldrick. I paid him £15. He mentioned to me that he could have got £50 if he had voted for the other side.

5854. Did you believe John M'Gouldrick?—I did not believe him.

5855. Felix Derham—did he?—He did not complain very much of having lost by it.

5856. What did you give him, do you recollect?—I gave him £10. I think so.

5857. Denis Rooney?—I gave him £10 also.

5858. Was he offered money on the other side?—He stated to me that he was.

5859. Who, did he say, offered it?—He did not mention any name.

5860. Patrick Collery—did he complain of having lost?—He said very little, but he said he did not lose much by it, and was very willing to give his vote on the popular side, but that he might have got money, and a larger sum than I gave him, if he had voted on the other side.

5861. Mr. *Commissioner Byrne.*—Did you canvass for Captain Flanagan at the last election?—I did.

5862. Whom did you canvass?—I canvassed almost all the electors in the town with him.

5863. Did any of those voters that you canvassed ask you for money?—No.

5864. Mr. *Commissioner Bruce.*—Oh, mention about it?—I don't recollect their having spoken to me.

5865. Try now, and remember whether any of them asked you for money, the way the Hunts asked you and those "aggrieved persons" in reference to Sergeant Armstrong's election?—I don't recollect.

5866. You don't recollect?—No.

5867. They might have asked you?—Perhaps they did, because I myself endeavoured, from the outset of Captain Flanagan's canvass here, by my conversation with people, to remove any idea of money being given in an illegal way.

5868. Why did you do that?—I thought it was only just towards Captain Flanagan in the first instance to do it—only fair towards those who might be expecting money, and afterwards not get it; because if expectations of that kind exist, and are not satisfied, it creates dissatisfaction.

5869. What made you think there would be no money going at Captain Flanagan's side?—Captain Flanagan himself, and every friend of his told me there would not—that they were determined to conduct it on the most legal and honest principles they could.

5870. Were not you told the same thing at the time of Sergeant Armstrong's election?—Yes.

5871. Why did you not try to prevent people from entertaining that idea at the time of Sergeant Armstrong's election?—I might have had some experience by Sergeant Armstrong's election that I profited by at Captain Flanagan's.

5872. Had you?—I had.

5873. What was the reason?—That was one of the reasons.

5874. What other reason had you?—That was the principal reason.

5875. Well, there were others?—I should add that the great annoyance I got myself personally, and having my name mentioned not very creditably, and myself abused by those who did not get the sums they were expecting—that was another of my reasons.

5876. Mr. *Commissioner Byrne.*—Could you remember the particular names of any of those voters that you took the trouble to convince would get no money?—I cannot recollect one. In speaking on that subject perhaps I was general, not particular.

5877. But you often had occasion to make those statements?—In the conversations that went on about the probability of his success, and the counting of votes, I always took occasion to do so.

5878. So that you very often—I suppose in most instances—when you were canvassing you took occasion to warn them that there would be no money going?—No, not when I was canvassing, but in conversations meeting my neighbours and people coming in to my place of business, if the conversation turned on the election, I always endeavoured to tell them that if they were expecting anything they would be disappointed. I made it my business to do that.

5879. Mr. *Commissioner Bruce.*—But you never said that when you were canvassing?—If there was an occasion for it I would, but I never was asked the question when canvassing. In canvassing many persons were present, and you would only remain perhaps a few minutes in each house.

5880. Did nobody ever tell you, whom you canvassed for Captain Flanagan, that they had been offered money by Major Knox?—Oh, yes. Oh, I was told that frequently.

5881. What did you say then; you did not say, or did you say, "recollect, you are to expect no money from Captain Flanagan"?—No, I did not say that; but I said—I always said I would be surprised that any amount of money would induce a Liberal elector to vote for Major Knox in preference to Captain Flanagan.

5882. I dare say you always said—"Go, I tell you to vote"?—No, I did not.

5883. You did not?—I did not.

5884. Because you said that in Sergeant's Armstrong's time, but you said you could make no promises?—I did; I said I could make no promises.

5885. The *Chief Commissioner.*—No promise, but go and vote?—That I would recommend you to vote.

5886. Mr. *Commissioner Bruce.*—Did you tell them the last time that you recommended them to go and vote?—I recommended them strongly to vote; I urged them as much as I possibly could.

5887. I ask you, on your oath, did you think that none of those whom you canvassed to vote, voted under the impression that they would get money at Captain Flanagan's side?—I declare most solemnly, on my oath, that I don't believe a single elector on Captain Flanagan's side expected a penny from me as voting on my recommendation for Captain Flanagan.

5888. Did they expect it from Captain Flanagan?—I cannot say what they expected from Captain Flanagan.

5889. What do you think?—I don't believe they did expect it from Captain Flanagan.

5890. The *Chief Commissioner.*—From what you know of elections, working at them for so many years, do you mean to say that the successful candidate for Sligo does not generally pay after the election?—I am not working at elections for so many years. I never took an active part in elections—a very active part—but at the two last. I never took an active part at all in the elections but the two last.

5891. But this time, when you canvassed the five men that were mentioned as going together, and told them to go and vote, I ask you now, did not you believe these men expected something?—They did expect it, to be sure; but it was not by my manner, or conversation, or promises.

5892. I am just asking you now what you believe?—I believe they expected money.

5893. They did then expect it?—The fact of the man bringing me into the hall, and telling me that Mr. Henry Lyons had offered £300, in half-notes, for votes for the other side.

5894. Do not you believe that when those five men voted, they expected to get something from the Sergeant?—I did. They might have expected it. I may mention to you that I recollect as distinctly, as if it had only occurred yesterday, that when Moran said to me that £300 had been offered to him in half-notes, I held my hand up and said, "I cannot speak to you about money; if Sergeant Armstrong cannot be returned without a promise of money, I will have nothing to do with it."

5895. Why did you go into the little room?—He called me and said, I want to speak to you.

5896. Did you not know very well that he wanted to come to terms?—No; Moran——

FOURTH DAY.
October 8.

Martin Phillips.

5897. He was a voter on the day of poling at three o'clock, a critical time—were you ahead at the time?—Well, there was a difference of opinion about that.

5898. Were you running neck and neck?—I thought we were ahead; some of our friends said they were not.

5899. At all events, it was a critical time?—Very critical.

5900. And you were excited?—I was anxious.

5901. Now, do not you know very well, that when he and you were brought into that room together, it was in order that he might name his terms?—I knew he would be very glad to catch me make him a promise if he could.

5902. Did you not know he wanted you to bribe him?—I was sure he expected I would speak to him.

5903. To bribe him?—To make him a promise.

5904. Answer me; when he brought you into the room with your two selves do not you now believe he wanted you to bribe him?—I could hardly think he did for this reason, that in conversations I had with him some days previously, before this night, I repeatedly told him there was no money to be spent illegally in Sergeant Armstrong's election.

5905. Mr. *Commissioner Bruce.*—You told him that in Sergeant Armstrong's time?—I am speaking of Sergeant Armstrong now.

5906. The *Chief Commissioner.*—Would you take the list of voters and write opposite to each name the sum of money you gave?—I gave money to others as well as voters.

5907. Well, put down the names of all the persons you paid money to?—I would with pleasure, as well as my recollection of the facts serves me.

5908. The sooner you do it the sooner you will be released from attendance.

5909. Mr. *Commissioner Bruce.*—Do you remember the time Sadlier was returned?—I do.

5910. Are you aware that money was spent on voters at that election?—I am not.

5911. Or after the election?—I am not. I have not the slightest knowledge nor anyone belonging to me. Although the name of a friend of mine was mentioned yesterday in connexion with Sadlier's election, I solemnly declare that I was not a participator to the value of a penny in that election. The value of a penny I never gained by that election, nor do I believe that my friend, whose name was mentioned yesterday, did either.

5912. You had nothing to say to the money that was going at the time of Sadlier's election?—Nothing whatever. I took neither act nor part in Sadlier's election. I had been but four months living in Sligo and was endeavouring to press on my small business, and I could not afford to lose even time by attending to election purposes.

5913. The *Chief Commissioner.*—Did anyone tell you, when you were canvassing at the last election between Knox and Flanagan, specifically, that he had been offered money on either side as a voter?—When I was canvassing with Flanagan?

5914. Yes?—Yes, I was told by several that they were offered money.

5915. Who told you?—Well, I assure you the thing is so general that I would almost have to name the whole list nearly.

5916. The whole list?—Middle-class persons.

5917. Do you mean to say that fifty persons told you they were offered money?—Perhaps fifty did not.

5918. Twenty?—Well, no, not so many as twenty; but in the conversations that I had with a few they mentioned to me their neighbours as having had similar offers made to them.

5919. I want you to mention to me the names of the persons who were offered money, and of the persons who offered it to them?—Patrick Flynn told me that he was offered money, a very large sum, on the other side. I would recollect the name distinctly if I saw the list; perhaps I would be able if I refreshed myself.

5920. You had better withdraw now for the present and write out the list, and bring it to me?—Give me till to-morrow and I will make it out.

[The witness withdrew].

Maurice Conry.

Maurice Conry sworn and examined.

5921. The *Chief Commissioner.*—You were a supporter of Sergeant Armstrong at his election?—Yes.

5922. Did you distribute any money after the election of Sergeant Armstrong in 1866?—I did.

5923. How much?—I think £115.

5924. Have you now the names of the voters to whom you gave that money and the amounts?—I think I can name them for you:—Patrick Marren, £20; Thomas Ward, £20; Michael Gilligan, £20; William Lovatt—I am not certain as to the amount to him. Michael Coyne, £20; Martin Davy, £15.

5925. Had these men applied to you immediately after the return of the Sergeant?—No.

5926. Did they ever apply to you for money?—I think not, with one exception. One party applied to me for money—indeed I don't think he applied to me till he heard that Mr. Tracy and Mr. Byrne were in town—and that was Doolan, the guard of the coach.

5927. What passed between you and Doolan?—When Mr. Tracy and Mr. Byrne came to town he called in, I think, the day after, if I don't mistake. He said to me, "I am in want of money; I am very badly off, and I expect you will get something for me. I think he spoke to me before they came to town some short time. At all events he called on me afterwards. "Well," said I, "I attended a meeting the other evening, and I did recommend you to get £20." He came again and asked for it. I said, "I have not got any money for you." "At all events," he said, "you will let me have it to-morrow or next day." I said, "I don't know." He went off and I did not see him for, I think, two days. He returned to me one morning early, about half-past eight o'clock, and said in rather a friendly way something about it being well for me that I had been in bed during the night, as he had been travelling, and said then—"Have you got the money for me." I said, "No." "Why," said he. "Because," said I, "I have not got any money for you Mr. Doolan." "I don't want to tell you just now," I said. I am merely repeating the substance of the conversation, I can't exactly say the words. I had a letter that morning from Mr. Byrne from Dublin, stating that Doolan had gone to Dublin, that he had waited on Sergeant Armstrong, and that the Sergeant had given him—in fact it is better for me to hand in the letter. (Produces letter.) I may tell you that I had disposed of the money up to this £20 for Mr. Doolan. He got very indignant. I said to him, "Were you not in Dublin the evening before last." He said, "Yes, I was." I said, "Did you get any money there; did you see Sergeant Armstrong or Mr. Byrne, or anyone?" I forget the answer he made; but at all events I asked him, "Did you get £20 then?" "No," said I, "there is no use in your trying it on me in this way; I received a letter this morning from Dublin to the effect that you got £20, and you will get no more from me." He threatened then to take proceedings against me, on the ground that I had promised that £20 to him two days before. I said "you may go about your business, I will have nothing more to say to you." I sent for a person who I think was a friend of Coyne's, and gave this party the £20. He went away, and returned in some short time—about ten minutes afterwards—with a receipt from the man.

5928. From Coyne?—From Coyne.

5929. You had nothing more to do with Doolan?—Nothing more.

5930. You saw that he was trying to get a second

£20?—Oh, evidently. I evidently saw he went to Dublin for the purpose of getting £20 in Dublin and coming back to me, for I told him I would recommend him for that sum.

5931. You had a previous consultation, as we heard, with some friend?—Yes.

5932. About dividing the money amongst the electors. How did you fix on £20 for some of these men and £15 for others?—I think the reason of that was that each man that wanted it had his terms.

5933. Who fixed the amount to be divided?—I could not exactly tell you. We all had a conversation about it—every one of the party. Everyone that was there, I think, had a conversation about it. I know Mr. Byrne waited on me; I received his note, I think, about one or two o'clock in the day but did not attend to it. He called on me in the evening, and I told him there was nothing I could possibly do to secure the return of Sergeant Armstrong that I did not do, but that I was very unwilling to have anything to do with money matters; and I may as well tell you that my chief object in not wishing to have anything to say to money matters was least it might be supposed that I did not dispose of all I got.

5934. But I want to know, first of all, on consultation between you and the other gentlemen who had been supporters of the Sergeant, how was it arranged that so much money, for example, was to come down from Dublin?—I think some parties gave in names of persons who applied to them for money. I was not applied to, I think, until the day the parties came to town. I was not applied to by any other; nor was I ever asked for money subsequent to Sergeant Armstrong's return until that day.

5935. You were not asked for money at all?—I was not asked for a penny, good, bad, or indifferent.

5936. Then, how was it arranged that you were to get so much for these five or six men?—I gave the names of three or four parties, one that I knew was a very poor man, indeed.

5937. Who was that?—Gilligan, who was extremely poor. In the first place he owed nearly half a year's rent to his landlord in Dublin, which was paid out of that £20. That was £15. He was a very poor man, indeed. At that time, I think, if I don't mistake, that Marren and Ward were in gaol. They were arrested on suspicion of Fenianism, and had been for a long time in gaol. This was named for these parties.

5938. Did you name these five?—I don't think it was I; but they were in my immediate neighbourhood. I know I named Marren.

5939. Had you canvassed Marren?—I had.

5940. Had you canvassed the other four?—I had; I am sure I had.

5941. Do you believe it was on your recommendation, amongst other things, that they voted for the Sergeant?—I was with the Sergeant when he was canvassing, and canvassed with him; but neither directly nor indirectly did I ever make a promise either before or after the election.

5942. I do not say you did; but you canvassed them and pressed them to vote for the Sergeant?—There was no pressure; in fact, I think the Sergeant had often reminded me of the manner in which he was received by the wife of one of these men.

5943. Did any other money pass through your hands at that election?—No.

5944. Did any money pass through your hands on this occasion?—Not a penny.

5945. Had you ever anything to say to the distribution of money before or since?—Never; in fact I never took an interest in any election up to Sergeant Armstrong's.

5946. Why did you and the rest of the gentlemen—I will not call them the Committee—who met there consider it right to distribute this money?—Well, I declare I don't know what answer to give to that question.

5947. It is a very simple one; I ask you why you thought it right to distribute this money?—The probability is, in my mind, from what I heard on the occasion, that parties in town expected that they would be considered by the Sergeant after the election.

5948. If he was returned?—Oh, he was returned.

5949. I know; but is not that what you mean, that the voters at the election expected——?—No; I think that is not my view of the matter.

5950. Put it in your own way?—I think myself, that from the very independent manner in which the Sergeant was returned, as I believed, then and now, without promises, or anything of the sort, being made by Sergeant Armstrong or any of his friends, some of these people expected that the Sergeant would be generous; that's the only view that I can call to mind. I may as well tell you, because I think I am partly the unwilling cause of the name of a person being introduced here, how the thing occurred. Bryan Chrystal is a very delicate man, and is at present, I believe, in Scotland. I did not like to have money passing through my hands. I got this money, and I asked Mr. Chrystal to distribute it to the parties named. I gave him receipts, which he was to get. I don't know whether I filled them myself or not. At all events, he brought me back receipts for the different sums he had paid, which receipts I sent up by the first post to Mr. Byrne, and which I presume he has in Dublin. It was Mr. Chrystal that paid the money for me, except the one sum of £20 to Coyne. I don't think I paid more. Marren's son-in-law, as well as I can remember, came to the place one day, and I gave him his £20.

5951. Mr. *Commissioner Bruce.*—Did you canvass at the last election?—I did. I went out as far as Ballysodare to meet Captain Flanagan, who asked me to sit in the carriage the day we went through the town.

5952. Did you canvass with him?—I canvassed the greater part of the first day with him; in fact, I was almost the whole time with him on his canvass.

5953. While you were exerting yourself for Captain Flanagan, did any voter say to you that promises had been made to them by the other side?—I don't recollect that there did.

5954. Was there any reference made to money at all?—Well, I can't charge my memory now that there was anything said, for we went about in a general way from house to house, and I cannot charge my memory that there was anything said about poor parties expecting money. In fact, nothing was said about money to me, or to Captain Flanagan in my presence at all.

5955. Nothing said to you about money coming from the other side, or offers being made by the other side?—I don't recollect. At all times when there is a rumour of an election here, there is a talk of money; but I don't believe the one-tenth of what is said. It is all for the purpose of getting parties to say what will you give. I don't believe the one-half of what is said about matters of the sort.

5956. The *Chief Commissioner.*—To your knowledge were any attempts made on the part of electors to get promises from Captain Flanagan or his canvassers?—I am not aware.

5957. None were made to you?—No.

5958. With your experience of the payments that were made in Sergeant Armstrong's time, did you take any pains to tell the electors in Captain Flanagan's time that the precedent would not be followed?—No; I don't think I had any necessity to say anything about it, because I merely went about with Sergeant Armstrong canvassing from door to door, and I did nothing further than that.

5959. You never canvassed, then, by yourself?—No.

5960. Of course not. You were present at the interview with a good many gentlemen at the time this settlement was made—when the arrangement was made as to who was to distribute this money?—Yes.

5661. Was any surprise expressed by the gentlemen who were present on that occasion at the applications having been made?—I declare I cannot recollect.

5962. Now try, Mr. Conry; you have given your evidence very fairly?—Oh, I have come with a determination to tell the truth.

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October 8.
Maurice Conry.

5963. But try now. Was there no surprise—was there any disapprobation expressed?—I think there was a general disapprobation expressed that money should be so expended. I think there was a general disapprobation expressed by the majority of the parties there, that the money should be expended.

5964. But was there disapprobation expressed at the applications having been made?—I don't recollect.

5965. Do you think there was none?—I don't recollect.

5966. Was it thought a natural thing?—It may have been by some.

5967. Did anybody say?—I have no recollection.

5968. Did anybody say anything about it having occurred before—that the winning candidate always paid?—I often heard of money going at elections here in Sligo; I never knew anything about it myself.

5969. At what election did you hear?—At Townley's election, and Sadlier's, and all those.

5970. I am speaking of a recent one—the third election back—the time Mr. Macdonogh was elected, though there was no contest?—The first time.

5971. He was only elected once, and there was no contest?—No, I did not hear anything. That's the first time?

5972. The first time?—I did.

5973. You heard of money being paid to people on his side?—I heard of a list being handed. A man named James Hall, now dead, told me that a list, I think, of thirty names, with £50, I think, opposite to the name of each, was handed in, which amounted, I think, to £1,500; that that money was paid, and that his name was on the list; and he said that his name was put on the list without his knowledge, and that he never received a penny of it; that when he heard it he wrote to Mr. Macdonogh, but Mr. Macdonogh did not reply to his letter.

5974. You say Hall told you that a list was "handed;" handed by whom?—I don't think he said to whom; but he said that, at the time, a man named Williams processed Mr. Williams in town for £25, which was the balance of his £50 that was on this list; that Mr. Williams, he stated, paid him £25 out of the £50; and that the process for the balance was tried in this court, and dismissed.

5975. They were both called Williams?—Yes.

5976. Where did he say he processed him?—It was a matter of inquiry in this court. We all recollect it.

5977. Tried here?—Yes.

5978. Do you recollect what year that was?—I do not, indeed. I think it was the time Mr. Macdonogh and Colonel Tennison were candidates here.

5979. It was then either that year or the year afterwards?—That was the circumstance to which he alluded.

5980. But that is a circumstance that must have created a good deal of sensation in the town of Sligo, I should think—one man processing another for money to be given for bribery—surely you could tell us more about it?—I don't know anything more about it; I was not at the trial here. I heard it was asserted by this man, Sam Williams, that Mr. Williams was to give him £50. Mr. Williams came into court and swore that he never gave him £25, and never gave him a promise of a penny, and the case was dismissed. That's my recollection of it.

5981. Is Williams living still?—He is.

5982. Tell me where he lives?—In the High-street; he is a highly respectable gentleman.

5983. Do you believe that Mr. Thomas Williams was the gentleman to whom the list was given?—I could not say.

5984. Not positively, I know; but do you believe it?—Well, I don't know; I could not take it on myself to say.

5985. Now, who was it that gave that list?—I forget; he told me, I think, but I forget.

5986. Oh, now, Mr. Conry?—Oh, if I could recollect it I would tell you.

5987. Try and recollect?—I will tell you nothing but the truth; I cannot recollect; I don't know.

5988. Was it a person who was an active supporter of Mr. Macdonogh—could you bring it to mind?—It strikes me that he did not mention the party's name; but he said it was handed in by a person, as well as my recollection serves me, in Mr. Macdonogh's interest.

5989. Do you recollect the name of any other person whose name was on that list?—No, I do not; I did not pay much attention to it, to be candid with you, for I don't believe half of these stories.

5990. From your knowledge of the town and of the place where elections were carried on and closely contested, did you look on it as not unnatural that people should expect money from Sergeant Armstrong when returned without promises; I don't know; I don't think I could give you an answer to that question.

5991. I am speaking merely of the effect upon your mind—not about whether it was natural or not. Were you surprised?—Oh, I was not surprised.

5992. Not surprised?—Not surprised.

5993. And therefore you thought it natural?—I was not at all surprised to hear that some parties might have expected money. I only say that I never was asked myself either before or after the election.

5994. In what class of life were those persons generally who got the money—were they voters at the very bottom of the list, the poorest people, or the middle class?—They were not the poorest.

5995. What class, generally, would you say—were they small shop-keepers?—One of them was very poor, that is Gilligan, a farmer living in the neighbourhood of the town.

5996. I see Marren, whom you mention, is rated at £13 15*s.*; what is his employment?—I think he is a licensed publican, and he keeps cars. He was one of the parties that were in gaol.

5997. I see Michael Coyne rated at £20; is he in a respectable class of life?—He is a respectable grocer and publican in the town, and appeared to be doing a large business.

5998. Doing a large business?—I believe so. In fact I do not know much about it.

5999. Why was it that he got the £20?—I know nothing more about it than that letter I have just handed in.

6000. Now, I want to ask you a question as to your belief—do you believe that if Captain Flanagan had been returned, money would have been paid at this election?—I don't think it would.

6001. What is your reason for that belief?—Well, I think that Captain Flanagan had not large means that he could afford to do anything of the sort, and I know that the bishop had set his face completely against it. I don't think Dr. Gillooly would recognise it.

6002. But he did that in Sergeant Armstrong's time, we know?—I think Sergeant Armstrong has satisfied the Court that the first thing the bishop did was to warn ——

6003. Most clearly; but that, you know, did not prevent the applications for payment of the money by Sergeant Armstrong?—No.

6004. So that I want to know whether you have any reason to form a belief that money would not have been paid on Captain Flanagan's side nine or ten months afterwards?—Well, really the best answer I could give is, that I don't think Captain Flanagan had it.

6005. That is a very good reason; but do you think it was expected by the people who voted—and a good many voted for him that voted for Sergeant Armstrong—do you think that some people expected to get money?—I don't know.

6006. You can form no opinion whatever?—I can form no opinion whatever. They are all aware now that the law is more stringent than it was.

(The witness withdrew.)

The inquiry was adjourned to Saturday morning at ten o'clock.

FIFTH DAY.

Saturday, October 9, 1869.

The Commissioners sat at ten o'clock.

Mr *Martin Phillips*, who had been under examination the previous day, handed in a list of the persons to whom he gave money at Sergeant Armstrong's election. Martin Phillips.

6007. The *Chief Commissioner.*—Mr. Phillips, now read out for us from that paper, the names of the men to whom you gave money, and the sums?—John M'Goldrick, Pound-street—there is another M'Goldrick in Pound-street, Mark M'Goldrick—£15; James Flynn, Pound-street, £15; Denis Rooney, Knox-street, £10; Felix Durham, Knox-street, £15; Pat Collery, Pound-street, £15; Pat O'Brien, draper, Market-street, £10; Peter Cunningham, Market-street, £20; Michael Gillen, High street, £15; Pat Barry, Knox-street, £15; James Leonard, Chapel-street, £15;——M'Hugh (I don't know his Christian name), Jail-street, £15; John Kearns, Cranmore, £15; Michael O'Beirne, Gallows-hill, £10; cash to Maurice Conry, £3.

6008. You understand that this list is part of the evidence you have already given?—Oh, yes, I understand that.

6009. Do you swear that you gave these men the several sums affixed to their names?—I do.

6010. I want to know, in reference to this money, who called you to the meeting at which it was arranged to divide the money?—I think I got a message from Mr. Tracy, inviting me to the Imperial hotel.

6011. Mr. Tracy was Sergeant Armstrong's agent, I believe?—He was.

6012. Do you remember who brought the message asking you to go to the meeting at the hotel?—I think it was a servant from the hotel that came for me.

6013. Do you remember was the message a verbal one, or was it in writing?—It was a verbal message. I didn't attend to the message at first sent to me, and Mr. Petrie called on me to go down.

6014. Did you know what the meeting was for?—I did. I advised such a meeting.

6015. Why did you advise it?—Because I thought the persons to whom the money was given, expected that such a distribution would take place.

6016. What reason had they to expect that a hundred persons should get money?—They complained that they lost by the election, and had made sacrifices in their trade and business.

6017. Were you of opinion that a hundred persons should be paid?—I wasn't. I disapproved of paying so many persons.

6018. How many persons, in your opinion, should have been paid?—Do you mean in the whole borough?

6019. Yes; you agreed, you know, to pay ninety-seven persons?—I was of opinion that forty persons should be paid.

6020. Is that your opinion?—Yes. I think so. I may be wrong, I may be giving my opinion too hastily; but that was my opinion at the time.

6021. Why did you consider it necessary that forty should be paid for having voted?—At least forty are very poor persons, to whom great temptations were offered on the other side, which they resisted.

6022. And you considered that, having resisted the temptations offered on the one side, they ought to be paid by the other for their votes?—They had no right to be paid; but my opinion was that these forty should be paid, for the reason I gave you.

6023. Do not use the word "right"—You know they could have no such right.

6024. Did not you know these people got the money because they voted for Sergeant Armstrong?—I did.

6025. Did not you know that giving money in that way to electors for their votes was bribery?—I didn't know it then.

6026. Why did you think it was not bribery?—Because there was no inducement held out to them before they had voted.

6027. Was there any sum fixed on, or mentioned as the sum that was to be paid to those men?—There was no sum mentioned.

6028. It was in April the money was distributed?—Yes.

6029. And they voted in the July previously?—Yes.

6030. Do you mean to say you thought it was not bribery to give money to these people for having voted for Sergeant Armstrong?—I didn't think it was.

6031. Did you express any opinion at the meeting in the Imperial hotel to the effect that forty persons should be paid for their votes?—I mightn't have said that number, but I expressed my disapprobation of paying so many.

6032. Why did you express your disapprobation of paying so many?—Because I considered that there were among the number some who didn't deserve any money.

6033. Were not there among the number of ninety-seven, some respectable persons who did not want the money?—There might be some of them, who didn't want money.

6034. Do you mean to say that out of that number there were five aggrieved parties that were in want of money—you do not mean to say you offered him money, the man who appeared here so respectable—do you think Michael Hunt was in want of money?—I had no idea of Michael Hunt's circumstances, but I am aware that before he voted we considered—those acting with me considered it advisable or desirable not to go near him; in fact some of those acting with me on behalf of Sergeant Armstrong advised me to be very cautious in approaching him—that he was a very dangerous man to induce to vote.

6035. You have sworn that you had no conversation with Michael Hunt about money?—Not a sentence.

6036. Nor about his vote?—I recommended him to vote, but I had no conversation with him about money.

6037. Had you any idea at the time of the election that Hunt was to be paid a shilling for his vote—I mean the polling, that I call the election?—I know he expected money.

6038. How did you know he expected money?—He said he had five others; he had four in his own house.

6039. Each of these four have been mentioned, mention the name of the fifth to me now?—He said the fifth was absent at the Point, and had made arrangements that they shouldn't vote until the other returned from the Point, and that they should get £300 for their votes—for the six votes.

6040. Who was the other man?—Michael Gilgallon.

6041. You did not mention him before?—I think I mentioned him.

6042. You did not mention him?—I don't recollect, but James Moran told me that Kilgallon went to the Point—to Ross Point—a bathing place in the neighbourhood, and that before he left, he bound the other five to act in concert with him, that each were not to vote until they should all vote together, and that they should get £300 in notes, in half notes.

6043. Offered by whom?—By Mr. Henry Lyons.

6044. What did he go to the Point for?—I don't know.

6045. You had better come to the point yourself—what did Moran say the other went to the Point for?—Do you mean Kilgallon?

6046. Yes?—I had no conversation with Kilgallon

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Martin Phillips.

at all. He is in the habit of having a lodge there for his family every year—I can't tell whether he had a bathing lodge there or not that year.

6047. What did this man tell you Kilgallon went to the Point for—what connexion had his going to the Point to do with his vote?—I am sure it had something to do with the proceeding—bringing up parties, looking after the voters and bringing them up.

6048. I want you to explain what his going to the Point had to do with his vote?—Some of the parties—voters—are anxious to be pressed, are anxious to make compliments of their votes, and I believe a friend of his, a clergyman of the town, went to him to the Point, and in his company he came to the poll and voted.

6049. Who was the clergyman that went to the Point for him?—The Rev. Mr. Morris.

6050. Do you mean that Kilgallon went to the Point to be out of town, to be pressed to come back?—That was the reason given to me. He may have a lodge there—I am not aware that he had a lodge there at the time.

6051. Do you think he wanted to be waited on at the Point?—I don't know, but I think his motive was to be out of town.

6052. Explain why you believe that Michael Hunt expected money when he voted?—Because Moran took me aside into an adjoining hall, and said "there are five of us here, the sixth, Kilgallon, has gone to the Point. We are bound to him not to vote until he comes back; we are to get £300 for the six votes."

6053. Was that the reason and the only reason you suddenly offered Hunt £20?—It was.

6054. Without communicating with him?—Yes.

6055. As compensation for not having got the fifty?—Yes. That was the only reason—that was my reason.

6056. Were you on good terms with Michael Hunt up to that?—I was on the ordinary terms.

6057. Of neighbours in the town?—Yes. I had no reason to be on bad terms with him. Not an angry word passed between us up to that. He never made use of an offensive observation to myself.

6058. Was there any body by when you offered him the £20?—There wasn't.

6059. Did you get receipts from the men to whom you gave the money?—I took a memorandum of the men who got the money.

6060. Did you get receipts from them?—I took receipts from some of them.

6061. Have you those receipts?—I searched for them, but I couldn't find them.

6062. What was the form of receipt you got from them?—Nothing more than an acknowledgment of having received the money, and the date.

6063. "Received from Martin Phillips the sum of £10," or whatever the sum, was that the form of it?—It was.

6064. Did the receipt state what it was for?—It didn't.

6065. Mr. *Commissioner Byrne.*—Did it strike you as a strange proceeding that the money should be given nine months after the election?—It did'nt.

6066. And you say you didn't consider the giving of the money bribery?—I didn't; and very prudent men of the town who were acting with me at the election, considered that it wasn't bribery.

6067. Did anyone mention its being done at former elections?—I don't remember its being mentioned by anyone.

6068. Was there any talk of its being done on any other occasion, after any other election?—I didn't hear anything of it.

6069. By anyone?—There was some talk or conversation among gentlemen to say that if a similar course had been pursued, if a similar arrangement had been made, on former occasions, Michael Hunt and persons acting like Michael Hunt, could be conciliated. There was an occasion when Mr. John Ball was a candidate for the borough of Sligo. Then I did nothing but give any assistance I could. I only voted. I was not long an elector at the time, It was said and believed that it was owing to a letter sent by six gentlemen and placed before Mr. Ball demanding a large sum of money before the election that he abandoned the town of Sligo.

6070. The *Chief Commissioner.*—Who were the six gentlemen?—Michael Hunt was one.

6071. Was Moran one of them?—I don't know. I can't say. Dominick Hunt was another.

6072. Was M'Grath one of them?—I don't know. I believe James Tighe has a good deal of experience and knowledge of the matter. He recollects the candidature of Mr. Ball, better than I do.

6073. Who else was one of the six?—I don't know anyone else. I should mention that Hugh Conlan knows a great deal about the affairs of our borough.

6074. Are you quite sure you cannot find the receipts you got from the voters to whom you gave the money?—I am. I searched for them.

6075. Did you give them to Mr. Byrne as the person who brought down the money?—I didn't. I gave him a list. I called on him. I showed him a list of names, offering £105. I think I showed him a list of names.

6076. Mr. *Commissioner Bruce.*—Are you the Postmaster of the town?—I am.

6077. How long have you filled that office?—A few days; it is not more than three weeks since my formal appointment.

6078. How, your formal appointment?—I was acting in that capacity, for five weeks before I was appointed.

6079. Then your appointment is only a recent one?—Within the last month.

Mr. *Francis Macdonogh,* Q.C.; sworn and examined.

Mr. Francis Macdonogh.

6080. The *Chief Commissioner.*—You were, I believe, member of the borough of Sligo at one period?—I had that honour.

6081. You contested, I believe, an election with Sergeant Armstrong?—Yes.

6082. And you were on that occasion the defeated candidate?—Yes.

6083. Will you state for the information of the court how soon you went into the field before the election at which you were returned unopposed?—That was my first election?

6084. Yes?—My recollection is that it was July, 1860.

6085. What steps did you take to ensure your return—consulting the feelings of the borough, and the influential gentlemen who were supporters of your politics in town—tell us shortly what you did?—Do you wish it in a narrative form?

6086. If you please?—I came to Sligo, and put myself in communication with the various respectable voters in the town. Another gentleman of very great respectability, Major Ffolliott, was also nominated a candidate. In order to determine to which of the aspirants to the honour of representing the borough the votes of the Conservative portion of the constituency should be given, a meeting was held for the purpose of presenting the two names, and of determining on the choice. Captain Fawcett, a very respectable old gentleman—who is now no more I regret to say—I can't say I am sure of what occurred at the meeting as I wasn't there, but I understand it was resolved that the opinion of the majority was to bind the minority—met me, and, on communicating with me, asked me, "will you consent that, in case Major Ffolliott will be selected by the meeting as the candidate of its choice, you will give him all the aid in your power to secure his return?" "Most certainly," said I; "on condition that should I be selected as the candidate, Major Ffolliott will give me all the aid in his power." Nothing could be fairer, and the choice fell on myself. For some time, I must say, the condition wasn't complied with, for the friends

of Major Ffolliott were not active in supporting me; but on that gallant and honourable gentleman himself coming forward and redeeming faithfully his pledge, he drove about with me, and they one and all adopted my interests, and did all they could in my favour. So matters went on until the evening of the poll.

6087. The *Chief Commissioner.*—The evening of the nomination, I suppose?—Yes, the nomination is preceding. Mr. Tennison, Mr. Somers, and myself were put in nomination. On the evening before the polling Mr. Tennison retired, and the result was that no votes were given for him. I had a hundred odd votes in my favour before two o'clock in the day. Mr. Reilly came forward and polled five votes, I am told, for himself. Ultimately I was declared elected. That is the short history of that election. I have endeavoured to compress it within as narrow a space as possible.

6088. Somers went to the poll also, I believe?—I think not. My recollection is that he did not. I am not sure. I am just informed by a gentleman in court that Mr. Somers polled one vote.

6089. What is the date of the letter inviting you to Sligo?—July, 1860.

6090. What was the whole expenditure of that election to you?—The whole expenditure was about £500—I am not perfectly precise or accurate as regards the figures; I speak entirely from recollection now—and a sum of £850.

6091. Was the £850 given some time after the election?—It was.

6092. When you refer to a sum of between £400 and £500, which you say was the whole expenditure before the election, you mean to convey that was the account sent in to the mayor?—Certainly.

6093. Who was your agent for conducting the election?—Mr. Harloe Phibbs.

6094. And who was your expense agent?—There was then no expense agent as there is now.

6095. Had you any other agent for election expenses, or to whom money was given by you for expenses, except Mr. Harloe Phibbs?—My impression is that it was paid through the election auditor.

6096. Did anyone among the supporters in your behalf, except Mr. Phibbs, ever give any money for your election, or did you, yourself, give any other money, except what you mentioned?—I think not. Mr. Phibbs settled all the accounts, and I paid the money through the election auditor.

6097. You mentioned a sum of £850—the election was in July, 1860—how soon after the election, do you recollect, was it that the £850 was spent?—I can't exactly say. I know I gave it to Mr. Henry Lyons some time in the month of February '61—that's my recollection.

6098. Had you a committee at your election?—I had not.

6099. Have you committee rooms?—I am not quite sure. I rather think that it was so. You know it is nine years ago.

6100. Was Mr. Lyons one of your active supporters at that election?—Yes, certainly he was.

6101. Did you give him the entire of the money by cheque or by draft?—I gave him £800 in notes and £50 then.

6102. Where did you give it to him?—At my residence in Dublin.

6103. On what representations did Mr. Lyons get that money from you?—I should go back a little to tell you the whole of the circumstances. During the progress of the supposed contest Mr. Lyons asked me had I brought any money to Sligo with me. I said I had not, except what would pay my own personal expenses, as I hoped to have a perfectly correct election.

6104. You did not tell him what you brought?—I did not.

6105. What did he then say?—I first said that if money was required I should go to town for it. He then said he would save me the trouble. He wrote on paper 850 in figures, on an envelope, and he asked me to put my initials to it.

6106. Did you put your initials to it?—I did. He then gummed it.

6107. When was that?—In February. I heard no more about it until after the election.

6108. When did you put your initials to the paper?—It was during the period of the supposed contest.

6109. What was it you put your initials to?—He wrote 850 in figures on an envelope, and asked me to put my initials to it. He then gummed the envelope.

6110. Mr. *Commissioner Bruce.*—Was it an I. O. U.?—It was not; it was what I told you.

6111. The *Chief Commissioner.*—What did you understand it meant?—I concluded that it was to be applied to carrying the election. I never asked what it meant, and he never told me.

6112. That is, that the money was to be paid to voters?—I never formed an idea on the subject. Of course if it was necessary to be done I had no objection that it should be done legally and properly.

6113. Did not you understand that, when you put your well-known initials to the paper, it was a promise to give £850 to be disposed of by Mr. Lyons as he thought proper?—I felt myself bound to that extent.

6114. Did you understand that he asked you for your initials as a sort of guarantee?—I don't think he did. Mr. Lyons knew well he could depend on anything I either said or did.

6115. Why, then, did he ask you for your initials?—I don't know; I can't say; I presume it was to remind me of it, or to show that I had done it. That is what I conclude.

6116. Do not you suppose he showed it to a committee or knot of electors?—I don't think he did, or intended to do so, and I will tell you my reason for thinking he didn't, because he gummed the envelope in my presence after putting my initials to it.

6117. Was the envelope what is called a blank envelope?—Yes.

6118. Go on, Mr. Macdonogh, with your narrative?—In the month of February—as I am almost certain, I looked into my bank-book, and I was able to find the sum —— in February I find that £850 must have been drawn out of the bank. Mr. Lyons came to my house and produced the envelope on which I had put my initials. I asked him how much it was, he said £850, and I then handed it to him.

6119. Did he ever give you any account of that money, or of how it was distributed?—Never. I never asked it.

6120. But you believed that he gave or distributed it among the electors?—I did, certainly.

6121. Did it occur to you that he faithfully distributed the money according to the honourable obligations that existed between you and him?—I believed it. I believe Mr. Lyons is a most honourable gentleman, and that he would do what is right.

6122. Mr. Lyons never gave you any return of how the money was expended or distributed?—Never. Indeed I never asked him for it. He gave me this much to say. In a letter to me he said, "Mr. Macdonogh has acted in the most honourable manner; I know no one that has any claim on him."

6123. Mr. *Commissioner Bruce.*—You say that was in the month of February?—Certainly.

6124. The *Chief Commissioner.*—Besides these two sums you mentioned, did you, as member for the borough, subscribe any money, or assist the revision by money?—I did.

6125. State the commencement of that—state for instance, in 1860, what you gave to assist the revision?—I can't say I commenced then to subscribe the annual sum which I subscribed subsequently; but I know I subscribed to the county registry, and to the registry for the borough. I allowed Mr. Wilson £50 a year to watch the registry for me, and I paid that sum punctually—the last payment to him was made after I finally parted from Sligo. I paid other sums for the registry of course. My outlay was very large during the five years I stood for Sligo, and I was the more

generous for this reason—I wanted for future elections that not a penny should be spent improperly. I thought that by generosity and kindness I would have got such a hold on the borough that there would be no contest. I was constantly coming to Sligo whenever it was thought necessary—whenever it was useful for the borough. I subscribed very largely to the various charities in the town—the various members of the different persuasions, Methodist, Presbyterian, and the Church of England, all received very liberal treatment at my hands.

6126. About how much did you give in money as member for the borough?—That I could not answer correctly, but I could approximate to it. I didn't keep an account of it, but this I know, that from the first day of my connexion with Sligo, until I paid all my bills, and all demands on me, I sold out and expended £13,000 of New Three Per Cent. Stock.

6127. Did you spend all that in Sligo?—No, I didn't; but between living in London during the sittings of Parliament, and my expenditure in Sligo, every penny of it was exhausted.

6128. You stated that during that time—between 1860 and 1865—when you were defeated—you were generous, and determined that not a shilling should be spent in bribery?—Yes.

6129. During that time did any elector get any money from you—I mean during the time you were member for the borough?—I think I gave something to a man named Stewart, who, I was informed, had fallen into bad circumstances. He lived, I believe, in Castle-street. I know I headed a list for him, as charity entirely, and not at all in reference to voting.

6130. How much did you head the list with?—Not much—a small sum of £20. When the Presbyterians wrote to me previously I sent down £20; so I went on in that way. I don't think I ever gave money to voters, except in the way I told you to the man Stewart when he was in bad circumstances.

6131. Did you ever lend any money to voters?—I lent a sum of £30 to a person named Gethin, who, I was informed, was also in bad circumstances.

6132. Was his name Edward?—I really don't know.

6133. How soon was that after the election?—I can't say; but I should say it must be a considerable time.

6134. Were you member for the borough at the time?—I think I was a member.

6135. Was it after the £850 was given to Mr. Lyons?—I should say yes. That's my recollection at present.

6136. Did you lend any other money besides what you lent to Gethin?—I lent a sum of £27, £28, or £29 to a man named Kearns.

6137. Was that John Kearns?—That's my recollection.

6138. How long after the election was that?—It was a long time, I think.

6139. Used you receive frequent applications for money from electors while you were member for the borough?—No, indeed. I think not, at least. I could indicate every case.

6140. You mentioned £13,000 as the total amount of your expenditure for the five years you were member, I suppose you meant that as your expenditure *in globo*?—Certainly.

6141. Can you tell us how much of the £13,000 you spent on the borough?—Between the two elections, and my expenditure for the five years I was member for the borough, I should say about £8,000—for the five years and the two elections the sum total of the expenditure was £8,000—that's my belief. I don't venture to assert it positively. It's my belief.

6142. How much per annum would you put down as expenditure—how much, in consequence of your being member for the borough, did you spend on the borough between the two elections?—My travelling expenses were very heavy during that period.

6143. I do not mean personal expenditure?—That's for all.

6144. The question is—they use a phrase in England, "nursing the borough," that is, the member for the borough is obliged to have regard to popularity—is obliged to subscribe to local matters—how much, Mr. Macdonogh, did you spend on the borough in actual subscriptions, including the revision—did you spend £500 a year "nursing the borough; it must be more according to your own calculations?—It must be that at the very least; that's all I can say; but I am sure it must be that at the very least.

6145. I will have to ask you to mention names. It was sworn before us that a man named Mulligan, a voter, got £10 from a man named Rolette, after your unopposed election—do you know that man?—I know a man of that name, he was, I believe a tenant of Mr. Wynne's.

6146. He was described, I think, as a person being in a rent office—do you know anything of that transaction?—Nothing whatever.

6147. It was stated that he was paid, after your election, £10?—I know nothing of it. I know of no human being having received any money, except in the way I described.

6148. Have you seen Mr. Lyons since you came to town?—Yes. I saw him yesterday. I walked down the street with him.

6149. I now come to the election of 1865, which lay between you and Sergeant Armstrong, you were determined to contest the borough against everyone that came?—Most certainly.

6150. I suppose you made preparations in the usual way for contest, by ascertaining the state of the constituency and consulting the most influential voters on the Conservative side?—Yes. I had ascertained, and I was so informed, that we had a majority on the registry, just as I had hoped would be the result.

6151. What majority had you on your calculation—I now direct my attention to the time before Sergeant Armstrong came to Sligo as a candidate?—The calculation was that it couldn't exceed ten, or about ten—I think I am rather under than over the mark. I would rather be under than over it.

6152. Were you calculating the state of the registry with your influential friends?—I did so with my agent.

6153. In calculating what would be your chances at the election of 1865 were you informed by anyone that some of the electors would require to be paid for their votes?—Not then. I heard rumours that they were expecting it always in Sligo.

6154. Always?—So I heard.

6155. I would like you would give a short history of the two elections, for instance, as to your calculations of a majority on the registry, to what you attributed your defeat at the second election—whether promises were broken or the other causes that you think led to your defeat?—I remember when I came down to sligo—I wasn't so long here then as on former occasions—I investigated the state of the registry, in company with Mr. Phibbs; and certainly on paper he had a majority, and if all those who professed Conservative principles came forward and polled I had no doubt of the result. There was no occasion, as I thought, to improperly apply any money, and I was determined to avoid doing so if I could. I naturally expected after five years' connexion with the borough, endeavouring to benefit those of the same views as I did, that they would have adhered to me. One of the causes of my defeat was that a sufficient number of professing Conservatives abstained from voting—if they had voted the result would had been different. There was a majority against me of ten.

6156. I find there were 166 votes for Sergeant Armstrong, and 155 for Mr. Macdonogh?—Yes, a majority of eleven. There was a sufficient number of Conservatives to turn the scale in my favour, if they had voted.

6157. You intimated that you were determined to avoid any improper or illegal expenditure of money?—Yes.

6158. Before the polling day were you informed by anyone that some of the electors required money?—It

was generally discussed that a great many of the opposite party would require payment if they were applied to; and that some of our own party would also require it.

6159. How many, do you think, or did you hear, were corrupt voters?—I don't believe there were many on the Conservative side—not more, I suppose, than ten or fifteen.

6160. Was Mr. Lyons your active supporter in 1865 as he was in 1860?—He was a faithful friend always.

6161. Did he get any money?—He didn't.

6162. You knew he was a supporter of yours, and had canvassed for you?—I doubt that he had canvassed for me—but he was always a supporter of mine and a faithful friend.

6163. Who was your conducting agent in 1865?—Mr. Phibbs.

6164. Through whose hands did the money pass to pay the expenses of that election?—Through the expense agent, Mr. Davis.

6165. What is his Christian name?—Josiah Davis, I believe.

6166. What was your whole expenditure for the election of 1865?—The entire expenditure which I ultimately paid was £905 15*s.* 2*d.*

6167. Were any demands made on you after the election of 1865, similar to what I may call the demands of Mr. Lyons in 1860?—One, and one only was all that was demanded of me.

6168. What was that?—I will tell you exactly.

6169. I wish you to divide the money?—Yes. A sum of £394 16. 5*d.* was returned to the Major; a sum of £20 18*s.* 9*d.* was paid to Mr. Josiah Davis—that made £415 15*s.* 2*d.*; and the sum I ultimately paid to recoup the party was £490, making altogether £905 15*s.* 2*d.* I believe, with the exception of my personal expenses, that is the sum total which that election cost me.

6170. To whom did you give the £490?—On the day before the poll it was ascertained that some of the Conservative party were holding back—they didn't vote against their principle, but one of them said, in the hearing of another gentleman, that I ought to retire, and show the true cause why they wouldn't come forward to vote. I came to the conclusion that they had the power to carry the election, if they had desired to do so. I said to myself, "I'll make it a matter of principle." I came to Sligo determined—and I told my friends so—that I wouldn't spend a single shilling in any improper or illegal manner. In the course of the evening I said to some of my friends, who had been talking the matter over with me, "I will now retire to rest, I won't spend a farthing in any illegal or improper manner, and I will give orders that I shan't be disturbed." I then retired to rest, and, I remember, I gave orders to my servant not to allow any person into my room to disturb me. I was determined that it should be a contest of principle; I knew if I was defeated I had my petition, and, if I prosecuted it, I was certain of the seat. When I was nearly fast asleep my servant awakened me, and said he came to tell me that Mr. Robert Shekleton, the barrister, desired to see me. I said to my servant to show him in. When Mr. Shekleton came in I said to him, "Why disturb me?" he said, "I called on you to tell you I have done an act which I am afraid you may not approve of. I was dining out at a friend's, and came over to see you. At dinner we entered into conversation about the election, I was sent for to go to a meeting of your supporters, and I gave £490 to one of the gentlemen there." "You did a very wrong act," I said, "you did contrary to my directions." Mr. Shekleton, in the course of the day, had said to me, "I have £500 here, and I will be happy to place it at your disposal." "I will have nothing to say to it," I said, "take it home." Nothwithstanding that he came to tell me that he gave this money, "you have done very wrong," I said, "you have embarrassed us very seriously; in fact, the conduct of the election is now taken entirely out of my hands." He said, "I thought it a pity not to do so after all the money you spent." "Where is the gentleman," I asked, "to whom you gave the money?" "The gentleman is gone to make arrangements," he said. "This is a very pretty business," I said; "I not only told you that I wouldn't have anything to do with your money, but I told it to my friends down stairs also." Mr. Shekleton then asked me, should he follow the gentleman to whom he gave the £490? and I said, "I think it's now too late." I heard no more of the matter until our return to town. A few friends said Mr. Shekleton had acted for the best; I said, no doubt, he had; but that it was a very hard case on me—that I couldn't think of preferring a petition, for the purpose of putting a gentleman out of the representation of the borough, when I couldn't put myself in. Very strong representations were made to me to the effect—what a loss it would be to Mr. Shekleton to lose the £490 which he gave for the election? and I said I would take my own time to consider the matter, and repay him. I told that to a mutual friend of ours.

6171. Did you repay the £490 to Mr. Shekleton?—I did; I happened to find amongst my papers the last cheque I sent for the amount.

6172. To whom did Mr. Shekleton say he gave the money?—He told me he gave it to Mr. Charles Sedley.

6173. You may as well give into the Secretary that cheque you say you found, what is the amount of it?—It is for £200.

6174. It is dated January, 1865; it is a cheque on the Bank of Ireland, in favour of R. W. Shekleton, for £200—that was the balance of the £490?—Yes; I had paid £90, and £200, and this was the last cheque I sent to make the £490.

6175. Was Mr. Charles Sedley acting for you at that election?—He acted always as a kind friend of mine; he refused everything like remuneration.

6176. I do not mean that he acted for you as a paid agent—was he one of your zealous supporters?—He was; he was a faithful supporter of mine.

6177. Did you speak to Mr. Sedley at any time after you heard that the £490 was given to him by Mr. Shekleton—when were you told that the money was given to him?—I was told it the evening before the poll.

6178. Did you see Mr. Sedley the following day?—I did, certainly.

6179. Did you see him early in the morning?—No; I think it was about mid day.

6180. Did you then speak to him about this money transaction?—I think that he spoke to me about it.

6181. Where did he speak to you about it?—In this very hall, I think it was.

6182. What did he say to you about it?—He said "I have given none of that money to the Roman Catholics as yet," these are his words, as I remember.

6183. Did he say anything else on that occasion?—I don't remember that he said anything else.

6184. What did you say to that, if you said anything?—"I think you were right," said I.

6185. Were you then in a minority on the poll, or were you neck-and-neck with the Sergeant?—I can't recall to mind just now, but I think we were neck-and-neck; or perhaps I was one or two superior to my opponent.

6186. At all events, it was a very close matter?—I think it was; but I am sure that if the professing Conservatives came forward to vote, there would be, and there were, enough to secure my return—six votes would have done it.

6187. Before you retired to rest the night of which you have been speaking, can you tell me who were the gentlemen who gave it as their opinion that money was necessary for the purpose of carrying the election?—I don't think they were giving an opinion that money was necessary at that moment; we were generally discussing the subject, that so many of the Liberal party would leave the town, I think it was said. I then said I was determined not to spend a single shilling at the election in any illegal or improper way.

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6188. Do you recollect who the gentlemen were that were present with you on that occasion?—A man named Williams was there——

6189. That's Thomas Williams, I suppose?—Yes.

6190. Was Mr. Charles Sedley?—He was. Mr. Hunter, I think, was present; I am nearly certain he was. Mr. Henry Lyons was there, I think.

6191. When these gentlemen were present, and it was stated that so many of the Liberal party would leave town for a consideration, what did you say?—I said I was determined not to spend a shilling improperly or illegally at the election.

6192. Were they present when you said that?—They were present when I categorically said I'd have nothing to say to anything of the species—that this election should be conducted on principle. I announced the same determination of mine to a gentleman who happened to be in another room, and who approved of it.

6193. Do you remember who that gentleman was?—I am not sure who that gentleman was, but my recollection is that it was either Mr. Chism or Mr. Crawford; I am sure it was one or other of them.

6194. When these gentlemen were discussing the matter on that night in your presence, were the names of those who would go away for a consideration mentioned?—I think not.

6195. Was the number of those who were likely to go away for a consideration mentioned?—I am not sure. I understood that six or eight would go away at some time.

6196. What time was it understood they were to go away?—I think not.

6197. Of course, from your having repaid to Mr. Shekleton the £490, you perfectly understood that it was spent on your behalf?—I took it for granted that it was. I assumed it was. I assumed that Mr. Sedley had applied it properly. I never doubted his word.

6198. And of course you perfectly understood that that money was spent on your behalf in the way that was discussed the evening previous?—I can't tell how it was spent; I never asked about it.

6199. Who was the mutual friend on whose representations you repaid the money to Mr. Shekleton?—Shall I mention the name?

6200. If you please.—Mr. Thomas Mostyn, who is now gone.

6201. From first to last, was that all the last election cost you?—It was. There was a small sum of £14 or £15, which I wasn't sure was included in the return, but I find it was returned to the Mayor.

6202. What was that £14 or £15 for?—It was for tickets for out-voters.

6203. In my opinion that would be a perfectly legal payment?—Perfectly legal payment.

6204. Have you any reason to believe that at either of your elections any money was spent, as supplied by any private persons, or as coming out of any public fund?—I am certain there was not.

6205. Was the entire of your expenses paid by yourself, and did the money come from yourself?—Yes, solely; no money was remitted to this town for the purposes of either of my elections from any club or association whatever. I suppose you are referring to money being sent from clubs in England.

6206. I am referring to large sums of money coming from London for election purposes?—I heard it stated that the Carlton Club had assisted my election in that way, but I am sure that not a penny the Carlton or any other Club or association ever supplied me with. I didn't ask them for it, nor did they volunteer to give it to me. I paid everything from myself.

6207. At neither election, I believe, had you any formal committee?—Certainly not.

6208. Who were the gentlemen at your last election who used to meet you in your apartments or in any private room?—I don't know that there was any private room. They sometimes called at my lodgings.

6209. Where were your lodgings?—At Mr. Leech's. They didn't all come together at the one time, but at different periods.

6210. Do you remember who those gentlemen were that used to call on you?—I could hardly recall all their names, but they were prominent supporters of mine.

6211. Was Thomas Williams one of those who so called on you?—I think not; Williams, I think, was away at the time.

6212. Did you then know of any elector at the election between you and Sergeant Armstrong having been given money to avoid voting?—I wasn't informed of it.

6213. Did you ever hear of its being done?—I never heard it.

6214. Do you think it occurred?—I should think it never occurred. I don't know anything of it.

6215. Had you any clue, after the £490 was given by Mr. Shekleton to Mr. Charles Sedley, of the persons to whom it was to be paid, except the observation made by Mr. Sedley, that the Roman Catholics were not to be paid?—I had no clue whatever. But your question reminds me that I saw a list a considerable time after.

6216. How long after did you see it?—It was a few months, I suppose. It was in pencil.

6217. Where was it you saw it?—I think it was either Mr. Shekleton or Mr. Sedley showed it to me.

6218. I was supposing something of the kind was done. Was it in Dublin you saw that list?—Yes, it was.

6219. That list, I suppose, contained the names of the persons to whom money was given, and the sums given to each?—It contained the names, not the sums.

6220. How many names were on that list?—I should be only guessing. I don't exactly recollect.

6221. Go as near as you can to the number?—I suppose between thirteen and fourteen; but that is only a guess.

6222. Did that list purport to represent the names of the voters among whom the £490 had been distributed?—It did, or a portion of it.

6223. In whose handwriting was the list?—I think it was in Mr. Sedley's handwriting. My recollection is that; but I am not positive in whose handwriting.

6224. I am not now asking you about what passed between you and Mr. Mostyn. Tell me when Mr. Shekleton showed you the list; was it after Mr. Mostyn had spoken to you about him, do you recollect?—I think it was before he spoke to me; but I am not certain of it. I am inclined to think that Mr. Shekleton said he asked for the list to satisfy himself.

6225. Did Mr. Shekleton give you any explanation as to why he brought down the £490 to Mr. Sedley?—I never asked him for any explanation, and he never gave me one.

6226. He couldn't have thought, I suppose, that you wanted the £490 or £500?—He never told me why he brought it down to him. I should mention that one of the observations made by Mr. Mostyn to me was, that the money wasn't Mr. Shekleton's own, that it was the money of another person, and that it would be a hardship for him to lose it.

6227. Did Mr. Mostyn mention whose the money was?—Yes; he said it was Mr. Shekleton's father's, for whom he was receiving rent.

6228. Can you fix the last date when you paid election expenses?—That was the last payment I ever made in connexion with Sligo.

6229. Mr. *Commissioner Byrne.*—You stated, that in the discussion at the meeting held before the election of 1865, it was stated that expectations were always entertained by some of the voters of Sligo, to the effect that they should get money to avoid voting—do you remember that?—I don't think I said it was at that meeting I heard it; I heard it at some time, I know.

6230. Have you any recollection who were present when that was mentioned?—I think it must have

been some one of the gentlemen I named, or more of them. If I heard it at that meeting, they were all present.

6231. Was Mr. Harloe Phibbs present at the meeting?—Certainly not at that meeting.

6232. Was Mr. Pollock present at it?—He wasn't. I think not.

6233. Did either Mr. Phibbs or Mr. Pollock mention to you anything of that fact—that there was a class of voters for the borough who expected to get money?—Mr. Pollock didn't, I am sure. I had very little communication with Mr. Pollock at that election.

6234. Did Mr. Phibbs mention it, do you remember?—I think that in 1860 Mr. Phibbs said there were people who required money, and that they were chiefly on the other side.

6235. Did he ever ask you to give money in that way?—Never.

6236. Was Mr. Lyons the Mayor of the town in 1860?—I think he was. I am not quite sure; but that's my recollection.

6237. In 1865 it was Mr. William Abbott Woods?—Yes.

6238. Mr. *Commissioner Bruce.*—Could you give us approximately—we couldn't expect you to do so accurately—as to the amount of £8,000 which you said was expended in connexion with your candidature for Sligo? how much of that sum of £8,000 was spent on contributions to charitable or public bodies—you must certainly have kept some account of that?—I am sure I kept no account of anything of the kind. I came to the town at great expense. There were individual cases of distress which were from time to time brought under my notice, and these I occasionally relieved. To give an illustration—there was the case of a man, once in respectable circumstances, against whom Dr. Ferguson brought an action. The case, after being fully heard, was about to go to the jury, when I heard of it. I was very anxious to save the character of the borough of Sligo. Before Chief Justice Monahan, who tried the case, charged the jury, I said, "Let it be settled; I will give £20 towards the expenses," and I followed it by a cheque for that amount. That saved the man from annoyance. Another man, I remember, came to me one day, crying, and said he owed a bill of costs to Mr. Sedley, which he couldn't pay. I paid the costs, and he was saved from further annoyance in the matter. These are merely illustrations of others of a similar class.

6239. I am not referring to that species of charity at all, I am speaking of donations and contributions towards public institutions; for instance, churches, chapels, and the like?—I will tell you how I acted. If I went to a Presbyterian place of worship I put £5 on the plate; if the Independents required aid, I gave a sum of money to the respected head of that body; and so on; but I kept no account of these sums. I always thought that if I were acting generously and kindly towards all, they would stick to me when I'd require their assistance.

6240. You gave donations to all the religious bodies in the town?—Yes, with one exception—the Roman Catholic. I chiefly gave my donations to the Protestant and Conservative bodies. The Roman Catholics didn't apply to me, though I was anxious to go among them, and make acquaintance with them, and to make friends with them. Some of my friends said, however, that if I extended any countenance in that way to the other side I would forfeit the favour of many of my most influential supporters.

6241. You have spoken of the expectations of voters with regard to getting money, can you tell me is it your present idea that they expected they should be paid by the winning side after the election?—I can't say that it was at all limited to the one side or the other. I think, as far as I recollect, that it was merely a rumour in the town. I had no opportunity of knowing whether there was any truth in it or not.

6242. Do you remember if a voter ever asked you for a loan of any money?—I have no recollection of any voter ever asking me for a loan of any kind.

6243. You know, I suppose, that the £850 of which you spoke was applied after the election in the payment of persons who had voted for you?—I infer that it was so applied.

6244. You know that no application for money was made to you after your last election?—I wasn't asked for money either before or after either of my elections. I believe that those among the Conservatives who expected money were very few indeed, if any.

6245. I have the registry of 1865 before me, could you tell me what was the majority you calculated on paper before the election that year?—My memory is that it was ten.

6246. I see that there are 388 voters on the list?—Remember I made my calculations from what I was told by others, and I took everything *cum grano salis.* I took those who professed to be Conservatives, and made my calculations from what I heard; but I limited my views by good sense, and I took my estimate rather under than over. I entertain no doubt whatever that, if those who abstained from voting had voted, the result would have been different.

6247. The *Chief Commissioner.*—Had you any information that any of the Conservatives who abstained from voting did so from mercenary motives, or because they were bribed not to vote?—I never heard that they were bribed.

6248. Had you any information that any of them abstained from voting in the hope that some of your friends would give them something?—As to whether they abstained from voting in the hope that they would get something from my friends, that's another matter.

6249. In how many cases do you suppose that was done?—They were very few—not more than four, I suppose. I don't exactly know how many cases of that kind there were.

6250. Do you know of any person who could give us information as to who these four were?—I do not, indeed.

6251. You heard that the number was about four?—I didn't hear it; it was only my own suspicion.

6252. Your suspicion; from what you saw going on?—Yes, from the hanging-back of voters, as you understand.

6253. Mr. *Commissioner Bruce.*—You say you calculated on a majority of ten at your election of '65?—Yes.

6254. That in a constituency of 388 would give you about 200 votes?—Yes.

6255. How long before the close of the poll did you calculate on some of them holding back?—Not until I saw it with my own eyes.

6256. How long before the close of the poll had you a suspicion that they would hold back?—The day previous I had a suspicion that they would do so.

6257. What caused your suspicion?—A very respectable gentleman said to one of the voters who hesitated about voting, "Don't vote for Mr. Macdonogh. Didn't you vote for him before, and he didn't do anything for the borough. I think I'd advise him to retire and show the true cause."

6258. The *Chief Commissioner.*—Who was it said that?—Mr. Charles Sedley.

6259. And who was the voter to whom he expressed himself in that way?—Mr. Stokes.

6260. Mr. Stokes the saddler?—Yes.

6261. Mr. *Commissioner Bruce.*—Had Mr. Stokes pledged his vote to you?—He had voted for me on the former occasion. He was a Conservative, and he gave no reason for me to doubt that he would vote for me.

6262. I suppose you canvassed him in the usual way; you had been in his house?—I did. I was in the house that day. I took it for granted that the men who supported me before would do so again.

6263. The *Chief Commissioner.*—Did you infer from Stokes' manner that he wanted money for his wife?—Do you wish me to answer?

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Mr. Francis Macdonogh.

6264. I do?—My impression was certainly that. I hope I am doing that gentleman no injustice.

6265. It is part of the history of the election?—On that day I did not conclude my inference. I did on the next day.

6266. Did a word pass between you and Stokes on the subject of money?—Not a word; he never asked me for money—no voter ever did ask me for money.

6267. Mr. *Commissioner Byrne.*—What circumstance was there that you remember, to increase that impression on your mind in reference to Stokes?—I again asked him to come up to vote, he said, "Lord Palmerston is my landlord, I will suffer if I do," I said, "You will not suffer." I said I had written to that noble lord, and that I had received a very kind answer from his lordship to the effect that he wouldn't force any of his tenants to vote, but that he couldn't ask them to vote for me. I had received information that his lordship's agents were interfering actively on behalf of the Liberal candidate, and I accordingly wrote to Lord Palmerston and received the kind answer I have mentioned. I showed Mr. Stokes that Lord Palmerston was a gentleman incapable of pressing his tenants in their votes. That apology was, however, put by, and Mr. Stokes stood at his door the greater portion of the day. He didn't leave the town, he was ready, he was there, but he didn't vote.

6268. The *Chief Commissioner.*—As an advertisement?—You reached the thing immediately.

6269. Mr. *Commissioner Bruce.*—You canvassed both on the day before the poll and on the day of the poll other Conservatives who you had reason to suppose would support you, but who abstained from voting—could you give the names of any of those besides Mr. Stokes?—I canvassed Mr. John Lyons, and he resolutely said he wouldn't vote against me, but—though he supported me before—wouldn't come up to vote, that I should go to my other friends. I certainly was very unhappy. I spent an hour endeavouring to induce him and his wife to give me his vote.

6270. For whom did he vote subsequently?—I rather think he did vote for me afterwards, later in the day, but he held back in the earlier part of it. That is merely an illustration of how some professing Conservatives held back.

6271. The *Chief Commissioner.*—Were there any other electors you would place in the same category as Stokes?—There was a very poor man, a tenant of John Lyons's, as well as I can recollect.

6272. What was his name?—As I remember, it was Armstrong, he was a shoemaker.

6273. Of Ballytureen?—No. I am told by a gentleman in court that the name is Atkinson.

6274. John Atkinson, of John-street?—Yes, that's the person. He held back and wouldn't promise to vote for me.

6275. Did he subsequently vote for you?—I believed he voted against me, he certainly refused to vote for me.

6276. Mr. *Commissioner Bruce.*—The impression on your mind was that he was holding back for money?—Yes, clearly.

6277. The *Chief Commissioner.*—What was his conduct when you canvassed him?—It was of that character that it led me to the impression that he wanted to be paid.

6278. Would you place anyone else in the same category with Stokes and Atkinson?—I think there was a person living in Knox-street, who kept a flour establishment.

6279. Did he vote for you at your first election?—Yes, he voted for me, at my first election. His name I understand is Blair.

6280. That is George Blair, of Knox-street?—Yes. He voted for me on my first election.

6281. Did he hang back on the second?—I am told he voted against me on that occasion.

6282. What did he say when you canvassed him?—He gave a plain intimation to me.

6283. He did not say, I suppose, "Give me £60"?—No, he said it was very troublesome to vote.

6284. Did you understand, not from any of these, for of course they wouldn't speak to a candidate on the subject, what was to be the figure?—I didn't. I always abstained from holding any conversation on the subject. I never was applied to by a voter for money. I have been applied to for charity.

6285. When you were applied to for charity before the election did you always give money?—No. I did not. When I was applied to to relieve cases of distress it was generally certified from authoritative sources that the person so applying was really in distress—whether a voter or not.

6286. Was there anyone else you would place in the same category with Stokes, Atkinson, and Blair?—I really think not. I can't bring to my memory another person.

6287. Mr. *Commissioner Bruce.*—Did any Liberal vote for you at the election of 1865?—I believe not. I won't undertake to say that positively, but I think not.

6288. The *Chief Commissioner.*—Have you any reason to believe, or can you give the Court any information, about any sum spent illegally at either of your elections, besides the sums you have mentioned?—Positively not.

6289. Had you any reason to believe that any other sums were so spent?—My belief was that there were not, as I wasn't applied to recoup anything. I was never applied to for money, and I presume that if any kind friend had expended any money for me he would certainly have applied for it to me.

6290. Mr. *Commissioner Bruce.*—When you first went to the borough I suppose you went to consult some of the most influential voters?—Yes. I applied to the most respectable persons; and I applied to Mr. Kernaghan, of the respectable firm of solicitors—Messrs. Kernaghan and Saunders—at both of my elections. I should say Mr. Kernaghan was not at the last, it was his partner, Mr. Saunders. Then I had Mr. Harloe Phibbs as my conducting agent, and he pointed out to me the persons who should be employed in a subordinate capacity. I went to Captain Fawcett, and that respectable gentleman acted in accordance with the tenor of his life.

6291. Did you at any time hear from any of your supporters or friends that any money was expected by voters in the elections before your first—take for example, the election of 1859 or 1857?—I don't remember the names of the candidates at these elections—if I did I may be able to tell you.

6292. The *Chief Commissioner.*—In 1859 the Right Hon. John Wynne was the successful candidate, and in 1857 Mr. Somers beat Mr. Wynne, but he was unseated on petition.

6293. Mr. *Commissioner Bruce.*—We will go to the election of 1859—did you hear that money was expended on votes at that election?—I never heard a word of the election of '59.

6294. Did you hear that money was expected by voters in the election for 1857?—I heard nothing of it.

6295. The *Chief Commissioner.*—That was the election at which it was alleged that the poll-books were tampered with?—I remember hearing of it.

6296. Mr. *Commissioner Bruce.*—You heard nothing of the 1859 election?—That was malversation, I believe, of a different character.

6297. The *Chief Commissioner.*—Have you any reason to believe that there was on either side in the 1857 election any corrupt expenditure of money?—I am sure that there wasn't any on the part of Mr. Wynne.

6298. It has been stated that Mr. Wynne was determined not to spend much money at that election, and that Mr. Somers was not in a condition to spend it?—I have no reason to believe that Mr. Somers did so expend money; I know nothing about it.

6299. Mr. *Commissioner Bruce.*—Do you include your travelling expenses in the £8,000?—Certainly, my travelling expenses were very heavy. I used to post from town to town—at that time there were no railways as there are now—I used sleep at Longford and then post on, and I used to stop at Enniskillen and

post on from that. I never refused to come down when I was asked—both in frost and snow; I never refused to go to London to present, when asked, petitions of no great consequence sometimes—so that my travelling expenses were enormous.

6300. You could not give us any approximation of the sums spent in public as separate from the sums expended in private charities?—I couldn't. If I did so I would be only guessing in the wildest possible manner.

6301. Had you an account at any of the banks in this town?—My bankers are the Bank of Ireland, and the branch bank here had some money of mine for some time, but I think it wasn't continued.

6302. The *Chief Commissioner*—But I suppose it would have honoured any cheque of yours here?—Certainly, it would.

6303. You held no separate account here?—Occasionally there were some small lodgements made by me.

6304. Was that at your first election?—Yes; but they were for my own personal expenses, and were entirely confined to that. I had an account in the Bank of Ireland for the new three per cent. stock.

6305. Mr. *Commissioner Bruce.*—You didn't keep any separate cheque-book for Sligo?—Certainly not. All my cheque-books are accurate; every penny I expended I can authenticate.

6306. On an examination of your cheque-books, would not you be able to give any further information as regards how much of your expenditure was public, and how much was private?—Certainly not. Positively not.

A man stood up in the side box and said—"A Mr. Gethens has been mentioned as having given money to a person. I wish to say I never had any communication with that person at all."

Mr. *Macdonogh.*—I do not know this gentleman at all. I am told this gentleman's name is Edward Gethens. I am informed the name of the other is Williams.

The *Chief Commissioner.*—This gentleman can be examined if it is necessary. With respect to the evidence of Michael Rooney, the manager of the Ulster Bank produces now the original draft upon the Ulster Banking Company, Dublin, 12th of February, 1868—"Wanted, a draft on demand on the Ulster Bank for the sum of £12 in favour of Michael Rooney, Sligo. Thomas B. Hignell."

Mr. *Sergeant Armstrong* recalled and re-examined.

6307. The *Chief Commissioner.*—Yesterday you excluded from the expenditure of £2,200 the sums you mentioned for charity and as subscriptions as member for the borough. I ask you for convenience how much do you recollect you spent on the borough between 1865 and 1868, including public and private charity, subscriptions for races, regattas, and other popular sports, &c.?—Am I to include my expenses in London and travelling to London?

6308. I do not require that at all. I merely want how much money you spent on the borough—how much the people here got of your money, either in charity or in public subscriptions?—Well, I declare it must be very much a guess, but I think I can go near it. I would rather be under than over. I think not more than £250 probably.

6309. For the whole three years?—I think so; or say £300.

6310. Was that all you spent in addition to the £2,200 in consequence of your holding the position of member for Sligo?—Exclusive of the necessary expenses of going to London and coming back, I had very little travelling; I was not able to be away, nor to be here as often as I could wish, and when I did travel I went on Bianconi's car. I wish to say that one thing entirely escaped my recollection. My subscription to the registry, that is a matter that I should have included. It is only by seeing Mr. M'Kniffe, the association of ideas has brought it to my mind. Before I announced myself as a candidate here at all I felt my way a little. I found it necessary to have the registry attended to, and I requested Mr. M'Kniffe to have the matter attended to, and to his exertions I mainly owed my success, and I feel very grateful for it. He received from me, and never demanded more, and always appeared to be perfectly satisfied with the very small and insufficient remuneration of £30, or twenty guineas a year. It was a merely nominal thing, for he acted as a staunch friend.

6311. Mr. *Commissioner Bruce.*—Is that amount included in the sums you have mentioned, the £2,200 and the £300?—No, it would be exclusive, say £300, otherwise it would be exclusive. I paid altogether to him only £100 as my subscription to the registry. In fact I did not pay him for the last year; having got into bad health, I did not see him until I saw him here. That is all I ever gave him, and he never made a demand on me for more. I just gave him a cheque for that.

6312. Were there any other registry expenses, or if there were, were they included in that £2,200?—There were no other registry expenses. I never knew of any. I never heard of any Liberal club, or anything of that sort, but they were kind enough to attend to the matter for me for that merely nominal sum.

Mr. *Henry Lyons* sworn and examined.

6313. The *Chief Commissioner.*—Are you in business in Sligo?—Not now. I have been in business for thirty years and more.

6314. How long have you been living in Sligo?—About thirty-five years.

6315. Were you Mayor in 1860?—In 1859, I think, as well as I remember.

6316. Have you been Mayor more than once?—Yes, since then again.

6317. Did you get, as Mr. Macdonogh has stated, a sum of £850 from him?—Yes.

6318. Had you been his supporter?—Yes.

6319. Who proposed him?—I declare I do not know.

6320. You were neither proposer nor seconder?—No.

6321. You got from him the initials for the £850?—Yes, I think I did. I heard him say so. I think it is quite correct. I do not remember that I got it, but I think it is quite correct. I am sure it is.

6322. Why did you get from him his initials to the £850?—Well, he had no money, as he stated, coming to Sligo—he was not provided with money sufficient, and I was spoken to by a friend of mine, whom I may name, Mr. Monds.

6323. What is his Christian name?—Moses—Moses Monds. He said if I would draw on him for £800 and get it discounted I would largely assist in the return of Mr. Macdonogh, as it might be wanted, and he had brought no money. He was afraid to go to the Bank himself. He did not like to give a cheque lest it might be seen at election times for such a purpose, and might get abroad——

6324. For what purpose?—For the purpose of assisting the election.

6325. For what purpose?—I suppose for the purpose of preparing people for voting.

6326. Was it for the purpose of giving money to men to vote for him?—I think that was the ultimate object of it, not at that time.

6327. When you say you "think" that was the ultimate object, have you any doubt of it?—Well, I have not a doubt of it.

6328. Why do not you say so?—Well, I do say so. I think so.

6329. Did you and Mr. Monds draw the bill?—Yes. He gave me his acceptance and I put it into the bank.

6330. You were the drawer and Moses Monds the acceptor?—Yes. These are the facts of the case.

6331. Into what Bank did you put the bill?—Into the Bank of Ireland.

6332. Of course you got the money less the usual discount?—I do not know what the discount was. The money was given out. I did not myself use a penny of the money.

6333. You went to the bank?—Yes.

6334. And got the money from the bank?—I did. I don't know whether I got that sum or gave a cheque to Mr. Monds.

6335. Did you not bring the bill to the bank to get it cashed?—Certainly.

6336. Did you not then get the whole money from the Bank of Ireland?—No, they put it to my credit. I had a current account always in the bank.

6337. And they placed that bill to your credit?—Exactly.

6338. To whom did you give that money?—Well, I gave it to three or four parties in town.

6339. Have those three or four parties any names?—Mr. Monds was one ——

6340. How much did he get?—I cannot tell—perhaps £180 or £200, or £250. I do not know exactly what it was.

6341. Who was the next man you gave money to?—Well, I think I gave some to Mr. Charles Sedley.

6342. When you say you think, have you any doubt on the subject?—No.

6343. Then don't use the word "think." You gave some to Charles Sedley?—Yes.

6344. Who else?—A brother of my own, who is dead; and I do not know myself personally how it went, but I think I sent some to Mr. Thomas Williams; I don't know; I think I did. There was a confidential person. That is my explanation of the matter.

6345. A confidential person?—Yes; I am just telling you the truth——

6346. What day was it you drew the bill?—I do not know what day it was.

6347. I mean with respect to the polling. Was it before the polling day?—Oh, I think it was; I am sure it was; I would not be sure, but I think it was.

6348. How long before the polling?—Really I don't know. It might be a month, or it might be more, or it might be less; I really don't know.

6349. Will your account at the Bank of Ireland show how you chequed off that money?—Well, I really don't know; I know the book will show the amount to my credit at a certain date, and any drafts perhaps; but I don't know, for my drafts were numerous in the way of business transactions, and I made no separate account of it.

6350. But could you not now perfectly identify the £850 as it went through the books of the bank?—Well, I don't think I could myself.

6351. There were only four persons to whom it was paid?—Yes, it was paid amongst the four persons.

6352. Could you not, by looking at the cheques and the dates in the bank book, identify every shilling of that money?—Well, I really don't know whether I could or not.

6353. You will try to do so?—I will do everything I can and that you wish me to do in the matter to give you information.

6354. Have you any list of the persons to whom the money was distributed?—Oh, no; I knew no more of it personally than to give it to those parties.

6355. Did you tell Mr. Macdonogh afterwards that you had raised this money for him?—Oh, I think I did; I think he must have known it. I don't know whether he did or not. I don't know if I told him; I cannot charge my memory, but I think he must have known it.

6356. Now, did you not know this money was to be spent in bribery—that is a short question?—I did not expect anything else.

6357. Had you any consultation with Mr. Monds as to how much money it was necessary to raise to carry the election?—No, I do not think I had. It was mentioned to me £800, to draw for.

6358. Who told you to draw the bill?—I think Mr. Monds suggested to get a bill; that Mr. Macdonogh did not bring cash, and was afraid to cheque on the bank for money or send to Dublin; that it might be found out, or something of that kind. I think that was the way.

6359. Do you mean to say that Mr. Monds told you Mr. Macdonogh had said that to him?—I don't know whether he did or not.

6360. Repeat your answer—about being found out?—Well, I think Mr. Macdonogh said to myself that he had no money with him—and that he would not like to cheque on the bank here; and that he would have to go to Dublin for it to get it out—he said that I think to myself.

6361. Did you tell Mr. Macdonogh or intimate to him what the money was for?—Did I tell him—well, I declare I don't know what I told him. I don't know whether I told him or not.

6362. Did you know yourself what the money was for?—I had no doubt of that—I said so before.

6363. Did you intimate to Mr. Macdonogh for what you got the money?—I do not mind that at all—only that the money was wanted.

6364. Did you ask Mr. Macdonogh for the £800?—No. I never asked it. Mr. Monds I believe asked him.

6365. He asked him for £800?—I don't know whether he did or not, I believe he did; but it was mentioned that that amount was wanted, and accordingly I drew.

6366. Did you tell Mr. Macdonogh you were going to raise money?—I don't know whether I told him I was going to raise money or not—perhaps I did, but I could not charge my memory with it.

6367. Why did you get from him his initials?—I got his initials merely as an acknowledgement that the money was given him—that the money was getting for him—that is the real fact.

6368. Was there any Committee then?—No, not that I knew of.

6369. Did Mr. Monds ever show you any list of voters?—Not that I remember.

6370. Had you then calculated with others how much money was required to carry the election?—No. I don't think he ever entered into such a calculation.

6371. How was the £850 fixed on—was it mere chance?—So far as I was concerned that sum was mentioned to me as likely to be wanted, and I drew a bill for that, and cashed it, and that is all I know about it.

6372. How many months was the bill to run?—Three months.

6373. When it came to maturity was it renewed?—I do not know whether it was renewed or not.

6374. I suppose the books of the bank will show?—I really don't know. I don't know whether it was renewed or not. Perhaps it was renewed. I cannot charge my memory—I suppose it will be seen in the bank book.

6375. Do you remember getting the money afterwards from Mr. Macdonogh?—Perfectly well.

6376. How long after the election?—In February or March—in the spring of the year, some time after the meeting of Parliament.

6377. Were you aware of any law about twenty-one days after the meeting of Parliament?—No, I am not.

6378. Did you ever hear of it?—I don't know.

6379. Did you ever hear there was a time within which to present a petition?—Yes, I heard that.

6380. You are old at electioneering—what is the time now?—I really am not sure—fourteen or twenty-one days—but I could not tell at the present moment.

6381. You could not tell?—I could not tell, but Mr. Macdonogh must know very well, and I suppose he would not give me the money until after that time would be up.

6382. Was not that your idea in going up after the meeting of Parliament?—I went up, as I said to get it, that is the fact.

6383. Was not that your idea in not getting the money until after the twenty-one days?—I supposed I would not get it. I did not know it required twenty-one days, but I knew it required some time after the meeting of Parliament.

6384. You went up to Mr. Macdonogh?—Yes.

6385. What did you say to Mr. Macdonogh?—Oh, I did not say a word. I believe he knew what I came for. I was sitting in the room and he came in, in a few minutes and paid me the money.

6386. Was it paid in notes to you?—It was.

6387. Not by cheque or draft?—No.

6388. Large notes?—Large notes.

6389. Hundred pound notes?—Yes, hundred-pound and a fifty.

6390. The bill was only for £800?—Eight hundred.

6391. What was the odd fifty for?—Well, contingencies I suppose. I don't know—perhaps it was for interest, and there were some other things to be paid afterwards, £25 and £10, and other matters. I believe I lost the interest by the transaction.

6392. You believe you lost by it?—I believe I did.

6393. People generally do lose by these transactions. You lost money?—Well, I did not make money. I never did by politics. I lost hundreds beside that.

6394. Are you under the impression you did not get the whole of the expenditure?—I do not think I did.

6395. Within how much?—I do not know.

6396. Within £10 or £20?—I never went into particulars about it.

6397. At the time you got the £850 had you any money to pay?—Well, I do not think there was. I paid no money.

6398. What did you do with the £850?—I put it to my credit, where it was before I gave it to him.

6399. Then in all probability the bank book will show that the bill was put to your debit when it reached maturity?—I think it would be put to my debit—it is the usual course.

6400. Do you mean to say you cannot give the Commissioners any information as to what voters of Mr. Macdonogh's got this money?—Well, I can assure you on my oath that I never, I think, called on a voter or asked him during the time of the election to vote or not to vote for Mr. Macdonogh, to the best of my knowledge.

6401. That is not an answer—you are an intelligent man?—Well, I do not know personally.

6402. Personally will not do. Who did you hear got the money?—Oh, I heard a report of several.

6403. Who was reported to have got the £850?—Indeed I do not know who got the £850.

6404. I do not ask you who you know. You did not see it paid to the voters?—Certainly not.

6405. Who did you hear got it?—Some of them are dead—it is some time ago.

6406. First remember the living?—Several of our supporters. There was one man I heard got it and he was not satisfied. That is what I heard passing. I heard that people were not satisfied, and were making a shout about it.

6407. Who were the unsatisfied men?—One man I heard was James Wallace, of Knox-street; another was James Johnston, of High-street.

6408. How much did he get?—I do not know; but I knew afterwards what he got to quiet him. He got my poor brother to take a bill from him for £25 to keep him from giving any annoyance, and when the bill was not lifted, he lifted it, and turned round on me to ask me to pay it. That is the way part of the £50 went. There was £25; I paid it.

6409. You paid the £25, and he got the £25 bill?—I have the bill by me still. I have his acceptance by me still.

6410. I will ask you to produce it?—I will give it to you. I think I have the old bill still, if I am not mistaken.

6411. Then James Johnston got £50 altogether?—I do not know what he got. He got that £25. I paid it to quiet him. I did not want Mr. Macdonogh to pay that then. I thought he had paid quite enough, and should not be annoyed.

6412. Are you that £25 out of pocket?—I am certainly—and more than that.

6413. That £25 was paid to the man only to quiet him?—Yes.

6414. And you have never been repaid it?—I never got a penny of it from Mr. Macdonogh, or from any other person. Nor did I ever ask Mr. Macdonogh for it.

6415. Did James Johnston get anything before the polling day?—Oh, I do not know when he got it, or what time he got it.

6416. Did you hear that half notes were going then?—No, I did not.

6417. How much did James Wallace get?—I do not know myself.

6418. Who paid him?—I think it was Mr. Monds—that is what I heard. I, being a friend, I heard it in that way. I heard he was dissatisfied, and that Mr. Monds paid him very well, as far as I understood.

6419. Do you know George Blair?—I know there is such a man.

6420. Did you hear he was paid?—I do not think I did.

6421. Do you know John Burke?—I do.

6422. Do you know whether he was paid?—I do not know anything about it.

6423. Did Samuel Gilmor get money?—I think I heard his name mentioned.

6424. When you say you think are you not perfectly certain?—Well, as far as my memory goes, but I could not swear.

6425. I do not want you to swear to precise sums paid, but I want any information you can give from what your brother or anybody else told you, as to voters being bribed?—Well, I could hardly swear that I heard Samuel Gilmor's name. I might have heard it, but I cannot swear.

6426. Thomas Graham?—I think I heard his name mentioned.

6427. For how much?—I do not know, nor who paid him.

6428. Alexander Jackson?—I think I heard his name mentioned, but I do not know what he got or who paid him.

6429. James Kerr?—I think his name was mentioned as one of the lot.

6430. Henry Mulligan?—Yes. I think I heard him mentioned.

6431. How much did he get?—Well, I believe, as far as I was concerned he got £10 out of the bank. It was Rowlett who paid this business for me. He takes up rents for me. He had a house from Mr. Wynne, and I think Rowlett got £10 from me to pay his rent—to pay Henry Mulligan's rent.

6432. When did you give Rowlett the £10?—It was perhaps a year after. I don't know how long after.

6433. A year after?—I don't know what time it was. He came to settle rent. He takes up rent for me, and I do not know whether I gave him the money or he stopped ten pounds from me.

6434. Is Rowlett still in your employment?—He is. If he is summoned here he will tell you exactly.

6435. Did you give him any other money?—Yes, I think I did; two or three tenants which I had forgotten altogether until Mr. Rowlett brought it to my

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memory. I believe it when he says it, but I did not remember it good or bad. He said he gave it to three of Mr. Wynne's tenants.

6436. Who are the three?—Henry Mulligan was one, and M'Donnell.

6437. Did he get £10 too?—Yes, Rowlett told me so. I had really forgotten it. I did not know what the three ten pounds were given for at the time. I did not know whether it was for municipal purposes it was given or for any other purpose. I did not really know, nor can I positively say for what purpose, whether it was for the borough election or for the municipal election.

6438. Did any other moneys pass through your hands in a similar way to this at Mr. Macdonogh's election in 1860?—No, not that I know.

6439. Did you ever give any money to voters yourself?—I think not.

6440. You think not?—I don't believe I did.

6441. The four gentlemen you named, to whom you distributed money, were all electors?—Yes, they were.

6442. Did you not give all this money before the polling day?—Oh, I think so.

6443. Are you certain you did so?—As far as my memory can bring me back I believe I did.

6444. As far as your memory and intelligence can go you did?—My intelligence is not getting brighter. I am getting older, and I find my memory is not as good as it was twenty years ago.

6445. You gave the money, as far as you can remember, before the polling day?—I did, decidedly.

6446. How long before the polling day?—I do not know. It might be three or four days, or a week. I cannot tell.

6447. At all events it was during the excitement of the election before the polling came on?—Yes, I think so.

6448. Do you know the constituency well?—Well, middling, perhaps. I never went much through them. I don't believe even in that election I went to the tenants to whom I let my houses to ask for a vote. I knew them by observation and that sort of thing.

6449. Did you understand that the £800 you raised in this way was to be given to the Conservatives who were hanging back, or to the Liberal party who otherwise would be disposed to vote for Somers or Tennison?—I do not recollect what it was given for. It was to be used at the discretion of the parties, in my opinion.

6450. You mentioned nine names, did they not always belong to the Conservative party?—I thought Blair acted with the Liberal party.

6451. With that exception?—I think so.

6452. Henry Mulligan?—He always voted with the Conservative party, although he was a Roman Catholic. Mr. Wynne was his landlord, and he always voted with him.

6453. Did you distribute any money at the election between Mr. Macdonogh and Sergeant Armstrong?—No, I think not.

6454. You think not?—Yes, there was one sum—no, it was afterwards.

6455. Afterwards?—Yes, one sum.

6456. How much?—Well, it was a large one for one man to get; it was £40.

6457. Who got that?—Wallace.

6458. James Wallace?—The very same man. That was the only money I distributed during that election—James Wallace £40. He got that certainly.

6459. Was that rather a high figure for him?—He said he was getting it from the others, and it was no use——

6460. When did you give James Wallace the £40?—Some time afterwards. I gave it from my own money out of my own desk.

6461. How long after the election?—I do not know whether a week or ten days; it was shortly after.

6462. Had you canvassed Wallace?—Well, I did call on him.

6463. I thought you said you did not take an active part?—That is not the last election.

6464. I beg your pardon. Were you canvassing then for Mr. Macdonogh against Sergeant Armstrong?—Well, of course I did canvass at that time.

6465. Did you promise Wallace anything before he voted?—No.

6466. Did you tell him to go and vote?—He said he would go and vote, provided I advised him.

6467. Did you "advise" him?—Yes.

6468. Did Wallace say he would go and vote if you advised him?—He said he would vote with me.

6469. Did you then say go and vote?—No, I think he came with me.

6470. You polled him?—He walked up; I did not poll him.

6471. Did you walk along with him to the court-house?—He walked along the side path; I was not walking with him exactly.

6472. Did you not watch him until he was polled?—No.

6473. Or enter the court-house?—No, I did not doubt him at all.

6474. Did he vote on your recommendation and advice?—I think he did.

6475. When you say you "think" you are perfectly certain he did?—I can say I believe so.

6476. Is that all you can say—are you not perfectly certain he voted on your advice?—I think he did.

6477. You are a respectable and intelligent man. Do you not believe that James Wallace expected to be paid when he voted on your advice?—I have no doubt in the world of it; I don't want to conceal anything.

6478. You thought he was entitled to £40?—Well, I gave it to him out of my own desk, and I did not get it back again.

6479. At all?—No.

6480. Do you mean to say you are out of pocket that £40?—No.

6481. Who then paid it to you?—I am out of pocket £10 of it; I only got £30 of it.

6482. Who gave you the £30?—Well, it was given after the election; I think it was Mr. Sedley. At the time Mr. Sedley gave me the £30 I told him I had given Wallace £40. He said that was too much, and gave me £30 out of £40, and I never got the £10 from Wallace or anybody else.

6483. Did Mr. Sedley give you any other money after that election?—No, not a shilling.

6484. I mean for other people?—No; he gave me no money.

6485. Do you not know that James Wallace was bribed at that election by you?—Well, I think he was myself.

6486. Did Wallace get any money at the previous election?—I don't know about the previous election.

6487. Do you remember the election between Mr. Wynne and Mr. Somers in 1859?—Mr. Macdonogh got in in '60 on the resignation of Mr. Wynne; the election of '59 was between Mr. Wynne and Mr. Somers.

6488. Do you remember the election between Wynne and Somers?—Yes, I do.

6489. Do you know of any money going at that election?—No, I do not think I do. I do not remember.

6490. You do not remember?—No, I do not.

6491. From a man of your intelligence that is not quite satisfactory?—I say I do not remember.

6492. Have you any reason to believe a little money was going then?—Well I don't know. It did not pass through my hands, as far as I remember. There was an election between Mr. Wynne and Mr. Somers in '57 and Mr. Somers beat Mr. Wynne, but was unseated on petition on account of the poll-books being tampered with.

6493. Do you remember that?—I do.

6494. Well, at the election between Somers and Wynne did you hear of any money going?—No, I do not think I did. I am not aware of it.

6495. You do not remember?—I am not aware that there was.

6496. Will you undertake to say that at that election between Wynne and Somers, or after it, that no money passed through your hands?—I don't think there did. I cannot tell at which election Mulligan got the ten pounds at all. I did not remember anything of it until I was reminded of it.

6497. Did you ever draw a bill before this one for the purpose of an election?—Oh, never.

6498. Who was it asked you to draw that bill?—Well, I think it was Mr. Monds suggested it to me.

6499. Did Rowlett get any of the £800? Was he intrusted with the giving out of any of it?—No, he had nothing to do with it.

6500. Come now to the last election between Major Knox and Captain Flanagan; did you pay anything in that election?—No.

6501. Did you canvass?—No, I did not canvass.

6502. Did you vote?—I voted.

6503. I believe you always vote with the Conservative party?—Oh, of course.

6504. Did any money pass through your hands at that election?—No, not a shilling; I never handled a shilling of Major Knox's money.

6505. Do you suppose it was unknown in town, this last transaction of 1860?—Was it unknown in town?

6506. Yes; I mean was it kept quiet between you and the four gentlemen who got the money?—Well, I think it was kept quiet. I think the people that got the money were satisfied, and I do not think there was any talk of it. I think it was kept very quiet, as well as I remember. I am quite sure it was.

6507. Is it your impression from the best of your recollection that Mr. Macdonogh knew about your having drawn the bill?—Well, I really could not say whether he was aware or whether he was not aware. I could not say either one way or the other.

6508. Is Mr. Monds in town?—He is.

6509. Mr. *Commissioner Byrne.*—When was the £30 paid to you by Mr. Sedley on foot of the £40 you paid to Wallace?—It was paid after the election.

6510. How long after?—I do not remember how long.

6511. What year was it in?—I think it was in 1860. Oh, no, 1865.

6512. Was that £40 given to James Wallace in respect of his vote in 1865?—Yes.

6513. How long after that election of 1865 was that £30 given to you by Mr. Sedley? Try and remember?—It might be two or three months. I do not know how long it was. I know I gave the money to him out of my own desk.

6514. Was it given to you within the last couple of years?—Oh, yes. Oh, no.

6515. Are you quite sure it was not?—I think it was not.

6516. You think not, but you are not quite sure?—I am sure it was not within the last couple of years.

6517. On your oath are you quite sure of that?—Of course I am. I am telling you the truth. Most assuredly, every word of it.

6518. Were you mayor at the election of 1860?—Yes, I think so.

6519. Were you a magistrate at that time?—Yes.

6520. Are you now?—Yes, for the borough, and county then; but I am not now for the town. I am a magistrate for the county now.

6521. Mr. *Commissioner Bruce.*—Do you know a man named Moran?—I know such a man.

6522. Is he a voter?—I believe he is a voter.

6523. I believe he voted for Sergeant Armstrong?—I believe so.

6524. Had you ever any conversation with him with respect to his vote?—No.

6525. Before that election?—No.

6526. You swear that positively?—Indeed I do. I heard he swore here yesterday of his being offered £300 in half-notes and refusing it. I never spoke of such a thing in my life.

6527. Did you never offer £300 to Moran?—Never. Not a shilling, nor hinted it. I never spoke to him about his vote. He belonged to a body of religious people that I really do not interfere with at all; nor was there any necessity for such a thing.

6528. Then it is an untruth that you offered any money to any of those who are called "the aggrieved persons"?—Not one shilling; nor did I speak to them about their votes.

6529. Mr. *Commissioner Byrne.*—This payment of £800, you think, was kept quiet because it reached very few persons?—Well, I think it was.

6530. Because it reached very few persons?—I think so.

6531. Mr. *Commissioner Bruce.*—Did you ever hear any persons complain after the election of 1860 that they had got no money?—That Johnston is the only one I can charge my memory with now. I think the people were satisfied certainly, and I am satisfied none of the parties made any money for themselves.

6532. Mr. *Commissioner Byrne.*—Your brother, John Lyons, held back at the last election. Did he vote for Sergeant Armstrong?—No, he did not. The poor man was in a dying state at the time. That was one of the reasons he did not vote.

6533. He did not vote for Mr. Macdonogh?—Oh, he did. He came up. He was, in fact, I may say, carried. He was in a very poor—a dying—state; and it was really at the risk of his life.

6534. But he did come up and vote for Mr. Macdonogh?—Certainly.

6535. Mr. *Commissioner Bruce.*—Have you any belief of the number of persons who got money at the election of 1860?—I never made a calculation; never in my life.

6536. Do you think you could form an idea? You may take plenty of time?—I suppose there might be twenty. From twenty-five to thirty who would expect it. I would not say so many as thirty, but I think there would be twenty.

6537. Did I understand you to say that Rowlett got part of the £850?—No.

6538. I am not speaking of himself, but for distribution?—No; I did not know he got anything, but he told me himself, as I said before I had totally forgotten the transaction, and it is on his representation I am taking it. I believe it, because he says it.

6539. How much?—He says he got three ten-pound notes.

6540. That £30 is not included in the £850?—It came out of the £50 I think.

6541. You think it came out of the £50?—I think it must.

6542. You lost £25 to Johnston, and £10 to Wallace?—Decidedly.

6543. Did you lose anything more?—I do not think I did. I never calculated it. I did not look to it. I was rather too liberal, and I did not care much what the expense was one way or the other.

6544. But people who lose a large sum generally know it. If you lost a thousand, or five hundred, or even one hundred you would know it?—I suppose I would, but if I lost only a few pounds I would not know.

6545. At what time of the day did Wallace get this £40?—I think he got it early in the day. I think ten or eleven o'clock.

6546. Did Wallace mention any person as having offered him money on the other side?—No; he said he was offered money on the other side, but I did not ask him who they were or anything of them. But he said he was offered money.

6547. Did he say he was offered £40?—He did.

6548. Was that the sum mentioned?—It was—the exact sum mentioned.

6549. Mr. *Commissioner Byrne.*—Do I understand you to say that you cashed that £800 bill at the time of the election?—Oh, yes. I put it into the bank at once—but they did not give me the money; they placed it to my credit only.

6550. That amount passed to your credit in the bank?—Exactly.

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6551. And was mixed up with your other money?—It was mixed up with my account—exactly.

6552. Was it after the bill fell due you distributed the money?—Oh, no. In fact it was believed that Tennison's money was going through the town a day or two before that to a considerable amount of money. It was understood money was going on Tennison's side. I had good reason to believe it was, and then of course to meet that state of the case the money was looked for to fortify the friends against any loss, and I do not think they gave the money until after the election.

6553. As much of the money as was thought necessary was used at the time?—It was all used as far as I know. It was given to these parties. I do not know what time it was used.

6554. Mr. *Commissioner Bruce.*—Do you know a man named John Kearns?—No.

6555. And a man named Pat Barry?—I do.

6556. Did you send for them before the last election?—Never, at any time.

6557. Did they send to you?—They came to my house one evening about dark—after dark. I was coming down from the town. I have an office in town. I was coming down—these men were at my place—my private house, outside the hall door. I did not know anything about them. I was asked about this before at Carrick-on-Shannon, and I stated the facts. They came to me; I opened the hall-door, and asked them in—I took Barry in—and Kearns I showed into my sitting-room. Barry I knew something of. He keeps boats at the River-side. I knew something of him, and I asked him ——

6558. What I want to ask you is—did you then offer Barry or Kearns £50 each to go away?—I never offered them a shilling at all. They wanted to get money. They came to propose to go away, if they would get money.

6559. Did they mention £50?—They did, and their expenses, and they said they would go away.

6560. And did you at that time not give them a decided answer?—I told them I would not think of it. I went away from my house—I left it. They wanted to come back the next morning. They wanted money. They wanted to come back to me; I told them they might come if they liked, but I would have nothing to do with them.

6561. But you did not give them that answer at first?—Yes, I told them I would give no money; decidedly, I never offered them a farthing.

6562. Did you tell them on the first occasion you would not give a farthing?—I told them I would give no money.

6563. On the first occasion?—Yes, that was the first. He wanted to get the money. I said to him, "will you not take anybody's word?" "No," said he, "I will take nobody's word, if I did, I would take your own." "I am very much obliged to you," I said, "but I do not want you to take mine."

6564. Did you tell him to come back the next evening after that proposition was made?—[Not answered.]

6565. Now, Mr. Lyons, answer fairly?—I will answer fairly.

6566. Was there not a negotiation?—Oh, that was the negotiation, mere talk.

6567. But was the negotiation whether you would promise money or not?—I would not promise money, I had a conversation with them, but nothing beyond that. If a penny would purchase them I would not give it.

6568. Did you intend and determine from the first not to give money?—I did determine to give no money. I thought I would see what they were about; what they wanted and what they intended to do, which they told me.

6569. Mr. *Commissioner Byrne.*—You say this sum of money, the amount of the bill, was distributed at the time of the election?—I do not say the time.

6570. Well about the time of the election?—As far as I was concerned I do not know what time it was distributed.

6571. As far as your knowledge goes all you can say is, that it went amongst those four persons?—That is all I know of it.

6572. Whether it was paid away that time or some months after you do not know?—I do not know, indeed.

6573. Mr. *Commissioner Bruce.*—Have you, from your knowledge of the electors of this town, any reason to believe, or do you in fact believe that, at the time of the last election, the persons who voted for Major Knox ultimately expected to get anything?—Oh, I think they would expect to get something. I confess to you, I think, when they do vote that way, and are asked by friends to vote, and so forth, that they do expect something afterwards. There is no engagement to give it—no positive arrangement; but that they do expect something, I have no hesitation in saying, I believe they do—afterwards.

6574. And is that an expectation amongst a large number of voters?—Well, I would not say a very large number—it might be an expectation amongst forty or fifty of the whole constituency.

6575. That is forty or fifty of the Conservatives?—Oh, no; I do not make any difference between Conservatives and Liberals in the matter. I believe a great many do expect it on both sides.

6576. The *Chief Commissioner.*—On both sides?—I do believe it.

6577. And you say that from your own knowledge?—I do.

6578. From a great number of years that you have been connected with Sligo?—I do.

6579. And also from personal communication with the voters, and their speaking to you on the subject?—I do believe it.

6580. You apply that to almost any election you know?—Well, I do.

6581. Were you a voter at Townley's election?—Yes; I believe I was.

6582. And at Sadlier's election?—Yes; I think I voted for Somers against Sadlier——

6583. At that time?—Yes.

6584. Whom did you vote for at Townley's election?—In fact, I think I voted for Somers, too.

6585. You spoke about this general expectation—I presume that is amongst the poorer and least respectable class of the electors?—More than anyone else.

6586. Do parties prepare lists according to the amounts for which they asked the electors to vote?—No; I do not think they do.

6587. How is it done?—I think they give it indiscriminately, just as they themselves feel disposed to the men, giving some more and some less. I do not think they make any special list or anything of that kind; I think it is done more indiscriminately or without any method.

6588. Do you tell us that you never, except on the one occasion, had anything to do with the distribution of money at elections?—I do not remember that I had; I do not think it did enter my hands to distribute it, never.

6589. So you say. I want to know had you anything to say, before or after elections, to the receiving of money for distribution, unless on the one occasion?—I never remember receiving money for any election. I have subscribed sums to the municipal elections, and other sums were subscribed. I have subscribed some of the money to the fund myself, of course. We have had very hard contests often in Sligo, and party feeling is very high, and so forth; but we certainly did not attach the same importance to them as to the others, and we did not conceive there was any risk at all in giving money in that way.

6590. Had you any subscribing to the funds for the municipal elections?—Not many, except at the time—four or five might subscribe four or five pounds.

6591. Would that be for the purpose of bribing

voters?—We did not consider it bribing. We really believed there was no law against that.

6592. No law against bribing at municipal elections in Sligo?—We did not believe there was any harm in getting a vote—we did not know, nor do I believe it is known up to the present moment in Sligo that there is anything against it.

6593. Mr. *Commissioner Byrne.*—Was the money given for the municipal elections at all in relation to the parliamentary elections?—No, not at all. It was solely a local matter.

6594. The *Chief Commissioner.*—Were the voters you supposed to be easily got at for the parliamentary elections the same men who were bribed at the municipal elections?—Not in every case. Not all.

6595. But a good number of them?—There might be. We never thought of that. I do not think we ever thought of what effect it might have on them in that way. It was solely on the ground of returning men to the Town Council and so forth.

6596. Mr. *Commissioner Byrne.*—Do you remember the names of persons who received money at the municipal elections?—[Not answered.]

[Parliamentary voters list for 1868 handed to *Witness.*]

6597. The *Chief Commissioner.*—Look over that list and tell me are there any names on it of persons who received money at the municipal elections?—Well, I do not know that any received it to my knowledge, personally; but I may see people that I believe got money. I heard Blair got it.

6598. How much?—I don't know. I do not know whether Wallace got it or not. I don't think there is anyone on the list that strikes me now.

6599. Come back to your own memory. Can you mention any people who were in the habit of being bribed at the municipal elections?—I could not say in the habit of being bribed.

6600. Well, bribed once or twice?—Well, indeed, I cannot charge my memory at present. There are so many changes in the town, and there is little done in that way for the last two years—nothing at all for the last two years.

6601. Nothing at all?—Nothing at all for the last two or three years.

6602. Mr. *Commissioner Byrne.*—Try and remember the names?—I cannot.

6603. The *Chief Commissioner.*—You subscribe?—Occasionally I do. Some fifteen years ago, perhaps, I did each year.

6604. Did you subscribe several hundreds of pounds yourself?—No, no, but I lost plenty. In the Queen's Bench and other ways I lost it.

6605. Who used to get the money to be given at the municipal elections?—Well, I declare I could not tell you just at this moment.

6606. Was it Captain Fawcett?—No, I do not think it was.

6607. Or Mr. Robinson?—Oh, no. Captain Fawcett was treasurer. He signed cheques for revision purposes and other purposes. The money he would get would be for revision purposes and that sort of thing.

6608. Was there any money subscribed to your knowledge for a parliamentary election?—Yes, I think money was subscribed to put in Mr. Wynne free of cost to himself, the first time he was put in.

6609. Was that the election of 1857 or 1859—his first election?—I do not know the year, but I know they subscribed to put him in free. That was the time Somers was unseated.

6610. That was a remarkable event, the unseating of Somers?—I heard it was the first time Mr. Wynne was put in. I suppose Somers was unseated.

6611. And then a vacancy was made?—Yes, I think it was that time.

6612. Can you give any idea of the amount that was subscribed by the party then?—I know I myself subscribed £10. I could not tell.

6613. Do you think there is anybody in town who could?—I do not know that.

6614. Do you recollect who was Mr. Wynne's agent on that occasion?—I think it was Mr. Thomas Moyston.

6615. You have told us very fairly what is your general opinion about the town with respect to people expecting money, and you said that every election you had known that was so. Was that so at the two elections when Mr. Wynne was a candidate?—Well, I do not know.

6616. I am not speaking as to your knowledge?—Well, if I said "every election," perhaps I should have exampled that one. I do not know—I do not think—I could not say, but I do not think any money was given at that election. I do not think it was to be given.

6617. Did you take an interest in those two elections?—Well, I was active and anxious for the return of Mr. Wynne.

6618. But you will not say that there was not an "expectation" at that time?—Well, indeed I don't know. I could not say. It was a peculiar election.

6619. Do you recollect a conversation just immediately before the polling day of Mr. Macdonogh and Sergeant Armstrong's election, at which I believe Mr. Williams, Mr. Sedley, Mr. Hunter, Mr. Macdonogh, and yourself were present—it was the night before the polling?—Yes. I think so.

6620. Be kind enough to tell what took place at that conversation, as well as you recollect. Mr. Macdonogh told us about the holding back of Conservative electors whom he expected to vote?—Oh, I could not really say—there certainly was a great deal of disaffection amongst a number of Mr. Macdonogh's supporters. They had given him the cold shoulder—they would not come forward to support him. I knew he was very much cut up about it, certainly, and very much disappointed in the matter. There were a good many who did not take an interest in his second election.

6621. As one having an interest in Mr. Macdonogh's election, you were acquainted with those persons?—Well, not particularly; some I would not interfere with.

6622. But you would with some?—Some of the men I would not speak to on the subject. I would not take that liberty.

6623. But did you speak to some?—Well, I don't know indeed.

6624. Try and recollect?—Well, I could not say.

6625. What was the number of those persons who were holding back and compromising the election?—I could not say how many. Maybe six or ten, but I could not say, for I never had the particulars of it.

6626. Try and recollect; Mr. Macdonogh told us he calculated upon a majority of ten, that is, he thought there would be to support him 200, and these were all Conservative electors. We know about 150 voted for him?—Yes.

6627. Do you think that the balance, that is fifty Conservative electors were holding back?—Oh, no. I don't know indeed.

6628. Do you think the Conservative electors who held back were mainly influenced by the wish to get a promise of money?—I do not know that indeed.

6629. Can you form an opinion?—Well, I could not. I think they were advised on the other side—merely that.

6630. That is to say you think they were bribed on the other side?—I do not mean to say—I could not say, whether they were or not. I offer no opinion as to what they did on the other side. I think I should not do it, but I think they were perhaps promised or advised in some way or other to Sergeant Armstrong.

6631. Did you ever hear that they were?—I heard of several persons supposed to be Conservatives supporting Sergeant Armstrong.

6632. Did any of them ever tell you that they had got money, or had been promised money, or expected to get money?—Well I could not say. I don't think I could say so.

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Mr. Henry Lyons.

6633. Try?—There may be some that might expect it, I would suppose. I have no doubt whatever some expected money.

6634. Mr *Commissioner Byrne.*—About the time Mr. Macdonogh came down to canvass for his second election, did you hear any expressions of dissatisfaction amongst his Conservative supporters at not getting money?—No, I did not

6635. Did you hear any of the Conservative voters complain that they were not paid?—No, not that I heard. Nothing but what I told you. I mentioned that Johnston and Wallace were dissatisfied. I know that Johnston kicked up a shine about it.

6636. The *Chief Commissioner*—Have you still your bank-book of 1860—the pass-book between you and the bank?—I do not think I have, but I will get it for you.

6637. If you have not got it I will ask you to get, from the Bank of Ireland, a copy of your account, showing the lodgment of the £800, and the cheques that you drew on that sum?—It will show the cheques.

6638. You will be able to identify them?—I never looked at them from that to this. I will do it with pleasure.

(The witness withdrew.)

Charles Sedley.

Charles Sedley sworn and examined.

6639. The *Chief Commissioner.*—At the last election between Sergeant Armstrong and Mr Macdonogh you got £490?—I thought it was less. Mr. Sheckelton produced a roll of notes. He said there were £500, and a sum of money was taken out of it in Leeche's drawing-room. I understood that sum to be £15, but of course if Mr Sheckelton says it was £490 it is correct. I understood that £15 were taken out of it. He stated that he wanted that £15 to repay some other person whose name I now forget.

6640. Before you got that sum of money had you a discussion with any of Mr. Macdonogh's supporters as to the necessity of spending money in bribery?—I came down to Sligo only a few days before the polling, and on the day previous to the polling I left Sligo on my own private business. I remained out of Sligo near Ballysodare for a couple of hours. On my return I was told the election was lost because I left town. I did not understand how my casual absence on my own business could have occasioned that, but it certainly created great confusion amongst Mr. Macdonogh's friends, and there was a meeting, and it was considered that the game was lost. I think it was suggested that Mr. Macdonogh should resign, but shortly after that I recollect Mr. Sheckelton being mentioned. I do not now recollect that Mr. Hunter was present, but I suppose the gentleman's memory is more accurate than mine now. Mr. Henry Lyons was present, Mr. Williams, Mr. Macdonogh, and myself, and Mr. Sheckelton. There was then a talk about the necessity of strengthening the Conservative electors, because it was understood—

6641. When you use the word "strengthening," you mean giving them money?—That was the phrase as well as I recollect; that was the understanding amongst ourselves. We did not say give money——

6642. But that was understood by it?—It was, of course, understood if the Conservatives would stand together and support Mr. Macdonogh, as certainly they ought to have done, his election would be secured; and we did not conceive it at all necessary to give any money to the Roman Catholic electors, because there was numerically a majority of Protestants on the list, and all that was considered necessary would be to confirm those that were wavering. That was mentioned, and then Mr. Macdonogh, who was present at that conversation, stood up and said—"Gentlemen, I can take no part whatsoever in that transaction; I can have nothing to do with it;" and he left the room, leaving Mr. Sheckelton, Mr. Williams, Mr. Lyons, and myself present. I am not certain about Mr. Hunter, but possibly he was there. The fact of Mr. Macdonogh's disclaimer was understood by us in an opposite sense, and on that understanding——

6643. What do you mean by that?—That I certainly would not have taken the money if I had understood Mr. Macdonogh distinctly to say that he would not be a party to it. I certainly did not understand that. Mr. Macdonogh used the words unquestionably, and he left the room immediately; but the impression produced on our minds immediately was such that Mr. Sheckelton left down the money on the table.

6644. Did you understand when Mr. Macdonogh left the room that he sanctioned the money being given?—I may be wrong. Mr. Macdonogh said nothing to justify the impression; he did nothing, but there was that sort of tone that produced that feeling amongst the whole of us.

6645. Then do you say you believe Mr. Macdonogh authorized it?—I believed on my soul he did. Then there was a talk as to who should take the money. I had never touched money previously. At the previous election I had never asked a man to vote for money. Persons spoke to me, and I turned my back on them. A man named Gethins came to my house, and I brought him up to my drawing-room, and when he wanted to speak of money, I distinctly refused to talk of money; I would have nothing to say to him——

6646. Go on with what occurred about the £490?—Well, I got the money.

6647. Mr. Sheckelton gave you the money?—Yes.

6648. Who were present when he gave you the money?—I am certain Mr. Lyons was—Mr. Williams, Mr. Sheckelton, and myself; Mr. Hunter I have no recollection of.

6649. Had you any further discussion then as to what was to be done with the money, and to whom it was to be given?—It was then distinctly understood that all the gentlemen present were to go through the town amongst the persons considered to be doubtful, and tell them that funds were forthcoming. Mr. Lyons went on that mission; Mr. Williams went on that mission; I did not go.

6650. Mr. Williams and Mr. Lyons left the room to tell the Conservative electors that the money was forthcoming?—Yes.

6651. Did any other gentleman go on that errand?—I do not recollect. I do not want to do any injustice to Mr. Hunter. I have no recollection of his being there. If he was he left on the same mission.

6652. What is his Christian name?—Robert Hunter. This brought the evening to a tolerably late hour. Mr. Sheckelton had been dining out, and, I think, was in Mr. Josiah Davis's. Some person went for him. I think I accompanied one of the gentlemen. I don't know which; I cannot charge my memory with it; but we brought Mr. Sheckelton out and over to Mr. Macdonogh's lodgings, and the matter occurred th ere that I have stated.

6653. At what hour did Mr. Lyons and Mr. Williams leave to give the word to the Conservative electors?—It was a summer's evening, and probably it might be nine o'clock, more or less.

6654. At what hour was it Mr. Macdonogh left the room?—It was shortly previous to the money being produced.

6655. Tell now what you did?—On the polling day I held the money, and certainly I found myself in a very embarrassing position. I did not give any money on that day, except two sums I will tell you of. There was a man named John Ryan who lived near this court-house; he is a blacksmith, a tenant of Lord Palmerston, and Mr. Fox was in with him soliciting him. I was told Ryan wished to vote for the Conservatives, but wanted to be paid. Fox was in there and I went in to prevent Fox using any influence on Ryan, and I spoke to him and left on the understanding that if

the money was given to Robert Stokes it would be all right, and accordingly on that day, indeed early in the morning, I gave £23 to Robert Stokes for John Ryan, and shortly afterwards I saw John Ryan voting; I also gave Mr. Stokes on the same day a sum of £30 for a gentleman who is dead—probably the Court will not ask me to name him as he is dead.

6656. You must name him?—Mr. Buchanan, who was the proprietor of the North Hotel on the Mall.

6657. Did he vote?—I believe he did; I believe he voted. I gave Mr. Stokes those two sums on that day. I also believe I distributed in small sums—not for the purpose of bribery, but the particulars I cannot charge my memory with now—the sum of £20. With the exception of that £20 I would be able to account, by documents, for every distribution that I made. Well, then the election went on and Mr. Macdonogh was beaten.

6658. Before we pass from the polling. Did you see Mr. Macdonogh on the polling day?—Oh, frequently.

6659. Did you speak to him as he said to-day about your having the money?—Yes.

6660. Tell the whole of what occurred?—I certainly told Mr. Macdonogh I had not given any money to Roman Catholics, because the object, the sole object in taking it was to strengthen—to induce the Conservative party to remain together.

6661. How did you happen to mention that to Mr. Macdonogh? Where was it?—It might be hereabouts.

6662. In the Court-house?—I think so.

6663. How did you happen to make use of that expression, a remarkable one, certainly, that you had not yet given money to the Roman Catholics?—I did not say "yet." I said I did not give any money to the Roman Catholics. I did not say "yet," because it was not understood I was to give any money to the Roman Catholics.

6664. Did he make any observation to you before you spoke about it?—Well, really, I think he spoke about—I don't mean to say positively—but I think it must be on the subject of the doubtful fortunes of the day, that the clouds were lowering, and matters of that kind; and I said I did not give any money to Roman Catholics.

6665. What did he say to that?—I do not recollect.

6666. Did Mr. Macdonogh then express any disapprobation at you giving the money in that way?—Not at all. I had the full authority of all present, I believed, for what I did.

6667. Do you include Mr. Macdonogh in that, when you say "all present?"—I do; conscientiously, I do, in the way I state. The gentleman said nothing. He did nothing, but, unquestionably, he left—whatever it was, there was a sort of electricity in it, that left on the minds of all present that feeling——

6668. Go on and state about the distribution of the £490?—Well, the election was over, and it was lost, and a balance of the money remained in my hands; and, certainly, at first, I considered the propriety of returning *en masse* to Mr. Sheckelton, but it was stated to me that it would be unfair towards the persons whose names I am about to mention. For a long time that was considered, and, at length, the money began to be distributed, and I will give you the details, and I have the vouchers, the I. O. U.'s of the persons for all the money that I paid.

6669. Before you go to that, why was it considered unfair by Mr. Macdonogh's supporters that his voters should not be paid?—I cannot tell you.

6670. Did you discuss it with Mr. Lyons?—I presume I did. I really cannot tell you.

6671. Or with Mr. Hunter?—I must have discussed with Mr. Lyons, for here is an envelope of Mr. Lyons to me on the subject. [Produces envelope, and reads]—"I think you have Burrowe's name on your list; kindly arrange with me——"

6672. Who is Burrowes? Is he an elector?—He is one of the persons on the list.

6673. That is Mr. Lyons' handwriting?—That is Mr. Lyons' envelope to me.

6674. Now, tell the distribution of the money, the different sums, and show the document you have from each voter?—This is the document. [Produces document, and reads]—"I. O. U., Charles Sedley, the sum of £15——"

6675. Have you a list of voters and the sums you paid?—But the dates are not on it [produces document].

6676. Is that a list of the voters and the sums you paid to them?—Yes.

6677. And did all these vote for Mr. Macdonogh?—There are one or two sums in that—for instance, Pat Jenkins, £3—that was for personal services, not for bribery.

6678. Read the names?—John Ryan (through Robert Stokes), £25; Mr. Buchanan (the Christian name I do not know—through Mr. Stokes), £30; Henry Lyons, for James Wallace, £30; John Robinson, £15; Thomas M'Keene, £15; James Burrowes, £15; Samuel Gillmore, £20; Andrew Crozier, £15; Joseph Phair, £15; James M'Keen, £20; Patrick Jenkins, £3—that was not for bribery, that was for personal services; William Smith, £15; James Hall (he is dead), £15; John Burke, £20; James Grevatt, £15. I think it right to state with respect to Grevatt, that when I called on him and gave him that money, because his name was on the list, he expressed surprise, and seemed not to expect it. Robert Henderson, £15; Thomas Jackson, £15; Henry Mulligan, £15; Samuel Williams, £15; George Wilson, £10; Peter Macdonald, £5—this was given a long time after the election; James Cunningham, £15; Owen Gunning, £15; Robert Lyndsay, £10; Matthew Allen, for two persons named Lynch—I cannot make out their names, but he got the money for these two—£20.

6679. Is Mr. Allen himself an elector?—Yes.

6680. He got nothing for himself?—I do not believe he did.

6681. Who prepared that list?—That is my handwriting.

6682. By whose direction or in consultation with whom did you arrange the same to be given?—With the parties that were present—they were there constantly.

6683. Who were they?—Mr. Lyons and Mr. Williams—perhaps not in every instance, because some of the parties it was not known that they could be settled with, but a good deal was arranged at the time.

6684. Was a good deal arranged that evening before the polling?—I think some of them were arranged with before the polling. I am not sure of them.

6685. When was that list written by you?—It was written at the time. I had it with the vouchers.

6686. That list you have read, was it prepared before the polling day?—Yes, it was prepared before the polling day, the amounts were not filled in. There are additions to them, some in pencilling.

6687. The amounts are the real amounts?—The amounts are the real amounts.

6688. But the names were entered before the polling day?—Oh, the names were all written before the polling day.

6689. Did you produce that list in the room that evening before the polling day. Was it then in your possession?—Well, I think it was made out then, or partially made out. I won't say altogether made out, because it was more important to go through the town amongst the electors than to be going through the details of the list.

6690. And you knew all the names I heard?—I knew the names perfectly well.

6691. Did you yourself personally pay all that money?—Yes, every shilling of it.

6692. You took I. O. U.'s from the men?—Yes, I did. There is a sample (hands in document), that is to Alderman Lyons from Wallace for £30—that is Alderman Lyons' handwriting.

FIFTH DAY.
October 9.
Charles Sedley.

6693. Were they all in the same form?—No, they were all written by the parties themselves—that is, "I. O. U. Charles Sedley," so much.

6694. I suppose you took the I. O. U. only as an acknowledgment. You had no intention of holding it over then?—Oh, not the slightest intention. I intended these as vouchers, to produce when I was called on to account. I have every one of them here (hands in several documents).

6695. Mr. *Commissioner Bruce.*—Are all those I. O. U.'s dated?—They are all dated. Some bear date considerably after the election.

6696. The *Chief Commissioner.*—Your name was mentioned as getting a portion of the £800 raised by Mr. Lyons in 1860?—What I recollect about that is this. I heard of the matter about the figuring on the piece of paper between Mr. Lyons and Mr. Macdonogh previous to what I am about to state. It was then considered who would be the best person to distribute some of the money, and John Burke was arranged with by Alderman Lyons as one of the distributors. It was then considered how the money could best come to Burke's hands, and it was arranged that a parcel of notes should be sent down to me, and John Burke should come for them, by arrangement. Accordingly a parcel of notes was filled up and indorsed—to the best of my recollection, but I cannot speak positively. Alderman Lyons knows the precise amount. It was £250 was in the parcel of notes. They were brought down. I took no memorandum or anything of that sort. Mr. Burke called. I never opened the parcel of notes. I never looked at more than the indorsement on it. It was left in a particular spot in the office. Mr. Burke called and took it away, and that is the only connexion that I had with that money. They were in an envelope sealed up, and sent down, and Burke called for it, and got the envelope unopened in the same way, but a penny piece of it never went into my hands, except in the way I have stated.

6697. That was after what you call the "figuring" between Mr. Macdonogh and Alderman Lyons?—It was after I heard of what I informed you. I think Mr. Lyons told me.

6698. What did he tell you?—He told me he had arranged with Mr. Macdonogh for £850.

6699. For what?—For distribution at the election.

6700. Amongst the voters?—Amongst the voters. That was understood. He did not say that; that was understood.

6701. In plain language it was for bribery?—Certainly.

6702. Was anything said about Mr. Lyons raising the money then?—It was distinctly understood that Mr. Lyons was to provide the money. I understood that.

6703. From himself?—I believe so; and it was considered a very spirited thing of Mr. Lyons at the time to advance so considerable a sum of money. We all had that opinion of him at the time.

6704. Do you know anything at all about the distribution of that money?—Not a penny piece of it. I do not know who got it. I could not tell. I did not inquire. I never inquired. It passed through my hands in the way I have stated, and that is all I know about that transaction.

6705. Is John Burke still here?—He is in court.

6706. Did you know Mr. Skeckelton had the money?—Not until it was produced. It came on me by surprise. I wanted to have nothing to do with it, for I was not familiar with it.

6707. How soon after Mr. Macdonogh left the room did Mr. Sheckelton produce the money?—Probably two or three minutes.

6708. What did he say?—He said, here is the money. He just took out a roll of notes, and said here was the money. And then he said, "there is a sum I paid to so-and-so." I really forget the name; I cannot charge my memory with it.

6709. A sum for bribery?—I do not think it was. That is not the impression on my mind. It was a sum of money advanced for expenses or something of that kind. That money was taken out of the £500 roll, and the balance was given to me. I thought it was a sum of £15. I suppose I am wrong.

6710. Would you have undertaken that charge at that election unless you believed you had Mr. Macdonogh's authority?—No, decidedly not. I never got a shilling from the gentleman from the day he came to Sligo till he left. He certainly most generously offered me a sum of money for services rendered to him at other times, and I never handled a shilling of his money.

6711. Had you ever before or after this anything to say to the payment of electors in Sligo?—Never, except on that one occasion, to my regret. I took no part in the last election; I knew I had done wrong, and I studiously avoided and determined I would never repeat it again.

6712. You have been attending to the elections and to the politics of the town for some years?—Yes.

6713. In your opinion, do the poorer class of electors on both sides expect to be paid by the successful candidate?—Well, that is the prevailing opinion of the town for several elections. I believe the history of the transaction is, that that most unfortunate gentleman, Mr. Sadlier, when he came to Sligo, began it, and it was that principally influenced the electors of Sligo. Upon several occasions the electors of this town would not vote for any amount of money—previous to him——

6714. Since that time, from what you know of the politics of the town—living here, and knowing the town thoroughly—and from your communication with the voters themselves, is it your opinion that a class of them invariably expect to be paid?—There is not a shadow of doubt about it. It is a very disagreeable thing to make the statement, but it is the truth.

6715. Is the way they expect to be paid this—through the intervention of the respectable gentlemen who canvass them?—The person asks them to vote in a particular way, and then they vote, and it is understood that that request must be redeemed afterwards.

6716. Nothing, of course, passes verbally about money?—Well, I declare I have had no experience of it, except on the one occasion, as I tell you, and I said nothing to any of these persons about the money I would give until they got it.

6717. But did you tell them to go and vote?—I told none of them to vote, with the exception of Ryan, in his own place. I was in it on the day of the election; but any of the other persons appeared to have communicated with Mr. Lyons, or Mr. Williams, or some one else—they were not communicated with by me. It is possible that Grevatt was not asked by anybody.

6718. What is the exact number you paid?—Twenty-five.

6719. You paid twenty-five voters?—Yes.

6720. Does that include Jenkins?—It does; he is not a voter.

6721. Then you paid twenty-four?—Twenty-four.

6722. And all these, with the exception Grevatt, appeared to have been communicated with either by Mr. Williams or Mr. Lyons, and all knew they were to get something?—Permit me to look at the list again. [Looks at list.] There is a man here that certainly refused to come up until I brought him to the poll.

6723. What is his name?—Samuel Gillmore.

6724. You polled him?—He came to the poll with me—Andrew Crozier, certainly. I am not sure about George Wilson. This money was given afterwards at the request of Mr. Monds. I am not quite sure that that man voted on account of any inducement, nor about Peter M'Donald, that got the £5. I am not quite sure of that. But, with these exceptions, I think the list is right.

6725. Have you totted up the amount you paid?—Four hundred and twenty-three pounds. There is a

balance undistributed, and I wish to say on that subject, I have frequently put myself in the way of Mr. Sheckelton; I always had these vouchers ready, and the gentleman exhibited the strongest unwillingness to enter into any conversation on the subject; and that is the reason the balance is not returned to him. I was always quite ready, and waiting, and expecting to be called on to account, and I have the documents ready.

6726. Then £67 remains undistributed?—I hold that money.

6727. Mr. *Commissioner Byrne.*—Were you aware at the election of 1860 that Mr. Macdonogh sanctioned the distribution of £850?—I was aware of what has been stated on the table to-day, of the figuring done on the piece of paper. I heard for the first time to-day that Mr. Macdonogh had put his initials to it. I was only previously aware that Mr. Lyons had put down the figures on a piece of paper and shown them to Mr. Macdonogh. That was all I heard. I was not aware of his initialing it.

6728. At that meeting at which you think Mr. Hunter was not present, was Mr. Macdonogh there before Mr. Sheckelton?—Well, I have no distinct recollection of how Mr. Macdonogh came into the room, and I am perfectly convinced the gentleman has given an accurate account of how he came into the room, but I do not remember it, because, as I say, we were all in great confusion. It was late at night. We had been over at Mr. Sheckelton's getting him over, and very possibly Mr. Macdonogh had retired to rest.

6729. But you, Mr. Macdonogh, and Mr. Hunter were discussing the matter, and there was an understanding that funds should be forthcoming?—Certainly; the discussion was how it was possible to fight the game.

6730. Was that in Mr. Macdonogh's presence?—Certainly. But when the question of money came to be discussed Mr. Macdonogh left the room and said what I have stated.

6731. Were you aware before this from Mr. Macdonogh that he had brought down no money for the election?—Well, I really cannot charge my memory with having any particular conversation with Mr. Macdonogh on the subject. I cannot say that I had. At first we all thought that the Conservatives were so strong that Mr. Macdonogh would get in without much trouble, and there was no talk about money until the day or so before the election, and it was in consequence of the voting away against Mr. Macdonogh of several Conservatives that the election was lost.

6732. Have you any doubt of Mr. Macdonogh's statement that he did not bring down £500?—I believe anything the gentleman says.

6733. You have no doubt of it?—Not the slightest doubt of it.

6734. Then, not having money, was it not very natural for him to repudiate it and say he would not distribute money on that occasion?—You are asking me what was passing in Mr. Macdonogh's mind, which I really do not know.

6735. I am asking you as a matter of common sense is it not very natural if a man has not money to distribute that he would not distribute it?—He said he would not sanction the distribution—that he would have nothing to say to it, and walked away.

6736. At that time was there any reference to any person having money in town that could be got for the purpose of the election on his side?—Certainly not.

6737. None whatever?—Certainly not.

6738. Were you aware of Mr. Sheckelton having money then?—I was not. I know it was produced in the room with surprise to me, so far as I was concerned.

6739. Did Mr. Sheckelton come into the room after Mr. Macdonogh had retired?—Mr. Sheckelton was in the room previous to the retirement of Mr. Macdonogh. We went to Mr. Davis and brought him over to Mr. Macdonogh's lodgings.

6740. I understood that Mr. Macdonogh had retired to rest before Mr. Sheckelton came?—I believe Mr. Macdonogh's statement to that effect, but I do not know it.

6741. Try and remember. Was Mr. Sheckelton present when Mr. Macdonogh repudiated having anything to say to the matter?—Certainly he was present.

6742. He was present?—Certainly.

6743. Was there any difference in the language he used in repudiating the transaction before Mr. Sheckelton came and after?—There was only one repudiation.

6744. Was there no discussion about the money, or the distributing of funds until after Mr. Sheckelton came in?—No; certainly not.

6745. Who sent for Mr. Sheckelton?—I do not know who sent.

6746. Was there not a good deal of discussion before Mr. Sheckelton was sent for?—Well, I think not.

6747. Have you any recollection of the words Mr. Macdonogh used on that occasion?—We talked about the necessity of giving money to the Conservative electors, as otherwise the game would be lost. Mr. Macdonogh instantly stood up and said, "Gentlemen, I can have nothing to say with this discussion. I have nothing to do with it," and he immediately left the room, leaving us altogether.

6748. The *Chief Commissioner.*—As a matter of accuracy I may mention that the tot of the sums you specified as having been paid is only £403?—There were £20 I said I distributed, of which I have not the particulars. That is the addition.

6749. Mr. *Commissioner Byrne.*—On the day of the polling when you met Mr. Macdonogh in the hall here, did you give him a very gloomy description of the state of things—you say you spoke of the clouds lowering, and soforth?—Well, we spoke very strongly of the disaffection of the Conservative party, several of whom were voting for Sergeant Armstrong.

6750. And did you at that time take a rather gloomy view of his chances?—Well, it was from an early hour of the day pretty generally felt that Mr. Macdonogh could not succeed.

6751. And when you mentioned to him that no money was given amongst the Roman Catholics, did he in any way give you any hint, or was there anything in his manner calculated to leave on your mind the impression that he wished you to distribute money amongst the Roman Catholics?—I will tell you the truth. I did not recollect the observation until Mr. Macdonogh stated it on the table here to-day. His statement to-day has revived my recollection of it, and I now recollect that I said it. Therefore you see my recollection is not very strong on the subject. I would not have thought of it but for Mr. Macdonogh's statement.

6752. That you do not recollect his giving you any encouragement at all?—I do not. It was never understood, I may say, that we were to bribe the Roman Catholics. We thought the Conservatives strong enough if they stood together to carry the election.

6753. Mr. *Commissioner Bruce.*—According to your experience do the persons who are paid for voting generally vote on their own side, or will they take much less from their own side than they would from the other?—A man would like to vote with his party.

6754. But if he is paid sufficiently will he vote against his party?—Well, I know very few instances, until Major Knox's election, of Roman Catholics voting for the Conservative candidate.

6755. Or of Conservatives voting for Roman Catholics?—The feeling is as strong that way as the other. Mr. Macdonogh was put out by the Conservatives voting against him—five or six Conservatives on whom he relied. Mr. Petre voted for Mr. Macdonogh at the first election, and voted for Sergeant Armstrong at the next. Mr. Phibbs voted against Mr. Macdonogh, Mr. Balfour, Mr. Burns, Mr. Wilson, who were Conservatives voted against him. These six would have counted twelve, or more than the majority against him.

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Charles Sedley.

6756. The names you mention are Balfour, Petre, Burnes, Wilson ——?—And Mr. Phibbs of Seafield, and Mr. George Campbell, cabinetmaker, Wine-street. He is a Presbyterian.

6757. Mr. *Commissioner Byrne.*—At that interview when you, Mr. Lyons, Mr. Hunter, and Mr. Macdonogh were present, was not the object of that interview with Mr. Macdonogh to get funds for the purpose of fighting the contest?—No; it really was the object of the interview to induce Mr. Macdonogh not to resign. I think that was the impression on our minds, that he contemplated resigning.

6758. Was the impression on your mind then that the election would be lost, until funds were forthcoming?—Oh, certainly.

6759. And was it the impression on the mind, as far as you could judge, of Mr. Hunter and Mr. Lyons?—It was the impression on the mind of all, except Mr. Macdonogh, who expressed himself the other way.

6760. But, from the first moment, was that the impression on the minds of the persons meeting there?—Certainly.

6761. You had a discussion at the outside about the chances of the contest?—Yes; but we did not like the unpleasant prospect of giving Conservatives money to vote at their own side.

6762. But, I suppose, from the outset it was suggested that funds should be forthcoming?—Well, I think so; I should say it is likely.

6763. Who first suggested going for Mr. Sheckelton?—Well, I declare I do not know. I did not know where Mr. Sheckelton was at all, nor his object in being there, for I was out of town.

6764. It was not Mr. Macdonogh suggested to go for Mr. Sheckelton?—Certainly not.

6765. So then the suggestion of funds being forthcoming, first came from Mr. Sheckelton himself, by his saying he had money—is that so?—As far as I am aware, the first suggestion was the producing by Mr. Sheckelton of the roll of notes in the room.

6766. After Mr. Macdonogh had left the room?—Oh, certainly; Mr. Macdonogh had left the room.

6767. The *Chief Commissioner.*—When you got the money, of course you had a discretion to do as you wished with it?—Subject to consultation with other parties.

6768. Was it understood between Mr. Lyons and Mr. Williams that they were to mention you had the money for the electors?—Decidedly. I was the stakeholder; they were to go through the electors and inform them that I had the money, and that the money was all right.

6769. And, of course, anyone thus informed you had the money, felt perfectly safe it would be distributed?—I paid all the men on the list.

6770. But that was the idea?—That was the idea.

6771. That when it was known you had the money, the electors would not require payment on the day of polling?—With the exception of the two I have stated, they would not vote at all until the money was paid.

6772. But the other men voted cheerfully?—The other men voted cheerfully.

6773. Knowing you had the money?—Knowing I had the money.

6774. As you understood?—As I understood.

6775. Mr. *Commissioner Bruce.*—Did you hear the six Conservatives who voted for Sergeant Armstrong were bribed?—Certainly, some of them were not.

6776. Did you hear of any that were?—Do not ask that question.

6777. Do you not recollect the names?—Don't ask that question—some may be gentlemen whose names I would not mention on reflection.

6778. Do you know the name of anyone whom you heard was bribed to vote for Sergeant Armstrong?—I cannot say, except the impression on my mind; and cannot, even here, be evidence. I cannot distinctly say I heard anyone was bribed.

6779. Do you believe any were?—I would rather not answer that question.

6780. You must answer—do you believe any of them were bribed?—Do not force me to it; I have told you everything I know—please don't ask me.

6781. I am afraid you must tell—enumerate the names again?—I am certain Mr. Petre got no money; Mr. Phibbs of Seafield voted from personal hostility.

6782. Can you give any information about anyone whom you have reason to suppose was bribed?—Well, I really cannot give the information; I don't know anything definite—nothing sufficiently explicit to state it.

6783. We are the judges of what is sufficiently explicit—can you give us any information, or give any instruction to us from knowledge, information, or belief?—As to belief, if you force me to it, of course I must state it; I believe Mr. George Campbell, cabinetmaker, of Wine-street, was bribed.

6784. Anyone else?—Mr. Wilson, possibly, the hotel-keeper. I do not know that he is in Sligo at present. Beyond these I do not think I can state any.

6785. The *Chief Commissioner.*—Has there been a system to your knowledge of giving orders for drink or refreshment to publicans and grocers to supply the mob?—That all occurred on the other side; I know nothing about it.

6786. That occurred on the Liberal side?—That occurred on the Liberal side. You can get much better information from them than I can give you.

6787. You have seen the mobs in this town?—I have.

6788. And you know perfectly well that these mobs would not work without meat and drink?—No doubt of that.

6789. Do you know anything of persons giving orders for £2 or £4 worth of drink?—No; I know nothing on the subject.

6790. You have mentioned George Campbell's name?—Yes.

6791. Whom do you suppose, if subpœnaed as a witness, can give information about him?—Well, I think Mr. Petre ought to know something about it.

6792. Was he a supporter of Mr. Macdonogh's up to a short time before the election?—He was looked upon as a Conservative elector.

6793. You have mentioned two out of six names?—Well, there are two or three of them above mentioning.

6794. You have named Campbell and Wilson. Is there any other except those two?—Well, I really cannot say; I did not prepare myself to give evidence on the subject; I am taken by surprise, and I cannot do it.

6795. Did you hear what Campbell got?—No, I did not.

6796. Or has said to have got?—No.

(The witness withdrew.)

Mr. *Francis Macdonogh,* Q.C., recalled.

Mr. Francis Macdonogh.

6797. The *Chief Commissioner.*—Do you wish to make any statement?—Do not in any way understand me as impeaching the correctness of intention of the gentleman who has been giving evidence; but I think when Mr. Sedley is reminded—and possibly he will kindly listen—he will see that he is under a slight mistake as to dates. He said his memory is not quite accurate. There were two interviews—the one he refers to when I was present and Mr. Sheckelton occurred early; that was about the time I told Mr. Sheckelton to take away his money; that I would have nothing to say to it, as I stated in my evidence. That was the first interview and the first occasion, and he was not present when I told Mr. Sheckelton to take away his money. He was at the interview which he has fairly described when I said I would

have nothing to say to anything of the kind, and retired to rest. After that Mr. Sheckelton must have been sent for. He was dining at Mr. Davis's, and certainly my memory is that he was not present when I retired to rest, telling Mr. Williams and the other gentlemen, "I am now going to rest for the night; I shall give directions that I shall not be disturbed, and this election is to be fought on principle. I will have nothing to say to anything about money." I think it must be after that Mr. Sheckelton was sent for. I did not know of his being sent for. I was in bed, as I stated to you, when he came to my room and told me of the transaction. I think Mr. Sedley has mixed up these two interviews in point of time; that is all.

Mr. *Sedley*.—I never thought I would be examined on this subject, and my recollection may be wrong, but that is the impression on my mind; but it is very possible that Mr. Macdonogh is right.

6798. The *Chief Commissioner* (to Mr. *Macdonogh*).—Why did it not occur to you to stop the money in Mr. Sedley's hands—I presume you knew Mr. Sedley would do anything you told him?—Mr. Sheckelton told me he had given the money to Mr. Sedley, and Mr. Sedley had gone with it. He said to me what I have already stated to you, "Will I endeavour to get it from him?" I said, "I think it is too late," and no more, just as I have detailed it to you. That is exactly what occurred beyond all doubt, and I thought it would not be right to interfere about the matter with Mr. Sedley. The other matter I would call attention to was about what Mr. Lyons stated as to some bill of exchange which he drew on Mr. Monds. I never heard of that till to-day; of course it was nothing to me. I never heard how he got the money. That is all I have to trouble you with.

(Mr. *Macdonogh* withdrew.)

Mr. *Charles Sedley* recalled.

6799. Mr. *Commissioner Bruce*.—Did I not understand you rightly to say that Mr. Sheckelton came back to you at the interview you had in Mr. Macdonogh's rooms?—I was not aware of any interview between Mr. Sheckelton and Mr. Macdonogh at all. Of course when it occurred I was not present at it. The first time I saw Mr. Sheckelton about the transaction was when we brought him from Mr. Davis to Mr. Leech's lodgings. I am under the impression—I may be wrong—that Mr. Macdonogh was present at the interview; that is the impression on my mind.

6800. But when Mr. Sheckelton and you parted that evening, the list having been made up of persons to whom money was to be given, you did not see him again until the polling day?—Oh, I did not see Sheckelton that night again. I did not see him till morning—that was the night before the polling.

(Mr. Sedley withdrew.)

Major *Knox* recalled.

6801. The *Chief Commissioner*.—Have you made out a detailed list of expenses?—Yes.

6802. Read it; that will be the most convenient way? [Reads]—"Election expenses as by returns from Mayor, £791 4*s*. 9*d*. Expense of revision '68, £600." That is near as I can go—just about what it cost. "Paid for mobs at regatta and revision, £250. Sent to Mr. Wilson after the revision, £15 for the same purpose. Purchase of houses in Sligo and building connected with them, £550."

6803. Have you any list of the persons who were the tenants—voters?—No, I have not.

6804. Can you ascertain that?—I am sure I can. I will get that. Yes, I am sure, from Mr. Phibbs.

6805. Does Mr. Phibbs know?—Oh, he does. In consequence of the reduction of the franchise by the Reform Bill, the votes actually made by those houses were almost nothing, because the men we had taken were from small houses, £5 for instance; it was a mere change of tenant. Rents of houses, &c., two years, £370. Expenses of yacht building, £450. Boats, £50, paid to M'Cormick.

6806. Was all that money for the expense of building yacht?—Well, building, fitting, and ballast; everything connected with it; for instance, the ballast cost £80. Paid to another, M'Cormick, £50 for boats. Paid to Mr. Pollock, law expenses connected with houses, £40, and £20—£60. Paid for cars and carriages during visits to Sligo, and for cars at revision; that is, revision of 1868, £75 entirely.

6807. Who were employed for that £75?—Mrs. M'Goldrick; she has a small hotel.

6808. Is she the mother of a voter?—She is the mother and the wife of a voter. Both her husband and her son have votes.

6809. The two of them?—Yes.

6810. Were the two M'Goldricks examined here?—Perhaps they were before I came. I did not see them.

6811. You paid them £75?—Seventy-five pounds. That is exclusive of a small sum I paid at the election time. I made one or two small payments for cars to the Victoria hotel people. Ordinary subscription to Registry Society for two years at £25 a year—£50. That was irrespective of the special subscription. Two small items overlooked at the last election—Mr. Rutherford and Mr. Wilson six guineas and thirteen guineas. For retainer to local solicitor, £120, when I was first asked to come forward. Expense of house on the Mall, £60. A house I had. Firearms for the protection of supporters at election. Paid to Mr. Leech, £14; it may be a few shillings more, for revolvers, subscription to Town Hall, and regattas, £100 each. Sligo railway, £100.

6812. What is the total amount of these?—£320; these are public subscriptions. Then there were local charities, bazaars, coal fund, &c. I put down £100; that cannot be quite accurate. I very often gave them without any record. But, as far as I recollect, I am sure that covers them. Then there were cases of distress—applications from men named Neilon, £20; Flynn, £6; Rooney, £12; Mrs. Leger, £5; Jenkins, £8 or £10. I put it down at that.

6813. Is he an elector?—No, I think not; he is not an elector. With respect to that item I am not quite clear whether there was not another man who got money under similar circumstances—I am not certain, but I will try in Dublin. I think he was a man named Henderson, but I am not sure. M'Morrow's expenses in Dublin. He voted for me and had to leave from mob violence. He was beaten, £15. Paid T. R. Wilson two years' superintending revision £52 a year, £104. It was paid by my predecessor and I continued it. Paid two local newspapers £25 for publishing different things for two years. Paid a doctor for attending Brennan, and expenses in connexion with that, £18. Then expenses of the petition.

6814. First tell me the total of the election expenses?—The total of the election expenses would be £4028 10*s*. 9*d*.

6815. That is the total for the election?—For the election.

6816. That includes every item that has been mentioned either at Carrick or here up to the present?—Oh, every single thing. In addition to the £4,028, I put down £3,000 for the costs of the petition—the costs on both sides unfortunately—that is, a total of £7,000. I estimated the costs of the petition rather higher in one item than they actually will be. I put down £900 and something. I only paid £700. The

FIFTH DAY. *October* 9. Major KNOX.

bill in some matters was wrong £200, but I put down the whole.

6817. I wish to direct your attention to some evidence given here by Feeny. He said, "Major Knox came in and shook hands with me, and he said, 'What is your figure?' and he asked me would £50 do. I said, 'I suppose it will.'" He says you said that?—That evidence I had to answer at Carrick. Of course I disproved it; if not I would have been found guilty of personal bribery. I may mention the circumstances connected with that man. They are these. A man named Hart, I think, came to the hotel door and told me that Feeny was dissatisfied at my not having canvassed him. I told Hart to apologise; to say I could not go about the town in the state it was then in; and just as that happened, a minute afterwards, a gentleman then connected with the *Irish Times*, Mr. Waugh, came in—there was someone else with him—and I gave him some message to see Feeny. But I never saw the man before. I may, possibly, have seen him in my canvass, but I never knew who the man was: I think I never saw him, and I think I would not know him again. I never said, "What is your figure?" His statement is untrue; there is not a word of truth in the whole thing. He says that I offered him a glass of brandy. I never had any brandy in the house at all. He said I gave him a glass of wine. I saw him in the drawing-room. I had no wine in the drawing-room. I was at dinner when he came. A cousin of mine was present, Mr. John Valentine Knox, and a friend, Mr. Morrison. We did not think it necessary at Carrick—Judge Keogh said it was necessary—to examine Mr. Morrison. That man also said he went to the house opposite, and Mr. Green and Mr. Chism promised him clothes; but both Mr. Green and Mr. Chism were both produced and proved it to be an utter fabrication.

[Bank docket handed to *witness*.]

6818. That is Mr. Hignell's handwriting?—Oh, it is. I have no doubt of it.

6819. You directed that £12 to be given by Mr. Hignell?—Yes, I think I personally told Mr. Hignell.

6820. Did you send away that sum in a blank envelope?—I do not know, I think he said at Carrick he got it in an envelope with a paper folded round it.

6821. But what it was sent in was merely a blank piece of paper?—Well, I think I can account for it. I think the man also stated what is accurate, that he got two letters from me. I think the second letter—it is a long time; but my recollection is, that the second letter acceded to his request, and I think it was probably written the same day the draft was sent. It is a common way of remitting without a letter; we constantly get remittances without letters from agents. I think my letter to him may have gone in another envelope. I think he is right, and that there were two—the first acknowledging the receipt of the memorial, the second probably acceding to it. There is no doubt the man got the money from me. I think too there was another man whose name I cannot call to mind got £12 or £15. My recollection is, that it was a man named Henderson—that is my recollection, perhaps I am wrong—that is my recollection. I put down the cases of Neilan, Flynn, Rooney, Leger and Jenkins at the total of £53. There may be another which I acceded to, but I am not quite certain.

6822. Do you say with some trifling exceptions you only spent that £53 in that way?—Certainly, I think it is my positive belief, not another shilling except what is in that return.

6823. Do you intend to compensate the M'Mullens?—Well, I do not know as to the M'Mullens, I hardly think I am called on to do that. But there are some of my supporters whose houses were smashed and furniture ruined, and I think it is probable I shall compensate every one who suffered injury by supporting me.

6824. We were lately told that the M'Mullens went away for seven months?—I do not know much about them.

6825. Do you not believe they went away or were brought away by Stokes?—Well, he may have done so, but I think he injured me, and they injured me, for I looked on them as supporters especially the younger man, I knew his wife was very anxious to support me.

6826. Did you make any effort to have these men examined at Carrick?—I knew very little of these things, but Mr. Macdonogh's opinion to have everybody there, and——

6827. You said you consulted Mr. Macdonogh, and he told you to have produced every witness within your power and procurement?—Yes; I believe I should add that I heard from Mr. Hignell immediately after the petition. They did not wish to tell me before that these men had a great objection to go to Sligo and Carrick, and after some consideration they did go away, but I have no doubt furthermore that Mr Hignell was aware of it.

6828. Have you any doubt that Mr. Hignell could have procured the attendance of those men at Carrick if there was an intimation to him on the subject?—I have not the slightest doubt that he could. I have not the slightest doubt of it.

6829. And that he knew they were at Clithero?—I have not the least doubt of it; and I believe it was at their own request. They did not wish to come. I believe they were in great fear, especially the old man, that he would be beaten.

6830. But they had no fear of coming to Carrick?—Well, I do not know. There ought not to be.

6831. Who else do you intend to compensate?—I have had no application whatever of any description—not for a farthing; but there are two or three cases I know, one man named Peter Harrison. He was dreadfully beaten. He never asked me for any compensation in the world; but if I could do it legally I certainly should compensate him. There was a man named Morrow who suffered very much. His whole trade was destroyed. I have given him the agency of the *Irish Times* as some little compensation, but he deserves something more; and I will put him in the position he was before he supported me; that would be just. There is a man named Gethins. He suffered very much. I do not know whether he voted for me or abstained. I think he was afraid to vote. He did not vote.

6832. Is that Michael Gethins?—Edward Gethins.

6833. Do you think there are any others who have a claim; not a legal claim, but a claim in justice and honour?—I know there is a man that suffered much. There is one man, I forget his name. I am not aware of any at this moment particularly; but if any of them show me they suffered by supporting me, I should really feel bound to place them in the position they would be in if they had not supported me.

6834. If so, why should you not think it right to pay the M'Mullens when they called on you in Dublin?—The first thing I asked M'Mullen when he called—I forgot his name—was what was his name. Then I asked him if he had voted for me. He first of all said, "I could not go back to Sligo. I am afraid of my life." "Did you vote for me?" "No," said he. "Then what have I to do with you?" and I sent him away. "Did you vote for me?" "No." "Then what have I to do with you?" and the man walked away.

6835. He did not tell you he was stopping at M'Dowell's?—No. I only said two or three words to him. I was very busy at the time. I saw him once afterwards, and merely told him I did not know anything about him. In fact, my impression was it was a trap, like Sheils' man, and I am not quite clear it was not now.

6836. Mr. *Commissioner Byrne*.—With regard to the money spent for building purposes, could you not give us more particularly how that money was spent?—Well, there were two houses in particular nearly fit to be pulled down; they were in a very bad state; had to be roofed, and all that sort of thing. There were several other items for repairs.

6837. Were the persons who were moved into these

two houses persons who had been in houses of an inferior description before?—Well, I think one man, for instance, moved into a house who had a vote, but the moving in enabled him to put two sons on for the larger valuation.

6838. By the larger valuation?—Yes; his two sons got votes as well as himself. The other house is not occupied. There were some houses in another street—three of them—and these all made new votes.

6839. Mr. *Commissioner Bruce.*—I do not know whether you were asked yesterday, but there was a man called Leonard examined—did you hear him make a statement that you had given £5 to him for his brother-in-law, an elector?—Yes, I heard him.

6840. Was that true?—The man was a messenger, and he and four others met me at the railway when I came down. They attended there, and watched at night, and he gave me their names, and I gave £1 a piece to the five. There was proof, indeed, of it being fabrication, because it was proved at Carrick that the man did not give the money to his brother-in-law, but went to the pawn-office with it to release some clothes of his own.

6841. You did not give him £5 for his brother-in-law?—Certainly not; I did not know he had a brother-in-law at all.

6842. You stated that Mrs. Lyons wrote to Mr. Hignell with respect to that man M'Mullen?—Yes.

6843. Did you give her name—is she the wife of Mr. Henry Lyons?—No; she is the widow of a deceased brother of his, at the opposite side of the street—Mrs. John Lyons.

6844. Mr. *Commissioner Byrne.*—I asked you yesterday whether you had any lists of voters—have you?—I don't think I have any lists. I had lists; but a great quantity of things were taken from my lodgings at Leech's, where I was staying at the time, and I think the lists amongst others. Everything was mislaid. I had to leave from danger to my life, and I left them. I had lists regularly made out, showing those likely to support me—those likely to vote for Captain Flanagan, and those who were doubtful. I had lists regularly made out.

6845. Were not some of those lists forthcoming at Carrick?—No; I stated they could not be found.

6846. Did you make search?—No; I knew I had not them. I had a marked copy of the register merely—that is the only thing. I think I have that; but the lists analysing the constituency, I have not got them.

6847. Have you the register in town?—No, in Dublin; Mr. Wilson has a copy of it.

6848. When did you get the marked register first?—I got it first in October, '68, a few days after the revision. It was printed as quickly as possible; I got it some time in October, three weeks before I came down.

6849. Could you procure that register for us?—I think I can; I am sure—I am almost sure I can.

6850. I would be glad if you could?—I will do my best. If not, Mr. Wilson will give you an exact copy of it.

6851. We would like to have your one?—I will do my best. If I find it ——

6852. The *Chief Commissioner.*—Did you ever hear anything about the matters disclosed here to-day, as to the money being paid after the election by either the successful or the defeated candidate?—No; I did not hear it.

6853. I do not mean the particulars?—No; but I heard a kind of rumour—I heard that more than once—but without being able to say I know anything about it; there were all kinds of rumours ——

6854. That money was paid after the election?—After the election? Yes; some time after. I understood that was the rumour; but I had no means of knowing it as a fact.

6855. Had you heard the rumour from electors?—I heard it from one elector particularly.

6856. Who is that?—I do not remember his name.

6857. Was he a gentleman of the influential class?—No, a poor man rather, for he said he did not get as much as he ought to have got.

6858. After whose election?—After Mr. Macdonogh's last election.

6859. That he did not get as much as he ought?—He said he was badly treated. I had some gentlemen with me. I forget his name, but he said something of that kind.

6860. He said that while you were canvassing?—Well, I was canvassing.

6861. You do not remember his name?—I forget his name. If I saw the man I would know his face. I have a recollection of one man asking me for money. I had forgotten it till this morning. His name was not mentioned—Gillan. He wrote to me a very disgraceful letter—Michael Gillan, I think, of High-street. He wrote to me a few days before the election, saying if I gave him a certain sum, about £40, his vote was at my service, but the money must be paid down—that kind of letter. Of course I took no notice of it.

6862. Did he refer to any previous payment?—Not exactly, but that was the drift of his letter, and it occurred to me that he was a man who regularly sold his vote.

6863. Did he use the phrase, "Your honour won't be worse than the rest?"—Something of that kind—but he would give trust no longer—something of that sort.

6864. Did he use the expression that he wanted the money down?—Something of that kind—exactly.

6865. Was his letter that he wanted the money down because he did not get the whole of his price before?—Something of that kind.

6866. Do you remember any other?—No. There were some others whose names I do not know, but a good many came to me where I lived, and some by letters, and some personally asked money. I could hardly say they asked—indeed, except this man I think none asked—but some of them hinted they expected it, and I immediately got rid of them.

6867. Did they use the expression would they be safe in voting, or anything to that effect, or "would your honour tell us to go and vote?"—Something of that kind, I believe. The parties appeared to carry on a regular trade in that way.

6868. You have heard and read the evidence given at this inquiry. Is there anything else you wish to state in reference to it?—I think not. Nothing that I am aware of. I don't think there is anything. I think I mentioned everything I know.

6869. Mr. *Commissioner Byrne.*—Is there anything you wish to state with respect to such violence interfering with freedom of election?—Nothing further than that the mob violence was excessive to a degree. On the polling day and the day after it was something incredible. I never saw anything to equal it. For instance, during the day I went to see some supporters of mine who had taken refuge in a house and could not vote. They could not dare come out, and they did not vote.

6870. Do you refer to violence on the polling day exclusively?—On the polling day, and from the nomination day, I never saw such violence. There was a determination about it that I never saw before, particularly on the polling day. I could not move any where myself without enormous bodies of police in attendance—fifty police and a Sub-Inspector with fixed bayonets, and I had to leave the town escorted by a large body of mounted police on each side. Certainly I never saw anything to equal it.

6871. The *Chief Commissioner.*—Were stones thrown at yourself?—Constantly, wherever I went. I have kept some as curiosities—enormous stones.

FIFTH DAY.
October 9.
Major Knox.

6872. How many electors can you say, from information or belief, were prevented from polling for you from apprehension—well-grounded apprehension?—I have no doubt there were twenty.

6873. From well-grounded apprehension of violence?—Yes. One man barricaded himself in the hotel, and Sir Robert Gore Booth and I went to ask him to vote—he was a supporter of mine—he had so barricaded the door, that we could not get into the room.

6874. Was there any part of the day at which you could not poll your men without an escort?—Oh, the greater part of the day dragoons had to go, and infantry and police, to bring the men up at all.

6875. Mr. *Commissioner Bruce.*—I wish to call your attention to what you said about Rooney. I think you said, yesterday, that at one time you believed Rooney was a voter, and afterwards you said something about not knowing it till that morning. I think you must be under some mistake as to that?—My belief was, until yesterday, I knew a Rooney to be a voter. I had reason to know; for I canvassed, and asked a friend who had influence, to see him for me. He saw another Rooney. The mistake was, I thought, until yesterday, that man was not a voter. I never remember to have canvassed him. I find he was a voter.

6876. You were under the impression that the Rooney who wrote to you was not the man you canvassed?—Perfectly—that he was a different man.

6877. Was it before you canvassed Rooney, or at your canvass you received the letter from this man?—Oh, long before. It was a year and a half before—two years.

6878. It was in February, 1868, you received the letter and he got the £12—it could not be a year and a half?—Well, I am wrong. It was in September of the same year I canvassed.

(The witness then withdrew.)

Mr. William Ormsby.

Mr. *William Ormsby* sworn and examined.

6879. The *Chief Commissioner.*—Mr. Ormsby, your name was mentioned yesterday as having got a cheque from Major Knox?—So I heard.

6880. What was the amount?—Two hundred pounds.

6881. Where did you cash that cheque?—I think I cashed it at the Ulster Bank, where I keep an account. I am sure it was.

6882. Which was Major Knox's bank—was it the Ulster Bank also?—Well, I think it was the Ulster Bank; I won't say positively.

6883. No matter; you cashed it in your own bank?—I cashed it at the Ulster; and I think it was on the Ulster Bank in Dublin that the cheque was drawn. I kept an account there.

6884. How did you dispose of that £200?—Major Knox got back nearly the half of it. I will tell you exactly. He was going away some place—I think to Mayo—and asked me if I would make some payments for him, saying, "You are going to stay in town for two or three days." I said I would, with pleasure. "Well," said he, "I will give you a cheque for £200." There was £30 of that to go to Phillips. I thought it was £50, but he said £30 to-day. He said he sent me an account. If he did, I have it in Dublin.

6885. Was the cheque drawn in Sligo?—Oh, yes, given here. I paid for a tax-cart. Major Knox said £30, but I think only £20.

6886. To whom?—To a man in Sligo; Grey, I think, was his name.

6887. James Grey?—I could not tell you, indeed.

6888. Is he one of the electors?—He is, I believe; I don't know; I could not tell you where he lives. I know nothing of it save that Major Knox told me to pay it to him for a new tax-cart that he built.

6889. Mr. *Commissioner Bruce.*—Thirty pounds?—I think £20. He said £30. If I had known of this I could have found it exactly. I gave to Mrs. L. for the hire of her house I think £10, and I gave Mrs. Michael Gethin £15 or £20 for the hire of her house. I did not give a shilling to a voter who had voted, or to vote for Major Knox in any way.

6890. But Mrs. Michael Gethin was the wife of Michael Gethin, a voter?—He was dead.

6891. What were the houses for?—I was told to retain them for him.

6892. For tally-rooms?—I suppose so.

6893. This was shortly before the election?—It must have been; it was before the election at all events.

6894. Anything else?—I did not keep the account, not thinking of it. I could find everything down to the halfpenny. The Major will admit he got back the money himself.

6895. About how much?—He says he thinks about £80 or £75. I thought it was a little more, but I did not keep the memorandum.

6896. Did you spend then £110 or £120?—Yes, about that.

6897. Do you remember anybody else that you gave any money to?—I think that was all the money.

6898. Is that all the money that went through your hands at the last election?—At any election. I never paid a voter in my life, nor ever asked a man to vote for money; nor I never even knew of the money spent at any of them until I heard it to-day. I never interfered nor asked any man in my life for his vote.

6899. Did you give any money to a man for not registering his vote?—No; I gave money—part of the money which I got—to a man that did not register at all.

6900. Who was that man?—His name is Creighton; he lives quite close to the court-house.

6901. What occurred about giving him £10 for not putting his name on the registry?—I never had a word with him at all, but I heard it was for that. I never made any bargain with him, good, bad, or indifferent.

6902. Who told you to give him the money?—Well, I won't be positive, but I think it was Mr. Stokes.

6903. Stokes, the saddler?—I think so, but I won't be positive.

6904. Did Stokes give you any directions about the rest of the money?—No; he wanted to get money from me, but I would not give it to him. I said I would have nothing to say to him, and went away.

6905. Did Creighton call on you for the £10?—I forget the sum; I can't recollect.

6906. Who told you the precise sum to give him?—I think it was Stokes. It was either £10 or £20; I cannot recollect really what the sum was.

6907. Did you give it to more than one person who had not registered?—No; he was the only man I gave it to; nor did I think it was the slightest harm when I gave it.

6908. I am not saying that there is. Major Knox said, "I think there was £30 given by me to Mr. William Ormsby?"—Ah, he is mistaken; he gave me £200. Maybe he thought there was £30 of it——

6909. Spent in that way?—He may have thought it was spent in that way.

6910. As you recollect, it was only £20?—It may be only £10 or £20; I am not sure exactly; but the man was not on the registry, and I was told that it was for that purpose he got the money.

6911. To keep off the registry?—He did not come forward at all to get his name on. He never was a juror.

(The witness withdrew.)

Patrick Neilan sworn and examined.

6912. The *Chief Commissioner.*—You are an elector?—I was; I am not at present.

6913. Did you vote at the last election for Captain Flanagan?—I did.

6914. Did you get any money at all?—No.

6915. From anybody?—I did.

6916. Whom did you get money from?—From Major Knox.

6917. How much money did you get?—Twenty pounds.

6918. Who gave it to you?—Mr. Pollock.

6919. When was it given to you?—I think in February, 1868.

6920. Did you write for the money?—I did.

6921. What did you write in your letter?—The substance of it, as I wrote at the instance of a friend——

6922. Who was the friend?—Thomas Brien.

6923. Go on now?—I wrote a simple request, at the instance of Brien, stating that I was a little in difficulties, and saying that if he could oblige me with some money to assist me, at a future day I would manifest my gratitude to him—something to that effect, as well as I remember.

6924. Did you get an answer to your letter?—I did.

6925. Have you got that letter?—I think I gave it to Mr. Moloney—to some of the agents.

6926. Did you afterwards call at Mr. Pollock's office?—Not on the receipt of that letter.

6927. At all events did you get a letter from Mr. Pollock?—I got a second letter and on receipt of that I went to Mr. Pollock.

6928. Now, what occurred between you and Mr. Pollock?—I went in to him and told him I had some commands for him from Major Knox. He said, "Have you any line or letter?" I showed him the letter I had received, and he called me in and said—"I can give you £12 or £14." "Then," said he, "I will make it £14." I said that would not do—that it would not be sufficient for my necessities, and pay my rent and taxes. "Well," said he, "see your friend about it again; and in the mean time call in in the course of next week." So I did see Mr. Brien. Then I wrote in the course of a week or ten days, and Mr. Brien had no communication in the mean time from Major Knox; and I wrote myself and received a letter from Major Knox, saying to call in and see Mr. Pollock, that he was professionally engaged, and to see him on the subject. I did so, and he handed me £20, and I passed an I. O. U. forit.

6929. Now, did you speak to Mr. Pollock about the election?—No.

6930. Had you spoken to Mr. Brien about the election before you got the £20, or had you spoken to him about your vote?—I did.

6931. What did you say to Mr. Brien?—I said I would vote for Major Knox.

6932. Was that when you were trying to get the money?—At that time or before it.

6933. Did you promise Brien to vote for the Major?—I said I would vote for him.

6934. Did you promise him?—I did not make a promise.

6935. Or did you say you would?—But I said in the course of conversation that I certainly would.

6936. At that time did you intend to vote for him?—I did intend to vote even by not getting it.

6937. Even by not getting it?—I did; I never thought that the getting this money—the asking for it at the time—I said I would vote for him six months or three months before.

6938. At that time did you approve of the Major as a candidate for the borough?—I did.

6939. And intended to vote for him?—I certainly did.

6940. Now what made you change after you got the £20, and after you made that promise?—Well, at the time that the election took place, in November afterwards, I found that I could not conscientiously vote for him.

6941. Did you ever get any promise for voting for the other side?—Never on that occasion.

6942. Did you on previous occasions?—Yes.

6943. Whom did you vote for at the election before?—I voted for Sergeant Armstrong.

6944. Did you get anything for your vote?—I did, about nine months after.

6945. How much?—Forty pounds.

6946. Who paid you that £40?—Mr. Michael Foley.

6947. Were you ever paid for your vote before that?—Never. I voted all my life, I might say, for the Liberal party, and I never got anything, or sought it.

6948. Did you vote at Sadlier's election?—At Townley's and Sadlier's.

6949. Did you vote for Sadlier?—No.

6950. Did you vote for Townley?—I did.

6951. Did you get anything after that election?—Never.

6952. Were you examined at the trial of the petition?—I was.

6953. In Mr. Townley's case?—Oh, no.

6954. Did you vote at Sadlier's election?—I did.

6955. Whom did you vote for?—I voted for Mr. Sadlier.

6956. Was any money going after that election?—I heard there was a great deal.

6957. Did you get, on your oath, any of the money?—On my oath I did not get a penny.

6958. Did you try to get it?—Never, nor thought of it, nor would not accept it.

6959. Was it your difficulties that drove you to getting this £20 this time?—Certainly.

6960. And taking the £40 before?—Exactly.

6961. Were you independent a long time ago?—I was.

6962. Have you been unfortunate in business?—Yes.

6963. When you voted at Sergeant Armstrong's election who asked you to vote, I mean who canvassed you?—Sergeant Armstrong canvassed me, and he was accompanied by Mr. M'Niffe, and a great many.

6964. Did Mr. Michael Foley canvass you?—Well, he came to the house afterwards; I don't think he was any party in the canvass.

6965. How did you know you were to get the £40?—Why, Mr. Foley told me after the election that I would get it.

6966. At the time you voted for Sergeant Armstrong did you expect to be paid?—Certainly I did.

6967. From what did you expect that—what made you expect that?—I expected it from Mr. Foley's word.

6968. What did he say to you?—He said I would get £50. He did not mention the word forty; he said fifty.

6969. He said you would get £50?—Yes; he said perhaps if he could, £60.

6970. That was before you voted?—No, after I voted; it was indeed.

6971. At the time you voted had you any word about being paid—did you expect to be paid?—I did.

6972. What led you to the expectation of being paid?—Well, I had no expectation from any source save my own family; my stepmother and sisters said that I would be remembered, or something to that effect.

6973. They told you that you would be remembered?—Yes, and told me to vote. It was my intention.

6974. You were voting according to your principles?—I was.

6975. But you expected to be paid for it?—Well, if it was going, I expected a portion of it.

6976. Did your mother and sisters tell you that anyone had been calling on you, or calling on them?—They did.

6977. Who?—They said Mr. Foley.

6978. And that Mr. Foley gave them the word—is that the meaning of it?—That's the meaning of it.

6979. Gave them the "hard word," is that the meaning of it?—Well, I took it to be that.

FIFTH DAY.
October 9.
Patrick Neilan.

6980. Now, do you say you never were paid before you got that £40 after Sergeant Armstrong's election?—Never.

6981. You were on the Liberal side in Somers' time?—I was.

6982. Do you know anything about the way in which these mobs are got up in the town?—No.

6983. What business were you in?—I was in the butter and egg trade, and grocery, and bakery.

6984. Do you know anything about "orders" going?—No.

6985. Did you hear of "orders" going?—Never; of course I read of them in the papers, and heard some cursory observations made.

6986. When did you first make up your mind to vote for Captain Flanagan?—Well, sometime within a few months of the election; I suppose something about August or September.

6987. Who canvassed you?—I was not within at the time of the canvass; I was not in the house—I was not in the premises at the time the canvass was made.

6988. Did you never see anybody who canvassed—of course they canvassed you more than once?—What, Captain Flanagan?

6989. Captain Flanagan?—No, sir; he never canvassed me.

6990. Did you never promise your vote before you voted?—I don't remember that I did.

6991. Try and remember?—I don't remember; Captain Flanagan was on his canvass, and I was not at home at the time. He was on two occasions, I think, at the door—I was not there at the time.

6992. Did you ever promise your vote to Captain Flanagan?—I did not.

6993. Never?—Never, to my recollection; nor never spoke to the gentleman at all.

6994. Did you ever promise your vote to any friend of his?—Well, I did; I remember I did.

6995. Who was that?—I said that I would vote—I told his lordship Dr. Gillooly.

6996. The lord bishop?—Yes.

6997. Tell us what took place at that—did the bishop send for you?—No; I went myself.

6998. Well?—And I told him that I had received £20 from Major Knox, and he said that I should not have taken it, emphatically; and that's all that occurred.

6999. Did he ask you then to vote for Captain Flanagan?—He said, I think, something—I don't exactly remember the words; I think he said something that——

7000. You must tell us?—I told him, sir, I would vote for Captain Flanagan.—I said I would vote for Captain Flanagan; I remember I said so.

7001. Did the bishop say anything would be done to you if you did not vote for Captain Flanagan?—No, he did not, indeed.

7002. Were you offered any money to vote for Mr. Macdonogh at Sergeant Armstrong's election?—No.

7003. Can you account for your getting such a large sum as £40 when all the others only got £20?—Well, I don't know how to account for it, beyond simply that parties knew I was in little difficulties.

7004. At what time of the day did you vote for Sergeant Armstrong?—I think it was about two o'clock in the day; I know it was late in the day.

7005. Mr. *Commissioner Byrne.*—You say that on two occasions gentlemen came to your house to canvass for Captain Flanagan?—Yes.

7006. You were out on both these occasions?—I was.

7007. Were any members of your family in the house—stepmother and sisters?—Yes.

7008. Did they tell you who called?—They did.

7009. Who were they?—Captain Flanagan, Mr. M'Niffe, the Rev. Father Morris, and I think several others—a man named Mathew Feeny.

7010. Were you told they came to the house in a body to canvass?—Yes.

7011. Besides these were there any other of Captain Flanagan's supporters that came to the house to see whether you would vote?—Is it afterwards, or at that time, or previously.

7012. At any time?—No, I don't remember.

7013. Try now?—Yes, Michael Foley, but I did not see him.

7014. But did any members of your family tell you that Michael Foley had come to see whether you would vote for Captain Flanagan?—I believe so, on the morning of the polling.

7015. Mr. *Commissioner Bruce.*—Did you ever speak to Father Morris about voting for Captain Flanagan?—I did.

7016. What did he say to you?—I remember that I went and told him I think about the £20. I made some remark or observation about it. That's what brought me to him; and then he said only just a few words—he said, "I would recommend you to do now as you have always done."

7017. Did he say nothing more than that?—Nothing more.

7018. Did you expect to get any money for voting for Captain Flanagan?—Well, I could not swear; I could not certainly say I could expect; I had no——

7019. No promise?—No promise; nothing to draw any expectation on.

7020. But did you not think that money would come?—Well, in case he was returned, I certainly would expect that there might be something done—the like that was done in Sergeant Armstrong's time. People might some way be complimented after a certain time with a trifle.

7021. Did your neighbours expect the same?—I cannot say. Oh, I suppose they did.

7022. Did you never talk to any of them about something going after the election?—No, never.

7023. Do you swear that?—I do, indeed.

7024. Did none of them ever talk to you about that?—Never in my recollection. I don't remember that I could tax my memory clearly with it.

7025. Mr. *Commissioner Byrne.*—Did your stepmother or sisters say anything to you of what Michael Foley had said?—They said that Michael Foley was there, and asked was I in.

7026. Tell us, now, everything?—I will certainly. I will conceal nothing. They told him I was out and so I was. They said that he expressed a little surprise that I would be out so early—it was about seven o'clock in the morning. Then he told them that when I would return he would come back—for me to remain in the house and he would call again. He did not call. I remained there then till about two o'clock in the day. Several parties came in to ask me to go out and vote. I said I was waiting.

7027. Did Foley come to you?—No.

7028. Did you get any message from him?—Yes, but I could not say it came from him directly, although he said it came from him—he had his authority in coming.

7029. Now was it after that message that you went up to vote?—I went with the same person to vote but not immediately. A couple of hours from that I went to vote with the same person.

7030. The messenger that came from Foley?—Yes, Mr. Phillips went up.

7031. Now, do you remember anything that was said to you that day by Phillips?—Not a word, but he asked——

7032. Did he say anything about your vote—what did he say to you?—He said nothing but to come along with him down to the poll. I said I was waiting for Foley, and certainly he would not disappoint me; that the moment he came I would go along with him. He said, "Will you take me for him?"

7033. And that you should be quite safe?—Well, he said nothing of that sort. I went down along with him.

7034. What he said was, would you take him for Foley?—"Won't you do that?" said he.

7035. "Won't you do that?"—Yes.

(The *Witness* was allowed to withdraw.)

Michael Foley sworn and examined.

7036. The *Chief Commissioner.*—Mr. Foley, you are in business in Sligo?—Yes.

7037. What is your business?—I am in the butter trade.

7038. Have you been an elector for some time?—Yes.

7039. For how many years?—For twenty years.

7040. Do you remember the first election you voted at?—Well, I do.

7041. Was it between Wynne and Somers?—Somers? Yes. I voted for Somers.

7042. Did you give £40 to the last witness?—I did.

7043. How much money did you get for distribution at that time amongst the electors?—£180.

7044. Had you a list?—I had.

7045. Just read out the list of the electors you paid and the sums you paid them?—Patrick Neilan, £40; George Blair, £15; Michael Currid, £15; Owen Bruen, £20; Edward Gethins, £15; M'Getrick, £15; Patrick Leonard, £15: Martin Jordan, £15; Francis Tracy, £15; the widow Cleary, £15; it was not I but a clerk that gave it to her; her husband died after the election; he voted for the Sergeant.

7046. Now, how did you make out that list and know you were to pay these men?—When I heard after the election, some six or nine months, that Mr. Byrne was to come to town to give some compensation to distressed people I went and claimed something for those that I canvassed if it was going, and if not, of course, they did not expect it.

7047. Then, had you canvassed all these ten men?—I did.

7048. And from your position in the town, I presume, influenced them?—Well, they had confidence like in me. I never promised anything.

7049. But they had confidence?—If anything in the way of money was going—compensation to give out after that.

7050. That you would get it?—That I would get it for them.

7051. Did you tell them to go and vote?—Some I did and some I did not. I was not present at the voting of any of them, except one man—Blair.

7052. Had all these men belonged to the Liberal party?—All.

7053. Had you anything to do with the consultation after the election as to whether it was right that the money should be paid or not, or did you only hear that Mr. Byrne and Mr Tracy had come with the money?—That's what I heard.

7054. And you had nothing to do with the previous consultation?—No.

7055. Had you ever any money to divide before that?—Never.

7056. Or since?—Or since.

7057. Did you canvass the same men for Captain Flanagan?—Some I did and some I did not.

7058. The majority of these ten men did you?—I canvassed some of them.

7059. And they voted for the Captain?—They did.

7060. Most of them?—Most of them.

7061. I believe nearly all?—I dare say the whole of them did; at least that is my recollection.

7062. I am applying to you that knew the town before this—did the whole vote for the Captain?—They were of that opinion.

7063. Now, at Captain Flanagan's election had these men the same confidence in you, to use your own phrase, that if any money was going you would get it for them?—Well, there was nothing at all about it. They did not consider him so independent a man as the Sergeant, or had confidence that they would get money, as far as I could hear. It was not calculated amongst them.

7064. Was the hard word amongst them at the previous election?—Well, some of them thought they would.

7065. How do you know they thought they would?—Some of the electors I heard saying that they thought they would get something if any was going in that way; but, of course, they were not sure of it.

7066. Who told you they thought they would get something if anything was going?—Well, I heard a report through the town,—not merely through the electors that I asked, but, I remember, through the town, that Mr. Byrne was coming to town, and very likely would give some compensation.

7067. Had Mr. Byrne been down at the election?—Oh, yes.

7068. I mean at the time of the polling?—Yes.

7069. Where was it you gave in your list of the men to be paid?—In the hotel.

7070. To whom?—To Mr. Phillips, Mr. Conry, Mr. Keighron, and Mr. Campbell.

7071. Were these sums that you have given evidence of as having been paid the sums that you demanded?—These were the very sums I demanded.

7072. I suppose you put down fairly what you thought the men were entitled to?—Well, I thought so.

7073. Now, you were on the Liberal side again at this last election?—Yes.

7074. You saw the mobs?—I did.

7075. Do you know anything about the management of those mobs?—Nothing.

7076. Don't you know very well that those mobs would not go into the street without being paid for it?—Well, indeed, curiosity led many people to go into that mob.

7077. Didn't you see many of them drunk?—Well, I did.

7078. Do you imagine they paid for the liquor themselves—is that your experience of elections?—I cannot say. It is likely that they got some money to drink, but I cannot say; I never classed with them.

7079. Do you know the houses where the orders were given? Can you give us any information about that?—No, I know nothing at all about it.

7080. Are you telling us the truth?—Not a hap'orth about it do I know.

7081. Did you see mobs drinking in any particular places or public houses?—No.

7082. Or getting a treat there?—No; I am a teetotaller myself, and I don't look after the like.

7083. Mr. *Commissioner Bruce.*—Did you hear of any public house where they did drink?—No. There used to be crowds through the streets, and I did not know whether they used to be drinking in those houses or not.

7084. How was it that Neilan got £40, and all the others less?—Being the poorest man, and in distress.

7085. That was the only reason?—That was the reason.

7086. Mr. *Commissioner Byrne.*—Do you remember canvassing him before the last election for Captain Flanagan?—I do.

7087. And talking to his stepmother and sisters?—Yes.

7088. Did they talk about his poverty?—Yes, they did.

7089. Both the women and Neilan himself?—Oh, yes, I knew his poverty before myself.

7090. They referred to his poverty when you were talking about the election?—Yes.

7091. Did you give them to understand that if there was anything going he would come in for a share, after the last election?—Well, I did. I thought that if there was anything going he was the poorest man, and I thought he would get something.

7092. Mr. *Commissioner Bruce.*—Did not the men you canvassed at the last election believe they would?—At the last election?

7093. Yes?—No; nor did they believe at the first election of Sergeant Armstrong that they would get money either, if was not forthcoming.

7094. Did they not believe it would be forthcoming?—No, they did not.

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7095. Did they think it?—They might have thought it; but as to craving or insisting on it to me they never did.

7096. At Captain Flanagan's election did they believe they would not get money?—Well, I did not hear anything of it amongst them.

7097. No talk at all about it?—Nothing; they had no hopes of it.

7098. But did they think they would not get it?—They thought the man had not means enough.

7099. Had not means to pay anything?—Well, so they thought.

(The witness withdrew.)

Stephen Hughes was called.

The *Chief Commissioner.*—I may mention, in reference to Mr. Stokes and Mr. Cherry, whose names have been called every day, and who are residents of Sligo, that if this inquiry shall have to be adjourned for month after month, it shall last until they have been examined.

Stephen Hughes.

Stephen Hughes sworn and examined.

7100. The *Chief Commissioner.*—Were you examined at Carrick?—No; I was not.

7101. You are an elector?—I am.

7102. Whom did you vote for at the last election?—Captain Flanagan.

7103. Were you paid any money at the last election or after it?—No.

7104. Did you receive any money after Sergeant Armstrong's election?—I did.

7105. How much?—Twenty pounds.

7106. Who paid you?—I don't know who gave it to me. I got it in Bryan Chrystal's house, and signed an I. O. U. as a receipt for it. I could not say who gave it to me.

7107. Who was it that canvassed you?—Captain Flanagan himself.

7108. I mean at the previous election?—Sergeant Armstrong and the gentlemen who accompanied him.

7109. Did you expect that any money would be going?—By no means.

7110. When did you first hear of any money going?—Oh, I heard it whispered about a few days, I think, before it was given.

7111. Who told you about it?—Well, when we would drop out of the house in the evening, and stand about the corner, and have a chat, one neighbour with the other, we had a talk about it.

7112. Whom did you apply to to get the money—how did you know that you were to go to Chrystal's?—I was told in the street to call over.

7113. Who told you?—To the best of my opinion, Mr. Geraghty told me; I am not quite sure. Mr. Geraghty, the son-in-law of Bryan Chrystal.

7114. He told you to go over, and that it would be all right?—No; he told me that if I would look over to Bryan Chrystal's in the evening, he would be glad to see me.

7115. Had you ever been there before?—Oh, I had, often.

7116. Where did Mr. Chrystal pay you?—I don't say that Mr. Chrystal paid me.

7117. Who paid you?—I don't know.

7118. You don't know?—No.

7119. Was it a man you never saw before?—It was some one of the two—either Jerry Geraghty or Bryan Chrystal—but on my solemn oath, I don't know which.

7120. Were they both present?—They were.

7121. And one of them gave you the money?—Some one of them gave it to me.

7122. And you gave an I. O. U. for it?—Yes.

7123. I suppose you were a supporter of the Liberal party?—Yes, on that occasion.

7124. Had you ever voted before?—I had.

7125. Whom did you vote for?—I think I voted for Captain Flanagan.

7126. That was afterwards?—I think I voted for Mr. Wynne.

7127. Did you look on him as a member of the Liberal party?—Oh, no; but he was a handle that we used to get rid of a man that was looked on as a nuisance here, namely Somers.

7128. Were you one of the thirty Liberals who voted against Somers at his last election?—Yes.

7129. You looked on him as a nuisance?—That was the general feeling of the Liberals.

7130. Was that on account of his not being able to pay you?—By no means. It was not.

7131. Well, what was it?—Well, he always—it was the belief that he always divided the Liberal party.

7132. Do you mean as regards the politics of the borough?—Yes.

7133. Very well. That was quite right; and you were one of the thirty or forty that finally got rid of him by voting against him?—Just so.

7134. At the previous election when Somers was unseated because of the poll-book having been tampered with, had you voted for him then?—No, I voted for Mr. Wynne on that occasion.

7135. On that occasion also?—Yes.

7136. Had you ever voted before that?—No.

7137. Now was any money going after Mr. Wynne's election?—Oh, certainly not.

7138. Certainly not?—To my knowledge.

7139. Had you ever got any money before Wynne's election?—Oh, never.

7140. Or had been promised any?—Before or after; unless the Sergeant's affair.

7141. Was that the only money you ever got to vote?—The only money I ever got or ever expected.

7142. Was "the word" going at the last election between Major Knox and Captain Flanagan, that there would be any money?—Ah, no, I think not. I believe the feel of the town was that they looked upon Captain Flanagan as a poor man, and that he was coming forward on the present occasion more to fight their battle than his own. I think it was about the notion of a great many that a very important question was about to be tried at that time.

7143. Do you say that you honestly voted for him and expected no money?—Oh, unquestionably.

7144. And never expected a shilling for voting for Captain Flanagan?—Never did, nor do not.

7145. What are you in business?—I am a provision dealer, and cattle feeder and dealer.

7146. Do you know anything about the organization of the mobs?—No.

7147. Did you see the mobs here?—Oh, I did.

7148. Did you see strangers in the town?—I saw some countrymen in town.

7149. You know that windows were broken?—I heard they were broken. I did not leave my own house that evening. A scandalous affair it was too.

7150. You use a very proper phrase—"scandalous affair?"—Very much so indeed.

7151. With respect to that violence that disgraced the town can you give the Court any information as to who got up those mobs?—Oh, by no means; I did not know the least about it.

7152. Don't you know that these men would not have gone through the streets unless they were paid for it?—I know no such thing.

7153. Can you give an opinion on the subject?—

Well, my opinion is that at the time they felt very strongly upon the Church question that was about to be brought forward—that the very humblest individual amongst them thought strongly upon that point.

7154. Do you mean the men from the county of Leitrim?—I do.

7155. That that brought them here?—I believe the very humblest individual had his own opinion on that point.

7156. Quite right. They had a perfect right to it. Did you attribute the violence of the mobs partly to that?—I did.

7157. Did you see many of the townspeople—I do not ask you for names, but did you see many of the townspeople in the mob, or men from the country?—I assure you I cannot tell you who was in it or who was not. I did not take any particular notice of it.

7158. Mr. *Commissioner Byrne.*—Before the last election were you canvassed by ——?—No, I was not. I never saw the man at all till the morning of the poll, when I saw him in the tally-room at the court-house.

7159. Before the Sergeant's election, were you canvassed by Bryan Chrystal?—No, never. I never saw the man during the whole election unless in the ordinary way in the streets. On the morning of the poll I saw him in the tally-room beyond.

7160. Was Geraghty to meet you before the Sergeant's election?—No, he was not; I never had a word with him.

7161. Was there any particular friend of Bryan Chrystal that canvassed you for the Sergeant?—No; the Sergeant canvassed me individually himself, at my own door, and I gave it to him then and there freely and without hesitation. I was listening to Barry yesterday giving his evidence. He stated that I told him I got money from Keighron. Well, Mr. Barry's memory is at fault.

7162. It was from Chrystal that you got the money?—Yes.

7163. You know Keighron was said to have been paid money at some time?—He said I told him I got money from Keighron. I never got any money from Keighron, nor never had a conversation with him on election matters. If all he said—if his whole statement was as true as that he will require to reconsider it.

7164. The *Chief Commissioner.*—Never mind that. Speak about yourself, and not other persons?—I never had the conversation with him. I never told him any such thing.

7165. Do you wish to say anything else?—No.

[The witness withdrew.]

Thomas Kavanagh re-examined.

7166. The *Chief Commissioner.*—Have you been thinking over the difference in recollection between you and Mr. James M'Dowell as to the letter for Clithero?—I have, and I have recollected that I did not write the letter, but I tell you what I did. I wrote a memorandum on a small sheet of paper, in my opinion, in a letter written by his wife to him at Clithero—I presume in what he calls a letter—but certainly and positively I never directed a letter to Mr. M'Dowell while he was there. I assure you that I was inclined to come up this morning, but I was not able to leave my bed, having been ill since Wednesday.

7167. I can well understand that. The object of the Court is to discover the truth?—I know that; but I felt it very much yesterday, for I have been before all the judges in the land, and they never censured me in their lives.

7168. He swore positively?—He did; but I think I told you I did not believe it.

7169. You wrote the memorandum?—I did.

7170. What was it?—I could not tell you a word in it, I pledge you my oath. Whatever was in it I presume he told you, and I believe it was so.

7171. Do you believe that?—I believe he would not tell an untruth.

7172. I presume you know M'Dowell a very long time?—I do, and I believe he would not tell an untruth.

7173. Did you speak to him since?—I did.

7174. You were trying to ascertain what was the fact?—I talked it over, and he told me that he received a letter, and I recollected it. That's last night. I recollected that I did.

7175. That's quite fair. Did you then write to him to Manchester, suggesting to him to go to Clithero?—I suppose that was the contents of it; I believe it was when he states so; but I pledge you my oath I could not tell you a word of it.

7176. You did not remember it?—I did not remember it.

7177. And I now accept your answer when you say that. Now I must ask you who told you to write to him to Manchester to tell him to go?—Well, if I was told by anybody it must have been Hignell, but I won't be positive.

7178. You believe now that it was?—I believe it was.

7179. That is from your recollection, putting the different matters together, and conversing with Mr. M'Dowell?—Exactly.

7180. What did Mr. Hignell, according to your recollection, say to you?—I could not tell you, I assure you; if I could I would willingly tell it to you.

7181. Do you remember why Hignell said you were to go to Clithero?—I could not say; I suppose you will have him here, and he will tell you himself.

7182. Did you know at that time that the trial of the petition was coming on?—I did.

7183. And I presume you talked with Hignell about it?—Well, I don't know that I did, but I did know it was coming on.

7184. Did you know, from your knowledge of law, that these men were to be examined at the petition?—Of course I should have known it, for they were subpœnaed.

7185. Did Hignell then tell you in plain language that these men were to be kept out of the way?—He did not.

7186. Did you understand that that was the object of what you were doing?—Well, I believe it was.

7187. You know, now, that you and Hignell were then engaged in trying to prevent these men from appearing in court?—Well, I don't know that; I don't say I was endeavouring to keep them from the court; I presume that's the way to look at it; but if I thought I was doing the slightest thing wrong I would not have done it.

7188. Very well; that is a fair answer. I tell you now that you ought to have known that you were doing a wrong thing?—I presume, now, that you tell me I do believe so.

7189. In trying to keep any witness from a court of justice?—And I tell you I will not do it again. All I got is trouble and annoyance by it up to the present.

7190. Mr. *Commissioner Byrne.*—As you have been considering the matter last night, may I ask you when the M'Mullens came to your house first had you had any previous communication from anyone?—I can swear positively that I had not—none.

7191. And having had no previous communication from anybody, do you still adhere to your answer, that they showed you no letter?—They did not; that I am positive on.

7192. You had no knowledge of them at all before?—None whatever; not the slightest. I never saw them until the day they came to my house.

7193. And you did not say to them, knowing nothing about what they said, "I know nothing

FIFTH DAY. *October* 9.

Thomas Kavanagh.

about you, and you may go about your business?"—I did not.

7194. But you went down and got them a lodging at M'Dowell's?—I did.

7195. Mr. *Commissioner Bruce.*—Was a card shown to you?—No, nor anything in the world with writing or pencil on it, or anything else.

7196. Nothing in the world in the way of a scrap of paper?—Nothing in the world. I assure you I would tell it to you without hesitation if it were otherwise.

7197. The *Chief Commissioner.*—We recalled you to-day, Mr. Kavanagh, in order that you might have the earliest opportunity of reconsidering what occurred?—Well, I was determined to come back myself.

7198. We now see no reason to keep you here?—Thank you. I would have come into court this morning, but I was not able to leave my bed up to twelve o'clock to-day.

[The court was then adjourned to the following morning at ten o'clock.]

SIXTH DAY. *October* 11.

SIXTH DAY.

MONDAY, OCTOBER 11, 1869.

The Commissioners sat at ten o'clock.

Mr. *Henry Lyons* appeared on the witness table, and said—You wished me to produce my books?

Mr. Henry Lyons.

7199. The *Chief Commissioner.*—Yes, Mr. Lyons. I suppose it is so long ago, you do not care to look at your bank-books?—No, it was very fortunate I had these books. [Bill produced.] That is the bill I was speaking about—my memory is not so good now as it was—and I find the bill is for £20, and not £25 as I stated.

7200. This I will ask you about afterwards?—I went to the bank, and I found the bank-book corresponds with my book.

7201. Show me on what day the bill drawn by you on Moses Monds was put to your credit, and for what amount?—£800 was what I got; the bill is £500, and I drew my account over. Here is the bill, and the date of it.

7202. August 1, £493 11*s.* 3*d.*?—Exactly.

7203. That is the first entry of money connected with the election?—It is.

7204. On that day you discounted the £500 bill drawn by you on Moses Monds?—Exactly. You will see when that bill fell due.

7205. What is the next entry of money put to your credit in connexion with the election?—The next is that bill renewed. I said it was £800, but I find it was only £500.

7206. Was that all the money you received for the election?—That's all. I overdrew my account for the rest.

7207. Tell me in order the cheques you gave for the election?—Here they are: August 1, £250.

7208. To whom did you give that?—I don't know whether it was to myself or not I gave it. That's the first cheque. On the 6th, £250 more; on the 10th, £150—this cheque (pointing to another) doesn't belong to the election, it belongs to a house I have in Manchester; looking at the balance you will find my account was overdrawn at that time.

7209. Enumerate all the cheques?—On the 13th August, £150; and that's the whole of the £800.

7210. Mr. *Commissioner Bruce.*—On the 10th, £150; and on the 13th, £150, also?—Exactly.

7211. The *Chief Commissioner.*—Had these cheques the effect of overdrawing your account at the bank?—Yes, I had to go to my private book. I generally have two bank-books—one for my trade, and one for my own private transactions.

7212. Looking at these books, and refreshing your memory by the aid of them, was it considered, originally, that £500 would be enough for the election?—It wasn't. £800 was considered necessary. Mr. Macdonogh knew that there was money raised for him; he seemed to convey to you that he didn't understand anything about it. That's not the fact; he did know about it.

7213. Do you say, as an accurate business man, that, looking at these books, and refreshing your memory by their aid, what you put down was an £800 bill?—It was. I thought it was but for £500, but I find, on looking at my books, it was for £800; so that I overdrew my account at the time. After coming from Dublin, I will show that I only lodged in bank the amount I had paid. I didn't lodge the £50, but only the £800. You seemed to think that I was governed by the opening of Parliament in the time I selected for going to Dublin, and getting the money from Mr. Macdonogh. You will see, I think, that Parliament was not opened at all at the time, and that I wasn't governed by the twenty-one days, or by anything of the sort.

7214. You are quite right, Mr. Lyons. I see that you lodged on the 25th January, 1861—cash, £800?—When I chequed over, I lodged in the very same way. I didn't lodge the £50—you see I didn't. You see I thought when giving my evidence the other day, that it was in February I lodged the £800. You now see that it is not so, and that it was in January I lodged it, so that I certainly was not governed by whether Parliament was opened or not at the time.

7215. It is perfectly plain, Mr. Lyons, that you were not?—There were one or two things mentioned on Saturday that I wish to explain.

7216. You had better explain now?—I mentioned in my evidence Mr. Williams's name as the person that got part of that money.

7217. Thomas Williams?—Yes; what was in my mind was that Mr. Charles Sedley had mentioned Mr. Williams's name as the person for whom he left a parcel in his parlour, which I thought went to Mr. Williams. It appears it didn't go to him, and I want to justify Mr. Williams.

7218. Quite right?—My first impression was that Mr. Williams was the man that got and distributed the money, but I understand it wasn't he that really distributed it. The matter was between him and Mr. Sedley. Mr. Williams, it seems, wouldn't take it; and he mentioned the name of a man named John Burke. What I want to say is, I hope I will not get the credit of casting any reflection on Mr. Williams, for I wouldn't do it to any man.

7219. I am perfectly sure you would not?—He sent for Burke, and I don't know what occurred afterwards.

7220. How was the £50 disposed of?—That was given in lieu of interest, and to pay incidental expenses. The interest should be about £26 for £800—the rate of interest was very high at the time, it was five or six per cent; and that was to come out of the £50. Mr. Rowlett stated that I gave him three £10 notes for distribution among electors. I don't know—I don't recollect whether I did or not. He said I did, and I suppose I did. I don't recollect it, but I have a bad memory.

7221. Mr. *Commissioner Bruce.*—Did anyone get three £10 notes from you for that purpose?—I don't remember.

7222. But if anyone did, it must have come out of the £50?—It must. The £20 is entirely a different thing that came afterwards. I had no anticipation of that.

7223. The *Chief Commissioner.*—At all events, not a penny of that money you kept yourself?—Not a sixpence of it, I always looked on it as a loan to Mr. Macdonogh, for which I would have interest

7224. Is there anything else you wish to say?—I think not. If Mr. Macdonogh wanted to convey to you that he knew nothing of the raising of that money, I don't agree with that. He did know of it, and if he said he didn't, he shouldn't have said it—honesty is always the best policy.

7225. It is due to yourself to explain the entire matter, as Mr. Macdonogh stated in his evidence to us that he neither knew of the raising of the money, or what it was for?—I thought he seemed to say he didn't know—he seemed to convey that.

7226. Mr. *Commissioner Byrne.*—Mr. Macdonogh conveyed that he did not know that the money was raised to distribute it among the voters?—Nor did I know it. I am sure he knew of the money being got for him.

7227. The *Chief Commissioner.*—Had you any conversation with Mr. Macdonogh about the £800 before you advanced it?—Yes. As far as my recollection serves me, what he said was—he said he was in a fix, he didn't seem to have brought down with him sufficient money from Dublin. He said he had no money except as much as would pay his personal expenses, and that he would have to go to Dublin for it. He said he could have his cheques paid here, but that he didn't like to draw on the branch bank in Sligo, lest any observations should be made about it.

7228. What I want to know is, do you remember telling Mr. Macdonogh that the money was to be given to voters—can you give us any information as to whether he knew that the money was to be given to voters?—I wouldn't take it on myself to say that. I don't know what he would expect it to be given for else.

7229. How did you fix on £800?—There was no fixing on it.

7230. Can you now say to whom you gave the money?—I gave away three parcels of it, but I couldn't remember exactly the particular persons to whom I gave them. I know Moses Monds got one parcel.

7231. That is £250?—I can't say exactly.

7232. Was it money or cheques you gave?—I think I gave the money, and not cheques.

7233. Had you cheques at the time?—No, I had the blocks.

7234. Mr. *Commissioner Bruce.*—You stated the last day that you gave the money to "Moses Monds, Mr. Sedley, my brother (who is now dead), and to Thomas Williams;" is that so?—I was wrong there. I didn't give any to Thomas Williams. I sent money to Mr. Sedley's house, which I thought was for Williams, but I now understand it was not for him.

7235. It would be very desirable if you could try and recollect whether you gave money to four persons?—No, I gave it to only three.

7236. There were four cheques?—I recollect that two of them were given to my brother—two cheques for £150 each.

7237. That accounts for it—Mr. Monds got one for £250, Mr. Sedley got another for the same amount; and your brother got two of £150 each—which makes up the £800?—That's it, as well as I can recollect. If there is any discrepancy in anything that happened here after I left on Saturday, I will give you any explanation you may require.

7238. The *Chief Commissioner.*—I will ask you to tell what happened at the contested election between Sergeant Armstrong and Mr. Macdonogh—Mr. Sedley stated that you were the person that got the £490 from Mr. Shekleton, and that you knew it was to be given in bribery?—That's not so. I wouldn't take the money, although some of the gentlemen pressed me to take it. The word "bribery" wasn't used at all.

7239. You know that during a contested election you do not use the word "bribery" at all?—I wouldn't take it at all—I got £30, part of it, for money I paid.

7240. Didn't you know that the money was for the purpose of bribing the electors of Sligo?—I knew it was to be distributed after the election.

7241. Do you believe that any portion of it was paid before the election?—I don't believe that a shilling of it was paid before the election.

7242. Did not you believe that it was ultimately to be given for bribery?—I did believe it.

7243. Was there a list of the electors submitted to the gentlemen present when Mr. Shekleton gave the £490?—I think not. I heard Mr. Sedley state that there was, but I don't remember it.

7244. And that you and Mr. Williams went through the town that night, to tell the electors that money was going?—That's a matter I don't believe.

7245. Did you or Mr. Williams leave that room on that night to give the hard word to the electors?—I don't believe I did—it might have come out afterwards that Mr. Sedley had the money; but I don't believe that either Williams or I went through the town before the election, to tell them that the money was there.

7246. Not to tell them the money was there, but to tell them to go and vote?—I didn't. I went straight home.

7247. Did you go to, that night, or call on any of the electors?—Decidedly not. I think I went straight home that night.

7248. Did you think that £500 would carry the election?—I don't think I thought whether it would or not.

7249. Mr. Stokes did not vote for Mr. Macdonogh at that election?—I heard him say so. I think he didn't. I have no recollection whether he did or not.

7250. Was there any promise of money made at that election?—I think not.

7251. If there was no promise why did you afterwards take £30 for the money you paid—wasn't that part of the money that was going?—It was. They all believed they would get money, but they said nothing about it. There were some who didn't expect any money, and did get it—they made no particular inquiry about it.

7252. We have it in evidence that money was going and was distributed among three different sets of people—was the £800 you first distributed given to electors—every shilling of it?—I think so.

7253. That was one occasion—then there was £490 on the second occasion that Mr. Macdonogh was a candidate?—Yes.

7254. Then there was a sum of £1,480 distributed among voters after Sergeant Armstrong's election?—I know nothing of that.

7255. Do you remember what the polling day was on the election of 1860?—I don't remember—it may be the 12th or the 13th, or the 10th. I don't know what time it was.

7256. Do you believe that that money was paid at once after they voted on the day of the election—are you chequed before the 14th?—I am. I don't believe that the money was paid away for a long time after the election.

7257. Was the plan then to give the money to the gentlemen you named as trustees for the electors?—I think so—that's my recollection.

7258. I suppose the electors will trust gentlemen in town, that they know?—They knew nothing whatever of trustees in the matter; they didn't know a ha'porth about it before the election.

7259. Was there, in your opinion, any occasion to bribe at that election?—I don't know. I believe that, whether they were to get money or not, the masses would have voted as they did vote.

7260. That is, they voted according to their principles—but the money kept them up to their colours—in fact they required to be strengthened?—Yes.

7261. Mr. *Commissioner Byrne.*—Do you remember whether Mr. Macdonogh was in the room when Mr. Shekleton came in?—I can't say. I know he was there at some time, but I can't say at what time it was—he was in and out of the room, I know.

7262. With regard to the first election I believe you said you gave Mr. Macdonogh to understand that the £800 was to be given among the voters?—I believe he was aware that the money was received for him.

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7263. Did you mention to him the names of the persons to whom it was to be given as trustees?—No, I think not. I don't think I did.

7264. Mr. *Commissioner Bruce.*—You said that the £800 was given to certain persons as trustees for the electors—that was the phrase, I believe, you used—what I want to know is, did these persons require the money to be given before they used their influence in asking the electors to vote?—I don't know—they were the judges of that themselves, they didn't use any expressions of the kind to me. I believe they would rather have it before, than wait for it until the election was over.

7265. Did these persons come to you to ask for the money or the cheques, or did you take the money round to them and volunteer it to them?—It was understood that the money was to be got, and there was no way of getting it except by discounting a bill.

7266. That is, it was understood that the £800 was to be got. What I want to know is, if the money that you took and distributed away in the four packages was not to be paid before the election?—It wasn't to be paid before the election. I didn't want to keep it; if these persons would rather have it I had no objection.

7267. Did they rather have it?—I can't say.

7268. What do you believe?—It's very likely they would rather have it.

7269. You know they were dealing immediately with the voters among whom the money was to be distributed?—Yes.

7270. You stated that you didn't believe that on the night before the election of 1865 it was mentioned to the electors that £500 was to be distributed among them?—I know I didn't mention it myself.

7271. To no one?—Not to a single one of them, to the best of my belief.

7272. Mr. Sedley produced a list here which he said was made up that evening, a list of voters to whom money was to be given?—The list was made up when he paid the people. In general, there is a list gone through before the election—a list of the electors, for the purpose of classifying them into Conservatives and Liberals.

7273. That was not the character of the list Mr. Sedley spoke of?—I can't charge my memory with any other list.

[Original list referred to by Mr. Sedley handed to *Witness.*]

7274. The *Chief Commissioner.*—Mr. Sedley stated that the names were first taken down there that evening, and that the sums were actually filled in afterwards?—It may be so; I don't know; I have no recollection of it. Mr. Sedley may be correct; he may be more accurate than I am, as he had charge of the matter.

7275. Mr. *Commissioner Bruce.*—You say you never saw that list before?—I don't know that I ever saw it in my life. I may have seen it.

7276. Did you ever read it before?—I don't know that I ever read it in my life. It is all in one handwriting.

7277. Yes, it is in Mr. Sedley's handwriting; he handed it in himself. That meeting, I believe, was called for the purpose of discussing and considering the prospects of Mr. Macdonogh's election?—I think so; I don't know.

7278. When you say you think so, have you a doubt of the object of it?—My friends met three or four times on election business.

7279. But at this particular meeting when Mr. Macdonogh was present, and when he retired to rest and said he would not pay any money, were you not discussing the prospects of the election?—I can't say what occurred; we were talking, I suppose, of the prospects of the election, and, probably, going over the list of voters.

7280. At that meeting was not it discussed, or, at all events, mentioned, that a great number of voters who were Conservatives wanted strengthening, so to speak?—It may be so; I couldn't swear to it.

7281. What do you believe?—I must believe that it was the case from the circumstances.

7282. You recollect money being produced by Mr. Shekleton at that meeting?—I do.

7283. And you do not recollect it was stated that it was for the purpose of strengthening doubtful voters on the Conservative side?—That's admitted.

7284. Do you believe that the voters would be best strengthened by being told nothing at all about that money?—I don't know; I am not aware that I mentioned to a single soul that there was money for them.

7285. Do you believe that the £490 was distributed among the persons who proposed to canvass the electors again?—No. I don't believe it was. I believe that Mr. Sedley got the money.

7286. The *Chief Commissioner.*—He swore he got the £490 as trustee, in the same way as you gave the £800 to others as trustees for the electors at the previous election?—Yes.

7287. Mr. *Commissioner Bruce.*—Do you really believe that the people were not told that money was going?—I know I didn't tell them. I went home straight.

7288. Do you swear you did not go to any of the electors that night?—I swore it two or three times already. I didn't go to any of the electors that night. I went home straight.

7289. You know you told us that you gave £30 to Stokes?—No, it was to Wallace I gave it.

7290. Mr. *Commissioner Byrne.*—Did you the next morning give the hard word to the electors that money was going?—I don't remember that I gave it to any one at all.

7291. But you are not sure whether you did or not?—I can't charge my memory with it. They might be told that they would get it in the proper time if there was any money going, or something like that.

7292. Had you any conversation with Mr. Stokes on the subject?—I don't remember that I had.

7293. The *Chief Commissioner.*—When did you see Mr. Stokes last?—I am not sure. I don't think I saw him for a month or so. I am only after coming from Belfast, and I didn't see him for some time.

7294. Mr. *Commissioner Byrne.*—Have you any notion where he is?—Not the least in the world.

7295. Or where Mr. Cherry is?—No.

7296. The *Chief Commissioner.* I want to have it clear about these bills—you drew the £500 bill on August 1st?—Yes.

7297. That was due on the 3rd November, it being a three months' bill?—Yes.

7298. You renewed that bill on the 5th November?—Yes.

7299. And it became due on the 8th February, 1861?—Exactly. That was charged to my account, and is the end of that transaction.

7300. Was there a bill of yours drawn on James Johnson?—It is not mine.

7301. Why was that transaction delayed until the 24th May, 1861?—It wasn't delayed at all—that was an additional thing he was getting.

7302. That bill was for his accommodation?—It was. He was making noise about getting more money; he thought that Williams had money and annoyed him very badly. Williams complained of it, and my brother who lived opposite, in order to quiet him, cashed the bill for him. When the bill was due, my brother took it up and said I should pay it. I didn't know how much James Johnson got.

7303. He got £20?—I didn't pay it to him. This was a copy of the bank-book, and is in pencil.

Mr. *James Kidd* sworn and examined.

7304. The *Chief Commissioner.*—You were a supporter of Sergeant Armstrong at his election?—I was.

7305. And you voted for him?—I did.

7306. I do not know whether you proposed or seconded him at the nomination?—I did neither. Mr. O'Connell proposed, and Mr. Campbell seconded him.

7307. Previous to the election, was there any discussion as to the necessity of strengthening the voters on his side by money?—No, not a syllable.

7308. You were not present at any meeting where that was discussed?—No.

7309. Did you hear that it was discussed?—No.

7310. How soon after the election did the £1,480 come to be considered, as far as you know?—As far as I know, three gentlemen came down from Dublin—Mr. Tracy, Mr. Byrne, and Mr. Harkin.

7311. Is that Mr. Harkin, the member of the bar?—Yes, I think so. They were to have arrived here on Good Friday, but the train didn't run on that as on ordinary days, and they didn't until Saturday. On Saturday evening they asked some supporters of Sergeant Armstrong to attend a meeting at the Imperial hotel. It was an inconvenient day for a meeting, and in consequence there was some difficulty in getting persons to attend. It was then mentioned that the object of the visit was that they got applications from some parties in Sligo, and that they had come to inquire about them.

7312. Up to that time had not you heard of applications for money having been sent to Dublin from persons in Sligo?—I had, cursorily, but I didn't interfere with the applications for money.

7313. From whom did you hear the applications had come?—I understood the applications came from Mr. Phillips and Mr. Petrie.

7314. Did the meeting come off on Easter Saturday?—Yes, that evening.

7315. What occurred at the meeting—were there lists produced?—Several parties, I think, made out a list at the meeting; there wasn't any list produced, I think.

7316. How then were the ninety-seven names arrived at?—Everyone at the meeting stated that there was a certain number of voters who said that if there was anything going he should get it. Each one was asked to furnish the names of these parties, and we did so.

7317. Was it at that meeting that the ninety-seven names and the £1,480 were arrived at?—It was.

7318. Did Mr. Tracy and Mr. Byrne arrange that the money should be procured?—They mentioned the object of their visit; they said you had better look into the matter yourselves, we will now leave you, and when you are ready you can call us back.

7319. Was there any other meeting?—No.

7320. Who were present at that meeting as having authority to discuss—there was yourself and Mr. Phillips?—I think Patrick Keighron, Mr. Conry, and Harper, Campbell, and Mr. Petrie.

7321. Anyone else?—I forget if there were any others.

7322. Did you afterwards consent to have anything to say to the distribution of the money?—I did.

7323. How much did you distribute?—£90, to five voters.

7324. Mr. *Commissioner Bruce.*—Did you say Mr. Petrie was present at that meeting?—Yes.

7325. And Mr. Phillips?—Yes. I don't mean to speak with precision of those present at the meeting, I give only my recollection. Possibly Mr. Petrie wasn't there.

7326. The *Chief Commissioner.*—To whom did you give the £90?—I gave Richard Hanna £20; John Brady, £20; James O'Brien, £20; Charles Gillen, £15, and Edward Crummy, £15.

7327. How did it happen that you were selected as agent to distribute money among these men?—It happened that I knew something of them.

7328. Had you canvassed them?—I don't think I had canvassed them.

7329. Were any of them in your own employment?—No; Gillen had, he was then in Ballyderb.

7330. Had you written for him to come over to the election?—I had.

7331. That was canvassing Gillen?—Yes.

7332. You used your influence as an old friend?—I did. It was understood that he was to come. I don't think, therefore, that I canvassed him.

7333. How did you know the others?—They lived in the neighbourhood.

7334. Did you ever on any other occasion distribute money?—Never.

7335. Or can give us any information as to money having been distributed as on this occasion?—I don't know anything of it; this was the first occasion I was mixed up in the matter.

7336. Did you know anything of money going at the last election?—I did not.

7337. You voted, I believe, for Captain Flanagan?—Yes.

7338. Can you give us any information about the mobs that were in the town on the day of polling, and how they were procured?—I believe the statements about the mobs are grossly exaggerated. What I thought a very extraordinary thing was that the night before the polling all the local constabulary were sent away from town by railway, and strangers were brought in who didn't know the people. I don't know with what object or from what motive that was done. I only state the facts.

7339. What reason was there for the withdrawal of the local constabulary?—I don't know; they were sent away from the town at the time of the election by railway, and they were recalled the day of the polling. There wasn't a local officer of constabulary within the courthouse, or in the neighbourhood of it; nor was there anyone to know anything of the transactions that occurred on the occasion of the unhappy transaction that led to the death of Captain King. There were no police there that could know the parties, or know anything of them. I was at the inquest, and they proved that they did not know who they were; there wasn't a single policeman that could identify any of the persons in the crowd that day.

7340. Was there any reason assigned, that you heard, for the withdrawal of the local constabulary?—I heard none. I can't say with what object, or from what motive they were withdrawn; I only mention the facts.

7341. What is the usual staff of the constabulary in Sligo?—About thirty, I think.

7342. They are resident in the town, and know everyone in it, I suppose?—I am sure there isn't a man in the town they don't know.

7343. Where were they sent to?—I don't know.

7344. When was it known that the local constabulary left the town?—I think it must have been before the nomination.

7345. Was it known, and was it the talk of the town that they were sent away?—It was.

7346. And discussed by yourself and your brother magistrates, that it was not a proper thing to do?—I was not at any meeting of the magistrates, but I expressed my opinion decidedly and openly.

7347. When did the local constabulary return?—I believe they returned the same day they went away.

7348. Were they here on the day of polling?—They were.

7349. Then they were here for the preservation of order on that day?—They were, but not in the neighbourhood of the court-house.

7350. Where were they located?—I fancy they were kept in other parts of the town; I believe they were in the streets. I can't tell exactly where they were.

7351. Mr. *Commissioner Bruce.*—I believe there was a large force of police in the town during the election?—Yes.

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7352. And there were military and all the local force of constabulary besides?—Yes.

7353. It was sworn here that there was a mob of 3,000 people in one street, do you know anything about that?—I never saw it. I came to the poll at ten minutes past eight o'clock. I walked from my house to the court-house; and I was neither addressed by, nor did I speak to, any person until I came to Captain Flanagan's tally-room; it was then I was told of Captain King's death. When I was told of it I said it was impossible that he was killed. I then went up to the Victoria hotel, and I was told that his body was there dead.

7354. Was there a large crowd in the streets at that time?—There wasn't a very large crowd; there was a considerable crowd at the tally-room of Captain Flanagan. There was a *posse* of police at different corners; but there wasn't a very large crowd except what may be assembled on an occasion of the kind, extending a quarter or half of the way down the street from the tally-room door.

7355. The *Chief Commissioner.*—We know that there was disgraceful rioting, stone-throwing, and house-wrecking?—There was, perhaps, rioting, but I saw no stone-throwing or houses wrecked.

7356. Mr. *Commissioner Bruce.*—But you know, as a matter of fact, that there was stone-throwing on the day of the polling?—Yes, I heard there was.

7357. Do you believe that there was stone-throwing in the street when Captain King met his death?—I believe that that was entirely an accident caused by a revolver held by his friend, Mr. Webber, on whose arm he was leaning at the time. He went about the street with the revolver, and presented it to the crowd. I believe a grasp was made at it when he so held it pointed at the crowd as he went along.

7358. A great many stated that they didn't vote, because they were afraid of the consequences, do you believe that?—I don't believe it.

7359. Did you take any part in the elections of 1857 and 1859, at which Mr. Somers and Mr. Wynne were candidates?—No.

7360. Did you vote at either of these elections?—I didn't. I went to Newry, and recorded my vote there.

7361. In Newry?—Yes. Mr. Ball was here at the time, a candidate on the Liberal side, and I was anxious for his success.

7362. At Newry?—No, at Sligo. From some cause, Mr. Ball determined to retire. He called at my house before he left town, and told me one or some of the reasons which induced him to retire.

7363. We need not go into that matter?—For one reason I think I might. Hunt made several statements here in reference to his not looking for or taking any money, but he was one of those whose name was on a list demanding an amount of money from Mr. Ball to which he wouldn't accede. That was the election between Mr. Somers and Mr. Wynne.

7364. The *Chief Commissioner.*—How much was the sum demanded from Mr. Ball?—£800, I understood.

7365. Can you tell the names of the others that were on the list?—There were the two Hunts and Magrath.

7366. Who else?—I can't recollect the others.

7367. Was Michael Hunt one of the men?—Yes.

7368. Was the other Hunt named Dominick?—Yes.

7369. Was John Magrath on it?—He was.

7370. Was John Hunt?—I can't recollect.

7371. Was James Burke?—I can't recollect.

7372. Was Thady Kilgallon?—I can't tell. It is quite possible he may have been. I don't know that he was. At that time I hadn't much local knowledge.

7373. Did Mr. Ball tell you of any other sums being demanded from him by voters on the other side—these persons were on the Liberal side?—I don't know that he did. His reason for telling me about the matter at all was because I remonstrated with him about his retiring. I was sorry he retired, and he gave that as a reason why he wouldn't attempt the election.

7374. Do you remember if he told you that any further sums were demanded from Mr. Ball by voters on the Liberal side?—I don't know that he did.

7375. Mr. *Commissioner Bruce.*—Was Mr. Ball a candidate for this borough more than once?—He was afterwards a candidate for the county. That was 1857. It was a general election. When I found that he wasn't a candidate here I went to Newry for the purpose of supporting my friend Mr. Kirk.

7376. Mr. *Commissioner Byrne.*—Did you agree with Mr. Ball that there was no chance of his election?—I expressed no opinion about it.

7377. Previous to Sergeant Armstrong's election, do you remember canvassing Richard Hannah?—I don't think I did.

7378. Do you know the man I mean?—I do.

7379. What is he?—He is a roper.

7380. Is he a tenant of yours?—He had been a tenant of mine; he occupied a house of mine.

7381. Are you quite sure he was not a tenant of yours up to the time of the election?—He wasn't. I gave up these premises.

7382. And having been a tenant of yours, try and remember if you canvassed him?—Never. I knew he would vote for Sergeant Armstrong without my canvassing him.

7383. Did you canvass a man named John Breen?—I never did.

7384. What is he?—He was a cooper and publican.

7385. Was he in your employment?—He never was.

7386. Did you ever give him business?—I had business transactions with him.

7387. In what capacity?—As a publican.

7388. You say you never canvassed him?—I never did.

7389. The *Chief Commissioner.*—Do you export butter?—I do.

7390. Had you anything to say to Breen in his capacity as cooper?—I had not.

7391. Mr. *Commissioner Byrne.*—Did you canvass James O'Brien?—I suppose I did.

7392. What was he?—He was a baker.

7393. Had you any connexion with him in business?—I had, in buying flour.

7394. Are you a general merchant in butter and corn?—Yes.

7395. Have you a mill?—No, I didn't keep a mill for several years; I deal in flour.

7396. Do you export?—I do; I am also an agent.

7397. Did you canvass Edward Crummy?—I think not.

7398. What is he?—A plumber.

7399. Had you any business connexion with him?—Yes.

7400. In the way of business?—Yes; I employed him as a brassfounder, and for the purposes of the mill.

7401. Was he a tenant of yours?—He was not.

7402. Try and remember if you did not canvass him previous to Sergeant Armstrong's election?—I can't charge my memory with having canvassed him. It is quite possible I may have said "Crummy, I suppose you will vote for the Sergeant."

7403. Did you hear of any discussion, previous to the election, about the distributing of money?—I did not.

7404. Did you hear any persons say that the Sergeant had no more chance of the election than Mr. Ball, unless money was forthcoming?—I don't know that I did.

7405. Was it generally understood among the Liberal party that no Liberal candidate would have any chance, unless money was forthcoming?—There was a general idea that it was to be given.

7406. Mr. *Commissioner Bruce.*—Was that at the election in 1865, or at any previous election?—I never interfered previously in an election, except giving my vote; I never canvassed anyone.

7407. I am speaking of what you heard?—There

was a general idea that money was necessary on both sides, that there was a great deal of activity on the other side, and that there were means taken to induce the electors to vote.

7408. The *Chief Commissioner.*—And that it had to be counteracted?—So far as any influence could be brought to bear on it by careful watching.

7409. Mr. *Commissioner Bruce.*—And by hints, I suppose, that money would be forthcoming?—I never gave a hint that money would be forthcoming.

7410. But you stated that there were expectations that money would be forthcoming?—There was a general idea prevalent that money would be expected.

7411. Would be expected?—Yes; sometime or other.

7412. Was that idea prevalent among the canvassers?—I don't know; it was more a general belief than anything else.

7413. A general belief of what?—That money would have to be paid on both sides.

7414. That is different from money being expected?—I mean only the one thing.

7415. Was there a general belief among the voters that money would be forthcoming after the election, was that the belief you speak of?—I think there was; I declare I don't know.

7416. Was there any belief among yourselves—I mean those persons who were taking an active part in the return of Sergeant Armstrong—that that idea was prevalent among the voters?—I really don't know.

7417. Well, as to yourself, was that your belief?—Among the voters?

7418. Yes. Did you believe at the time of Sergeant Armstrong's election that the voters thought money would be forthcoming?—No; I did not.

7419. When did you first believe it?—After the election.

7420. How long after the election?—A long time.

7421. Was it long before Mr. Tracy and Mr. Byrne came down from Dublin?—I think it was some time during the winter.

7422. Do you know who first communicated that belief to Sergeant Armstrong?—I don't know.

7423. You could not form an opinion even?—I couldn't.

7424. It was not you communicated it to him?—No. I never exchanged a word with him on the subject.

7425. Mr. *Commissioner Byrne.*—In the course of the following winter, after the election, was there an understanding among Sergeant Armstrong's supporters that he could not hold the borough in the event of a future contest, unless money was forthcoming?—I am not aware of that—at least I never heard it mentioned.

7426. In the discussions that took place when Mr. Tracy and Mr. Byrne came down, was there, that you remember, any reference to a future contest?—Not a word that I heard.

7427. Mr. *Commissioner Bruce.*—At the meeting about the distribution of the money, did any one of those present express surprise that the voters expected money?—Yes.

7428. Who expressed their surprise at it?—I expressed surprise myself.

7429. Who else did?—I don't know of anyone else having done so.

7430. Do you believe that anyone else did?—I can't tell that.

7431. Whether was it surprise at money being expected, or disapprobation that such large sums were expected?—I was surprised at such large sums being expected, and at so many names on the list.

7432. How did you know how many names there were?—It was ascertained after totting them up.

7433. The names were ascertained, I suppose, by each of the gentlemen saying that such and such persons should get money?—Yes; I think so.

7434. What is the ground of your thinking that that was the way the names were made out?—It was ascertained that parties expected to get money, and when there was a knowledge of money being forthcoming, they gave in their names. I was surprised both at the names and at the amounts.

7435. A list of names was then made up at that meeting?—It was.

7436. Was it composed of the names of persons, who, the makers-up of the list thought or knew, expected money?—Yes.

7437. Did you hand in the names of Richard Hanna, John Brady, James O'Brien, Charles Gillen, and Edward Crummy?—I did.

7438. Did you know that these five men expected money?—I did.

7439. Had they communicated with you before the meeting?—Some had, and some had not.

7440. Who had communicated with you before the meeting?—Hanna did.

7441. Had Brady?—I think not.

7442. Which of the others had communicated with you?—O'Brien did.

7443. Had Gillen?—Gillen and Crummy said if there was any money they would expect their share.

7444. When did they say that?—Some time previously.

7445. Within what time was it, do you remember?—Within a couple of months, I suppose.

7446. It was before Mr. Tracy and Mr. Byrne came down from Dublin?—It was.

7447. Was it before there was any word of money going?—It was not before there was any word of money going.

7448. Then was there talk of money going?—There was a kind of general rumour, and that people expected money.

7449. Was that before it was known that money was coming down?—It was.

7450. How did you know that Brady expected money—I suppose you heard it through a third party?—I think I did.

7451. Do you recollect what was his name?—I don't recollect.

7452. How did these people come specially to you?—What people?

7453. Whose names you gave in?—I was dealing with Brady.

7454. Did you speak to him about it?—I didn't; I never exchanged a single word with him about it. Some one suggested that I should put his name on the list, and I did so.

7455. When did Hanna, O'Brien, Gillen, and Crummy come to you?—I was in the habit of seeing Hanna every day. He was a very queer fellow, and he used talk a good deal one way or the other. I heard him talk about money, but I thought it was chaff.

7456. The *Chief Commissioner.*—Was Hanna a Newry or a Sligo man?—I think he was a Sligo man. He came from America, and he has gone to America. He was very poor before the election, and that was the reason I consented to have him put on the list.

7457. Mr. *Commissioner Bruce.*—Did you give no further reason for putting these five on the list?—No, I didn't.

7458. How did you come to put Gillen and Crummy on the list?—Gillen and Crummy had confidence in me.

7459. Did you ever canvass them?—I didn't. I may have said, "I suppose you'll vote for the Sergeant," or something like that. They knew I was anxious for the Sergeant's return, and that they would support me in it, as well as carry out their own views.

7460. You may have spoken on the subject of voting in that way to every one of these five persons?—I dare say.

7461. The *Chief Commissioner.*—When you voted in Newry, I find that Major Waring was a candidate against Mr. Kirk in 1857; Mr. Kirk was returned and Major Waring was defeated; in 1849 Mr. Kirk didn't stand?—I don't know anything of that; I wasn't there. I was at two elections of Mr. Kirk's—in 1857 and 1852, I think.

7462. Mr. *Commissioner Bruce.*—Was Mr. Somers

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returned at the election when you went to Newry?—That was in 1857.

7463. The *Chief Commissioner.*—He was returned in 1857—that was the year when the poll-books were tampered with?—I wasn't here at that time. Mr. Ball called on me before he left town on Sunday by the three o'clock train, and I went away on the Monday following.

7464. Mr. *Commissioner Byrne.*—When these five men gave you to understand that they expected money, did any of them refer to his having received money at any previous election?—No.

7465. Mr. *Commissioner Bruce.*—Did you vote in 1859?—Who were the candidates then?

7466. Mr. Wynne, who was elected; Mr. John Patrick Somers, and Mr. Lucas E. Treston?—I did not vote at that election.

7467. Did you hear a report of any money going in Sligo at that election, either on Mr. Somer's or Mr. Treston's side?—I know nothing of it.

7468. Was it a general election?—I wasn't present at it; I can't say.

7469. Do you recollect the election at which Mr. Macdonogh was returned in 1860?—I do.

7470. Do you recollect who were the candidates at that election?—Colonel Tennison, Mr. Somers, and Mr. Macdonogh.

7471. Did you hear on that occasion of any money being had or wanted?—I didn't hear anything about money being wanted on that occasion.

7472. Either before or since?—I didn't hear or know of money being wanted by voters on that occasion.

7473. Did you hear of money being offered at that election?—I did not.

7474. I am not speaking now of money from Mr. Macdonogh?—I don't know anything of it. When Mr. Tennison retired, I left town and went to Newry.

7475. I am not speaking of money being offered on Mr. Macdonogh's, but on Mr. Tennison's side?—Not a farthing. I didn't hear anything of it.

7476. Mr. *Commissioner Byrne.*—Did you hear that there was no money forthcoming on Colonel Tennison's behalf?—I never heard of money being paid on his account, nor did I hear anything about it.

7477. Did you hear of money forthcoming from Colonel Tennison's side for votes, or anything of that sort?—I heard nothing about it.

7478. Did you hear after that election that Colonel Tennison lost his chance of being returned by not coming down with the money?—No; I heard he lost owing to Mr. Somers not withdrawing from the contest. His only chance was if Mr. Somers withdrew. Mr. Somers persevered in his election, and Colonel Tennison then withdrew. I knew Somers had no chance.

7479. Do you mean to say that you heard nothing at all to the effect that Colonel Tennison would have a better chance if he spent more?—I never heard or knew anything about it, except what I told you.

7480. Mr. *Commissioner Bruce.*—You stated you knew Mr. Somers had no chance at that election?—I believed he had not the shadow of a chance.

7481. Why did you believe that?—I believed the other party was too strong—I believed so; I was told so, and I thought so.

7482. You didn't vote at that election?—I didn't; I wasn't present at it. I know nothing of it.

7483. Did you believe that Somers had no chance because he was not spending money?—I knew nothing whatever about it except what was told me—that the Conservative party was too strong.

7484. You didn't hear he had no chance because there was no money going?—Mr. Ball told me of the large sum that was demanded of him, and said he would leave £100 to Mr. Somers, and wish him success at the election.

7485. Did you vote at the last election?—I did. That was the third time I voted in Sligo.

7486. Did you canvass anyone at the last election?—I didn't canvass any person but one. He was from the neighbourhood of Drumrody.

7487. For whom did he vote subsequently?—He didn't vote at all. At the very outset he said he wouldn't vote at that election, and he adhered to that.

7488. Had he voted for Sergeant Armstrong at the previous election?—He had.

7489. When did you canvass him?—On the day of the polling.

7490. Was that the first time you canvassed him?—It wasn't; I canvassed him in company with Captain Flanagan.

7491. When was that?—On some former day—about a fortnight or three weeks previously.

7492. And from the first he said he wouldn't vote at all?—Yes.

7493. He said he wouldn't vote at the election?—He did.

7494. Did he give any reason for not voting?—He gave no reason; he only said he wouldn't vote at all at that election.

7495. Did he get money at Sergeant Armstrong's election?—Not a rap. He is a very respectable man.

7496. Was there talk about money?—There was.

7497. Did you speak to him about money?—Not a syllable.

7498. How did you find him out?—I discovered by accident that he was a Liberal, and I thought he had a claim on him in that respect.

7499. The *Chief Commissioner.*—You discovered his politics accordingly?

The witness retired, but after an interval returned and said—will you allow me to state about John Brady, that he was in gaol at the time this money was distributed, and had been there some time previously. Being poor and in gaol—I don't know by whom it was suggested to put his name on the list—I did put it on the list. He was in gaol under the suspension of the *Habeas Corpus* Act.

Mr. James Lynch Byrne.

Mr. *James Lynch Byrne* sworn and examined.

7500. The *Chief Commissioner.*—Were you in Sligo when Sergeant Armstrong was returned member for the borough?—I was.

7501. How long before the polling did you come down from Dublin?—A couple of days.

7502. Had you known Sligo previously?—No. I was only once here before that.

7503. Were you acquainted with the town?—I was not.

7504. How long did you stay in Sligo on that occasion?—The evening of the declaration of the poll I went away.

7505. Did you come down from Dublin with any person?—No. I was alone.

7506. You came down, I suppose, as a friend of the Sergeant's?—I did.

7507. Were you staying in the same house with the Sergeant?—I stopped in the same house with him.

7508. Who was the Sergeant's expense agent on that occasion?—I was.

7509. Did you, as expense agent, return the amount of the Sergeant's expenses?—I did, to the mayor.

7510. The mayor then, I believe, was Mr. William Abbott Woods?—Yes.

7511. Have you any copy of that return?—I have not.

7512. Do you remember what the amount of it was?—I can't say.

7513. Did all the money go through your hands?—It did. I paid it.

7514. Who gave the money to you?—I paid it out of my own pocket; it was afterwards refunded to me by the Sergeant.

7515. How much was it?—Two hundred and eighty pounds.

7516. Did you get any of that from Mr. Tracy?—Not a penny of it.

7517. Did you ever give any of it to Mr. Tracy?—Never.

7518. You paid that money yourself?—I did. I paid it after the election by cheque from Dublin, in accordance with the statutory caution.

7519. Who assisted you in making up the accounts?—Mr. Tracy, in fact it was, he made it up.

7520. Were there other bills before you at the time you made it up?—I kept the accounts as I got them. I submitted them to him.

7521. Were all of these paid?—Some of them were, and some were not.

7522. What were these that were not paid?—These that Mr. Tracy said were illegal.

7523. To what amount were they?—I can't exactly say; it may be about £70 or £80.

7524. Were any of them what are called "orders?"—I never heard of the term until now. I was never at an election before or since.

7525. Have you any of the bills that Mr. Tracy said were illegal?—I have not.

7526. Do you remember what they were for?—I don't exactly remember. I think there was one bill for £30 for car-hire.

7527. Was that from a voter?—Yes, I think so. I can't recollect it just now. Mr. Tracy threw one of them into the fire.

7528. In addition to the £280 which you returned to the Mayor, did you pay other bills that you did not insert in the expense agents' account?—I think not.

7529. Did Mr. Tracy, to your knowledge?—He used tell me when I showed him one of these bills that he would settle it himself, or that he would see about it.

7530. Then there were some bills that you did not pay yourself?—There were certainly a few.

7531. What was the entire amount of such bills?—I suppose they amounted to about £70 or £80, as well as my memory serves me.

7532. You have mentioned a claim for £30 for car-hire?—Yes.

7533. Did you discuss with Mr. Tracy whether the man making the claim was a voter or not?—I can't remember it now.

7534. Was it a man named M'Goldrick, do you remember, that sent in that claim?—I recollect the name, but whether it was he furnished the bill or not I can't say. I don't know whether it was he supplied the cars or not.

7535. Can you fix the latest date at which you paid the election account?—I cannot. There was a prescribed time under the Act, when it should be sent in to the Mayor, and I had great difficulty in getting Mr. Tracy to settle it. But whenever the Act of Parliament prescribed I sent it in the day before that. I remember that there was little time to be lost in the matter.

7536. How long was that before you got the £1,480?—I can't say.

7537. Had you any conversation with Mr. Tracy on the subject?—I had many conversations with Mr. Tracy. I got a letter from Mr. Conry, or I met him in Dublin, and he asked me to come down here.

7538. For what purpose did he ask you to come down?—He told me that there were some accounts to be settled in Sligo.

7539. Did you understand that that was to go in payment of the electors?—I thought that there was some money to be distributed, for he said that there were cases of hardship and distress that would have to be seen to and relieved.

7540. When did you hear that there was money to be distributed?—I can't say.

7541. How long after the election was it, do you remember?—It was seven or eight months, I suppose.

7542. When did you come to Sligo?—I came down on a Saturday.

7543. Was that Easter Saturday, do you remember?—I think it was; it was about Easter at all events. When I came down I sent for a number of gentlemen who took an interest in the election. We met at the hotel. They said that there was a large sum of money required. I consulted with Mr. Tracy as I thought that the amount demanded was enormous. He said it could not be done for less, and eventually there was lists made out, in which the gentlemen present claimed so much for their friends. I didn't go into particulars. I was looking to the total which I considered very large.

7544. Did you give a cheque for £1,484 that night?—I did. I believe it was for that sum.

7545. When did you return to Dublin?—I returned to Dublin next night, and Sergeant Armstrong gave me his cheque for the amount.

7546. Have you the cheque for £1,480?—I have not.

7547. Do you know what became of it?—I don't know. I think it was either burned or destroyed in some other way.

7548. On what bank was the cheque?—On the Hibernian Bank. I had not that amount to my credit, but Sergeant Armstrong next morning took up that cheque by one of his own.

7549. To whom did you give that cheque?—To Mr. Harper Campbell.

7550. Was it payable to him?—I think it was. It came from the Ulster to the Hibernian Bank, and the Sergeant took it up with his own cheque. When I gave the cheque to Mr. Campbell I wanted to have an end to the matter. I wanted to get back to Dublin.

7551. Had you any conversation with Sergeant Armstrong as to the amount that was to be paid away to voters?—I hadn't, but I knew that whatever I paid would be refunded to me by him. He was on circuit at the time, as well as I remember, and he wrote to me to say, that if there were any bills to be settled in Sligo, I should consult with Mr. Tracy about them.

7552. Did you think the amount of the bills would be so large?—I had no idea what they would be, I thought they might perhaps be £200 or £300, or £400.

7553. You were acting under the advice of Mr. Tracy throughout?—I was; he told me to give the cheque, and I did so.

7554. You knew you had unlimited authority in the matter?—Yes, and I thought I was doing the best for the Sergeant.

7555. That evening did you understand that the whole of the £1,480 was to be given to the electors that voted for Sergeant Armstrong?—I thought that that was it, and there were perhaps mobs and things of that sort.

7556. We now know that the whole of that money was given to 97 voters who did no service whatever at the election, but voted?—I didn't know but that it was going for the payment of legal bills.

7557. How long did the interview last at the hotel?—About two hours. When we were discussing the matter at first, I retired, and Mr. Tracy and I chatted about it. We came back when the others had returned.

7558. What took place between you and Mr. Tracy while you were talking on the subject?—I said it was frightful that such a lot of money should be so spent. Mr. Tracy said there was nothing for it.

7559. Was it spoken of and perfectly understood that the money was to be paid?—It was mentioned that I should pay the money.

7560. Did the gentlemen present at that meeting convey to you that they had promised this money?—I can't say that; I couldn't fix on anyone that said it; but it was understood by those present that the money was to be paid.

7561. Did you know that this transaction was illegal, when it was explained to you?—I suppose it was, but the gentlemen who made the claims represented it in this way, that the persons for whom they claimed was very poor, that they had lost their situations by voting for Sergeant Armstrong, and were turned out of their houses.

SIXTH DAY. *October* 11. Mr. James Lynch Byrne.

7562. Didn't you believe it was an illegal transaction?—Yes, I suppose so.

7563. That is, you are perfectly certain it was?—Yes.

7564. It being an illegal transaction, what was represented to you to be the consequence—for instance, if the Sergeant said not a farthing was to be paid, suppose you said you wouldn't pay a farthing, what, do you think, would be the result?—The result, I suppose, would be that these people would be subjected to a great deal of annoyance.

7565. Why?—By the fact that they didn't get money.

7566. Why should they?—Because I suppose they expected money.

7567. That is what was represented to you?—There was no conversation with me on the subject—that was the impression I formed.

7568. You say you paid £280 and £1,480—was that all that passed through your hands?—That's all I had to do with the matter.

7569. Did you hear from Mr. Tracy that he got money from the Sergeant?—Yes, I heard from Mr. Tracy that he got £500 to cover all expenses. The Sergeant wrote a letter to Mr. Tracy, and at the foot of it he wrote the words "preserve this letter." That letter Mr. Tracy read for me. The Sergeant was anxious that all accounts between him and Mr. Tracy should be squared, and he got a letter from him to the effect that there was nothing between them.

7570. Did you apply to Mr. Tracy for money to pay the Sergeant's expenses?—I didn't apply for a penny.

7571. Was the letter of the Sergeant to Mr. Tracy read by you in Kernaghan and Saunders' office before you came down to Sligo?—It was.

7572. You knew that Mr. Tracy got £500 to cover the Sergeant's expenses?—I did.

7573. Did you pay any of the expenses of the Sergeant while you were down in Sligo besides what I returned to the Mayor?—Never, I never paid a farthing of them: there was no demand made on me for money for bills while I was down here. When I came back to Dublin, though I was intimately acquainted with Mr. Tracy, I never asked him for money; I knew it was useless to ask him for it, for I knew I wouldn't get it. I didn't like to bother the Sergeant about it—so I paid the bills myself.

7574. What became of the £500 Mr. Tracy got?—I don't know, I didn't ask him for any part of it.

7575. Mr. Tracy has now left the country, I believe?—I am not aware.

7576. When did you see him last?—I haven't seen him for some time.

7577. Mr. *Commissioner Byrne.*—You are, I believe, brother-in-law to Sergeant Armstrong?—No.

7578. What relation are you of his?—I am married to his wife's sister.

7579. And of course there is a strong intimacy and friendship between you and him?—Yes.

7580. Before you came down to Sligo what conversation had you with the Sergeant?—I don't recollect that I had any. I think he wrote to me from circuit to say that if there were any accounts to be settled in Sligo, I could go with Mr. Tracy, and have them settled. I accordingly came down with Mr. Tracy.

7581. Did you see the Sergeant before you came down to Sligo?—I don't recollect whether I saw him or not. I recollect going straight to his house the Sunday evening I went up to Dublin.

7582. Was it on the letter he wrote to you from circuit, that you acted?—Yes. I acted under the advice of Mr. Tracy. The Sergeant always referred me to Mr. Tracy, as he knew that Mr. Tracy was well accustomed to those things.

7583. Had you any conversation with the Sergeant as to the amount you were to pay in Sligo?—I had not.

7584. When you came down to Sligo, did you consider that Sergeant Armstrong had so much confidence in you as to allow you to arrange money maters for him?—I did, taking his letter and the advice of Mr. Tracy jointly. I knew the Sergeant would pay me back what I paid for him.

7585. When you and Mr. Tracy sent for the supporters of Sergeant Armstrong to meet at the hotel, and when they came back, do you remember any of them saying that they were pledged to voters to give them money?—I can't say I do. It might have been said.

7586. Was the impression on your mind that they should get this money?—It was.

7587. And that they were bound to the voters to get it for them?—Yes. They had lists made out, but it was the total I was looking to.

7588. Mr. *Commissioner Bruce.*—Was the impression on your mind that the voters had voted for Sergeant Armstrong with the expectation of getting money?—They may have voted with that expectation.

7589. Did you believe that they had voted for money?—I don't know, I had nothing to do with the canvass; I only knew that they were to get that money.

7590. And that there was a certain amount of obligation on the part of the Sergeant's principal supporters to pay it?—A sort of understanding, but not with me.

7591. Was there any understanding with Mr. Tracy that they were to be paid?—Not that I am aware of.

7592. You had nothing to do with the canvass?—Nothing whatever. I believe I walked through the town with the Sergeant on the day before the election—that was all.

7593. You stated that you and Mr. Tracy made up the election accounts?—Yes.

7594. Was the amount of the different sums of money then due, £280?—It was about that. I can't exactly say how much it was.

7595. Did any of the £500 paid to Mr. Tracy get into that account?—Not a farthing. The election was all paid by me. As I said before, I didn't want to bother the Sergeant about it, and I had as much money as I paid.

7596. Did Mr. Tracy come down with you on that Easter Saturday?—He did.

7597. Had you any conversation with him as to the object of your coming down to Sligo?—Nothing, except as to the money being paid.

7598. Did he say there was money to be paid?—When it was arranged that we were to come down he knew that money was to be paid.

7599. Did he ever say to you that he always knew that money was to be paid?—He never gave me to understand that until coming down in the train, when he said that "We will have to pay some money."

7600. Did he ever tell you after the election that money would have to be paid?—Never.

7601. Did he ever tell you that "I knew very well we would have to stump up?"—He didn't. At the time of the election I used to talk about money matters, he said always "Don't use the word money," and I then dropped it.

7602. Did the people who came to the meeting come with the lists cut and dry?—I saw three or four lists there.

7603. Do you remember the number of the tot of the persons who were to get the money; Sergeant Armstrong said it was ninety-seven?—I haven't the slightest notion whether it was fifty-seven or ninety-seven.

7604. You said there was an interview of two hours?—Yes.

7605. Did Mr. Tracy or you make any opposition to the £1,480?—Yes, we wanted to reduce it.

7606. How did the interview begin?—When they all assembled they put down so much for each, and totted it up. There were some things knocked off, and the first tot made £100 or so more.

7607. Do you know that the £100 you succeeded in knocking off was made up of sums to be given to voters who afterwards got nothing, or by reducing the amount?—By reducing the amount.

7608. What did they say when you endeavoured to

beat down the total?—They said it must be paid; there's nothing for it but to pay it.

7609. Was there any thing said to the effect, "There would be no use in the Sergeant coming back to Sligo, or showing his face there unless the money was paid?" —I never heard it.

7610. Mr. *Commissioner Byrne.*—Before you came down did you get a letter from Mr. Conry to say that there were accounts to be settled in Sligo?—I think so.

7611. And that some compensation was to be given to voters?—I think not.

7612. Was there any reference in the letter to cases of distress and hardship?—There might have been.

7613. What was the purport of the letter?—The purport of the letter was that I was wanted in Sligo.

7614. You knew well, I suppose, what you were wanted for?—I did.

7615. Did you communicate that letter to the Sergeant or Mr. Tracy?—I can't say I communicated it to the Sergeant, but I certainly communicated it to Mr. Tracy. I always communicated with Mr. Tracy the first thing. I didn't like to be bothering the Sergeant. Every letter I got I communicated to Mr. Tracy.

7616. Was that letter from Mr. Conry the first cause of your coming down to Sligo?—Yes, Mr. Tracy also got a letter.

(The witness withdrew.)

The Secretary (Mr. Greer), addressing the Commissioners, said—I understand that Mr. Kernaghan, who is in court, wishes to make an explanation with respect to the evidence of Mr. Macdonogh.

Mr. *Baptist Kernaghan* was then sworn.

Mr. Baptist Kernaghan.

He said—I wish, with respect to the statement of Mr. Macdonogh that in the year 1860 he retained me as his general solicitor, to advise him generally in Sligo, to say that I did act here for him; and it was under an arrangement I made that he happened to be selected as a candidate; but I was not aware until yesterday of any of the transactions connected with Mr. Lyons—I mean as regards the £850. Mr. Macdonogh never consulted about that, and I never heard of it before.

7617. The *Chief Commissioner.*—I presume you wished to give that explanation as your name was mentioned?—Merely as it might naturally be inferred that Mr. Macdonogh had consulted the person whom he selected to advise him.

(Mr. Kernaghan withdrew.)

Thomas Hignell, William Rowlett, Stephen Cherry, Utred Knox, Alec Shaw, Timothy Fallon, and *James Leonard,* who had been summoned, were called, but did not answer.

Thady Kilgallon sworn and examined.

Thady Kilgallon.

7618. The *Chief Commissioner.*—Are you an elector of this borough?—Yes.

7619. How long have you been an elector of the borough?—For a few years.

7620. When did you vote first?—I think at Townley's election.

7621. Then you are more than a few years an elector. For whom did you vote then?—I am not quite certain whether I voted at Townley's election.

7622. Did you vote for John Sadlier?—I did.

7623. For whom did you vote after he left?—I voted for Wynne one time, and for Somers all through.

7624. What do you mean by voting for Wynne one time and for Somers all through?—He was my landlord at the time.

7625. Who was?—Mr. Wynne.

7626. Did you vote for him all through against Somers?—No, I voted for him once only.

7627. Did you ever get any money after an election?—I got some money at Sadlier's election for leaving my place, that is all.

7628. How much?—Thirty pounds.

7629. Who gave you that?—I think John Magrath.

7630. Did you ever get any other money after an election?—No other money.

7631. Did you vote for Sergeant Armstrong?—I did.

7632. Did you get any money after his election?—No.

7633. Were you offered any money?—No, nor did I ask it.

7634. At Sergeant Armstrong's election was any money offered to you at either side?—No.

7635. Did you hear a sum of £300 mentioned during the progress of this inquiry?—Not until after the election.

7636. Tell the circumstances connected with that?—I think Magrath came to me one or two days before the election.

7637. What did he say?—He said it would be well done to get down some money for the election. I said I thought Sergeant Armstrong was too poor to give money; that is all. I heard no more about it until after the election.

7638. Then after the election what did you hear?—I heard them talking about the election.

7639. About the £300?—Well, I heard no certain sum.

7640. Who were they?—I did not know anything about the parties being in it. I was not in it.

7641. You have used the phrase "Not in it;" do you mean you were not in the bargain, whatever it was—is that it?—Yes.

7642. Was John Harte one of the parties?—I do not know. I was not in it at all at the time. I only heard it afterwards.

7643. What did you hear afterwards?—I heard he made a bargain with some of the parties.

7644. Who told you?—John Magrath told me. He told me he made it at Mr. Patrick Keighron's.

7645. For how much?—Well, he did not say the amount.

7646. For how many votes?—Five. I think five or six.

7647. Was John Harte one of them?—Yes, I believe so.

7648. James Moran?—Yes.

7649. Michael Hunt?—Yes.

7650. John Magrath?—Yes.

7651. Dominick Hunt?—Yes.

7652. Did he give you to understand you were one of the men he bargained for?—Well, he said he wanted to make a party; that was the cause of it.

7653. Did he speak to you to be one of the party?—He did.

7654. What did you say?—I did not say to or from it.

7655. Before the election did Magrath tell you that he spoke to Mr. Patrick Keighron?—No, he didn't. It was after the election.

7656. How much did you understand was to be given?—I could not say; I did not go into figures with him; I did not expect to get anything out of it, and I was quite heedless about it, only he asked me did I understand, and I did so——

SIXTH DAY.
October 11.
Thady Kilgallon

7657. Do you believe he spoke to you as one of the six?—I think so.

7658. And he spoke of you to Mr. Keighron as one of the six?—I do not know whether he spoke to Mr. Keighron or not of me; I was not present; I was not there that day.

7659. When had he that conversation with you?—I think in the market-house, to the best of my opinion.

7660. Did he seek for you?—No; we met accidentally.

7661. Did you afterwards hear that money was going?—At the election?

7662. No, but afterwards. Did you hear the money was to be paid the following April?—Yes.

7663. By Sergeant Armstrong?—Yes, I did.

7664. Did you try to get share of it?—I never asked to get his or any man's money.

7665. I do not mean did you ask ——?—Nor did I look for it.

7666. Nor look for it?—No.

7667. Did you expect it to come to you?—No.

7668. Why did you not?—Well, I was not very anxious for it. I did not want the man's money.

7669. But many a man unfortunately takes money that does not want it?—I would not take a small sum. If I got a few thousands, I would take it, no doubt of it.

7670. You think every man has his price—did you hear only £20 or £15 was going?—Well, I heard from £40 down to that.

7671. And you would not take that?—No; certainly not.

7672. Nor £50?—Nor £50.

7673. Did you yourself speak to Mr. Keighron on the subject?—Never.

7674. Did you speak to Magrath when you heard the money was going?—No.

7675. Had you no conversation with him afterwards?—I had no conversation with him afterwards until the money was paid—until Phillips proffered him some money.

7676. You knew Michael Hunt had refused?—Yes; I heard so.

7677. Refused the £20?—Yes.

7678. Did he refuse the £20 because it was too small?—Well, I could not say that.

7679. Well, but did you not understand from Magrath that it was because he was promised £50?—Most likely.

7680. Is it not what he told you?—I think Magrath told me he would not take £20.

7681. But he would take £50?—Most likely he would.

7682. You understood that?—I did.

7683. Did you understand, when the conversation was going on about the refusal of the £20, that there was to be £50 for each vote?—That was the word going; I could not say that there was any special bargain made.

7684. But it was something over £20?—Most likely it was.

7685. When you say "most likely," that is what you understood?—I understood it.

7686. How much beyond that was it?—It was something considerably over £20. It might be £50, or thereabouts.

7687. Did Mr. Keighron ever tell you that he made the arrangement with the party in Magrath's own place?—Yes.

7688. Magrath told you the names you have already given to us, and they are voters?—But he did not tell me before the polling.

7689. But after it?—After.

7690. Were all these men to get the same thing?—I suppose they were.

7691. You mean you understood they were?—I understood they were.

7692. Did you vote with those men on the polling day?—I did not.

7693. Did you see those men whose names you have mentioned vote?—No; they voted before I voted a long time.

7694. Did you vote late in the day?—I came up to vote about twelve or one o'clock.

7695. At the last election you voted for Captain Flanagan?—I did.

7696. Did you hear there was anything going for voting on that side?—No.

7697. Did you ever get any money, except on that one occasion, for compensation?—Never.

7698. Mr. *Commissioner Bruce.*—Who canvassed you for Captain Flanagan?—Himself.

7699. Did anyone else canvass you?—Well, there was a lot of people along with him.

7700. Did Mr. Keighron?—No; I did not see Mr. Keighron.

7701. Had you any conversation with Magrath?—No; not the slightest.

7702. Do you remember any voters you conversed with in relation to your voting at the last election?—I do not know. I used to vote at the Liberal side no matter who they were.

7703. Did you tell anyone before the last election that you were to vote for Captain Flanagan?—Most likely I did.

7704. Do you remember who they are?—Of course I told a whole lot of people I had promised Captain Flanagan I would vote for him in my own place of business. He canvassed me, and I said I would vote for him, and give him all my interest.

7705. Before he canvassed you, had anyone come to speak to you about your vote?—Not to my knowledge.

7706. Did any person acting for Captain Flanagan, who was not a voter, come to canvass you before you saw Captain Flanagan?—I think not.

7707. Do you remember seeing a gentleman named Lenahan?—No; I never saw the man.

7708. Nor any stranger?—No—oh, I saw some strangers, but I do not know who they were.

7709. Had you any conversation with any strangers acting for Captain Flanagan?—Not one.

7710. Had you any conversation with any of your own clergy as to whether you would vote for Captain Flanagan?—No. Only the day he was canvassing, Father Morris was in with him in my place.

7711. Did Father Morris speak to you about your vote?—He introduced Captain Flanagan, that is all.

7712. Did he speak to you on any occasion except the one when Captain Flanagan was in with you?—I think not.

7713. You think not?—To the best of my knowledge.

7714. Remember had you any conversation?—No. I think I had no conversation with Father Morris about it.

7715. Try and remember had Father Morris any conversation with you on any occasion except that one when he called with Captain Flanagan?—I think not.

7716. But you are not sure?—Well, I am not quite certain.

7717. Mr. *Commissioner Byrne.*—You said Magrath told you, after the election, he made a bargain with Mr. Keighron?—Yes.

7718. Did you understand the bargain was made before the election?—No, I did not.

7719. What is the meaning of making a bargain?—I suppose he settled with him to give him so much for the party.

7720. In consideration of their voting?—Yes.

7721. Did you not understand from Magrath that he spoke to Mr. Keighron before the election?—No, I could not understand that he did.

7722. Do you believe he did?—I believe he did not up to the day of the polling.

7723. But do you believe he spoke to him on the day of the polling?—I could not say; I believe he did, but I was not by.

7724. Magrath told you he had included you in that bargain?—Yes.

7725. You did not tell Magrath then you would not take the money?—Well, I thought I would not get any money or any promise of money.

7726. Did you tell Magrath you would not take it if it was forthcoming?—Not at that time.

7727. Did you intend not to take it then?—I intended not to take it.

7728. But you did not tell him so?—No.

7729. Did you hear of any treating going on at the last election?—No.

7730. Or of any drink going?—No.

7731. Or anything else in that way?—Nothing in that way that I know of.

7732. Did you hear?—I did not hear of any drink or treating.

7733. I do not ask about regular treating—did you hear of any money being paid for drink for the mob?—I dare say I did.

7734. Tell us about that?—I heard it reported that they got a few pounds for the mob to drink.

7735. Did you hear where the money was spent?—In public-houses; of course I could not say, when I was not by.

7736. Could you tell the public-houses?—I could not tell you.

7737. Were there any public-houses known at the last election as Captain Flanagan's public-houses?—I am not aware.

7738. Could you not give the name of any public-house you think was Captain Flanagan's public-house?—I could not give you the names of the men that got drink, but I know the public-houses which were mentioned—Warren's, Jordan's, and Ward's.

7739. Name the houses and the streets?—Warren's in Pound-street, Jordan's in High-street, and Ward's in Radcliffe-street.

7740. Did you ever hear how that drink was paid for?—I never heard it.

7741. You never got drink there yourself?—No.

(The witness withdrew.)

Mr. *Stephen M. Cherry* sworn and examined.

Mr. Stephen M. Cherry.

7742. The *Chief Commissioner.*—How long have you been living in Sligo?—About sixteen years.

7743. During the whole of that time have you from your position been an elector?—For the last fourteen years—the first two years I had not a vote.

7744. What was the first election you voted at?—The first election was Mr. Wynne's, I think, in '57.

7745. In 1852 was there an election?—No, the year after I came; I had no vote.

7746. Mr. Wynne's first election was in 1857?—Yes, I think that is the first time I voted.

7747. He contested the election with Mr. Somers?—Yes.

7748. The election after that was when Mr. Wynne resigned and Mr. Macdonogh was elected?—Yes.

7749. I presume you were then a member of the Conservative party?—I was.

7750. And you were active for Mr. Macdonogh?—So far as my vote and any influence I had I gave it to Mr. Macdonogh.

7751. Were you at all engaged in the distribution of money at that election?—Not a penny.

7752. Do you know anything about this £850 that Mr. Lyons has deposed to?—Not a farthing.

7753. Did you know at the time the money was got?—I did not know. I did not know anything about the money whatever; I heard of it after the election. There was a rumour in town that there was money got and spent, but I knew nothing whatever about it.

7754. Had you anything at all to say at that election to any distribution of money?—Not a farthing.

7755. You remember the next election at which Mr. Macdonogh and Sergeant Armstrong were the candidates, and the Sergeant was returned?—I do.

7756. I presume at that election, as at the previous one, you voted for Mr. Macdonogh?—I voted for Mr. Macdonogh as the Conservative member—because he was a Conservative.

7757. Did you know anything at that election about the £490?—No, not a bit; not a penny of any money whatever.

7758. Nothing of the money which Mr. Sedley has declared in evidence was distributed?—No.

7759. Were you consulted about that?—I was not.

7760. Were you on the committee?—I do not know that there was a committee; at all events, I was not on it, if there was a committee. I went about with Mr. Macdonogh canvassing; that is all I did. I did not do anything else.

7761. We will now come to Major Knox's election—I presume you supported Major Knox?—Yes.

7762. As agreeing with your principles?—Yes, I did—although I did intend to take no active part in the election, for I was not satisfied with the way in which Mr. Macdonogh was treated. I thought he was badly treated at the previous election and I was disgusted, and, only it was Major Knox, I would not have interfered in the last, but I had a very great esteem for him. I expressed my opinion after Mr. Macdonogh's rejection that I would never take an active part in any election, for I was disgusted at that election; I thought his friends had sold him.

7763. Do you know Mr. Stokes?—I do.

7764. Were you on terms of intimacy with him before the election?—Yes.

7765. Long before it, and always?—I know Mr. Stokes as well as any man in town.

7766. Nothing better?—Only meeting him.

7767. Were you consulted about voters leaving town?—No.

7768. Did you know any voters were going to leave town?—I did not know any voters were going to leave town. I had no communication with any person about any voters whatever.

7769. About any voters leaving town?—No; nothing but one person that I knew of from himself.

7770. Who was he?—Sheils.

7771. What occurred about him?—Sheils was a customer of mine, and I had a decree against him, and I sent for him and asked him to leave town.

7772. How much had you the decree against him for?—Five pounds thirteen shillings—that was the balance of the decree. It was as high as £10, but he had paid it down by instalments weekly. It had been lying over four years.

7773. Did you ask him to leave town to avoid voting, I do not mean in words, but was that the object of it?—That was the object of it; that was just the object I had in view, certainly.

7774. You thought that he would vote for Captain Flanagan?—Yes.

7775. If left in town?—Yes; I thought he would be a supporter of his, therefore I wanted him to leave town that he would not vote for Flanagan, and I asked him to leave. I had been very friendly to him.

7776. Did you tell him where to go to?—I did not.

7777. Did you know where he was to go to?—He told me he would go to America. He came into the shop; we had three interviews. The first was on a Monday, and I talked to him about my account—that was the first occasion—about his not paying the account, and he told me he left money with his sister for me—that he thought it was being paid—and he promised to have it paid in future correctly, and then we talked about the election. In the course of the conversation I learned he was a voter, and I then asked him to oblige me by leaving town, and he said he could not do so without consulting his friends. I told him to make up his mind or not if he wished to go, as I thought his friends might object, if he spoke to them. He said he would give me word again whether he would go or not. There was no talk about money at

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that time. He came back a second time, and said he would go; but he would like to know what he would get if he would go, and he said he could get £20 from Flanagan's side. I told him I could not give him any money for voting or for going away—that I would not have anything to say to him about money, and he went away then. He came back to me on Saturday morning, about breakfast time—about ten o'clock—and he told me that he had made up his mind to go, and he was going to America. He said he wanted to buy some things, and he asked me would I give him some shirts, at least he wanted some shirts. I asked him the kind, and sold them to him.

7778. Sold them?—I showed them; he selected the shirts and I sold them, and entered them in the book.

7779. Do you mean it was a sale as to an ordinary customer, or did you merely supply from your establishment the things he wanted?—I mean to say I sold them to him—told him the price, and entered them in the book.

7780. Would you have given that man that credit except for the election, he not being able to pay you the £5 13*s.* balance of the decree?—No; I do not think I would at that time.

7781. That is a candid answer?—At the same time he told me he wanted them for travelling purposes, and he bought them.

7782. Go on with your statement?—He then asked me to give him £20 to enable him to go to America. I did not ask him to go to America; I never thought of such a thing. He asked me to give him the money to go to America, and at the time I thought—I really thought it was not illegal to give money to a person for that purpose.

7783. To enable him to go away?—No, to go to America; I thought I could do it legally at the time.

7784. Do you mean to say you thought it was legal to give money to a voter to induce him not to vote?—No; I thought that that was illegal, but I thought I might easily give money to a person to go away; that was my impression at the time. I was wrong in that. He asked me for £20 to enable him to go to America. I asked him and examined him about his intention of going to America.

7785. You did not believe he was going?—No, I did not. I wanted to find out surely before I would do anything in the matter, if he was really going to America. He told me he was going to America; he made an arrangement for the support of his family. He asked me to give them money.

7786. For the support of his family?—Yes.

7787. What family?—His sisters.

7788. Did you arrange to support them?—I arranged to give them £1 a week until he got into employment.

7789. For how long?—Until a certain amount of money would be expended.

7790. How much?—Up to £40.

7791. After giving him the £20 the sisters were to get £20 more?—No; I was to get credit for the decree and the goods I sold him, and I was to make up £40 altogether.

7792. You gave him a line of introduction to America?—Yes, I did; but then and there I did not exactly promise him whether I would give him the line or not, but asked him to come back again.

7793. But ultimately you gave him a letter of introduction?—Yes.

7794. And ultimately the whole value he was to get for going away, between decree, goods, and money, to the sisters, would be £40?—Yes.

7795. And you would be at the loss of that £40?—If I never was repaid it I would be at the loss.

7796. Did you know where he was to stop in Dublin?—No, I did not.

(Document handed to witness.)

7797. Was that the first document that passed between you and him?—No, it was not.

7798. What was it?—The first document was a letter to Mr. Logan to America.

7799. The *Chief Commissioner.*—(Reading)—

"Sligo, November 14th, 1868.

"Dear Mr. Logan,—The bearer John Sheils is a very old customer of mine; a man whom you doubtless remember. If you can do anything by way of getting him a situation, I will feel greatly obliged. I should have replied to your last much sooner. You have got your elections over, and Grant returned—the right man, I say. We are on the eve of our elections here. Next week they begin. Do anything you can for the bearer. All well here.

"Yours sincerely,

"S. M. Cherry."

Was that the first document you gave him?—I will explain about that. About ten o'clock at night, as the shop was shutting, he asked me for a loan of £1. At first I did not like to give him the £1, because I thought—I did not wish to leave myself in his power; at last I gave the £1.

7800. Do you mean in his power by giving him anything that could be shown—money?—I did not wish to give him anything; I thought if he went away he might come back, you know, and disclose it. I wished to be as cautious as possible, but I gave him the £1. I believed he was sincere up to this. He said, "You have a decree against me, will you give it to me?" I said I would not give him the decree. He asked me to give him a receipt for the decree, so I gave him this receipt:—(Reads)—

"Mr. John Sheils,

To Stephen M. Cherry, Dr.

To balance	£5	16	8
	1	9	6
	£7	6	2
Cash,	1	0	0
	8	6	2
£20	0	0	
£11	3	10	

Stamp."

That's the balance of the decree; £5 16*s.* 8*d.*, and £1 9*s.* 4*d.*, that is the goods he got; and cash £1, which I handed him; and then there was £20 in cash which I was to give his family, less the amount of the decree ——

7801. Less the amount of the decree?—Yes.

7802. Mr. *Commissioner Bruce.*—What is the date of that receipt?—It is dated 14th of November.

7803. The *Chief Commissioner.*—Do you know Coster, Brodie, and Company?—Yes.

7804. Were you a customer of theirs in the way of business?—Yes; I am a customer of theirs for printing and paper.

7805. Do you know that they are in the wholesale paper trade, and are manufacturers?—Yes; they print circulars, and make bags and boxes, and so on.

7806. Did you know that they supplied paper to the *Irish Times*?—No. I was perfectly ignorant of their connexion till you mentioned it.

7807. Did you then get the cash order on the Provincial Bank for £24 5*s.* 3*d.*?—I did. After he left me in the morning, I thought how I would send him the £20, and I was sending money to pay these parties. I owed them £4 5*s.* 3*d.*, so I got a bank order for £24 5*s.* 3*d.*

7808. How much of that was Sheils to get in Dublin?—He was to get £20. The balance was to go to pay their account.

7809. You sent that up in a letter to Coster, Brodie, and Company?—Yes.

7810. Did you tell Sheils he was to call there to get the £20?—Yes.

7811. What was the date of the cash order on the Provincial Bank?—It was the 14th of November. I got it after he left the shop.

7812. When did you post the letter to Coster, Brodie, and Company?—I do not think I posted it until Monday morning.

7813. Was it on Saturday you got the order?—Yes; I left it in my pocket until Monday evening.

7814. Did you ever get back the letter you wrote to Coster, Brodie, and Company?—I did.

7815. Have you got it?—No.

7816. What did you do with it?—I tore it.

7817. Did you get back the cash order?—I got back the £20.

7818. Did you write to them for that balance?—Yes, I wrote to them after Sheils came back to send me the letter and the balance after paying their own account.

7819. Did you know how Sheils was to leave Sligo?—Yes.

7820. Did you consult about that?—I arranged with him in the first instance how he was to go. He said he would go on Saturday night, first of all; then he came back on Saturday night, and said he would not go till Sunday morning, and I arranged to have a car ready for him at a certain place on Sunday morning.

7821. Where did you arrange to have the car?—Out about the asylum, there.

7822. Who ordered the car?—I went out to engage the car, and in passing Mr. Stokes' shop at the corner, I went in. It was then about ten o'clock. The shutters were up, but the shop was not shut. Usually he shuts at that hour. I told Mr. Stokes I was going to order a car for Sheils. I think I told him what it was for. "Oh," he says, "Mrs. Buchanan and her driver are here; if you wish I will order the car for you." I said, "Very well," and I told him where to have the car and where to leave Sheils—that he was to stop at the Black Lion. Mr. Stokes said, "It is better for you to send him on to Enniskillen at once," and I agreed to do so. "Well," says I, "I told him to stop at the Black Lion, and I will have to write to tell him to go on." I wrote on a little bit of paper, asking him to go from the Black Lion and to stop at Enniskillen. Mr. Sheils ordered the car. I did not order it, but I told him what to do, and I told Sheils how he was to distinguish the car.

7823. How was that?—He was to ask for "The Golden Roffers," and the driver was to say, "Jump up;" something like that.

7824. It was a pass-word?—A pass-word, that he would know the car.

7825. Go on?—Well, Mr. Stokes ordered the car, and I do not know anything at all about it more than that. I came home, and that is all I know about it.

7826. When did you hear that Sheils had returned?—I heard it on the Tuesday morning.

7827. Did you then write the letter to Coster, Brodie, and Company?—I wrote, I think, on Wednesday or Thursday this letter. (Reads):—

"GENTLEMEN,—You will please send me, per return, the twenty pounds which I sent you, as the person is not now going to America, as I understood he was. You will also enclose my letter of instructions, as I want to have it in my possession. Please excuse the trouble. Should I have the opportunity of serving you, you may command me.

"Very truly yours,

"S. M. CHERRY.

"Messrs. Coster, Brodie, and Company."

7828. Did you want to get back the letter of instructions to destroy it?—Yes.

7829. Was it not because you knew it was an illegal transaction you were engaged in, and you wanted to destroy the evidence of it?—Certainly; yes.

7830. And you did destroy the letter?—I did.

7831. Of course Coster, Brodie, and Company sent you back your own letter?—They did.

(Small document handed to witness.)

7832. In whose handwriting is "John Sheils" in that document?—I do not know.

7833. Did you ever see that before the trial at Carrick?—Oh, it is my memorandum.

7834. Who wrote "John Sheils" here?—I do not know.

7835. What is that memorandum?—This memorandum, I believe—I do not understand what this means. It was arranged that a card I gave to Sheils he was to present to Coster, Brodie, and Company.

7836. Was it a card of your own?—Yes. My name was printed on it. It was a regular visiting card with my name, Stephen M. Cherry, upon it. There was nothing written on it. It was put into an envelope.

7837. This is the document you wrote for Sheils—(Reads.)

"Go on to Enniskillen without stopping. The driver will tell you where to stop there. Pay for your bed, &c. It will be settled in Dublin. This was arranged since I saw you?"

It was arranged just as I told you.

7838. Was this conversation you had with Mr. Stokes when Mrs. Buchanan was there, the first time you spoke to him about Sheils?—Well, I could not say; but that was the only time I had any arrangement with him. I may have mentioned it ——

7839. Did you mention to him that you were trying to get a hold of Sheils?—I do not remember ever mentioning it to him.

7840. Were you not constantly speaking to him about the election?—No, I was not constantly speaking to him at all. I spoke very little to Mr. Stokes about the election.

7841. Did you give Sheils any more money than what you have mentioned?—I did.

7842. When?—On that Saturday night.

7843. How much more?—Thirty shillings.

7844. Did you give any of his family any money?—I did, on Monday morning.

7845. How much?—One pound; that is all he got, £3 10*s.*

7846. Upon your oath, Mr. Cherry, who was to repay you that £40?—Well, I expected to be repaid by Major Knox or his friends.

7847. Did you hear about other electors leaving town?—I heard some report.

7848. A report?—That was all. I was not consulted about it whatever.

7849. Had you ever before this been engaged in a similar transaction?—Never.

7850. Of course, now that it is all over, as a man of the world, you know perfectly well that was bribery?—Well, I assure you I thought it quite legal, giving him money to go away.

7851. That is, you could evade the law?—Yes, exactly; that it was not illegal, that the law did not forbid me giving money to a man going to America.

7852. Did you give that money and make that promise to that man Sheils in order to induce him to avoid voting at the election—give me the answer you gave the judge at Carrick?—I gave it for the purpose of having him off the road.

7853. Of preventing him from voting at the election?—Yes. I had that object.

7854. Were you at Haggerty's house?—I was.

7855. How often were you there?—I was not there often. I was once or twice.

7856. Whom did you see there?—I saw on one occasion Mr. Grubb and another gentleman, and I saw Mr. Balfour. I did not see any other.

7857. Do you know Mr. Hignell?—I do.

7858. Did you know him before the election?—I did—not before the election, I knew him about the election. He was down in Sligo. I never knew him till the election.

7859. Do you know Mr. William Hughes of 25 Queen-street, or 23?—No; I do not know him.

7860. You never saw him?—I never saw him.

7861. Did you see Mr. Hignell at the time of the election?—Yes; I saw him in Sligo.

7862. Did you tell him about your having secured Sheils—you may as well tell, for Mr. Hignell will be examined?—Well I do not exactly remember, I may have.

7863 Do you not think it very probable?—I think it is very likely.

7864. Do you not think it most likely?—I do.

7865. Are you not perfectly sure of it?—I am not perfectly sure—it is likely I did. I did not take any

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note of it, or anything of that sort. I saw a great many people on that occasion.

7866. You told Stokes you had got Sheils?—I told him I wanted the car.

7867. He knew Sheils was not gone at that time?—Not at the time he ordered the car to go.

7868. But he knew you had got him to go away out of town?—I do not remember letting Stokes know anything at all about it.

7869. Did you know he (Sheils) had left town that morning?—I did not.

7870. You did not know he was gone?—No. I went to bed as usual. I did not know, nor did I ask whether he had gone or not.

7871. How much are you at a loss in this transaction between Sheils and you?—Well, I am at a loss of £3 10*s.* by the election, that is all.

7872. And the decree?—Well the decree, that was a business transaction of my own.

7873. Of course you have never been repaid what you have been at a loss?—No.

7874. Did any money come to you after the election?—No; not a penny.

7875. Mr. *Commissioner Byrne.*—You have told us you heard a report of other voters being sent away besides Sheils?—Yes; after they had gone.

7876. Whom did you hear were sent away?—I heard about the M'Mullens—the two M'Mullens.

7877. At the time?—Yes.

7878. Anyone else?—No. I don't remember any person else. They were greatly talked about—the M'Mullens—through the town.

7879. Try and remember any other?—Well, I don't remember any. There were none else talked about, at least that I heard.

7880. Mr. *Commissioner Bruce.*—Did you ever hear of Gethin?—No. I am sure Gethin was not away all the time of the election.

7881. You said that after Armstrong's election?—Gethin—I beg your pardon. Gethin, I believe, went away after the election to avoid intimidation, or something of that sort; but he did not go away at the election.

7882. You said that after Sergeant Armstrong's election you were disgusted at the treatment Mr. Macdonogh received?—Yes.

7883. Now, what was it that produced that feeling in your mind?—Well, I heard that some of his friends that pretended to be working for him, were working against him. I don't know whether it was true or not, but I heard it, and it made me indignant.

7884. Who were those friends?—I heard Mr. Monds was one of them.

7885. Anyone else?—He was the principal.

7886. Do you remember any other names?—No, I could not. I don't remember. He was the person that I heard most of.

7887. Well, would you try and remember?—I could not remember any. I don't remember any. I do not really. I would tell you at once if I did. It is nothing to me.

7888. Did you hear any expressions of dissatisfaction at more money not going on Macdonogh's side?—I did. I often heard some voters saying something about that after it occurred—saying that some people got money that they did not expect; but I knew nothing at all more than what I heard from voters.

7889. Did you hear voters on Macdonogh's side, or on the Conservative side expressing dissatisfaction at not more money going on their side?—Well, I did. I heard them talking about it.

7890. Voters?—Yes.

7891. Would you try and remember?—I don't remember them at all, for I did not take any particular notice of it at the time—I did not really take any. I knew nothing at all about the money matters of the election. I was indignant as I said before that Mr. Macdonogh, whom I thought a good man, was not returned, and I expressed it at the time I remember to Mr. Stokes. He did not vote for Mr. Macdonogh on that occasion at all, and I was very angry with him and told him that he had sold the party by his keeping back, and that I never would interfere in any other election. I was very angry about it indeed—so much so that I said I never would take any part again.

7892. You say you were indignant at those friends of Mr. Macdonogh deserting him; were you indignant because that desertion was on the ground of there not being more money coming from Mr. Macdonogh?—Not at all; I knew nothing about money. It was on the ground of their not using their influence, and doing what they could for Mr. Macdonogh.

7893. Did you remonstrate with them about it?—I did not for it was all over. I did not know until the election was over, and then it was too late. I thought Mr. Macdonogh was certain—I told plenty of people he would have twenty of a majority, and I believed it; and I did not know he was sold till the election was over, and what was the use of remonstrating then?

7894. Did you complain?—I did not complain to any of them. I might have talked to friends, you know; just expressed my opinion—that was all. I did not go to complain to any man about his conduct.

7895. Did you canvass for Mr. Macdonogh?—I did. I went round along with him. Mr. Macdonogh asked me. I did not wish to go. He asked me to accompany him on his canvass to Leech's

7896. Was Mr. Macdonogh deserted by any voters who promised him their votes?—By thirty or forty.

7897. Who promised him their votes?—Yes. I heard them promise him myself, and saw them voting directly against him.

7898. How long before the poll were these promises given?—They promised, I suppose, about a month before the election. I accompanied Mr Macdonogh, Mr. Phibbs, and several others; and everyone up in Pound-street promised him that they would vote for him, and shook him by the hand, and all that, but the very same hands turned against him, and voted against him.

7899. They voted against him?—Yes.

7900. Thirty or forty?—I think so. I cannot say as to numbers, but I heard a whole lot of people just as I was canvassing. I did not know them very well because I am never up in Pound-street; but I saw people and heard them promising Mr. Macdonogh, and from what I saw I was sure he would be returned.

7901. Are you aware that several of those voters that promised him in Pound-street voted afterwards for Sergeant Armstrong?—Yes.

7902. The *Chief Commissioner.*—Could you name any of them?—I really could not.

7903. Look at the Registry?—For I did not know the names; I took no note of it; but I remember remarking afterwards when I saw that they voted against Macdonogh. I think Flynn was one.

7904. Pat Flynn?—He is a saddler (List shown to witness).

7905. Find out Flynn's name?—I don't know whether this is the same Pat Flynn or not. There may be two, I mean the man that lived at that time in Jail-street.

7906. What is his Christian name?—I think Patrick.

7907. Mr. *Commissioner Bruce.*—Are there two Patrick Flynns there?—There is only one here on the present Registry.

7908. The *Chief Commissioner.*—That is the Registry for the election of 1865.

7909. Mr. *Commissioner Bruce.*—Just look it over at your leisure, Mr. Cherry, and see what voters on that list promised Mr. Macdonogh, and afterwards voted for the Sergeant?—(Looks at list)—Well, I am afraid I could not give you any particular information because I took no note of it. I really don't know these people. I could not distinguish them; but I heard a great number promise him. Mr. Macdonogh, I think, could tell you all about them, for he was misled in the same way.

7910. Look over the Registry?—I will look over it, but I am afraid I cannot.

7911. Take plenty of time; you cannot have looked over the half of it. Go over all?—[Witness looks]—Here's Devanny. I don't know anything at all about them. I see the name "Devanny" in Pound-street; but as I don't know the people I could not mention them by name. I saw them, and I heard them; but as I did not know the people I would not mention any particular person.

7912. Were you present when Devanny was canvassed?—No; I don't know Devanny. I am just giving that instance; I don't know the man.

7913. Did anyone tell you that Devanny promised Mr. Macdonogh?—No, not one. I should not mention Devanny's name; I have no reason for doing so. I just give you that instance. There he is in Pound-street, and I don't know the man.

7914. I do not mean you to swear as to this person; I merely want the impression on your mind as to the persons who promised Mr. Macdonogh and afterwards voted for the Sergeant?—Well, it is such a long time ago, and I really did not know the people and took no note of it whatever; and it would be very wrong of me to mention people that I don't know. I know Flynn, and I heard him promising, and he did not vote, I know. There was another place we went to, and I saw a woman—a very fat woman, and she and her husband both promised; and I understood that these did not vote for Macdonogh afterwards. In fact there was not one of them that voted.

7915. What ground have you for saying that thirty or forty persons promised?—Just that was the impression created on my mind after the election was over—these persons that were to vote and that were down by Mr. Macdonogh as promised, and all that, making up his list showing a majority.

7916. What list?—The list he had with a mark opposite their names—of those that were to vote for him. Going over this list along with others it showed that he had a large majority supposing those people voted. It turned out that they did not vote.

7917. When you examined that list, did you find amongst those who promised to vote for Mr. Macdonogh some thirty, or any number about that, who voted for Sergeant Armstrong?—Yes, I did; but I have not that list. I did not keep it at all. It was only other people's list.

7918. And you are not able to give us any clue to the names?—No, I could not, really. I have no desire to give names.

7919. It was by referring to the poll-books afterwards that you saw they had voted for Sergeant Armstrong?—Yes, and I think the names were published in the local papers the next Saturday, giving the names of those who voted for Sergeant Armstrong, and of those who voted for Mr. Macdonogh, and I noticed then that those persons had voted, but I could not tell you them now.

7920. Therefore you must have known the names of those persons then?—Yes, I did; I knew them then. For the first time I knew them, but I did not take any notice of them then, and I have no recollection now to guide me.

7921. I am not satisfied that you have sufficiently tried to refresh your memory, Mr. Cherry?—Well, I will look over it every bit, but it is not a bit of use, for I don't know the names of the people here. I don't know them.

7922. Were they principally in the Pound district?—They were—yes. People in Pound-street.

7923. Were they all Pound-street people?—No, there was this man here that I knew.

7924. The *Chief Commissioner.*—Tell me, Mr. Cherry, you have said you expected that the £40 was to be repaid by Major Knox or his friends—why did you expect it to be repaid?—Well, I expected it to be repaid because Major Knox was an honourable man.

7925. Did you intend then, supposing you had got the voter away and paid the £40, did you intend to apply to him?—I did after the election was all over.

7926. You intended to apply to him personally?—No, not personally, perhaps; to his agent, or somebody else.

7927. Do you mean his conducting agent, Mr. Lawder?—Perhaps so.

7928. I want to know?—Well, really, I have not made up my mind.

7929. I want you to tell us through what channel did you expect to be repaid, and why?—Well, I expected to be repaid by Major Knox, and I did not know the channel.

7930. Did you know Captain Knox that was down here?—Not personally. I saw him down here.

7931. Do you know Mr. Sloane?—No, I don't know Mr. Sloane.

7932. Were you, Mr. Cherry, in town at the opening of the Commission?—No, sir.

7933. Were you away on business?—I was. I was in London, Manchester, and Glasgow, and I came back the moment I got a telegram that I was wanted.

7934. Do you know where Mr. Stokes is?—No, I don't.

7935. When did you last see him?—I saw him about three weeks ago.

7936. Had you any conversation then with him—was that after the advertisement about the Royal Commission?—No, I did not see him after the advertisement.

7937. Did you canvass with Major Knox?—No, I never canvassed with Major Knox.

7938. Did you canvass with any of his supporters?—No, I did not canvass at all for Major Knox. The canvassing was done for Major Knox I suppose six weeks before the election; he was down here very often.

7939. You know Mrs. Hall's here?—Yes, I do.

7940. Were you ever there?—Yes, often, before and after the election.

7941. I mean while the voters were there?—I was.

7942. What did you go there for?—I went there without any business more than I remember going in with Mr. Mosson, a lodger in the house. I visited there regularly.

7943. Did you go there to assist in keeping voters together?—No, not at all.

7944. How many times were you there from the Monday before the polling? Were you there every day?—From the Monday before the polling.

7945. Was it on the Monday before the polling I mean that you began to go in?—No, I was not there at all, I think, on the Monday before the polling. I don't recollect. I was there about the time the election was going on—the day before it perhaps. I was not in there after the nomination. I think it was the first time.

7946. Do you know Leonard?—I do.

7947. Who is he?—He is a car-driver. That's the way I know him.

7948. Do you know the man's name that said you offered him money?—No, I don't know him at all.

7949. Did you ever offer him any money?—Not a farthing. I did not know the man, good or bad. When I saw his name opposite to mine at the Carrick trial I commenced to ask who he was.

7950. Then you never offered anybody else money at the last election?—No, I did not.

7951. How did it happen that you fixed on Shiels as the only man?—Because he was indebted to me in money, and I thought I had a claim on him.

7952. Was Shiels' name given to you in any list?—No, I got no list.

7953. Did you give Shiels' name to Mr. Hignell?—No.

7954. Was not Hignell making out a list of the persons who either would vote or would go away?—I don't recollect giving it to him. He may have——

7955. I ask you, first of all, was not Hignell making out a list of the men who would vote for the Major, or who were going away?—I don't know what Hignell was doing.

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Mr. Stephen M. Cherry.

7956. Did you tell Hignell about Shiels?—I may have.

7957. Do you swear you did not?—No, I do not, because I don't recollect anything about it.

7958. Was it you brought the ladder to Mrs. Hall's?—Where did you get it?—I got it in the yard.

7959. Why did you put it up against the wall?—I put it up for some voters who lived in a yard adjoining, and who requested me to do so, in order that they might get across without being beaten by the mob.

7960. Was it to let voters into Mrs. Hall's house?—Yes.

7961. Who were those voters?—There were John M'Guirk and Charles Clancy. Their yards adjoined.

7962. You knew these men were coming to Mrs. Hall's?—They asked me. They called me and asked me to get the ladder arranged. I was walking up opposite.

7963. Who asked you to get the ladder?—Mr. Chism asked Mr. M'Guirk.

7964. How did it happen that you were aware the ladder was wanted?—By mere accident, because I was going up the road.

7965. I suppose you were not in the habit of carrying a ladder?—I did not carry the ladder at all.

7966. Who carried the ladder?—It was Burrows, I think, the court-keeper.

7967. Did you place the ladder?—I directed him how to do it.

7968. Where was the ladder got?—It was got in the yard just where we were. It was a small ladder put up against the wall.

7969. Mr. *Commissioner Byrne.*—Did the trial in Carrick on this inquiry in any way influence you not to ask the repayment of what you spent from Captain Knox?—Well, I think it did. I would very likely have asked him before now if this were not going on.

7970. The *Chief Commissioner.*—Did you expect to be repaid honestly every farthing you spent?—I did, every farthing.

7971. And you do now; you do still?—I hope so, at any rate.

7972. Mr. *Commissioner Bruce.*—Had you any conversation with Shiels after he came back?—No, I never spoke to him since, nor would not speak to him at all for I got enough of that gentleman.

7973. The *Chief Commissioner.*—You got into trouble by meddling with such matters, Mr. Cherry?—Yes, I am very sorry I had anything to say to it.

(The witness withdrew.)

Timothy Fallon.

Timothy Fallon sworn and examined.

7974. The *Chief Commissioner.*—You are an elector?—Yes.

7975. How long have you been an elector?—I never had a vote before this. This is the first time I ever had in this country.

7976. Whom did you vote for?—Major Knox.

7977. When did you promise the Major?—About two years ago, I think.

7978. Where was it you promised him?—In my own yard.

7979. Did you ever get any money?—Never.

7980. What is your business?—I am a horse-trainer.

7981. Do you know Tom Brennan?—I do.

7982. Did he ever give you any money?—Never.

7983. Were you ever promised any money?—Never promised any money from any of the Major's men.

7984. Did anybody else ever promise you money?—Nothing for the election—never.

7985. Oh, no; but did they promise you any money?—Never for the election, or for anything belonging to it.

7986. I don't mean connected with the election; did anyone say you were to get anything?—No, I can solemnly swear I never was promised a shilling of money, nor never got it.

7987. To be bribed?—I got money after, but never for the election. Any man that employed me, I received his money from him, but never for the election.

7988. Did you get anything more than usual at that time?—I can say that I never got a farthing but what I earned hard with the sweat of my brow.

7989. Have you been here during the trial?—The trial?

7990. Yes, this trial; have you been in court?—Well, I was here on Saturday, part of the day on Saturday.

7991. You are a Roman Catholic, I suppose?—Yes.

7992. And you went to Mrs. Hall's?—I did.

7993. Who got you to go there?—Well, no one enticed me to go into it. I heard that they were going there, and that Mrs. Hall was receiving them. I was glad to get an opportunity of going into it, and I went in. I was afraid.

7994. How long have you been living in the town?—I think about eight years; I think in October last, eight years.

7995. Did you before this election belong to the Liberal party—I don't mean with regard to your vote—but to the Liberal party?—Well, I am a Catholic born and reared.

7996. What made you vote for the Major?—Well, I will tell you the reason, he was the first man that axed me for a vote.

7997. Had you a vote at the time that he asked you?—Well, I had.

7998. Had you been put on the registry?—Who put me on it? Oh, yes, I was on it for years.

7999. Years before he asked you?—I think so.

8000. Do you mean to tell me that you promised to vote for the Major because he was the first man that asked you?—I mean that I promised him I would vote, and I did.

8001. You said you voted for him because he was the first man that asked you?—He was the first man, I meant, of the Liberals or Conservatives—he was the first gentleman of either Liberals or Conservatives that asked me, and I promised him that I would.

8002. Irrespective of politics?—Not indeed for any certain thing in the world. I had no interest in one party more than the other, any more than that he was the first that asked me, and I promised him I would and I did.

8003. How much did you pay Mrs. Hall?—Well, I think I had to give ten shillings.

8004. How long were you there?—I think I was two nights in it, about. I was a second day—just two nights.

8005. Were any threats made use of to you?—Indeed there was not much; nothing of any account.

8006. Were you afraid of your life when you went into Mrs. Hall's?—Well, I was afraid to go to vote. I was not much acquainted with the town, and I was certainly afraid, though there was no violence used to me of any account.

8007. Was your house injured?—Well, it was; there were some windows broken in it.

8008. Did you get any compensation from the county?—I never put in for it at all.

8009. Did anybody else give you compensation?—Not a fraction. There were only about nine or ten panes broken altogether—small ones.

8010. Do you expect the expenses you were at to be repaid to you by anyone?—I paid it myself.

8011. Do you expect to be repaid now?—On my oath I never expect to get a farthing of it.

8012. Did anyone molest you after the election on account of your vote?—No, I never got a stroke.

8013. You would not mind a few hard words, or the like of that?—I got many a one of them, but I had to pass them by. We must not mind all we hear that way, sometimes.

8014. Mr. *Commissioner Bruce.*—You said you got no money but what you earned hard?—Sir?

8015. You said you got no money but what you earned hard; are you referring to any money that you got from Major Knox?—I got no money from Major Knox or from any of his friends.

8016. Were you paid anything by Major Knox or any of his friends, for any work you did for him?—Not as much as a farthing.

8017. What are you by trade?—A horse-trainer.

8018. Were you employed in training horses in the way of your trade by any of Major Knox's friends?—Well, I train for the gentlemen of the county of Sligo. Whether they may be his friends or his foes I could not say. Any man that employs me I train for.

8019. Are your customers among the gentry?—Well, generally poor and rich employ me.

8020. Who told you that Mrs. Hall would receive you?—Well, I could not exactly say that, sir; I could not exactly tell you. I forget whom I heard it passing between; some person that I heard say that Mrs. Hall would receive such voters if they would come into the place, and I went in myself.

8021. That is, would receive voters that offered to stop at the house?—Yes.

8022. Was it Stokes told you that?—No; I never heard Stokes mention a word about it.

8023. Had you any conversation with Stokes before the election?—What about, sir?

8024. Had you any conversation at all with him in reference to how you would vote?—I never told a sinner the way I would vote or the way I would not, nor no one knew the way I would vote or would not, except the imagination of Major Knox himself, and Mr. Phibbs along with him, and Mr. Wynne.

8025. Had Stokes any chat as to how you would vote?—Well, I don't think he had. He might have had a chat with me, but I forget what it might be; indeed I could not tell you whether he had or not this moment.

8026. Did he tell you that the Major would stand to you if you would vote for him?—He never mentioned the like to me, nor did I want to hear such a conversation from anyone. I did not resort among those persons that had such talk. I always minded my business.

8027. But did you ever hear that money had been going at former elections?—Oh, I did, but I did not know from whom. I had not much acquaintance with anything. I never saw any election here before but one, and I had nothing in the world to do with it.

8028. No, you were not a voter; but did anybody tell you that Mr. Macdonogh's people had got money?—Well, I might have heard it, but I passed no mind on it. I took no interest in such things at all.

8029. Did you ever think there might be money going after this last election?—Well, I might think of it, but if I did——

8030. Ah, but did you?—Did I think there would?

8031. Did you think about it?—Well, it was everyone's opinion that there would be some money going at some time or other.

8032. The *Chief Commissioner.*—Was it the opinion that there would be money going for those who voted for Major Knox, or for those who voted for Captain Flanagan?—Well, I think I could not say; I dare say they all expected money, but I only know for myself.

8033. Did you expect it?—I did not.

8034. You thought you might get it?—If I got it I would take it.

8035. You heard that people had got it before?—Who?

8036. You heard that people had got it before; I do not ask you about names, but you heard that money had been given before?—On former elections?

8037. On former elections?—I don't think I could mention the name of anyone I heard of as having got it, but I heard of the like being passed some day or other.

8038. Can you tell us any of the electors you talked on the subject with,—I am sure you talked about it?—About which?

8039. Oh, about the election generally, and the money that had gone before, and would be again,—come now?—Well, I would be glad to tell you if I had anything to say about it.

8040. I am sure you talked with someone about it,—some of the other voters,—some of your friends?—No, sir, I live more by hard work than I live by talking.

8041. Do you mean to swear to me that you did not talk with your neighbours about the election?—Well, I might.

8042. Do you mean to swear that you did not talk to your neighbours—talk with your neighbours about the money that might be going now; do you mean to swear that you did not?—Well, I don't think I ever mentioned it to my neighbours or myself; I had a very good reason why I did not.

8043. Did you ever do so to anybody that was not your neighbour?—I don't think anything of the kind.

8044. Do you know Mr. Harloe Phibbs?—I do.

8045. Did you ever talk to him about the election?—Well, I think not.

8046. Do you swear you did not?—Oh, I won't swear I did not, because he was along with Major Knox the day I promised him.

8047. Well, but upon no other occasion did you ever do so?—Not that I mind.

8048. Did you ever say to Mr. Harloe Phibbs, "Will Major Knox's people get money"—something of that kind?—I don't think I ever mentioned the like to him at all.

8049. You do not think you did?—No.

8050. Are you sure you did not?—Well, I think I could swear I did not.

8051. Can you swear you did not?—I don't think I ever did.

8052. The *Chief Commissioner.*—Did you train horses for Phibbs?—I did, but it was a long time ago.

8053. How long ago,—two years ago?—Oh, I think it is six years and more.

8054. Do you know Captain Knox?—Well, I know him, but I did not see him this long time; I just know him by sight.

8055. You saw him down at the time of the election, he was here in town?—I would hardly know the man if I saw him; I saw him once or twice; he is a fair-haired man.

8056. Did you ever train a horse for him?—No.

8057. Did you ever train a horse for the Major?—No.

8058. Do you know Mr. Hignell?—I do.

8059. Who introduced you to him?—Well, I saw him in town before the election.

8060. Did you ever speak to him?—I did.

8061. What did you say to him?—I might have bid him the time of day, or something like that.

8062. How did you bid him the time of day if you had not been introduced to him?—Well, I don't think—I forget who did introduce me to him.

8063. You forget?—Wait till I think a moment.

8064. You remember the first time you saw Mr. Hignell—don't you?—The first time, I think, I saw him was at the hotel beyond.

8065. Who brought you there?—I don't know but I might have come there myself, perhaps.

8066. To see Hignell? He is not a Sligo man—is he?—Oh, he is a Dublin man, I believe.

8067. How did you know he was there?—Well, I think I was posting a letter in the post office which is convenient to the hotel, and I saw him standing in the gateway.

8068. Well, you went up to him—what did you say to Hignell?—Well, I could not tell you.

8069. Did you say the times were bad?—No; I had no reason to say that.

8070. What did you go to speak to Hignell for, sir?—Well, I could not tell you, but I think I spoke to him.

8071. Did you tell him who you were—did you say you were Tim Fallon, and that you were going to vote for Knox?—I might have mentioned my name.

8072. When you say "might" are not you perfectly

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certain you did?—Mention my name? Well, I would tell you if I was.

8073. He did not know you before?—He did not, to my knowledge. Some one pointed him out to me that day—I could not tell who it was—that that was Mr. Hignell; and I just spoke to him going by.

8074. What did you say to him?—I might have bid him the time of day, and passed by.

8075. Did you not say "Good morning, Mr. Hignell," and did he not say "Good morning, Tim"—was not that what occurred?—I could not tell you, but I might have bid him the time of day. I might have said "Good morning, Mr. Hignell." It is likely that is what I did say because it is the most——

8076. Natural thing?—Natural thing.

8077. How did he know you?—I might have told him my name.

8078. Told him your name?—It is likely I did—very likely.

8079. What did you tell him with your name?—I suppose it should be to make myself known to him.

8080. Was not it to put your name down in the little book, on your oath?—Well, on my oath, I never saw him produce a book to enter my name since I first saw him up to this.

8081. What did you tell him your name for—did you tell him you were a voter?—I don't think I did.

8082. You don't think you did, don't you?—At this occasion I don't think I ever mentioned a word to him, but bid him the time of day as I was going by.

8083. On this occasion—you spoke to him afterwards?—Of course I did.

8084. Often?—No, indeed, not very often.

8085. Where?—While I was in Dublin with horses at one time—going over and advertising them.

8086. You were in Dublin with horses?—Yes.

8087. Go on?—I went to advertise them in Major Knox's office, and I just met him in the office when I was going to put in the advertisement.

8088. How long was this before the election?—Oh, it was since the election.

8089. And you advertised the horses?—I did.

8090. Did you ever pay for that advertisement?—Of course I did—a shilling.

8091. What did you say to Hignell then?—I had not much conversation with him. I might have bid him the time of day, the same as I would to any other man.

8092. How long was it after the election that you called in at the *Irish Times* office to give him your custom?—I could not tell you. It was after the election, at all events.

8093. Well, to go back to the time when you first saw Hignell and bid him the time of day—did you go upstairs at any time with him?—I did not.

8094. Where was it you saw him—was it on the ground floor in the hotel?—I don't think I ever saw him in the hotel inside to my knowledge.

8095. Were you ever in a room with him?—I might, if I can just call to mind; I don't think I was.

8096. Were you ever in a room with him?—Well, I think I was.

8097. Where?—In the hotel, now that I recollect.

8098. Now that you call it to mind?—Just so; if I think of a thing I will tell it.

8099. Which hotel—don't be protesting, but answer me?—Miss Allingham's.

8100. Where—what room?—The front room.

8101. Were you there by yourself?—Indeed I was not.

8102. Who was there with you?—There was no one there but a whole lot of people—I don't know who they were the half of them—in the parlour.

8103. What were you doing there—had you any drink?—No; I don't drink very hard.

8104. How long were you there?—I just walked in and delayed about ten minutes, and walked away.

8105. Were you speaking to Hignell?—No.

8106. Were the rest of the men that were there voters?—They were.

8107. Who were they?—Oh, this was the day that I mean when I——

8108. Never mind what day it was; go on and repeat their names?—I could not tell the half of them.

8109. Well, tell the half of them?—It was the day all those men were gathered to see Mr. Abbott proposed for this town.

8110. Was this after the election?—Oh, it was; it is not very long ago.

8111. I am talking about the election between Major Knox and Captain Flanagan, and you are beginning to tell me some story of something else?—Well, you asked me was I ever in a room there, and that was the only room I ever was in to my knowledge.

8112. Then Hignell was down for Mr. Abbott?—It is my belief he was. I think he was there that night.

8113. How long ago is this?—I suppose about two or three months ago. I have not a very good recollection.

8114. Did Hignell send you a circular to go to that meeting?—I don't think he did.

8115. Who gave you the word to go to that meeting?—Well, I think I got a circular from some one; I don't know.

8116. Are not you perfectly certain you got it?—Perhaps I did, from Mr. Wilson.

8117. Whom did you get the circular from?—I think from Mr. Wilson.

8118. Go back now to the election?—When I asked you about the election, you first spoke about bringing horses to Dublin, and then about Mr. Abbott's meeting. I am asking you about the election between Major Knox and Captain Flanagan. Don't be trifling any longer?—Well, I will answer the questions you ask me.

8119. You swear you saw Hignell in Miss Allingham's hotel at Major Knox's election—what room did you see him in?—I never saw him in that room to my knowledge but what I tell you.

8120. Very well. Only once you saw him in a room there. Mr. Hignell will be examined here. Do you swear you saw him once at Major Knox's election?—Oh, indeed, I saw him often enough.

8121. Where?—I saw him standing by the door, about the hotel.

8122. Were you speaking to him?—No, I was not speaking to him.

8123. Did you only speak to him once?—I did, in Dublin.

8124. In Dublin?—I have told you all I have to say.

8125. On your oath do you believe I am asking you what you said to him in Dublin?—I did not say much to him whatever it was. I didn't think much about it. I bid him the time of day. I don't think of anything else that I said to him.

8126. Are you a married man?—I am.

8127. Was Mr. Hignell ever in your house?—Not to my knowledge.

8128. Did anyone come to your house canvassing for the Major?—Oh no, they had no occasion, I told them that I would keep my word.

8129. Did anyone canvass you on Captain Flanagan's side?—There did; but I was not there the day they came.

8130. Did you ever tell them you would not vote for them on Flanagan's side?—Of course, anyone that ever asked me. I don't know who asked me about it. A neighbour might say "whom would you vote for" or the like of that.

8131. If you get £50 will you take it?—Will I take it?

8132. Yes?—I think I will get no one to give it to me.

8133. Will you take it if you get it, sir—if you get £50 now, will you take it?—Well if I earned it honestly I would be glad to get it.

8134. You would take money if you got it—you would take £20?—I did not say I would take £20.

8135. No, but how much?—Any amount of money that I honestly earned I would take.

8136. Do you mean to say that you would not take any money in consequence of having voted—do you mean to swear that?—Well I suppose they would treat me the same as they would treat any other man—that's all I have to say about it.

8137. Did you expect that money would be going the last time?—I might expect it, but if I did what's my expectation? I was never tempted with the like.

8138. Answer me frankly?—I will.

8139. Did you hear any word that money was going?—No.

8140. Did you hear while you were at Mrs. Hall's that money might be going?—No.

8141. Had you any particular friend of yours that was stopping there—a voter like yourself?—There were indeed a good many in it.

8142. Were you talking about the election while you were there?—Well, I don't think I was.

8143. At what hour of the day did you vote?—I could not say. I think it was rather in the evening I voted. I am not sure. I could not exactly say the hour. I voted at all events.

8144. Who were the gentlemen you were training horses for at the time of the last election—name them?—I had a horse belonging to some one from Manorhamilton—a country farmer, I don't recollect his name. I had a horse belonging to Mr. Wynne, and I think that's all.

8145. Or any time before that?—I might have had them before.

8146. I do not want all. I mean about three or four months before the election. Who were you training for? You have mentioned Mr. Wynne and the farmer from Manorhamilton?—Well I could not tell you. I can't call them to mind. If I knew I would be happy to tell.

8147. Do you recollect the man from whom you got the horse that you brought up to Dublin and called at the *Irish Times* office to advertise?—Oh, I had a horse of my own and two ponies. They were my own at all events.

8148. Mr. *Commissioner Byrne.*—Did Mr. Rowlett speak to you about your vote?—Oh, never.

8149. Did anyone from Mr. Wynne's office speak to you about your vote?—No.

8150. Are you quite sure?—I am. I am, on my oath to declare the truth.

8151. Whose tenant are you?—Mr. Fayley's.

8152. Did he vote at the last election?—He is not living in Sligo. I think he is manager of the Ulster Bank in Waterford.

8153. Mr. *Commissioner Bruce.*—Did you think there might be money going whichever side you were?—Oh, sir, I might think of it, and what if I would?

8154. I am asking you what you did think?—If I thought of it what good is it to me to think of it? I might have my thoughts in my own mind.

8155. Listen to this question?—I will answer you.

8156. Did you think that there would be money going whichever side you were at?—Well, that's a question I won't answer, because I can't answer it straightforwardly.

8157. You must answer it, sir; if you don't I will commit you?—You may put me where you like.

8158. Did you think that there was money going on both sides?—Sure if I would think of it a thousand times what's that to me?

8159. Did you, sir, did you think that there would be money going whatever side you were at?—I will give you a candid answer: I expected no money from any person; but, about thinking, I might think that the world might fall on me if I would not be out of the way.

8160. You expected no money; did you think that there would be money going after the election?—Don't ask me that question, sir, because I might commit myself. I am sworn to every word I say. I might think a hundred things. Anything that I know I will declare to you if you ask me the question, without injuring my soul or myself.

(The witness was allowed to withdraw.)

Mr. *Harper Campbell* sworn and examined.

Mr. Harper Campbell.

8161. The *Chief Commissioner.*—You live in Sligo?—Yes.

8162. What is your business?—A general merchant, principally in provisions. Curing provisions is my principal trade.

8163. I suppose you export?—Yes.

8164. You have been mentioned by Mr. Byrne as having got a cheque for £1,480?—As regards that Mr. Byrne is under a slight mistake. It is immaterial, but the way was this, that at that meeting to which reference was made, when the £1,480 was made up to be handed to various voters there was a difficulty as to how the money should be handed over to the gentlemen to distribute. Some parties requested that they should have individual letters of credit sent or given to them. Mr. Byrne objected, and said that would occasion great inconvenience and trouble, and that he would rather give the money all in one sum. There was a few minutes' discussion about the matter, and, in order to get over the difficulty, I proposed, if the gentlemen were willing, that the money should be lodged in my name in the Ulster Bank in Dublin. Mr. Byrne had no money with him at the time, and after some talk, that was agreed to be done. The money was lodged to my credit in the Ulster Bank in Dublin, on, I think, the 2nd of April—the £1,483.

8165. Did you draw a cheque on that?—Yes, that was advised to Sligo in the usual course. I distributed that money in accordance with the list that was made up on the Saturday evening to the various gentlemen.

8166. Have you now for our information the list of names to whom you gave money by those cheques?—Yes, I think I can give you them all. (Reads from list.) There were Morris, Conry, Martin, Phillips.

8167. Just mention the amounts given to each?—I can't tell you that.

8168. Was it by cheques you gave it?—There were some by cheques and more by cash. It was within two or three days probably. I gave some on Monday, some on Tuesday and Wednesday and up to Thursday, and received vouchers from each gentleman, which I enclosed in a letter to Mr. Byrne, requesting him to acknowledge the receipt of them, and saying that I hoped he would find all in accordance with the money that had been lodged. I had an acknowledgment of that letter, but that I cannot find.

8169. Well, go on with the names?—Dan M'Gill, James Kidd—I know he got £90, because that was entered paid to him in a cheque which I see entered in my hand-book; William Petrie, Patrick Keighron, and a gentleman who is since dead, and I would rather not have to introduce his name.

8170. Oh, we must have it; you must tell. Who was that gentleman?—Mr. Poe; I think his name was Robert Poe; and then Michael Foley, and I distributed £100 myself.

8171. To voters?—To voters.

8172. To what voters did you give the £100?—George Campbell of Wine-street got £40; Pat Hennessy, £20; James Gallanagh, £20; and Bernard Healy, £20.

8173. Now, what business or occupation was George Campbell in, or why did he get £40? Campbell was a cabinet-maker, and the way was this: I think on the day before the day of nomination, or the day after it, I can't say which, I was passing by his place in Wine-street. I had not canvassed for Sergeant Armstrong or interfered in the election at the time; and I think he was standing at his door and came out to me, and

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asked what about the election. "What are you going to do?" I said, "I am going to vote for Armstrong; I hope you'll do the same." He said something about obliging me, but that money was going on the other side. I think he said, "I can get £50." I said, "If you can get that I would recommend you to take it," and left him, and walked on. I think I was hurrying to the Bank at the time. I can't recollect whether I told him at that time to go and see my clerk, John Kenny, or whether I subsequently asked Kenny to see him; but, at all events, on the day before the poll, on going into my office, George Campbell was there with my clerk, and Mr. Kenny said to me, "I am glad to tell you that Mr. Campbell is likely to vote with you;" and I said I was very glad to hear it. Campbell then said I was always a good friend to him, and hoped I would continue so. I said, as a matter of course, that I would be glad to do so. I did not know what sum he expected; but I know he expected money.

8174. Of course I would infer that?—There was no doubt about it at all. He then spoke to me about losing business by voting as he was doing, and said he would not like to go up to poll by himself; "Well," I said, "if you are about the polling booth to-morrow, when I am going I will take you up." He was there, and I took him up, and he voted.

8175. Now from what passed between you and George Campbell and your clerk on that day, you came to the conclusion that he wanted money?—Yes.

8176. And did you then lead him to infer it would be "all right" on your side?—I should say that from my words and manner, he might rely upon my getting him money, but I don't recollect that the sum was named, and certainly not by me.

8177. He inferred it would be "all right?"—Yes, he did; at least that is my belief, and I am almost certain that his was the same.

8178. Now explain why the other three men got the £20 each, what they were, and who canvassed them?—James Gallanagh was a butcher—a victualler I should say, a man disposing of beef and mutton. Pat Hennessy had been so, and was in very reduced circumstances, and at that time was merely a helper in his brother's place. With none of those men had I the slightest conversation, or did I know anything about them; but afterwards it was conveyed to me these men were in very indigent circumstances indeed, and that it would be a charity to endeavour to get them some money. I think some time previously to the money being distributed, two of them had applied to me. One of them got £5 on an I. O. U. I think that another party altogether came for him begging that I would give him something, and saying that he was in distress, and had been turned out by his brother, and if he did not get something, he should go to the poorhouse, or words to that effect.

8179. Did you give him £5?—He got £5 in my office.

8180. How long before the distribution of the large sums?—I really cannot say.

8181. And ultimately he only got £15?—He got £15; It was my clerk paid them at the time of the distribution. I did not pay directly myself. They were paid at all events out of my office; I was accountable, at least, it was on my representation the money was got for them.

8182. Will you state what occurred before the £1,480 was arranged upon as the sum—what occurred between you and the other leading supporters of the party—first of all, you knew Mr. Phillips was writing to Dublin?—I did, for he and Mr. Petrie called to my office, and asked me were any parties giving me trouble about the election, or expecting money, and I think I said that one or two were asking for money. They said they would wish very much that I would write to Sergeant Armstrong, and endeavour to get him to try and settle up as it were, or try to meet the requirements of these voters. I did not know what voters they were.

8183. Did Phillips or Petrie show you any of the letters they were writing to Dublin?—No; they did not, nor did I know what their contents were.

8184. But did you understand the purport of these letters to be, that promises had been made, and must be kept in some way?—Well I don't think there was any mention made of promises.

8185. As far as you know?—As far as I know, I should mention also that Campbell had applied to me very shortly after the election, and I was most unwilling to have anything to say to him at the time, but he declared that he was in very distressed circumstances, or something of the sort, and that he must have some money, and a cash order, I think, was prepared on the bank, or on me, I don't know which now, for £40 or £41, which I ordered to be taken up.

8186. On what bank?—I really can't say how it came, but I know one of my clerks I understand paid the amount; but where it came from I do not now recollect.

8187. Just describe the whole of that transaction. Where was it from?—Really I don't recollect.

8188. Did Campbell send meat away?—He was a cabinet-maker. He had been in very difficult circumstances.

8189. When did you pay that £41?—I think probably a month or two after the election.

8190. Very well—you paid that £40?—I paid that myself.

8191. Ultimately on that transactiou you were £1 out of pocket?—It was not worth talking of. I may mention that I had an account for many years with this man Campbell, and I had often advanced him money when he was in difficulties. I relieved him, I think, more than once of the Sheriff's officers, both before—I am not sure about before—but certainly long subsequent to the election, and after the £41.

8192. Was it because you paid the £41 for him that ultimately his figure was put down at £40?—Yes, I think so.

8193. You paid him £41 and £5. Did you pay in advance any of the other sums before Mr. Byrne arranged with you about the entire?—No.

8194. Do you know of any other gentleman in town having paid it?—I do not.

8195. Then you had no communication with Campbell about the matter after paying him the £41?—None whatever, save that I think at the time the money was distributed, I can't call to recollection whether my clerk got a receipt from him for the £40, to send up with the vouchers which were sent to Mr. Byrne or not.

8196. Campbell you say was in distress for years?—Yes.

8197. Did he owe you any money at the time of the election?—I don't think he did. I can't say, but I could easily find out from my books.

8198. But at all events there was nothing serious?—No, there was not. I think when the £40 which was got from Mr. Byrne was placed to his credit, the account was balanced to a very few shillings as it stood in my books.

8199. Do you know anything about the distribution of any other sums of money in connexion with the Sligo elections?—No; I never had anything to do with an election before or since.

8200. Did you vote at the last election?—I did.

8201. Whom did you vote for?—Major Knox.

8202. But Major Knox apparently belonged to the Conservative party?—He did; and although I voted for Sergeant Armstrong at that time as a supporter of Lord Palmerston's Government, I certainly would not have voted for him if he had held the same opinions as regarded Church matters as Captain Flanagan did.

8203. What was the state of the town during the last election?—Well, except on the day of polling, I know very little. Unfortunately I got into a riotous mob, and got hurt on that occasion.

8204. On the polling day what state was the town in?—When I went up on the morning of the polling day there was a very large crowd indeed immediately

opposite the tally-room of Captain Flanagan. I was following the three gentlemen—Captain Jones, Captain King, and Mr. Webber. The mob was formed in the shape of a V in the street, and I think I was about five or seven yards behind these three gentlemen when they were going up the street. Captain King and Mr. Webber turned over to the police, who were then at Hagarty's house, on the side path. Captain Jones walked forward to the court, and some one in the crowd called out "to come on—no one would injure them." He passed forward, and I followed him; and immediately Captain King and Mr. Webber were following me at a few yards behind, when immediately sticks got up, and when I looked round Captain King was being beaten on the head very unmercifully. I got at the same time a push and a knock myself, which cut my hat and my head. I was pushed forward, and was driven up as far as the door of the hotel. The crowd was in a great state of excitement; and when I looked around again Captain King was lying on the flags on one knee, with his arms up, sheltering himself from the sticks that were falling on him, and in the scuffle the pistol went off. I did not remark it immediately—the report was a slight one; but very soon after, when standing at the post office, I was told that Captain King was shot. I saw him standing in the arms of two men at the door of the hotel, and he fell as it were backwards into the hotel door. The streets were instantly cleared by the cavalry, or whatever body was here at the time—the hussars, I think they were, or lancers, I could not say which.

8205. Was there any other scene of riot that you saw?—No. Unfortunately after voting I had to go home and get my head dressed.

8206. Were you much injured?—No, it was merely a scalp wound, and did not signify.

8207. Was it by a stone or a stick?—I should say a stick from the way the hat was cut on my head. I know very little of what occurred, for the same evening my place was burned, and I was in a great state of excitement, and that drove everything else out of my head.

8208. Did you apply for compensation?—No, although there were some suspicious circumstances connected with the case; I could not.

8209. That's what I want to know, did you apply?—No, I did not.

8210. Can you give any further information to the Court about the alleged corrupt practices at the last three elections for the borough of Sligo?—I know nothing whatever but what I tell you now; but I believe there is a general impression that there is money expected after an election.

8211. You say that from your knowledge of the town and communication with the voters themselves?—No, I cannot say from any communication with the voters, but I think there is a general feeling that there is a desire to get money.

8212. Is that, as far as you can ascertain, a feeling that the successful candidate is the man to pay the money, or is it expected from both?—I think it is expected from both if they have it.

8213. Did you ever hear before it was disclosed in evidence to-day about the £850 transactions at Mr. Macdonogh's first election?—No, never. I did not vote for Mr. Macdonogh. I had no vote at the first election of Mr. Macdonogh, and at the subsequent election it was given to Sergeant Armstrong.

8214. Was it in consequence of that general expectation of getting money that you knew to prevail among the poorer class of electors that you and the other gentlemen recommended that distribution of money by Sergeant Armstrong?—Well, so far as regards myself, I thought there were some. I knew there were some persons in distress, and I recommended that money to be given, and it was on my representation I believe these three parties I have named got it.

8215. Did you believe at the time that these parties—Hennessy, Gallanagh, and Healey—had voted under the expectation that they would be paid?—I believe they voted perfectly pure and clear.

8216. These three men?—These three men. I believe the victuallers in Sligo as a class are as pure and uncorrupted as any body of men in the town, from my knowledge of them.

8217. But you were sure that Campbell voted in the expectation of money?—No doubt of it.

8218 Although the sum was not mentioned?—I did not mention the sum.

8219. And you paid the £41 to him because you believed it would be ultimately *recouped* to you?—I never thought at that time about its being *recouped* or not, but I paid it to him because I believed there was a tacit understanding that he should get the money, and that I was bound to redeem, not the promise, but whatever it was.

8220. The tacit agreement?—The tacit agreement.

8221. Mr. *Commissioner Byrne.*—In reference to your means of forming a belief as to the general expectations of money existing among voters, may I ask how long have you been an elector of the borough?—The first time, I think, I had the right to vote was at the election of Mr. Sadlier and Mr. Somers. I did not vote at that election, but I think that was the first time I had the right to vote. I voted for Mr. Wynne against Somers. I think I voted four times in Sligo since I came to it in 1843.

8222. The *Chief Commissioner.*—Forty-three?—Yes. I came here in 1843 first, but I was not permanently resident here till '45.

8223. So that your attention was directed all that time to the state of feeling ——?—No, I never interfered about political matters in scarcely any way. I did not belong to any of the societies or clubs or registration societies, or anything of the sort. I studiously avoided all these.

8224. Mr. *Commissioner Bruce.*—But when you aided with regard to the distribution of that money on behalf of Sergeant Armstrong, did you at that time act under the belief that money was generally expected by voters when they voted?—No. I knew nothing about what was expected, or what was to be given, or anything else. The gentlemen came there. Each had their own list, and it was certainly a very formidable affair; and I think Mr. Petrie, Mr. Kidd, and many of the others, were thunderstruck at what was required and what was expected; but, at the same time, they thought it was right the men should get some money.

8225. Why was it thought right that the men should get something, if they did not expect it at the time they voted?—I don't know, except the general expectation that money would probably come to them afterwards. I don't know what was in other persons' minds. I know that, as far as regards myself and these three men, the application had been made to me to get them something. Whether they expected it or not I don't know, but I don't think they did at the time they voted.

8226. But you know you have just said there was an expectation?—There is a sort of general expectation, I may say.

8227. On recommending that that application should be made to Sergeant Armstrong for that enormous sum of money, did you then believe that there was a general expectation among voters who were to get money, that money, that they should get some money?—Yes.

8228. I mean at the time they voted?—No. I can't say that I did think so, nor did I know. I can't form an opinion now as to that.

8229. But if you thought there was no such expectation, why did you recommend the demand being made, or acquiesce in its being made?—Well, I suppose the other gentlemen were something in the same way as myself. Applications may have been made to them the same as to me; and I recommended these three men to get the money, knowing their circumstances.

8230. Did you look upon it then, generally, as an affair of charity?—With some, no. I think there were many people got money then that was no charity.

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8231. Do you agree with Sergeant Armstrong, who told us that he believed that ninety-seven men got money on that occasion?—I really cannot tell you the number, but whatever it was, the lists were handed to Mr. Byrne, and he took them up, and, I suppose, submitted them to Sergeant Armstrong; and I assume that what the Sergeant says is quite correct.

8232. But at any rate they were a numerous body?—They were very numerous.

8233. Do you believe the majority of these men were objects of charity?—No. I think a great many were not.

8234. Do you think the majority were not objects of charity?—I do not think they were. There was a man examined here the other day named Neilan—I think he was an object of charity. I understood he was. There was a man named Blair who got money, and I don't think it was any charity to give him money. He applied to me himself, and I turned him out of my office.

8235. If you did not think the majority were objects of charity, why did you recommend or acquiesce in the money of Sergeant Armstrong being applied in that way, if you thought there was no implied contract at the time the men voted that they should be paid—I mean by an implied contract, an expectation on their part at the time of the election that they would be paid, and no attempt made to undeceive them?—I really don't know. I left it to the gentlemen themselves to recommend them or not as they thought best. I took no part in that. So far as the money was concerned that I asked for, it was given on my responsibility; and I suppose the others got it in the same way.

8236. Mr. *Commissioner Byrne.*—When you met Mr. Byrne and Mr. Tracy on that Easter Saturday, did you hear any of the Sergeant's friends say there were voters to whom they had promised money?—No, I did not; nor I don't think that anyone knew I had a promise or any engagement with Campbell. I am not aware that they knew anything about it.

8237. You did not tell that?—No—at least, I think I did not.

8238. And you do not remember any of the others saying it?—Certainly not.

8239. The *Chief Commissioner.*—In concurring with the Sergeant's friends about the propriety of paying that sum, had you in your own mind any regard to securing the borough for the Sergeant at a future election?—I never thought of such a thing; there was nothing spoken on the subject at all.

8240. How did that sum of £1,480 come to be settled on?—Really, I can't tell. Hearing the evidence here, I think, on Thursday last, and seeing it was likely these things would come up, I wrote to Mr. Byrne, if possible, to send down the vouchers, so that I might see how the money went; but I believe he was in Ballinasloe at the time, and he did not get that note.

8241. Is there anything now you would wish to say to the Commissioners in consequence of the evidence you saw in the newspapers about this inquiry?—I saw very little indeed; but if there should be anything worthy of remark I will take the opportunity of speaking to you.

8242. Mr. *Commissioner Bruce.*—Had Campbell, the cabinet-maker, voted for Mr. Macdonogh before?—I really do not know for whom he voted. I had taken no part in election matters until that occasion.

8243. You took no part in Major Knox's election?—None whatever except voting. I voted for him of course.

(The witness withdrew.)

Mr. John Magrath.

John Magrath sworn and examined.

8244. The *Chief Commissioner.*—Mr. Magrath you are an elector of Sligo?—Yes.

8245. How long have you been an elector?—I suppose for twelve years.

8246. What was the first election you voted at?—'Pon my word I can't tell.

8247. Did you vote for Somers or Wynne?—I voted for Somers, I recollect, upon one occasion.

8248. You remember when Mr. Wynne retired, and when Mr. Macdonogh was the candidate against Colonel Tennison?—I remember Mr. Macdonogh being returned here.

8249. Did you vote for Mr. Macdonogh?—No.

8250. Did you vote at all at that election?—I can't say whether I had a vote then or not.

8251. You remember the election between Mr. Macdonogh and Sergeant Armstrong?—I do.

8252. Did you vote at that election?—Yes.

8253. Whom did you vote for?—Sergeant Armstrong.

8254. On that election were you offered any money by the Macdonogh party?—No.

8255. Were you in court to-day?—A short time.

8256. Do you know Thady Kilgallon?—Yes.

8257. Did you hear his evidence?—No.

8258. Well, I may inform you that he said you told him you were offered a sum of money for yourself and either five or six others—large sums?—Not one farthing.

8259. Did you ever tell Kilgallon that?—Not a word about it. I say there was never any money offered.

8260. Not any money offered?—No.

8261. Was there any talk about it?—There was nothing except that Keighron called up there when five or six persons——

8262. I am coming to that. That was on Sergeant Armstrong's side?—Sergeant Armstrong's side I mean. There was no money directly or indirectly offered.

8263. What did Keighron say to you?—He only asked us would we record our votes. There were five or six of us sitting down chatting respecting the election.

8264. Was John Harte there?—Yes.

8265. And James Moran?—Yes.

8266. And Michael Hunt?—Yes.

8267. And Dominick Hunt?—Yes.

8268. And yourself, John Magrath?—Yes. We were in Michael Hunt's house, and in my own house.

8269. Were you resolved to vote?—We all intended to vote together.

8270. And you had not made up your minds what way to vote. Is not that the fact?—We had made up our minds to vote for Sergeant Armstrong.

8271. That is, ultimately?—Yes.

8272. But before that had not the five of you resolved to go together?—We resolved to go together.

8273. But you had not made up your minds before that which way you would vote?—That is quite a mistake.

8274. Were you always pledged to the Sergeant?—I was for the Sergeant, and I think the rest were too.

8275. Why were the five of you gathered together?—Why were the five of us?

8276. Yes, that is a very singular thing, you know?—Well, at the time of an election, you know, there is little or no business of any importance doing on one side or the other; and they sat down together, I suppose, to take half glasses of brandy.

8277. At what time of the day did you vote?—The Sergeant himself came up to Hunt's house, where two or three of them had been sitting. I think I was about Hunt's door when he was passing, and he asked us would we go down with him, and we said "Yes." We went with him and recorded our votes; and it appears that it occasioned—I am not going to say that it occasioned—five or six more to vote also, which returned the Sergeant. There were five or six that could not be got to go one side or the other; and when we five or six went in and recorded our votes for him they recorded their votes also.

8278. Then they knew the Sergeant would be in a majority—was that what you inferred?—I am not go-

ing to say that. What has not been told to me I cannot tell.

8279. As an old elector don't you think that if the five of you—— ?—Well, I am not an old elector. I don't think I recorded a vote beyond three times.

8280. As an elector do not you think that you five voting in that way carried the election ?—These four or five and the others that had been there carried it.

8281. But these four or five would not have voted only that you voted ?—Which five ?

8282. The second five ?—They had been in the Court-house.

8283. And they were induced ?—They were in the Court-house, outside in the hall.

8284. And were induced ?—I cannot say. At all events they did not vote till then.

8285. Till you voted ?—I say they did not vote till then, and they voted when we did.

8286. But the election was carried ?—And it was then in favour of Sergeant Armstrong. There were several voters in my house during the day, and it was out through my gateway that the Sergeant went and those voters along with him, to the Court-house here to record their votes.

8287. Mr *Commissioner Byrne.*—What were the names of the five or six ?—You have got them a second since.

8288. The *Chief Commissioner.*—John Hart, James Moran, Michael Hunt, John M'Grath, and Dominick Hunt ?—Yes.

8289. Mr. *Commissioner Byrne.*—I mean the five or six others who followed their example ?—I can't say.

8290. The *Chief Commissioner.*—You know Michael Hunt ?—Yes.

8291. Did you say to him that £50 a-piece was little enough to offer ?—Never a word, nor to any other man.

8292. Did you hear him swear that ?—I did not. I was not here at all at his evidence. I have not heard the evidence of any man since the Commission commenced but that of Campbell, and a portion of Cherry's.

8293. Do you know James Moran ?—Yes.

8294. Did you know of anyone writing on your behalf to the Sergeant after the election ?—I don't recollect anything of the kind.

8295. Will you swear it did not occur ?—I don't recollect—I won't swear it.

8296. Will you swear it did not occur ?—I won't be positive.

8297. Did you ever hear of writing up to the Sergeant's friends in Dublin, that your five men were to get £50 a-piece ?—No, there was never anything of the kind named.

8298. Named ?—No, there never was anything of the kind named, but it was said that if we went down and recorded our votes for the Sergeant he would bear us in mind as friends.

8299. That is to give you money ?—I am not going to say money.

8300. But what do you mean by bearing you in mind as friends ?—I can't answer that question further.

8301. Who said that he would bear you in mind as friends ?—I told you, sir, distinctly a few minutes ago that Keighron called up to see would we record our votes for Sergeant Armstrong, and that we said it was quite time enough, that he was certain of us. "If you go down," said he, "the election will soon be over; you may rest satisfied that the Sergeant will bear you all in his mind." That is all I have to say about it.

8302. Will bear you all in mind as friends ?—Will bear us all in mind as friends.

8303. Did Mr. Keighron say that to you ?—Yes—to us all. Sergeant Armstrong then came up to us and we went down along with him, and I positively say that Sergeant Armstrong never made use of a word in reference to money nor I to him. I believe we were in the act of taking a half glass of brandy or whisky at the time, and the Sergeant was asked to do the same and he did so.

8304. Keighron said the Sergeant would bear you in mind as friends. Now, on your oath what did you understand by that ?—I am on my oath since I sat here. I understood that the Sergeant would become a friend to me on all occasions at a future date.

8305. Do you mean to say that observation had no reference to money ?—I say I never spoke to him about money.

8306. Did you understand what Keighron meant when he said that to you ?—I just gave it to you as it occurred.

8307. What did you understand by it ?—I understood that the Sergeant would become or might become a friend on any other occasions.

8308. That he would befriend you ?—That was all, simply.

8309. How befriend you ?—Why there are many ways a member of Parliament might become a friend. For instance, if I wanted a situation for a friend.

8310. I am not talking about that ?—Well, that is one way in which I considered that the Sergeant might become a friend.

8311. Why did you not vote before Keighron spoke to you ?—We didn't vote when Keighron did speak to us either. I did think if we voted in the early part of the day the Sergeant would not have got the election; and that is one reason for you.

8312. Attend to me again. Were you offered £20 by Mr. Phillips ?—Twenty pounds ?

8313. Were you offered £20 by Phillips ?—I will explain that.

8314. Answer first of all, were you ?—If this be an offer I will explain it to you. Phillips lived next door to me, and the one gateway gave ingress and egress to both of us; and he met me in the gate and he said, "I was looking for you yesterday." "Well, here I am," said I, or words to that effect. "Well, I have £20 inside for you." "For what ?" said I. "For the election," said he, "but I suppose you won't take it." "Indeed I won't," said I, "nor £500 from you."

8315. Do you mean because you would not take the money ?—I mean to say I would not take it.

8316. Would you have taken £50 ?—I would not, nor £100. I would not stick myself in anything of the kind.

8317. Were you one of the party mentioned in the evidence as requiring £800 from Colonel Tennison ?—You will have to explain that before I can answer the question. I told you I was not here, and that I heard no evidence but that of two persons. Tell me what election was it and then I will know.

8318. Do you remember Colonel Tennison being a candidate here ?—Well, yes, I think so.

8319. Did he canvass you ?—I think he did.

8320. Have you a doubt on your mind ?—No, I recollect he canvassed me.

8321. And why did you say "I think"—have you a doubt about it ?—Well, really I did not take the dates of these things at the time.

8322. I do not mean the date. I ask you do you recollect the time of Colonel Tennison being a candidate for the borough of Sligo ?—I recollect Colonel Tennison being in Sligo, but I don't think he ever offered. He might have come round to canvass, but to the best of my knowledge and belief he never did offer for Sligo as a candidate.

8323. Did he canvass you ?—I cannot say. As well as my memory serves me he did not offer for Sligo.

8324. Well, I tell you he did. Were you one of the party ?—I don't know that he ever polled a vote in Sligo.

8325. Is that your point ?—I don't recollect.

8326. You know perfectly well he did not poll a vote ?—Sure that's what I think.

8327. But I tell you he was a candidate for the borough and retired ?—Well, he was. I recollect that.

8328. At the time Mr. Macdonogh was returned; now, I ask you did Colonel Tennison canvass you ?—Well, I think he did.

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8329. Have you a doubt on the subject?—I am not certain, and I won't swear it.

8330. Were you one of the party that demanded from him the £800?—Never.

8331. Did you ever hear about that before?—Never.

8332. Before I had mentioned it to you to-day?—No, sir; I never heard a word about it till awhile ago. There was £800 demanded, not from Colonel Tennison but from——

8333. Ball?—Ball.

8334. Were you one of that party?—No.

8335. Who demanded that from Colonel Tennison?—I don't know no more than you.

8336. You never heard that?—I heard it outside the Court after you retired.

8337. Did Ball canvass you?—Yes.

8338. Did you promise to vote for him?—No.

8339. Did you refuse to vote for him?—I did distinctly.

8340. Did you know Mr. O'Donnell who was here for Colonel Tennison?—Mr. O'Donnell. No, I don't know him.

8341. Do you remember Mr. Charles O'Donnell?—I don't know; I don't recollect.

8342. Had you five who were identified at Sergeant Armstrong's election—were you going together to vote for the same man on the occasion Colonel Tennison was a candidate?—I don't well understand you.

8343. Were the five of you agreed to vote together at the previous election—that is you, the two Hunts, Moran, and Hart?—That is to vote for Sergeant Armstrong?

8344. No; I mean at the election before Sergeant Armstrong's, had the five of you agreed to vote together?—At the previous election.

8345. Yes?—Oh, of that I know nothing, I don't recollect it.

8346. Did Mr. Phillips tell you that £20 had been got for Hart?—I won't say. I don't know.

8347. Or for Moran?—I won't say it; I don't know.

8348. Or for Moran?—He just told me as I told you.

8349. Did you ever get money after an election?—I never got a shilling in my life for election business.

8350. Had you ever heard you were to get money before Phillips offered it to you?—Had I heard?

8351. Yes?—No. I heard there was money given out to those friends of Sergeant Armstrong—to each and every one of them.

8352. Did Phillips tell you the money was coming for you?—Sure I told you what Phillips did tell me.

8353. Was that the first you heard of money for yourself?—Yes.

8354. Did you know your name was on the list?—I don't know.

8355. You don't know?—It might have been.

8356. Did you know your name was on the list before Phillips told you to come up to get the money?—In my own yard Phillips told me he had £20 inside for me.

8357. Before that did you know your name was on the list?—It might have been for all I knew.

8358. Did you know it?—I did not know whether it was on or not. I have told you all I know of the case up to the present.

8359. Did you object to your name being on the list for money?—Faith, I could not object to what I did not know.

8360. Did you know that Hart, Moran, or Hunt were making any application for money?—I don't know that they made application for money.

8361. Did they tell you they did?—I don't think they did.

8362. What do you mean by "you don't think?" I don't think they made any application for money.

8363. Can you give any further explanation—had Phillips anything to say to your voting?—Certainly not; not that I know.

8364. Did he ever ask you to vote?—Not that I know.

8365. Did he ever ask you to vote?—On some part of the day of polling he came to my door, and asked me would I not go down and record my vote for the Sergeant. I said I would go down in due time.

8366. In due time?—I said, "I will go down in due time, in the course of the day;" that it was quite time enough then.

8367. Were you holding back then?—What's that?

8368. Were you holding back?—No, I was not holding back. What do you mean by holding back?

8369. Reluctant to vote—unwilling to vote?—No.

8370. You were determined all along, you say, to vote for the Sergeant?—Yes.

8371. Did you know a named Lenehan?—Lenehan—well, I think I did.

8372. What is his Christian name?—I don't know.

8373. Was he here at the last election?—I think there is a car-driver in Pound-street named Lenehan.

8374. Do you know a man from Geeva named Lenehan?—No.

8375. Were you complaining that you had not got your promise of money to Sergeant Armstrong?—No, that is not the statement of the matter.

8376. Put it your own way then?—With regard to a complaint, I could have no complaint as to Sergeant Armstrong.

8377. Never mind about that?—As to Sergeant Armstrong?

8378. Of course not. What were you complaining about—you were one of the aggrieved party?—I called in to the Sergeant in his own study in Dublin, and said I heard there was money given to several parties in Sligo, and I told him I had got none of it, nor did the others, nor never did from that day to this.

8379. When did you complain to the Sergeant that you got no money?—I suppose it was six or twelve months afterwards; I was up on business.

8380. Did you mention John Hart's name?—I cannot say.

8381. Will you swear you did not?—I won't swear that I did or did not; the date is so far back that I don't recollect.

8382. Did you mention James Moran's name?—I won't say.

8383. I will ask you about John Hart first?—I say I won't say whether I did or not.

8384. Did you mention James Moran's name?—James Moran and I happened to be together in Dublin, and we called to see him about it.

8385. Did you mention Michael Hunt's name?—I don't know.

8386. Did you mention Dominick Hunt's name?—I won't say whether I did or not.

8387. Did you complain that other people had got money and that you had got none?—We just told the Sergeant——

8388. Did you complain that other people had got money, and that you had got none?—We told the Sergeant that we heard money had been given to almost all his friends in Sligo, and that it had been understood that the Sergeant himself said he would bear in mind the parties who assisted him in seconding his election. I said to him that other parties had been befriended by him in the way of money. "Well, I thought I sent," said he, "what did the whole of them." "I have only to tell you," said I, "that we never got a penny."

8389. You will tell me a little more before you are done. Attend to me. When you went to Sergeant Armstrong's house in Dublin, did you want to get money from him?—No; we told Sergeant Armstrong as I told you. I asked no money from him. He is not far away from me yet.

8390. When the two of you went to Sergeant Armstrong's house in Dublin, did you want to get money?—We told the Sergeant——

8391. First of all did you wish to get money?—The Sergeant gave us no money, and we asked none of him.

8392. Did you wish to get money?—We asked for no money.

8393. What did you go for; what was your object

in going?—Why, we went in to see the Sergeant, and told him that we heard other parties got money in Sligo.

8394. Why did you mention to the Sergeant that other parties had got money in Sligo?—I told him because several parties had been paid money, as I had been told.

8395. Did you tell him that by way of news? Why did you tell him that other parties got money—that other voters had got money for their votes?—Why, if he paid parties, of course if he paid us, then I suppose we might take it.

8396. And you would have taken it?—I would take it from no other hand. If he complimented me with a loan, or other thing of that sort I would do it.

8397. You say you would take it from no other hand?—Certainly not.

8398. You refused £20?—I refused £20, and would not have taken £20, nor £500 from the man who offered it to me.

8399. When you went in that way, telling the Sergeant that other people had been paid, I will just ask you in plain language what figure had you in your own mind—was it not £50?—Nothing at all.

8400. What?—No figure at all.

8401. How much would you have taken?—No figure at all.

8402. How much would you have taken—you would not have taken a shilling like a beggar-man?—I suppose not, nor £1.

8403. I know that very well—how much?—I would have taken a good sum if I got it, but I would not have taken a paltry sum for my vote. I never looked for a thing of the kind, nor I would not ask it either.

8404. You would not have taken a paltry sum for your vote. How much less would you have taken less than £50?—I would take nothing at all after it was over.

8405. Had you and the other man, James Moran, who was with you, any connexion in business in town?—We had several business people to attend. I can't really recollect. I could not undertake to say I had any particular business.

8406. Had you and Moran any other business in Dublin except to call on Sergeant Armstrong?—I can't say.

8407. You will not swear you had?—No, it is too far back.

8408. How long did you remain in Dublin?—I might be there one or two or three days. I can't recollect. I can't tell what length of time I would be in Dublin, or Liverpool, or Glasgow. I have no note of these things.

8409. Now, listen. On the day of the polling you say you were drinking brandy or something together, the five of you, at Hunt's?—Yes.

8410. Did you hear it said then that Mr. Lyons had offered £300 for six votes?—Never a word if it.

8411. Do you swear that did not occur?—Not that I recollect or ever heard. It never came to my ears, to my knowledge or recollection, either from Mr. Lyons or from any other person.

8412. Repeat the whole of what you said to Sergeant Armstrong, in Dublin, again—you and Moran?—Well, I don't well recollect what I said to him.

8413. You have repeated it once. I want you now to repeat it again; say all that was said?—I told him that I heard there was money paid to all his friends in Sligo.

8414. To all?—Yes.

8415. Had you heard that money was paid to all?—I could not say to all.

8416. Was that true then?—I may make a mistake in saying the word "all," but to his friends in Sligo.

8417. What did the Sergeant say?—He said he did send money down that he thought everyone had a right to; he said what would compliment every person.

8418. What did you say?—I said, as I before told you, that——

8419. Did not you convey to the Sergeant that you and Moran had not got a penny of what was sent down?—Yes, I did.

8420. You said you had got none of it?—Yes.

8421. What did the Sergeant say to that?—Sergeant Armstrong might consider, perhaps, that I got part of that money, and I considered it right to tell him I had not.

8422. And that was your object in going to Dublin?—No, I did not say that it was my object in going to Dublin.

8423. Was that your object on calling on the Sergeant?—Decidedly.

8424. You said you got none of it?—I did.

8425. What did he say to that?—And I say now that I did not get it. He said he had sent money to all his friends. I think that's the word; I won't be positive.

8426. How did that interview conclude—how long were you there?—Not many minutes.

8427. Did he turn you out?—No.

8428. Did you go away satisfied or dissatisfied?—I went away with a shake hands from him, and passed on.

8429. Did you go away satisfied in your own mind or dissatisfied?—I was no way dissatisfied.

8430. Had you accomplished the object of your visit?—Yes.

8431. Successfully, had you?—I accomplished the object of my visit—to give an explanation of the case, as I before told you, and I did not delay many minutes. I bade him good-by and went away.

8432. Do you know Mr. Randall Peyton?—The Clerk of the Peace, is it?

8433. Yes?—I know him by seeing him.

8434. Did you know him to be an agent of Colonel Tennison?—Not in my life.

8435. Not in your life?—No, not that I recollect.

8436. Do you remember the election when Colonel Tennison was in the field?—I don't recollect to have known Peyton by seeing him alone until about a year ago here, since he got the situation. Before then I don't recollect that I saw him. I might have met him, but I don't know him. I did not know Mr. Peyton till he got the situation.

8437. When Colonel Tennison was in the field, did you and four or five others say they should get £800, or some very large sum of money, or you would not support him?—No, not a word from me or anyone else that I know.

8438. Did you say anything to that effect on the occasion when Mr. Ball was a candidate?—Decidedly not; I told him, when he came into my shop, that I would not vote for him.

8439. Was Mr. Ball the Liberal candidate?—I believe so.

8440. He stood on the Liberal side?—Yes.

8441. What are you in politics?—I am a Catholic.

8442. And a Liberal? Why did you refuse your vote to Mr. Ball?—Why did I refuse my vote? I told him in plain terms that he had been in Sligo before, and that he was turned out by the people, and that I would not record a vote for him. I say it was from no bad feeling, directly or indirectly, that I had against the man.

8443. Now, in reference to the time Colonel Tennison was a candidate, do you positively say you never gave Mr. Peyton, or Mr. O'Donnell to understand that you expected a large sum of money, and that if you did not get it you would not vote for him?—I positively tell you I never made use of that language to one or the other, or to any man.

8444. Did you give either of them to understand that unless you got something from Colonel Tennison, you would not support him?—Mr. Tennison?

8445. Yes?—I never made use of a remark of the kind to Mr. Tennison.

8446. To Mr. Tennison?—Never.

8447. Did you make use of a remark of the kind to Mr. Peyton or Mr. O'Donnell?—I did not know Mr. O'Donnell at all.

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8448. Did you say it to any friend of Colonel Tennison's?—Not a being, sir. I now recollect that Colonel Tennison was in my shop, but what I said to him I cannot recollect.

8449. Was any agent or canvasser for Colonel Tennison in your shop on any other occasion?—Not on any occasion that I recollect. Mr. Magill, of Pound-street, had been with him, and one day he was in my house, and, to the best of my opinion, I think I told Colonel Tennison I would vote for him. Positively, I think, to the best of my opinion—I won't swear to it—but I think it likely I did.

8450. Did you tell Mr. Magill on that occasion how you would vote?—Not that I mind. I don't know that I had any conversation with Mr. Magill after that; I only saw he was in with Colonel Tennison.

8451. Had you any conversation with Mr. Magill except in the presence of Colonel Tennison?—Not a word, nor had no necessity for conversation with him.

8452. Were you aware of there having been a party of some four or five voters that held out for money—that would not support Colonel Tennison unless they got money?—I am not; I know nothing about it.

8453. You know nothing about it?—No.

8454. Whom did you vote for at the last election?—Which election?

8455. This election, when Major Knox was a candidate?—I did not vote at all.

8456. Were you canvassed by anyone?—I was.

8457. Who canvassed you?—Major Knox canvassed me at an early date, and I promised him.

8458. Did anyone else call upon you beside Major Knox?—Captain Flanagan I was told was at my house a couple of times, but I did not see him.

8459. Was Mr. Stokes with you?—No.

8460. Or Mr. Lyons?—No.

8461. Was any other supporter of Major Knox that you remember talking to you about your vote?—Not that I know.

8462. Did Thomas Brennan speak to you about your vote?—No.

8463. Were you in town on the polling day?—I was.

8464. Where were you on the polling day?—In my own house.

8465. And did you never stir out of it?—I could not stir out of it. My premises were broken into at the rere of the concern by hundreds of men looking for me; and the police or soldiers, I don't know which, were obliged to be left at the front and rere to guard the place from the number of persons that came in after me.

8466. Did you get any employment from Major Knox before the election?—No employment, or anything.

8467. Did you handle any money of his?—Never a shilling, nor any person for me.

8468. How was it that you came to promise him?—How did I come to promise him?

8469. Yes?—The day he solicited me.

8470. Why did you change, you were for Sergeant Armstrong?—Sergeant Armstrong did not come forward again.

8471. Was that the only reason?—Sergeant Armstrong did not come forward. Major Knox came in and solicited my vote, and I asked him his principles. He said he was for tenant-right, and I said that any man that was for tenant-right I would vote for; and I considered Major Knox was a good man, and the right man in the right place, and the man that was required to represent the people of Sligo in Parliament; and I say the same now; and when Sergeant Armstrong was in, he was the same honest-hearted man.

8472. Did you get any loan of money at the time of the last election from Major Knox or anybody else?—Not a shilling, or from any other.

8473. Did you get any land from Major Knox?—I have a field, but I pay for it.

8474. When did you get it?—I have only the grass of it.

8475. When did you get the grass of it?—I got it here I think in the end of July, and I paid £10 for it. It was set to me by Mr. Phibbs.

8476. The *Chief Commissioner.*—In July last?—Yes.

8477. Mr. *Commissioner Byrne.*—Have you paid any rent for it?—I have paid no rent yet for it; he did not ask me for the money.

8478. Was there any written agreement between you?—Decidedly.

8479. Have you that agreement?—I have not. Mr. Phibbs has it.

8480. The *Chief Commissioner.*—When you went into the study of Sergeant Armstrong—I am now referring to the Sergeant's evidence in court—did you say, "are you going to settle with us?"—I won't say.

8481. What?—I don't know what I did; I don't recollect.

8482. These are the words Sergeant Armstrong used in court—"Are you going to settle with us?"—I say I don't recollect it.

8483. Will you swear you did not say that?—I will not.

8484. You will not?—No, sir.

8485. Did you say that rather roughly?—No, I don't think it.

8486. Wasn't that before the money was offered to you by Phillips. Now I have refreshed your memory about it?—Yes, possibly it might.

8487. Don't use the words "possibly it might." Don't you now remember that that was before the money was offered by Phillips?—Well, according to my recollection, upon my word I can't tell you whether it was before or after. I won't be positive.

8488. Did the Sergeant say anything about his friends being down in Sligo settling accounts?—No, I should think what the Sergeant said was that he sent down a certain sum that would be given to all parties.

8489. How much?—He did not name it as well as I recollect. He promised nothing.

8490. Did that satisfy you, and did you go away expecting to get some of it?—No, I knew well I would get nothing at all then.

8491. After your interview with the Sergeant?—I knew I would get none at all.

8492. When did you know that. You knew you were offered £20?—Sure of course when I refused it, I knew I would get none.

8493. Mr. *Commissioner Bruce.*—Would you have voted for Major Knox if it had not been for the intimidation?—I would.

8494. And you were prevented by the violence of these people?—Yes.

8495 Whereabouts is this field you hold from Major Knox?—It's a little below the town here.

8496. One of the town parks?—Yes.

8497. How large is it?—I suppose it is about two acres, or thereabouts.

8498. What is the rent you pay for it?—Ten pounds a year for the crops. It is not for the year; it is only——

8499. For the summer's crop?—Yes.

8500. Now, I want to know if anybody swore that after the election you told him that it would be well to get money—I mean after Sergeant Armstrong's election—would that be false?—If anybody said what?

8501. If anybody swore that after Sergeant Armstrong's election you told him that it would be well to get money?—I don't recollect that I said anything of the kind.

8502. Would it be false to say that you had said it?—I don't think I said it. I don't know that I did.

8503. But you can't contradict it on your oath; you merely say that you don't recollect?—What I have no recollection of I won't contradict, nor will I give proof only of what I know.

(The witness withdrew.)

Patrick Keighron sworn and examined.

8504. The *Chief Commissioner.*—I believe you are a merchant in Sligo?—Yes.

8505. Do you remember canvassing the five men whose names have been mentioned on the day of polling at Sergeant Armstrong's election?—I do not.

8506. Did you go to speak to them?—No.

8507. At all?—There are more than five names on the list that I gave.

8508. I have not come to the payment of the money yet, Mr. Keighron; I am only now asking you about the men I call the five men we have been asking so much about; namely, Hart, Moran, Hunt, Magrath, and Dominic Hunt?—Oh, yes.

8509. Do you remember on the day of the polling going to speak to those five men?—I do.

8510. Where were they?—In Mr. Magrath's house.

8511. In Magrath's house?—I think so.

8512. Had you information at that time that those men were hanging back?—I had.

8513. From whom?—Oh, generally amongst ourselves at the court-house, amongst the supporters of Sergeant Armstrong, that they were holding back.

8514. Holding back for money?—Well, I suppose so; I only suppose it.

8515. That's what you supposed and believed at that time, and what you believe now, Mr. Keighron?—Well, I believe that was the fact.

8516. Now, can you remember what hour of the day that was?—I think it was between two and three o'clock in the day.

8517. I believe from the evidence we have already, we may assume that Sergeant Armstrong and Mr. Macdonogh were nearly neck and neck?—They were about that I think.

8518. Now, do you remember exactly who brought you word that these men were holding back?—I couldn't say.

8519. I presume from the position you held in conducting the election, it must have been from some influential person?—I dare say it was.

8520. Some person in your own rank?—I think so.

8521. Now, after that did you then say you would do your best?—Oh, I think I was asked to go once and speak to them; someone asked me in the court-house to go over and speak to them.

8522. And you then went?—I went up and spoke to them.

8523. Will you just, first of all, tell us what exactly occurred between you and the five men?—Well, it was Magrath I met.

8524. The last witness?—The last witness. After some conversation about the election I asked him to come down and vote, and that likely he might as well do so, as the Sergeant would surely win. Some words passed between us then, and he would not come. He then, I think, said that they had offers from others.

8525. Magrath said?—Yes, that they had offers from others, and that large sums were offered. and that he would rather have a lesser sum from his own side. So I said, "Magrath, if you imagine that I have come here to offer you money, or to treat with you about money, you are much mistaken; I would be sorry to do a thing of the sort; you know what the consequences would be; I have not come here to do a thing of the kind; good-by to you." I left the place when I found that he began to speak about money.

8526. Has Magrath left court now?—He has.

8527. There is no doubt the man spoke to you about money?—Not a doubt of it in the world. He said he would rather take a lesser thing from his own side.

8528. Did he mention how much he had been offered?—He did.

8529. How much?—Well, he said that one of the gentlemen on the Conservative side had offered them £80 each, and that he would rather have half that from his own side.

8530. That is, £80 each for Hart, Moran, Hunt, Magrath, and Dominic Hunt?—I think five of them.

8531. Did he name the gentleman on the Conservative side?—He did.

8532. Well we must have his name too—who was the gentleman?—Well I could not——

8533. Was it Lyons?—It was not. I am not quite positive about it, and I would rather not mention any persons.

8534. You know this is only what was said to you; there may not be a word of truth in it, and it does nobody any harm to tell it?—Well, I think, if my memory serves me right, he said Williams.

8535. That is, Thomas Williams?—Yes.

8536. Were the other men in the same room with you when this conversation occurred?—We did not go into a room at all.

8537. Did he come out?—It was I think in the hall of his house.

8538. They came out as a sort of scout, and left the four men?—Yes, some of the other men were loitering about the place.

8539. Did you then come away?—Oh, I came away at once. I came back and said it was no use to talk to those persons, and I would not have any more to do with them.

8540. Now was any other ambassador sent to them besides yourself?—Not that I am aware of. I found afterwards that the Sergeant himself went up and brought them down.

8541. Then you saw these men coming up afterwards?—I saw them coming to the poll.

8542. It really did, to a certain extent, as we have evidence in the history of the election, decide the election?—Well I believe it did.

8543. Mr. Keighron, did you afterwards consider that these men had some sort of claim?—Oh, they had no claim on me in any shape or form. I don't know what claim they might have had.

8544. You said very properly that you refused to have anything to do with it; did you afterwards consider that those men had some sort of claim?—I did not consider that they had a claim at all.

8545. You afterwards made out a list?—I did.

8546. Did you put these men's names down in your list?—I did not.

8547. On whose list were these men's names down?—Mr. Phillips's, I believe.

8548. How did they happen to come on Phillips's list?—I cannot say, I think he called on them after I was there.

8549. That is, Mr. Phillips went as an ambassador from the Liberal side?—I suppose so.

8550. There is no doubt about it; you heard he did afterwards. We have it in evidence. I don't know whether it is the fact or not till you tell me so, but did you assist in the distribution of a portion of the money?—Oh, I did.

8551. Give the names of the electors you paid, and the sums?—I will. [Produces papers]. These are the receipts that I got for the money.

8552. Read them out?—"Michael Rooney, £20; John Jennings, £20; James Devanny, £20; Laurence Burke, £20; Edward M'Ilvenny, £20; Stephen Hughes, £20; John Creighton, £20; Patrick Maclean, £20; John Gallagher, £20."

8553. You paid them?—I did.

8554. How did it happen that you were selected either by yourself, or by any other members of what I may call the sub-committee, to pay these men; tell me why each of those men got £20; had you canvassed them?—No, I did not canvass any of them.

8555. Were any of them in your own employment?—No, I had spoken to Mick Rooney and to John Jennings; I met them during the day of the election, and had been speaking to them about it; and to James Devanny and John Gallagher who was near my own place. These four men I had spoken to; the other five I never spoke to at all about the election.

8556. Do you believe the first four men whom you

Sixth Day. *October* 11. Patrick Keighron.

spoke to, voted from having confidence in you?—The first four men I have named.

8557. The first four men,—did they vote having confidence in you?—Well, I believe they did, but I held out no promise whatever to them.

8558. But they had confidence in you, that if there was any money going you would get it for them?—I dare say they had.

8559. And was that the reason you put them down on your list?—Yes.

8560. Then the others that you had not spoken to—why did you put them down?—Well, Chrystal paid out all this money for me; and when it was known that the money was coming down, or about the day that it did come down, he was telling me that I should not forget these poor men. He suggested the names of the other five to me, and that is how I got those names.

8561. Do you know what claim they had beyond having voted?—No claim that I know, except that they voted.

8562. When you and the Sergeant's friends met, did you not consider £1,483 a very large sum to spend in that way?—It was large.

8563. Had the expenditure of that money, or your advice, anything to say to future elections—to keeping them in good humour?—Well, I don't think it had as far as I believe.

8564. You know the borough very well I am informed?—I do, pretty well.

8565. Do you consider for example, that supposing those ninty-seven men had not been paid, they would have been inclined to go against the Sergeant at a furure election?—Well, I don't know.

8566. Any number of them?—I could not say.

8567. Would they complain of being "badly treated," to use their own phrase?—They did not complain to me.

8568. Oh no; but from what you know of the borough, do you suppose that if these ninety-seven men had not been paid, at a future election they would go against the Sergeant?—I don't know that they would all go against the Sergeant if they were not individually paid; I rather think not. Some of them might complain; many of them might complain, sir.

8569. Did you ever know of any money going in a similar way at previous elections?—No.

8570. Or hear of it?—No.

8571. Why then, was it started for the first time, this time?—It was the first time that I took any active part in an election.

8572. In an election?—Yes, the first time.

8573. Then you would not have been in the secret at the previous election?—No; I had nothing in the world to do with the election previous to that, in the way of anything at all going on money matters. I don't know what they were at all.

8574. Had you heard that Mr. Macdonogh paid his men at the previous election?—Oh, there were general rumours; we could not but hear it; every man in town must have heard it I suppose.

8575. I believe you voted for Flanagan at the last election?—I did.

8576. And were a supporter of his?—I was.

8577. Did you know anything about these mobs that came to town?—No.

8578. You can give us no information as to who employed them?—I don't know.

8579. Or who paid them, or whether they got drink?—I don't know at all.

8580. You saw, I suppose, some of them intoxicated?—Indeed I think they were not so very disorderly as that; of course they were intoxicated, some of them—but I often, I think, saw worse mobs in Sligo.

8581. Had you anything to say to the distribution of money at an election before or since?—Never before or since.

8582. Mr. *Commissioner Bruce.*—Did you canvass for Captain Flanagan?—I accompanied him on a canvass.

8583. Was there any reference made during that canvass, or during the election, to any of the money paid by Sergeant Armstrong?—No.

8584. Are you quite certain of that?—To the electors.

8585. Did any of the voters you canvassed, say anything about former sums that they had got?—No; not a word.

8586. There was no pains taken to tell them that they would not get money in a similar way the next time?—I think it was generally understood that they would not get money—that they would not have it again.

8587. What reason have you for that belief?—Well, it was thought that Captain Flanagan would not spend it, that he hadn't it; and besides that, I believe the people were under the impression, I think, that the clergy here had put there faces against anything of the kind. They heard at least, that they interfered and hoped that there would not be anything of the kind going on; and it was thought because the clergy had something to say to it, that there was no expectation of any money at all.

8588. Because it was the Church question?—Because it was the Church question, and the clergy here were in favour of Captain Flanagan, and they would not, of course, be identified with anything of this sort, and the people felt in their minds and, I think, were saying that there would be no money at all to be had at this time.

8589. Do you recollect anybody who said it?—Oh, I think it was generally remarked through the whole town.

8590. Mr. *Commissioner Byrne.*—Are you aware of the bishop having expressed his disapprobation of money being spent amongst the electors?—Oh, yes.

8591. At the time Sergeant Armstrong was elected?—Oh, yes, of course, he did.

8592. Of course he did; that was quite well known in the town?—It was.

8593. Quite well; and did others of the Catholic clergy also express their disapproval of any money being spent?—I believe so, at all times.

8594. At all times?—I believe so.

8595. Then there was nothing unusual in their expressing the same disapprobation at Captain Flanagan's election?—Well, there was nothing unusual in it, to be sure; but inasmuch as they were the means of bringing Captain Flanagan here, it was, perhaps, more remarkable that they took care that nothing of the kind should occur.

8596. Hadn't Sergeant Armstrong the cordial support of the Catholic clergy?—He had.

8597. Now tell me—it was amongst nine persons that you distributed £180?—It was.

8598. Did you canvass any of those persons for Captain Flanagan?—No, not one.

8599. At the last election?—Oh, I was with him on a canvass, but I did not canvass them particularly.

8600. Were you with him on a canvass when he canvassed any of those nine persons amongst whom you spent that £180?—I beg pardon.

8601. You distributed £180 amongst nine persons?—Yes.

8602. And I understand you to say that, along with Captain Flanagan, you canvassed those same nine persons—isn't that your evidence?—Yes; I was along with him when he met them, perhaps. I was on the general canvass, and he may have met those persons on the canvass during the time.

8603. When they were canvassed for Captain Flanagan you were present?—I may have been with him—I may have been present; I don't know it particularly of each and every one of them; but I think I was present when he canvassed some of them.

8604. Do you remember talking to any of them when Captain Flanagan was not present?—No.

8605. Mr. *Commissioner Bruce.*—Do you recollect saying anything to Magrath about Sergeant Armstrong polling those five men?—I never said a word of it.

8606. You are quite sure of that?—I am quite sure of it.

John Magrath recalled by order of the *Chief Commissioner*.

8607. Repeat now what he said to you about Mr. Williams, as you recollect, having offered him money?—Mr. Magrath, after some conversation about the propriety of his coming down to vote for Sergeant Armstrong, said there was money offering on the other side—that there was £80 each offered on the other side; and that he would rather have half the money from his own side. I said to him then, "Mr. Magrath, I have not come here for that purpose at all—to offer you money or anything of the sort; I cannot talk to you of money, I am not such a fool," or something to that effect.

John Magrath re-examined. John Magrath.

8608. The *Chief Commissioner*.—Attend to me now, and take care of yourself. Did you hear what Mr. Keighron has said?—Yes.

8609. On your oath, do you venture to deny it?—On my oath, I had not a conversation with Mr. Williams, good, bad, or indifferent on the matter.

8610. That's not the question, sir—on your oath, did you tell Mr. Keighron you were offered £80, as he has now sworn—I suppose you know him for a great many years?—I do. No; I did not tell him a word, to my knowledge and belief.

8611. To your knowledge?—To my recollection I did not tell him a word as to being offered anything.

8612. Do you deny what he has said?—I don't deny it, but I don't recollect to have ever said a thing of the kind.

8613. You do not deny it?—I don't recollect to have said it.

8614. Do you deny it—do you deny it on your oath?—I deny to have ever said it to him that I know.

8615. That you know?—Yes.

8616. That you now recollect?—I mean to my recollection I never said it to him—to my knowledge.

8617. To your knowledge?—Yes.

8618. On your oath do you deny that you spoke to him about having been offered money by the Conservatives?—I do.

8619. You do?—I do; I never told it.

8620. Do you mean the word "Conservative"—is that what you pin on?—What we call, I suppose, the "other side." There were two parties.

8621. On your oath, do you deny that you told him you were offered money by the other side?—I do; I never recollect saying a word to him about it, nor we had no remark that I recollect as to money.

[Witness withdrew.]

Examination of *Patrick Keighron* resumed. Patrick Keighron.

8622. Did the mob in town appear to you to be strangers—some of them?—Well, there were strangers amongst them.

8623. About how many of the mob do you say were strangers?—The only strangers I saw in town were, on the day Captain Flanagan came to town, a large number of people from the country, and they were men, women, and children, a large number of them. They did not seem to be mobs. I don't think they were.

8624. Were they making a sort of procession?—They wanted to give the Captain a good reception coming in, and I think the people came in from the country for that purpose.

8625. Were they from his own side?—Well, I dare say they were from the neighbourhood of the town altogether—round about the town.

8626. Some of the witnesses mentioned that they were county of Leitrim men?—Well, I believe they were.

8627. Mr. *Commissioner Bruce*.—Were there more townsmen in the mob?—Oh, I dare say. The people of the town were all out on that day, I think.

[The witnest withdrew.]

Mrs. *Mary M'Dowell* sworn and examined. Mrs. Mary M'Dowell.

8628. The *Chief Commissioner*.—You are the wife of James M'Dowell who has been examined?—I am, sir.

8629. Do you remember the M'Mullen's coming to your house?—I do.

8630. An old man and a young man—how soon after they arrived did you know them to be Sligo voters?—I knew they were Sligo men, but I did not know whether they were voters or not, for I did not understand the subject, but I knew they were from Sligo during the week after they arrived. I did not see them for the next few days, for I was confined to my own room with sickness at the time Kavanagh brought them.

8631. Had you known Kavanagh?—He is a very old friend of my husband's—an old acquaintance, I should say.

8632. Did you believe them to be away in connexion with the election?—After I became acquainted with the men I understood from old M'Mullen that he was afraid to remain there in consequence of the mob.

8633. On account of the mob?—Yes.

8634. And did they then tell you they were voters?—They never told me anything of the kind, whether they were voters or not. They never entered into anything of the sort, so far, in conversation with me.

8635. Do you remember your husband going away with the two men?—I do.

8636. Did you know why he went away?—I did not know why, but I knew he received an anonymous note with a small sum of money in it.

8637. Nine pounds?—About £9, I believe, to take them away.

8638. Can you give the Court information as to who gave that £9?—I cannot. I saw the man before my husband saw him—a small man. He inquired for my husband. I told him he was out. He said he would call again, and did twice before he was in. The third time he was in and he handed him the note, and went away and I never saw him since.

8639. Mrs. M'Dowell, you would know him if you saw him again?—I dare say he would. I had so little to say to him that I would be afraid to venture to say that I would.

8640. Your husband, a respectable man, had never gone away, I dare say, on such an expedition before with two men?—Never.

8641. Did you know he was bringing the men away to take charge of them?—I knew he was going away in company with them, but I did not know for what. I thought it was merely to accompany them.

8642. You did not know he was going to stay away so long?—I did not, indeed.

8643. Then you were not told. Did you know that the trial of the Sligo election petition was coming on then?—I saw it in the papers afterwards, but I was not aware of it at that time.

Sixth Day. *October* 11. Mrs. Mary M'Dowell.

8644. While your husband was away did Kavanagh call to know where he was?—He did.

8645. Did you tell him?—At first I did not know till I received letters from my husband saying that he was in Manchester, and I told Kavanagh then each time that he called.

8646. How often did he call?—I could not say; but very often, because he was in the habit of passing my house going to his own business; and being an old friend, he was——

8647. When your husband went away with the two men did you know then that they were Sligo voters?—I did not. I knew that they were Sligo men, or from Sligo, and that they came away from fear of the mob, as they represented.

8648. Did you get no explanation from your husband or Kavanagh why your husband went away with the two men?—I did not, only that they were afraid. They were constantly in the shop, standing at the door, without any fear at all, going in and out every day. Perhaps out of three or four hours, during the time they came in, they would stand at the shop door, to my great annoyance.

8649. I suppose you thought they were great nuisances?—I did so. Sometimes they came in saying they had seen parties from Sligo whom they were afraid of, and would go upstairs to dine in the coffee room.

8650. You thought these two Sligo men a great nuisance in your house?—I consider my house as respectable as Kavanagh's, though he said he did not consider them fit men for his house.

8651. Do you remember Kavanagh writing something in your shop to your husband?—He did not write it in my shop, but wrote a letter to my husband, and enclosed a note from me in it.

8652. Wrote a letter?—He did.

8653. Where did he write it?—He wrote it, for he told me he was going to send it, and I gave him a note to put in.

8654. You gave him a note from yourself to your husband?—It was put in the one envelope—his note and mine—because I was in the habit of writing to him every day; and this was Saturday, and I had not time to write except only two or three words, saying all were well at home; and that was enclosed in Mr. Kavanagh's letter to him.

8655. Who directed the envelope to your husband in which your letter went?—Kavanagh, as I suppose. I did not see the envelope directed. It was put into an empty envelope when I gave him the note, and he took it away.

8656. He had then the letter written to your husband?—He told me he was going to write to him that day, but I did not see it. I gave him my note to enclose, and it was put into an empty envelope; and it was also an undirected envelope.

8657. When did you expect that your husband would come home and be done with these two men?—I did not know when.

8658. You must have thought the M'Mullens like the old man in "Sinbad the Sailor," hanging on him?—I was very glad when it was over.

8659. What money altogether, Mrs. M'Dowell, have you been paid for the maintenance of these two men?—I received £19 from Kavanagh, and my husband received £15. I took the money in small sums at different times—£2 at one time, and less at another, and so on till it amounted to £19. He gave my husband £15 on another occasion; that, I think, was £34 altogether.

8660. What is your claim still for the maintenance of those men? Did you lump their board and lodging?—They were with me at £2 a week.

8661. How much is due to you since?—I could not be positive. I did not bring the number of weeks they were with me, though I have it, so that I could not tell you positively.

8662. Did you ever know, during the whole of this time, that Major Knox had anything to say to these people?—I did not; I never knew Major Knox at all.

8663. I mean that it was about his election?—I knew it while I was there that Major Knox was putting up for the town of Sligo.

8664. Did you know they were away on account of the election?—I did not. That it was something in connexion with it of course I knew, but I did not know what the real reason was.

8665. Did your husband tell you he would make a claim for his loss of time in being away?—We intended to claim from Kavanagh for their support, but we never had any conversation about his election until after he came home, and then he did not know whom to claim it from. I hold Kavanagh responsible to pay the whole of the money for their support, as he brought them to us, and guaranteed that they should be paid for.

8666. Did he guarantee?—He told us repeatedly that he would see us paid for their support; that he must pay it himself if it was not paid in any other quarter.

8667. I suppose you were rather complaining about these men?—Frequently. I have frequently gone to ask him for money, for it was not pleasant to support the two men without being paid for it.

8668. You were not anxious for those men to be in your house at all?—Indeed I was not. I was very glad when they left it.

8669. Mr. *Commissioner Bruce.*—Do you know Mr. Hignell?—No, unless by name. I saw him once or twice while I was in the *Irish Times* office for letters—for answers to advertisements.

8670. Did he ever come to your shop while the M'Mullens were there?—No, sir; I don't know him personally.

8671. Had you any conversation with him in the *Irish Times* office in reference to the M'Mullens?—No; the only time I went there was to inquire for letters in answer to advertisements that I put in for servants on my own business.

8672. Did Kavanagh ever mention to you his name?—I don't remember his having mentioned it, as it was entirely on his own affair.

8673. The *Chief Commissioner.*—Do you know anyone else connected with the *Irish Times*—do you know Captain Knox?—No; never saw him to my knowledge.

8674. And was the only message brought by a stranger that of the man that brought the £9?—None but him.

8675. Mr. *Commissioner Byrne.*—Did Mr. Kavanagh tell you that other voters were up in Dublin under similar circumstances with the M'Mullens?—No; I don't remember his telling me anything about that. He would not say anything to me on the subject, I suppose. I don't remember it all; but I heard the M'Mullens say there were other men in town.

8676. You heard the M'Mullens say that other men were up?—That other men were in town; and on one occasion I saw a man speaking to the son—on one or two occasions at the door of my shop. He told me his name was Brennan.

8677. Did he say Thomas Brennan?—Brennan was the only name.

8678. Was Brennan in your house more than once with these men?—I think he was at the door two or three times. I told my servant if ever he came to inquire for them not to allow him in, as I did not like his face.

8679. Why not let him in?—Because I did not like his face, because I thought he had rather a villanous expression.

8680. Did any other man come inquiring after them?—No, sir; no inquiry whatever.

8681. When did you first know that this matter was connected with the Sligo election—with Major Knox, the member for Sligo?—I was not aware of it at all.

8682. You don't remember reading in the papers, at the trial of the petition, that these M'Mullens were inquired after; that there was a petition tried before

Judge Keogh at Carrick ?—Yes ; I remember reading it, but I don't remember seeing that there was an inquiry after them.

8683. And that the M'Mullens were named ?—I did not read the whole of it, for I had not time to do so. I used to read portions of it, but the time I had to give to it was not much.

8684. You were very much annoyed at having the M'Mullens in your house—had you any conversation with your husband about wishing to get rid of them ? —I frequently told him that I was very glad when they left, for I had more respectable people that I could have in my house—commercial travellers—and that class of persons we generally were in the habit of taking.

8685. Clerks ?—English excursionists and commercial travellers from England.

8686. When you complained of having the M'Mullens in your house what did your husband say to you ?—I don't remember anything particular ; something to this effect, that when they were here we must make the best of it ; that now that they are staying we must make the best of it until we get paid for them.

8687. Did he say that he expected any large sum of money ?—Indeed he did not ; he never expected it. He expected to be paid for their support and for his own loss of time, which he has not.

(The witness withdrew.)

The inquiry was then adjourned to the following morning.

Sixth Day.
October 11.
Mrs. Mary M'Dowell.

SEVENTH DAY.

Seventh Day.
October 12.

Tuesday, October 12, 1869.

The Commissioner sat at ten o'clock.

Thomas B. Hignell sworn and examined.

Thomas B. Hignell.

8688. The *Chief Commissioner*.—What position do you hold in the *Irish Times* office ?—I am general superintendent of the whole establishment.

8689. How long have you been in that position ?—Over ten years, I think—about ten and a half, I think.

8690. Did you send any money to Sligo for voters at any time ?—Never.

8691. Yes, you did. Mr. Greer (the Secretary), hand me that docket you have ?—I remember sending some money to a man named Rooney.

8692. He is a voter, you know ?—I didn't know whether he was or not when I sent him the money.

8693. That is the first thing I am going to inquire about ?—I did send that money, but it's a long time ago.

8694. We have here the day, the date, and your signature to the docket ?—Yes.

8695. The date is the 12th February, 1868. Is that your handwriting—(Docket handed to witness) ?—Yes, that's my handwriting.

8696. And is for £12 ?—Yes.

8697. You see it is not so long ago after all ?—It's nearly two years ago.

8698. Who told you to send that money to Rooney ? —I can't say. I think it was Major Knox.

8699. When you say you think, have you the least doubt that it was he told you to send the money ?—I don't think I have.

8700. What did Major Knox say to you when he told you to send it ?—I am sure I couldn't tell you. He told me to send it, and I sent a bank order.

8701. Just try and recollect what he said to you ? —I couldn't. I did send it from whatever he said to me. It's so long ago I can't recollect what he said exactly, and I never paid attention to it since.

8702. I suppose you hardly remembered it when I asked you about it ?—I didn't until I was told of it.

8703. Do you know the M'Mullens ?—I do now.

8704. You'll never forget them, I suppose ?—I wouldn't know one of them if I met them in the street.

8705. Did you give them any money ?—His son, the younger M'Mullen—I don't know whether he is his son or not. I gave him £2 to bring him down to Sligo.

8706. What made you give him £2 ?—I had a letter sent up to me by a lady in Sligo, asking me if I knew where M'Mullen was, and if I did to send him to Sligo at once, as this man's wife was dying and he would hardly see her alive. She subsequently died.

8707. Who was the lady that wrote to you ?—Mrs. Lyons.

8708. Is that Mrs. John Lyons ?—I am not sure.

8709. What did she say in the letter ?—She said that this man's wife wasn't expected to live many hours, and that it would be a charity to send him down. I did know where he was at the time, and I gave him the £2 to come down to Sligo. I did it entirely on my own responsibility. I afterwards told Major Knox of what I did, and he approved of it.

8710. You knew where the M'Mullens were at the time ?—I did.

8711. I suppose you know it casually, by accident ? —Yes, I knew it from the person with whom they were stopping.

8712. Who was that person?—A man named M'Dowell.

8713. Was that the first you heard of where they were stopping ?—The first I heard of where they lived.

8714. Was M'Dowell the first that told you of their being in Dublin ?—Yes.

8715. Was it not Kavanagh that first told you ?— I think it was. He told me that two men went to him for a lodging. That was shortly after the election.

8716. Mr. Hignell, recollect that you are in rather a serious position about this abduction of voters. I now tell you that if you tell the whole truth about the matter you will get a certificate from us, absolving you from all the consequences ; but if you do not, it will be our duty to withhold the certificate, and give orders to the Attorney-General to issue a prosecution —so now you had better begin and tell us all about them ?—I know nothing more about them. Kavanagh was the first that told me they were in Dublin. I knew nothing of them before that.

8717. Did you read Kavanagh's evidence—the evidence he gave here ?—Yes. I saw it in the papers.

8718. Do you know how he mentioned your name ? —Yes.

8719. Is what he said about you true ?—It is.

8720. Is it true that you told them to be brought to Clitheroe ?—He came and asked me about it. I gave no directions to them to go there. I was asked if I knew any persons in England outside Manchester. I said I knew a person in Clitheroe. I was then asked if I could give the address of the person, and I said I could, and I gave it. That's all I know about it.

8721. Was it by accident he came and asked you for the address ?—It was. When he came he asked me for it, and I gave it.

8722. Why give him the address ?—Because he asked me for it, and I knew persons there. I knew the Messrs. Mitchell and Sons, paper manufacturers.

8723. How many other people do you know ?—Is it in Lancashire ?

8724. Yes ?—I know the Messrs. Mitchell.

8725. Was that the address you gave Kavanagh ?— Yes.

8726. Why did you give Kavanagh Messrs. Mitchell's address ?—Because he asked me for the address of some person I knew there.

8727. For what did he want it ?—To remove to it.

8728. Were you at Carrick during the trial of the election petition ?—I was.

SEVENTH DAY.
October 12.
Thomas B. Hignell.

8729. Were you examined there?—No; they called my name, but did not examine me.

8730. Did you tell Mr. Lawder that the M'Mullens were at Clitheroe?—I didn't; he never spoke to me about it.

8731. Did you know at the time of the trial that they were in England?—I did.

8732. When did you tell Major Knox that they were there?—I didn't tell him until after the election petition was over.

8733. How many days were you at Carrick?—I went down the first day, and remained until it was finished—I suppose I was there four or five days.

8734. Did you tell anyone in Mr. Lawder's office where the M'Mullens were?—I never was in his office in my life.

8735. Did you tell any of his managers or assistants of it?—No.

8736. Did you ever send money to M'Dowell?—Never.

8737. Or to Kavanagh?—Never. Although my name has been mentioned so often during the progress of this inquiry, I never had anything to do with the election at all.

8738. Did you send £9 to M'Dowell?—Never.

8739. Do you know who sent it?—I do not.

8740. Did you pay M'Dowell any money?—I did not. Never.

8741. When you paid £2 to M'Mullen to go and see his wife, did you make an entry of the payment in any book?—I did not.

8742. Had you kept any book of election expenses?—None whatever, nor did I require to do so; and I made that payment entirely on my own responsibility, knowing that Major Knox would approve of it when told, and I would have done it under any circumstances out of my own pocket. I never laid out sixpence on the election. I had nothing whatever to do with money matters.

8743. How long were you down here about the election?—I came down two or three days before the nomination, and I went away the day after the declaration of the poll.

8744. Did you come down to Sligo after that?—I did not, until about a month or two ago.

8745. When you then came down, was it to get up evidence for this trial?—It was not.

8746. Was your visit connected with election purposes?—It was.

8747. Where did you reside when you came down?—I didn't reside anywhere until I went to Major Knox.

8748. How did you find out M'Mullen to give him the £2?—I am not sure how I found him out, or who went with it. I think it was Tom Brennan.

8749. When you say you think, you mean you are certain of it?—Well, I am almost certain of it; but I couldn't positively say it was.

8750. When did you last see Brennan?—I think about three weeks or a month ago.

8751. Where is he now?—I can't tell you where he is.

8752. Where did you see him?—I saw him in Dublin.

8753. Has he been occasionally with you at the *Irish Times* office since the election?—I didn't see him on business.

8754. What do you mean by saying you did not see him on business?—I don't think he is doing business anywhere. He is walking about the town.

8755. Idle?—Yes. I think he is idle.

8756. Did Brennan ever get any money from you?—Never.

8757. Did you know of any other voters who were away, like the M'Mullens?—I didn't.

8758. Did you see the M'Mullens while you were in Sligo?—I didn't. I thought the M'Mullens were in town at they election, and that they voted for Major Knox. I was told they did.

8759. If you thought so, why did you suppose they left Sligo?—I supposed they left Sligo on account of mob violence.

8760. Do you know William Hughes?—I know him.

8761. Is he employed in the *Irish Times* office?—He is employed occasionally.

8762. In what capacity?—As legal canvasser. He is only partly engaged on that; he is, I believe, in some other business also in Dame-street.

8763. Did Captain Ethelred Knox give you any money for the election?—Never.

8764. You know Captain Ethelred Knox?—I do.

8765. What was your business precisely at the election?—I came down to assist Major Knox in everything he might want me to do. I wrote some letters and sent telegrams for him.

8766. Major Knox graphically expressed it when he said "Mr. Hignell was my man?"—In doing that, nothing more.

8767. Were you in Sligo at any time before the election?—I was in Sligo several times before.

8768. Had you paid any money to Kavanagh?—I did not. He never asked me for money in reference to the election.

8769. Do you know of any voters being in Hughes's in Queen-street?—I heard that a man named Henderson or Harrison was there.

8770. Who told you of it?—Hughes told me of it. He said he had had the man there for two or three days. He then went back to Sligo.

8771. Mr. *Commissioner Bruce.*—Did you say Henderson?—Harrison I think was the name.

8772. The *Chief Commissioner.*—Used Brennan be much in the *Irish Times* office?—He used not. He came there occasionally.

8773. When he came there, whom did he see?—Nobody in particular.

8774. Did you speak to him when he came to the office?—I did.

8775. Did anyone else in the office speak to him when he came there?—I can't say.

8776. I suppose he was well known to the men in the office?—He was, I should say.

8777. You would not have an idea as to whether he talked to the men in the office or not?—No.

8778. Did you see him very often?—I didn't.

8779. Did he ever ask you for any money?—He never did.

8780. Did you assist in making up the election account?—Never. I never saw a line or a figure of it.

8781. You had little to do with the election, then?—I declare I never had anything with it, or with anyone connected with it.

8782. What were you doing while you were in Sligo?—I was doing almost nothing.

8783. You walked about doing nothing?—I walked about doing very little.

8784. Do you know a man named Fallon, a horse trainer?—I often saw him.

8785. Did you know him to be a voter?—I didn't know he was a voter until he had voted.

8786. How did you know he was a voter then?—I knew he was by looking at the list.

8787. How did you see the list? how did you get to look at it?—I saw it somewhere.

8788. Are you sure he voted?—I am not sure whether he voted or not.

8789. Had you a list of the electors of the borough?—I hadn't at the time of the election.

8790. When was it you saw a list of the electors?—I think it was at the time of the petition.

8791. Did you know before he voted that he was a voter?—Never.

8792. Were you charged by those conducting the petition with having bribed anyone?—I never was told by anyone that I was.

8793. Were you examined at the trial of the petition?—I wasn't. I was in court, but I was never called.

8794. When you gave the name of Mitchell and

Sons to Kavanagh, did you yourself write to Messrs. Mitchell?—I did.

8795. What did you write?—I only wrote to say that if two men called on him, he would have the goodness to direct them where they would get lodgings, or remain comfortably while in Clitheroe. Nothing more.

8796. You did not mention the purpose of their going to Clitheroe, or say that they were Sligo voters, and that they were engaged in a conspiracy to defeat justice?—No. Nothing more.

8797. Did you write any similar letters about Sligo voters or witnesses to anyone besides Mr. Mitchell?—Not a word.

8798. Did you telegraph to anyone about them?—No.

8799. Did you know of any other persons besides Mr. Mitchell, M'Dowell, and Mr. Hughes, who had living with them any of the voters?—No.

8800. Or that you heard of?—No.

8801. Did you know that Mr. Stokes was engaged in the business of trying to get voters away?—I didn't.

8802. Have you any list, or did you see any list of the voters who went away?—Never.

8803. Mr. *Commissioner Byrne.*—Do you know a man named Gethins?—I do.

8804. Were you aware of his being in Dublin while the M'Mullens were there?—I didn't know he was in Dublin until after the election.

8805. Was he there when the M'Mullens were in Dublin?—I think he must have been. I should say I never saw them there.

8806. Was Gethins in Dublin during the election?—No. Gethins was in Sligo during the election. I saw him myself.

8807. Did he vote?—He didn't vote; he was one of those who were afraid to vote after Captain King was shot, and wouldn't go to vote. After the election I saw him in Dublin.

8808. What business had he in Dublin after the election; what brought him there?—I heard that his house was wrecked, and his things taken away, and everything belonging to him thrown into the street. He was afraid of the mob to remain here.

8809. Did you see him at the *Irish Times* office?—I didn't.

8810. Where did you see him in Dublin?—I think I met him in the street.

8811. Were you aware of his making any application for money to Major Knox?—I wasn't. I hadn't the least idea of it.

8812. Do you know of his having got any from him?—No; I don't think he ever applied for it.

8813. Do you know a man named Clancy?—I know two men named Clancy down here—father and son.

8814. Do you know Charles Clancy?—I know Clancy the barber.

8815. Did you ever see him in Dublin?—Never.

8816. Were you aware of his being there?—I wasn't.

8817. Did he vote at the last election?—I don't think either of them voted—neither father nor son. I can't positively say, but I don't think they did. I now remember that the elder Clancy voted for Major Knox. The other didn't vote at either side.

8818. Do you know anything, or have you heard anything—you are here to give us all the information you can—do you know anything of Charles Clancy, as to his voting or abstaining from voting?—I do not.

8819. When did you first see the list of voters?—Do you mean of the men who voted?

8820. When did you first see any list, either of those who actually voted, or of those who were entitled to vote?—I never saw a list before the election.

8821. Were you in Sligo previous to the election?—I was.

8822. Are you sure you didn't see a list of the electors while you were here previous to the election?—I am. I had nothing to do with the list. I had no interest in the election that I should see the list, and I never had anything to do with it.

8823. Did it ever occur to you to look over the list while you were here?—Never.

8824. Do you swear you never saw that list until after the election?—I do. I had no means of getting it before the election.

8825. Will you try and recollect everything Major Knox may have said to you when he directed you to send the money to Rooney, and all that occurred on that occasion?—Nothing did occur but what I told you.

8826. Did Major Knox make any observation at all in reference to your sending it?—No.

8827. Do you mean to say that the Major only instructed you to send down the cheque, and said nothing more?—That's all.

8828. Did he tell any of his reasons for giving you your instructions then?—He didn't tell me any of his reasons.

8829. Do you know Rooney?—I never saw him in my life. I wouldn't know him if I saw him now.

8830. Mr. *Commissioner Bruce.*—Did you send the cheque in a blank envelope—it was stated here that it was enclosed in a blank envelope?—I am not sure about that—very likely it was.

8831. Try and recollect?—I can't. I never paid attention to it.

8832. Is it a usual thing for you to send a bank order without its being accompanied with a letter of some sort?—That's the only one I ever sent. I have nothing whatever to do with money matters at all in the office. I am not in the habit of sending money. I have my own work to do.

8833. When Major Knox asked you to send the bank order to Rooney did not he give you any further instructions than merely to send it on? Did he not say something, or assign a reason why you should send the money?—He didn't. He merely asked me to send it, and I did so.

8834. Did not he give you any reason for applying to you to send it? You are not the cashier; and I suppose money orders are sent from time to time from the office in the way of business, and I suppose there is a person who sends them regularly?—There is.

8835. Do you recollect is there nothing that occurred that would enable you to give any explanation why you were asked to do such an unusual thing?—He gave me no instructions. He merely asked me to send the money, and I did so.

8836. Shortly after you came from the election you said that Kavanagh came and told you that two voters were stopping with him?—Yes, some days after I came from the election.

8837. Where was it that the interview between you and Kavanagh took place?—I met him in the street, which I often do.

8838. What did he say to you?—He told me that two men came to him from Sligo for a lodging.

8839. Try and recollect the exact words Kavanagh made use of on that occasion?—I couldn't recollect any more than what I told you.

8840. Repeat it?—He told me that two men from Sligo went to him for a lodging.

8841. Did he say they were Sligo men?—I don't recollect that he did. He said two men called on him.

8842. From Sligo?—Yes.

8843. Well, what more?—But he said as they were not a class of men that would suit him he took them to a friend's.

8844. Did he tell you anything more?—He told me that there was some lord stopping at his house at the time.

8845. Did he tell you that he had got no place for them?—He did.

8846. Did he mention M'Dowell's name?—He did.

8847. Do you know M'Dowell?—I do now.

8848. Did you not know him at the time of the election?—I never knew or spoke to him until two or three months ago.

8849. You didn't know him at the time Kavanagh spoke to him about these two men being in Dublin?—I didn't.

SEVENTH DAY. *October* 12. Thomas B. Hignell.

8850. Did you mention the man's name?—No, I didn't.

8851. Did he?—He did not.

8852. Did not you believe at the time that these men were persons who had left Sligo on account of the election—to avoid voting at it?—I did not form any opinion of them. I thought they might be some of those men whose houses were wrecked, and had to leave Sligo for having voted at the election. I didn't interfere further in the matter.

8853. Did you take no trouble about them?—No. I didn't make myself responsible for any of these men.

8854. You took care not to make yourself responsible for them; but did you believe that they were persons who left Sligo in consequence of election business?—Yes.

8855. What was the next time Kavanagh saw you with regard to these men?—Very likely I saw him the next day, or perhaps the same day. I very often see him in the street.

8856. Did he then speak to you about these men?—I can't recollect.

8857. When next did he see you?—A considerable time after; a couple of months.

8858. Had he any interview with you with regard to these men before he spoke to you about giving him the address in Clitheroe?—Never.

8859. It was the second time that their name was mentioned?—Yes.

8860. Can you fix the time of the conversation between Kavanagh and you?—I can't.

8861. Did he then tell you that the M'Mullens had gone to England?—He told me that they were in England.

8862. Had you any idea previously that they were in England?—I had not.

8863. Or that there was any intention to take them to England?—None whatever.

8864. Had he not asked you for the address of somebody in Clitheroe?—Not Clitheroe in particular, but for the address of some person anywhere from Manchester.

8865. Did he give any reason for the necessity of their living away from Manchester?—He did not.

8866. And you did not ask him?—I didn't.

8867. That conversation must have been immediately or very shortly before the election petition?—I expect it was.

8868. Can you now fix the date of it?—I can't fix any date or the week.

8869. Did not you then form the opinion in your own mind that the M'Mullens were in England to avoid the election petition?—I didn't.

8870. Did not you believe that they were there for that purpose?—I didn't.

8871. Did you form any opinion as to why they were in England?—Not the slightest.

8872. That is very strange?—Strange as it may appear I formed no opinion of it. I had nothing to do with it.

8873. Then all you did was, as you stated, to give the address of Mr. Mitchell?—That's all.

8874. You were at the trial of the election petition at Cashel?—I was.

8875. Were you summoned as a witness?—I was, but they didn't call me. I was constantly in court during the trial.

8876. Did they know you were there?—They did. I was pointed out to Judge Keogh by one of the witnesses.

8877. Were you in court constantly during the trial?—I was.

8878. And you heard the M'Mullens' name mentioned several times during it?—Yes.

8879. As persons who were spirited away?—Not spirited away, but as driven away, and forced to leave Sligo. I heard them mentioned as supporters of Major Knox.

8880. You did not hear they were spirited away?—No; I heard that they had to leave Sligo.

8881. Did you hear of the evidence that was given before the judge, that Mr. Stokes had ordered a car for them to be taken away?—I did.

8882. Did you hear Judge Keogh's charge?—I did.

8883. Mr. *Commissioner Bruce.*—Did you hear Judge Keogh's judgment on the petition—were you in court during it?—I was there only for a part of it.

8884. What part was it you heard?—The latter part of it, I think it was. I forget which part it was.

8885. Were you in court when Judge Keogh began his charge?—I was not. I heard the M'Mullens' name mentioned by the judge in his judgment.

8886. Did not you know that there was inquiry made about them at the time?—I didn't.

8887. You did not know that the M'Mullens' were wanted for the purpose of the petition?—I didn't.

8888. Do you swear that?—No; I didn't know it.

8889. Did you tell anybody during the progress of the trial of the petition that you knew where the M'Mullens' were?—I didn't.

8890. How soon after the trial did you tell Major Knox where the M'Mullens were?—I am not sure how long after it was.

8891. And how long was it?—It may be a day or two.

8892. Did you tell Major Knox during the trial of the petition that the M'Mullens were in England?—I didn't.

8893. Do you think it was a natural thing to wait until everything was over, before you told him that they were in England?—I do.

8894. It was not to keep as a secret where they were sent to?—No, it wasn't.

8895. The *Chief Commissioner.*—Were you present when the leading counsel for Major Knox—when Mr. Macdonogh told Major Knox and Mr. Lauder that all the persons whose names were mentioned should be procured and produced as witnesses?—I did not. I heard him state that he advised Major Knox to bring forward everyone who could throw any light on the matter. Brennan was brought forward in consequence.

8896. Did you hear that it was publicly stated in court?—Yes.

8897. Did you hear that it was stated both privately and publicly?—I did.

8898. When you heard that, why did not you tell where the M'Mullens were?—I didn't know whether they were wanted or not.

8899. Did you hear Mr. Stokes examined—were you in court when he was giving his evidence?—I was only a short time in court when he was giving his evidence.

8900. Do you know what he swore?—I don't know.

8901. Mr. Stokes was examined and cross-examined about where the M'Mullens were, you know?—I was out of court at the time, and I didn't know what he swore.

8902. Do you know that he swore that he did not know where the M'Mullens were?—I don't.

8903. Do you know a voter named James Devanny?—I think I do.

8904. Did you see him in Dublin?—I saw him in Dublin.

8905. Did he call on you at the *Irish Times* office?—He didn't.

8906. Where did you see him?—I saw him somewhere in the street.

8907. Did not you know he was in Dublin?—I did.

8908. When did he come up to Dublin?—He came up after the election. I know he was here at the election.

8909. How long was he in Dublin?—I couldn't say.

8910. Do you know where he was staying in Dublin?—I don't.

8911. Did you ever hear where he was staying?—No.

8912. When you met him, as you say, in the street in Dublin, what did he speak to you about?—I don't know.

8913. Your mind apparently is altogether a blank about the election?—No; I had no information about it.

8914. Did any voter ask you about money?—No.

8915. Or give you any hint about it?—No.

8916. Were you ever in Mr. Stokes's house?—I was only once in Mr. Stokes's, when I met him with a friend standing at the door.

8917. A friend of the cause, I suppose. Did you see any other voter in Dublin?—I saw a man named M'Morrow.

8918 What conversation had you with M'Morrow?—I had only a passing conversation of the day.

8919. Where did he call on you?—He didn't call on me; I met him in the street.

8920. How often did you meet him—when did you meet him?—I met him hundreds of times. He was always walking up and down Sackville-street, between the pillar and Carlisle-bridge.

8921. Did any of these men, when they were in Dublin, ever get refreshments in the *Irish Times* office?—Never. There's no way of getting it up in the *Irish Times* office.

8922. But you could send out for it?—We didn't.

8923. What was M'Morrow doing, walking up and down Sackville street?—I see him doing nothing.

8924. What made him leave Sligo?—I heard he was in Dublin; that he had to leave or run away from Sligo; that his house was wrecked and his things taken away.

8925. Did you hear about Captain Knox sending money to Sligo?—Never.

8926. Did you hear that he sent any money for the election?—Never.

8927. Who did you suppose was to pay for all these things for the M'Mullens?—They will have to pay for them themselves, I suppose.

8928. Do you think Major Knox will pay for them?—I don't think he will; he never made an engagement to do so. The only chance M'Dowell has of getting his money is to look to the M'Mullens for it.

8929. Are you serious in saying that—do you believe it?—I am quite serious.

8930. Do you think he will get paid by the M'Mullens?—That's for him to look to.

8931. Mr. *Commissioner Bruce.*—Have you got the letter Mrs. Lyons sent you?—I haven't.

8932. The *Chief Commissioner.*—You met her during the election, I suppose?—Never; she only wrote to me.

8933. Did you ever see or speak to her?—Never.

8934. A lady you never saw or spoke to—why did she write to you?—I don't know; the man's wife was a servant of Mrs. Lyons.

8935. And she did die?—Yes.

8936. Mr. *Commissioner Bruce.*—What did she write to you of, do you know?—She wrote to say that if I knew where M'Mullen was to send him down, that he would hardly find his wife alive. I gave him the money, and Major Knox gave it to me afterwards.

Mr. *Robert Stokes* sworn and examined.

Mr. Robert Stokes.

8937. The *Chief Commissioner.*—Do you know these two M'Mullens?—I do.

8938. You see we now know that you got a car for them to go away?—I did.

8939. What conversation had you with them previously?—I met M'Mullen, the old man, one day in the street. I got an intimation that he wanted to speak to me.

8940. From whom did you get the intimation?—I couldn't say from whom I got it.

8941. Who were giving you the word about these men?—As well as my memory serves me it was his daughter-in-law.

8942. Is she dead or alive?—She is dead.

8943. What did she tell you?—She said the old man was anxious to speak to me. I met the old man one day in the street. I said I heard he wanted to speak to me. He said, "I do, but don't let the people see you speaking to me. I will call on you in the evening."

8944. Did he call on you in the evening?—He did.

8945. What did he say to you when he called?—He said he and his son wished to go away, but they hadn't the means of going. I said I would get a car to meet them and take them as far as Bundoran, and they might then go to Dublin.

8946. Did you give them any money?—Not exactly to them, but to the woman that's dead.

8947. How much did you give her?—I gave her £2—that is, £1 for herself and £1 for her husband.

8948. What did you give that money for?—I gave it as a loan.

8949. You swore at Carrick that you gave them no money?—I did.

8950. Why did you say at Carrick that you gave them no money?—I must say I was greatly disappointed with my evidence I gave at Carrick. I didn't know it until afterwards.

8951. What do you mean by that?—Every charge that was made against me was fairly answered by a brief which I prepared, and which Mr. Macdonogh got. Mr. Macdonogh said, I understood that the brief should not be shown, and that Mr. Stokes should stand on his own responsibility. I didn't know what position I was in until Mr. Macdonogh had addressed the Judge, and said he had nothing at all to do with me. I never felt being in such a position before. I was cross-examined by Mr. Palles and by the Judge. I was terribly confused and agitated, and couldn't account for it.

8952. Do you admit that you gave an untrue answer to the Judge?—Well, under the circumstances I did.

8953. Well, Mr. Stokes, I now tell you and repeat the caution that the Judge gave you at the trial. The Judge refused you a certificate. We have now exactly the same power to refuse it which he had. If you tell the truth frankly and honestly we will give you a certificate absolving you from all consequences?—That's what brought me here.

9954. Very well, you have now an opportunity of clearing your character in your own town, so tell all you know. You need not tell me that you didn't promise the M'Mullens' people the £2?—There was an arrangement or understanding with the woman that is dead.

8955. That they were to get £50 a piece?—Exactly.

8956. When did you make that arrangement with her—take your time and tell all about it—you certainly did place yourself in a very awkward position in Carrick. You have now an opportunity in your town of discharging yourself from anything that tended to injure your character?—I think it was the evening she called on me and told me that the old man wanted to speak to me.

8957. The arrangement was that they were to get £50 a piece?—Yes.

8958. How did you know Kavanagh that you sent the M'Mullens to him?—I never knew him, I didn't know him or where he lived.

8959. And how did you write that address for them, how did you get it?—I never got it. I never gave it to them.

8960. Who gave it to them, how did they get it?—I don't know. I know I didn't give it to them. It was Mr. Hignell gave it to them as far as my memory serves me.

8961. Was it Mr. Hignell then that wrote out the address of Kavanagh for them?—I believe it was as far as my memory serves me, but I can't be positive.

SEVENTH DAY.
October 12.
Mr. Robert Stokes.

8962. I will tell you, Mr. Stokes, how the matter stands—it was mentioned at Carrick that it was you wrote Kavanagh's address?—I never wrote it.

8963. You never wrote it?—Never.

8964. What circumstances led you to infer that it was Mr. Hignell wrote the address—did you see him about these men?—He was in my house at the time.

8965. Did you tell him that the M'Mullens were to be "got at"—they use some such expression at elections?—I did.

8966. What phrase exactly did you use when speaking to Mr. Hignell—did you tell him that the M'Mullens came?—Yes, something to that effect, I can't tell the words I used, exactly.

8967. Did Mr. Hignell see the M'Mullens then?—I can't say positively that he saw them. There was very little difference between us at the time—he was quite near me.

8968. And you say he wrote the address?—He did, I think.

8969. Where did he write it?—In my office. He wrote the direction there.

[Mr. Hignell was here recalled].

8970. The *Chief Commissioner.*—In consequence of Mr. Stokes's evidence, Mr. Hignell, I directed you to be sent for; you had better hear it now. (To Mr. Stokes.) You have told us now, Mr Stokes, in a very frank manner about the commencement of the arrangement with the M'Mullens, and you stated that you made a brief, which I assume was a note of your evidence?—It was it. It was a brief of rebutting evidence put in the form of a brief.

8971. You must tell the Court what was in what you call a brief?—It was an answer to each of the charges made against me—how the M'Mullens came to me, how they asked me about going away, and what I did.

8972. Do you mean to say that in that brief you had the evidence you intended to give?—Yes.

8973. Was it the truth?—Solemnly the truth to every charge against me.

8974. You had down in the brief the evidence you now gave—that the promise to the M'Mullens was that they were to get two £50?—It was, and it was I intended to give.

8975. It was the truth as you now told it?—It was.

8976. Who wrote the brief?—I wrote it.

8977. And it was the truth, you swear?—It was. The leading counsel for Major Knox told me I should rest on my own responsibility, and I am inclined to think that it was through a nasty feeling of spite that he insisted on it. From the evidence of Mr. Macdonogh the other day, from the manner he pointed to me—I was not present when he gave his evidence—I am sure he was influenced by a feeling of spite towards me. I would ask anyone to read the evidence of Mr. Macdonogh and Mr. Sedley, and he would see how they contradicted themselves.

8978. Now, begin and tell us all you know—first, as regards the M'Mullens and the other cases of bribery you were charged with; and then tell us what you wrote down as your evidence in the brief, if the truth?—You impose a terrible job on me; if you would kindly lead me to it I will do so.

8979. Very well, I will. First, you got a car for the M'Mullens to go away?—I did.

8980. You gave £2 in the manner you described?—I did.

8981. You made a bargain that they were to get £50 a piece?—I did.

8982. Did you tell Mr. Hignell that you made the bargain for the £50?—I couldn't say I did. I believe I told him that it was arranged that they were to go away.

8983. Did he, then, write Kavanagh's address?—I think he did.

8984. Which of you handed the address of Kavanagh to the M'Mullens?—It wasn't I. I am not right sharp who handed it to them. I believe it was Mr. Hignell handed it, but I am not certain. I did not write the address, nor do I know Kavanagh nor the street he lives in.

8985. Do you remember any other voter you were charged with having bribed?—Yes.

8986. Who was it?—I was charged with having bribed Charley Tighe—that is, with treating him.

8987. What occurred between you and him?—He sent two messengers for me. I called at the yard where he worked, and he said he was going to Liverpool. He said, "If you give me a consideration I will stay away from the election."

8988. What did you say to that?—I said I had no money to give him. He said, "There's something going." I then drew some strokes, and asked him to count them. I stopped at the thirty-fifth stroke, and asked him if that would do. He said it would.

8989. How much was the figure?—Thirty or thirty-five. He then went away to consult his son, and came back saying that his son would not allow him to take it. We parted. I said, "You are perfectly right;" and I expressed a hope that we would not be worse friends. I was standing at my own door that night; he came up with a crowd; he came over to where I was, and put his shoulder to the door. A flash just crossed my mind that there was something in his coming to me again the same day. I asked him did he want to speak to me. He said yes. I said, "Don't speak here; come into the parlour." Mrs. Stokes was in the parlour at the time, but she went out as we entered. I asked him, "What is it you want to say to me?" He said, "What we were speaking of to-day. It was all humbug about the strokes. I want to know how much money you will give me if I remain away until after the election?' "You are greatly mistaken if you think I will give you £1 to stay away from voting; but," I said, "if you go away we will be very much obliged to you." "If that be the way," said he, "good night," and we never spoke on the subject again.

8990. How much were you prepared to give him when he went away?—I believe he'd get £30 or £35.

8991. What reason had you for supposing he'd get £35?—I believe he'd get it.

8992. Tell me why you were selected for this department?—I think the money would have been put in my way.

8993. I haven't the slightest doubt how it was to be managed; but I want you to tell us all about it and make a clean breast of it. How did you expect to get the money?—I thought it should come by some means or other from Major Knox or the family.

8994. How did you get the hard word about it?—Through Captain Ethelred Knox.

8995. Had you any conversation with Captain Knox on the subject?—I had.

8996. Tell, now, about this; when had you the conversation with Captain Knox? Did you speak several times with him on the subject?—Yes.

8997. Was it in your own house?—Sometimes in my house, and sometimes in the street.

8998. Did you speak to no one but Captain Knox on the subject?—Generally speaking, I spoke to him.

8999. How much was mentioned in your conversations with Captain Knox, as necessary?—Well, I reported progress from day to day as I went on; I reported to him what each one was to get according as I succeeded in securing him.

9000. How much did you consider necessary yourself?—According as I succeeded in securing the voters I told him how much they were to get.

9001. You told it to Captain Knox?—Yes.

9002. How many people, ultimately, did you suppose you secured?—I suppose about eight or ten.

9003. Take time now and give their names. There were the two M'Mullens?—Yes.

9004. Who else?—The two Youngs, the four Ryans, Watt Henderson, and Pat Gallagher.

9005. Have you told now everything you recollect at present about the M'Mullens?—I have.

9006. Who were the two Youngs?—Father and son; they are shoemakers in the town.

9007. Tell the whole transaction—how did you arrange with the Youngs?—They got £20 a piece; I left it for them.

9008. Who gave you the money for them?—Captain Knox gave it to me.

9009. Did the two Youngs vote for Captain Knox?—I believe they did.

9010. Where did you give them the money?—I think it was left in an envelope for them.

9011. Where was it left for them?—In Mr. Galbraith's.

9012. What is Mr. Galbraith's Christian name?—He is the draper.

9013. Who gave the Youngs the word that they were to call for it at Galbraith's?—I think I did.

9014. Did they come to you, or how did you arrange with them, as we know that voters are always shy?—There wasn't much bashfulness about them. I met them at Galbraith's.

9015. When you met them, what did they say—did they ask you how much was going?—I couldn't say what they said; there was a sort of mumbling.

9016. Which of them was it that spoke?—It was the son.

9017. What did he say, or convey to you?—He intimated to me that the two of them were to be had at £40.

9018. I suppose you thought that very cheap?—I wasn't very particular.

9019. Did you tell Captain Knox that they were to be had for £40?—I think I did.

9020. Did Captain Knox then give you the £40 for them?—He did.

9021. Where was it he gave it to you?—In Mr. Leech's.

9022. Was it the house in which Major Knox was living?—It was in Captain Knox's own room he gave it to me.

9023. Had Captain Knox a separate room for the Major?—Yes; he had.

9024. Was it on a different story, or was it on the same floor?—I can't say. Captain Knox always invited to his own room.

9025. You used the graphic phrase "I reported progress from day to day;" did you speak to anyone, or did you report progress to anybody but Captain Knox?—I don't think I did.

9026. Did you report to Mr. Hignell?—I did not.

9027. Did Mr. Hignell know the Ryans, or Watt Henderson, or Pat Gallagher got money?—No.

9028. Or the Youngs?—No.

9029. Who were the four Ryans you got at in a batch?—Fathers and sons; the fathers and sons of each house.

9030. Were they the joint proprietors of two houses?—They were.

9031. What are they?—Whitesmiths.

9032. Did the Ryans vote for Major Knox?—They did.

9033. How much did the Ryans get?—Not any money yet, but a mere trifle.

9034. How much did you purpose to give them?—I purposed giving them £20; they left it all to myself.

9035. Did they vote on your recommendation?—They did.

9036. When you recommended them to vote, did you say to them "go and vote?"—I did.

9037. And is that perfectly understood among voters?—Yes; it is understood with some, I believe.

9038. Did you report about the four Ryans to Captain Knox?—I think I did.

9039. How long before the election were the two Youngs and the four Ryans secured?—Some days.

9040. Why did the Youngs get the money down, and were the Ryans content with a promise?—The Youngs merely knew where we were to leave it. The Ryans had every confidence in me—what I bid them do they would do.

9041. When did you secure Henderson?—He was the son-in-law of Young.

9042. How much was Henderson to get?—He was to get £20.

9043. Has he got anything yet?—Yes.

9044. How much?—Twenty pounds.

9045. Who gave you the money for Henderson?—Captain Knox.

9046. What business is Henderson in?—He is a farmer.

9047. Were the Youngs and Henderson secured at the same time?—Yes, all together.

9048. About Pat Gallagher, how much did he get?—He is to get £50.

9049. How did he happen to be so valuable?—The others were all Protestants and Conservatives themselves, this man is not.

9050. He is a Roman Catholic, I suppose?—He is.

9051. At the last election did any other Catholic get £50?—The M'Mullens were to get it.

9052. How did you arrange with Gallagher—is he married?—He is.

9053. Was it through his wife you arranged with him?—No.

9054. How did you arrange with him?—I arranged that the money should be left in safe hands for him.

9055. Did you tell that to Captain Knox?—I did.

9056. What did he say—was the money left in safe hands for Gallagher?—It was.

9057. In whose hands was it left?—It was deposited for him with Mr. Frank Barber.

9058. When was the money deposited?—Before the election.

9059. How long before the election was it deposited with Frank Barber?—It might be a couple of days.

9060. Did Captain Knox give you that £50 as well as the other sums?—Yes.

9061. Did the Ryans get any of the money that was promised to them?—Yes; they got some small sum.

9062. How much did they get?—Fifteen pounds.

9063. Was that to strengthen them?—No; one of the family got into a row, got into some great disturbance. They came to me and told me that they were in a bad way. I gave them the money myself, as a loan on a bill, until the Commission was over.

9064. It was a loan on a bill?—It was, till the Commission was over.

9065. Do you mean this Commission?—Yes.

9066. But it was understood to be a portion of what they were to get?—Yes.

9067. Did you give that £15 out of your own money?—No, I didn't.

9068. Who gave you the £15?—Captain Knox.

9069. When did he give it to you—was it after the election?—No; it was before it.

9070. How much money altogether did Captain Knox give you already?—Two hundred and seventy-five pounds.

9071. How did he give you that money—did he give it to you all in notes, or was it in gold?—He didn't exactly hand it to me; it was left where I might take it.

9072. Was it all in one lump sum?—It wasn't; he gave it to me at various intervals.

9073. Where was it left?—Some of it was left in my own office.

9074. And some, where?—I think some in his own room made up in an envelope.

9075. How did you know that some of it was to be left in his own room made up in an envelope?—Well, you know it is easy getting a wink when people wish it.

9076. I see, and you got the wink from Captain Knox?—I did.

SEVENTH DAY.
October 12.
Mr. Robert Stokes.

9077. And you took up the envelope?—Yes.

9078. And what was in it?—Yes.

9079. Did anyone else get money from Captain Knox but you?—I don't know.

9080. But you might hear—did anyone get it according to the word that was going?—I couldn't tell.

9081. Whenever you were engaged in this transaction of getting money for these people, were you always alone with Captain Knox?—I was.

9082. You have mentioned ten voters that you bribed—the two M'Mullens, the two Youngs, the four Ryans, Watt Henderson, and Pat Gallagher—with all these you were successful?—I was.

9083. And you succeeded in getting them to either vote for Major Knox or to abstain from voting altogether?—Yes.

9084. Now, tell me, did you offer any other money?—Well, I did.

9085. To whom?—I offered to cash a bill for two other men named Kearns and Barry for £50 each.

9086. Though you offered it in that way, was it not offered as a bribe for voting—that is the plain English of it?—No, it was offered to them to go away.

9087. Were they Catholic electors?—They were.

9088. Did you give the hard word among the poorer classes of electors that any Catholic electors that would go away were to get £50?—Oh, no; they were more anxious to learn that than I was to tell it; I didn't speak about it much at all.

9089. In reference to the men who voted, did you pay them on the polling day after voting?—No.

9090. When did you pay them?—Some of them are not paid all that was promised to them.

9091. Did you pay Watt Henderson and the Youngs after they had voted?—They were paid before they voted. They were Conservatives, and I trusted them as their principles were the same as my own.

9092. Do you know a man named Bryan M'Morrow?—I do.

9093. Did you make any offer of money to him?—I made no offer of money to him, but what wouldn't be construed into an offer. He was coming about the door constantly.

9094. To what party did he belong?—To the Roman Catholic party.

9095. Did you mention anything about £50 to him?—Never.

9096. Do you know a man named John Tighe?—I do.

9097. Did you ever mention to him anything about £50?—Never. Tighe came one night to my place, forcing himself in. He asked me how much money was going. I told him I would give him a pound.

9098. Do you mean to say you didn't give him any money?—Not a penny. I would be very sorry to give him any money.

9099. Why would you be sorry to give it to him?—Because I couldn't depend on him. I doubted him in everything I would have to say to him.

9100. Can you give us any information about any other persons who were engaged in practices similar to those you have told the truth about?—No; I can't.

9101. Do you know anything of the transactions in which Mr. Cherry was engaged?—Nothing more than what the public know, that I supplied the car just as he has stated.

9102. Did you know that Shiels was got at?—I did.

9103. Did you know what his figure was?—I didn't. Mr. Cherry didn't give me any reason to know what it was.

9104. Did you tell Mr. Cherry that Captain Knox had charge of the money department?—I am not positive about that? I can't say that I did.

9105. Did you in the course of business?—It was kept as a business matter that it should not be talked about. We were not anxious to know how it was.

9106. One other matter—I believe there were some voters whom you couldn't get at by money, but who should be got at through their employers?—I know nothing of that.

9107. Do you suppose there was occasion for more than one person to have charge of money matters?—I couldn't say.

9108. How long before the election was it that you had the conversation with Captain Knox about these money matters?—I think it was about a couple of days.

9109. When you were canvassing, did you offer to any of these men, or did you make any arrangement with them, before you spoke to Captain Knox—I mean these sums you were promising would be very large, you know, for yourself to be out of pocket?—I wouldn't like to be out of pocket.

9110. I mean to say when you were offering these sums was it because you had the authority of Captain Knox?—No, it was more on hope.

9111. But in every case didn't you tell Captain Knox?—Principally, I did

9112. And in every case didn't you get the money down when it was wanted?—I did.

9113. And you told him the necessity there was for giving it?—I did.

9114. Are you sure that nobody was present but Captain Knox at any of these conversations about money with him?—I am quite sure there wasn't.

9115. You are under some pardonable agitation about this brief. Now I want to know, I want you to tell what occurred about it between the professional men and yourself at Carrick, about your evidence; for it is a more serious matter than you may think. I don't mean serious to you. You wrote down truly what you told us to-day about the eight or ten men you bribed, as well as your memory served you?—I did, substantially.

9116. You wrote all down?—Not all, exactly. I did, substantially. There was no need of telling them all I told you. I only told them what I was charged with. I hadn't been charged with what I told you now. I was charged falsely. In every case in which I was charged it was colourably false.

9117. What do you mean by that?—As you heard Tighe swear the other day, you saw yourself that what he swore was not true.

9118. Don't mind giving an opinion on that?—That's what I call a colourable statement.

9119. You saw the bill of particulars, I suppose?—I did.

9120. In it you saw the names of those bribed opposite your own name?—Yes.

9121. At all events you put down the truth about the matters you were charged with?—Well, I did as well as I could.

9122. And was that evidence taken from you by Mr. Palmer the solicitor?— I think so.

9123. Do you remember reading the brief of it when it was copied out in proper form?—Yes.

9124. Now state what was said to you by any person about that brief, before you were examined in court; because the result was, that at Carrick you didn't tell the truth?—No.

9125. Now state what was said about that matter, there is no privilege about this matter?—I heard that it was Mr. Macdonogh's opinion, that when the brief was shown to him, it could not be produced, that I should stand on my own responsibility and answer to everything there. I knew nothing of that until I was going up to the witness-box, and I was very much annoyed when I heard it.

9126. Who told you Mr. Macdonogh's opinion?—I can't really call to mind now, there was such a number about me.

9127. Were you in a room at the time?—No. I was in the hall or courtway.

9128. Now, whatever expressions were used to you and which you don't remember—you were in such a state of excitement or nervousness at the time—you were afraid your evidence would lose the seat for Major Knox?—Yes.

9129. Was it whatever was said then made you not tell the truth?—No, not that; but I was surprised

when I heard Mr. Macdonogh address the judge, and blacken me to him, and leave me to myself; and saw Mr. Robinson sitting down without making any effort to clear matters up. It was the first time I was in such a predicament.

9130. You used the word "cross-examined," you said you were cross-examined by the judge?—Yes.

9131. At all events you succeeded in baffling Judge Keogh?—I can't say I baffled him.

9132. You denied that you offered the M'Mullens any inducement to go away?—I can't say what it was I said.

9133. I will tell you. Judge Keogh said,—"Will you now tell me what was the inducement that was held out to these men, and by whom, to get them to leave the place?—Indeed I could not. And you swear you cannot?—I swear, positively." I must have this sifted. Did anyone, high or low, no matter who he was, give you any hint to deny any knowledge of the transaction with the M'Mullens?—No one did.

9134. And what do you mean by saying that you got word that Mr. Macdonogh said the brief of your evidence could not be produced—the meaning I take out of that is that the evidence which was in the brief could not be given in court?—I don't know what the meaning of it is. I thought the evidence was very fair—but Mr. Macdonogh is counsel, and should know better. He said I should stand on my own responsibility, and take all the blame. I thought it was his venomous nature that made him do that through spite.

9135. Had you ever been concerned in money matters in any previous election?—Nothing more than that Mr. Sedley brought me £35 for two men.

9136. Mr. *Commissioner Byrne.*—Did you vote at the last election?—I did not.

9137. Did you vote at the election at which Sergeant Armstrong was a candidate?—I did.

9138. The *Chief Commissioner.*—For the present direct your attention from the last election between Mr. Macdonogh and Sergeant Armstrong, and tell me did you know that voters at the last election were going to Mrs. Hall's?—Is it Major Knox's election you mean?

9139. Yes?—I knew that some of them were at Mrs. Hall's.

9140. Did you tell any of the voters to go there?—I told Gallagher that he ought to go there.

9141. The man who was to get the £50?—Yes.

9142. Who has got it?—No one, I believe.

9143. Why did Galbraith keep it?—I think that Gallagher won't get it until the Commission is over.

9144. Was the £50 lodged with Barber before Gallagher went to Mrs. Hall's?—It was.

9145. I suppose he would not go there only that it was lodged?—I can't tell you—that's for himself.

9146. Did anyone else of the voters that went to Mrs. Hall's get £50, or a promise of £50 for not voting, that you heard of?—I don't know how many were there.

9147. There were from nineteen to twenty-one—I will read them for you—Michael Dogherty?—I know nothing of him.

9148. John Reid?—I know nothing of him.

9149. John M'Guirk?—I know nothing of him.

9150. Pat Clancy?—I know nothing of him.

9151. Timothy Fallon?—Perhaps I told him to go and vote. I am not sure whether I did or not; but I was not to give him any money.

9152. Did you make any promise of money to him?—No.

9153. The two M'Goldricks?—I had nothing to do with them.

9154. Pat O'Brien?—I had nothing to do with him.

9155. George Beatty?—I had nothing to do with him.

9156. Edward Ferguson?—I had nothing to do with him.

9157. John Gray?—I had nothing to do with him.

9158. James Gray?—I had nothing to do with him.

9159. Robert Lindsay?—I had nothing to do with him.

9160. Andrew O'Beirne?—I had nothing to do with him.

9161. Pat Gallagher?—I had nothing to do with him.

9162. I now go back to the election at which Mr. Macdonogh and Sergeant Armstrong were candidates—did you vote at that election?—I didn't.

9163. Had you anything to say to money at that election?—Nothing more than that Mr. Sedley brought me £55 for two men—£30 for one, and £25 for the other.

9164. Who were the two men?—A man named Buchanan, who is now dead, and one of the Ryans.

9165. Why did Mr. Sedley bring you money for these men?—The reason was that in the early part of the time they said they would do whatever I asked them to do. When Mr. Macdonogh found that I had refused him and promised Mr. Kincaid, Lord Palmerston's agent, to vote for Sergeant Armstrong, Mr. Sedley and he came to my place in a very great passion to know why I shouldn't vote for Mr. Macdonogh.

9166. Whom did you vote for at that election?—I voted for Sergeant Armstrong.

9167. Were you not always identified with the Conservative interest?—Well, I was.

9168. And you were canvassed by Mr. Macdonogh?—I was.

9169. How was it then that you voted for Sergeant Armstrong?—Well, I will tell you. Mr. Kincaid brought me a message from Lord Palmerston, saying that I shouldn't vote against the Sergeant, and I didn't vote against him. When Mr. Sedley and Mr. Macdonogh came to my place, Mr. Sedley asked why didn't I go with the Conservative candidate, as, he said, Mr. Macdonogh told him that I would vote for him. I told him that I never promised Mr. Macdonogh to vote for him, that Mr. Macdonogh was then present, and that I would ask him if I didn't tell him I would not vote for him—that I would forfeit everything if I voted for him. Mr. Macdonogh said that what I stated was fair, and approved of my reason for not voting for him at the time. Mr. Sedley apologised, and yet he had the hardihood to say what he said here the other day.

9170. Mr. Macdonogh said you appeared on that occasion as if you wanted money?—I believe it was his evil disposition that thought of it.

9171. Did you want money?—Never in my life.

9172. He said you appeared as if you were hanging back to get money?—I wasn't hanging back. I never got money in my life at any election. When Mr. Lyons, Mr. Dobbyn, and other gentlemen came to me canvassing for Mr. Macdonogh, I told them I couldn't vote for him, that I would vote for the candidate whom Lord Palmerston asked me to vote for, as I was under a compliment to his Lordship. I had purchased the premises I hold from him, and had expended £300 on them in improvements; yet he didn't increase the rent; he gave me a renewal of the old rent.

9173. You had a lease at the time?—I had written a letter to Lord Palmerston for it, and Mr. Kincaid had a letter from his Lordship on the subject. I had an old lease of the place, and wanted a renewal of it. It was in consequence of the way I improved the property that the new lease was given to me.

1974. You say it was on account of a favour you received from his Lordship that you voted for the Sergeant?—Yes. Gratitude bound me to do so. Mr. Kincaid told me his Lordship would be displeased if I voted against him. He said it was too bad that those for whom he was always doing favours would not grant him a favour in return, when they had it in their power to grant it. I thought I was bound to favour his Lordship, and to vote any way Lord Palmerston asked me. If I didn't vote I would have remained silent.

SEVENTH DAY.
October 12.
Mr. Robert Stokes.

9175. Was that your only reason for voting for the Sergeant?—That was my only reason.

9176. Did anyone offer you any money to vote?—Not one ever yet attempted it since I commenced to vote at elections.

9177. Did you know anything of money going on either side at that election?—Nothing more than what I have told you. When Mr. Sedley was vexed, he and those with him got quite irritated, and they exonerated those who promised me to vote for Mr. Macdonogh. They said they wouldn't hold themselves accountable for any promises they had made to me, and that those who made the promises may vote as they like.

9178. Who were the persons that had made promises?—Ryan and Buchanan. They got sorry for their rash act afterwards.

9179. Was Mr. Macdonogh with Mr. Sedley on that occasion?—I am not sure that he was, but there was some one with him.

9180. Why do you say that they were sorry for what they did?—Because people wouldn't vote for them again unless I asked them.

9181. At the election previous to that when Mr. Macdonogh was returned, £850 was given to electors at the time of the election—do you know anything of that money?—Not the least.

9182. At any other election did money for bribery pass through your hands?—I believe I was never more than asked to vote at any other election.

9183. Were you never let into the secret?—Never. And I wish it were so since.

9184. Mr. *Commissioner Byrne.*—Do you know a man named Armstrong?—I know many men of that name.

9185. Do you know George Armstrong?—I do.

9186. Did you ever send him with a message on any occasion for a man named John Tighe?—Never.

9187. Did you see Tighe in your own house?—I did.

9188. When was that?—I don't recollect exactly. The night he called on me I saw him.

9189. Did you make any reference to him about £50, £30, or any other money in any way?—I did not; but I might say "We will be thankful to you for your vote." I wouldn't offer him money, because I couldn't have any confidence in anything I would speak to him about.

9190. But you talk in a joking way to him, and say you would be thankful for his vote?—There weren't a dozen words altogether between us. There were some people inside in the parlour at tea, at the time he called. I was at tea also, and I got up from it. I went out to speak to him.

9191. Was that before the election?—It was. I didn't like to have anthing to say to him, as I knew I couldn't have any confidence in him.

9192. Could you remember the dozen words you said to him on that occasion?—Not exactly; the effect of what I said was that I wouldn't give him £1 for voting for Major Knox; but that I would be thankful if he went down and voted for him.

9193. Did you recommend or advise him to go and vote?—I don't recollect that I did.

9194. Did you give him to understand that if he voted for Major Knox, you would treat him like the others?—I didn't.

9195. Were there any of those persons among whom you distributed the £270, any tenants of yours?—No; there weren't.

9196. Have you any tenants who were voters?—I have.

9197. What are their names?—Michael Burke, James Kenny, J. Kerr, Thomas Scanlan, Peter Henderson, Michael Foley.

9198. Any body else?—I think that's all.

9199. Did you canvass any of those for Major Knox?—Burke told me that he promised Major Knox to vote for him on my account.

9200. When did he tell you that?—He told me it all along. He was a poor man, and hadn't voted previously; he had no vote previously.

9201. Did you give him to understand that he would get any money?—I understood that at the revision he got something. I was told at the revision that anything done at it was legal. He said he would rather have a few pounds than get his vote. He could get a vote without his presenting himself at all.

9202. Did he get anything?—Not from me.

9203. At the revision you gave him to understand that he would get something if he voted for Major Knox?—No; but if he didn't register his vote.

9204. How much was he to get for not registering his vote?—£10.

9205. Did you make a similar promise to your other tenants?—No; he was the only one—he was very poor; and wished to remain at home, and I wished to do good for him.

9206. As to your other tenants whom you canvassed, what were their names?—I don't think I canvassed any others.

9207. Neither Peter Henderson, nor Kenny, nor Scanlan?—No; I did not ask them how they voted.

9208. How did you think they'd vote?—I thought that they'd vote as they liked.

9209. They were all Roman Catholics, were they?—No; Kerr was a Protestant.

9210. For whom did he vote?—He voted for Major Knox.

9211. Did you make no application to the Catholics for their votes for Major Knox?—No; Foley didn't vote.

9212. Do you remember at Carrick stating that you had influence with your tenants, and that you would use it morally?—Yes; I do, but it was in reference to the revision.

9213. Were you afraid to give any intimation to the Roman Catholic electors, or give them to understand that they would get something, if they voted for Major Knox?—Most of them are independent, and don't require money.

9214. You mentioned to us that applications for money were made by electors to Captain Ethelred Knox at the last election?—Most of them did so.

9215. Can you mention the names of any of them?—I can't mention them exactly at present.

9216. Were there a good many of them?—I can't say that there were a great many.

9217. Were there a dozen or a couple of a dozen?—There weren't, I think.

9218. Did any of these Catholic electors that were speaking to you speak about money for their votes?—It might be said in a joking way, but no more.

9219. Did they say that they would get money from Captain Flanagan's side?—They always said that there was money going on the other side.

9220. That was with the view, probably, to get an offer from you?—I don't know.

9221. As a man of the world, what do you think?—It might be said as an inducement.

9222. Don't you believe it was?—I believe that they were getting it, too, or a promise of it. It was a habitual thing to get it.

9223. Are you a native of the borough?—I am not.

9224. How long are you residing here?—I am living here for the last twenty or twenty-one years.

9225. How long are you an elector?—Since I came to Sligo, in '48 or '49.

9226. Have you taken an active part in elections since you came to Sligo?—I was recognised as a Conservative voter. I always voted on the Conservative side.

9227. From your knowledge of the elections here, do you say that it was a habitual thing for a certain class of voters to get money?—I believe so. I couldn't say it only for the discovery I made.

9228. Previous to this inquiry, was it a common opinion that there was a considerable number of voters in the borough who expected or who would take money?—It was.

9229. Did you know of any money going at the

last election but what has been mentioned?—I have no knowledge of it, but there was an impression that there was money going on Captain Flanagan's side.

9230. What grounds have you for saying that—did you hear any person say it?—I have no grounds, except what are common on such occasions.

9231. At the election when Sergeant Armstrong was returned, you said you sent in an application for the renewal of your lease to Lord Palmerston?—It was before the election a good length of time.

9232. How long before the election was it?—I can't say. I know Mr. Fox, a surveyor, called, valued the premises, and made a return of the expenditure, to lay before Lord Palmerston, in order to show that I was worthy of the lease.

9233. How long before the election did Mr. Fox call?—I can't say.

9234. How long are you in possession of the place?—I am only four years in it.

9235. How long were you in it when you applied for it?—I could hardly tell you.

9236. About what time before the election of Sergeant Armstrong was it that Mr. Fox came to view the place?—I think it was about nine months. He came often down from the head office.

9237. Did Mr. Fox call again before the election?—He officially reported what improvements were made on the premises, and what it cost me. to entitle me to the lease. He told me he would send it up to Dublin. He did so, and I got my lease.

9238. The application for the lease was previous to Sergeant Armstrong's election?—It was.

9239. And the renewal, when did it come down?—The renewal came down after Sergeant Armstrong's return.

9240. At the time of the election your gratitude was a sense of favours to come?—It was as much a sense of favours past.

9241. Also as much a sense of favours to come?—You can judge of that.

9242. Are you aware of Mr. Sedley, on your refusing to vote for Mr. Macdonogh, telling the voters among whom you are influential, not to vote?—I wasn't personally by at the time, but I was told of it.

9243. Who told you of it?—A man named John Ryan told me.

9244. Is he one of your tenants?—He is not.

9245. You are not aware that Mr. Macdonogh called to tell him not to vote?—I am not positive whether it was Mr. Macdonogh or Mr. Lyons. I know both went.

9246. You said there was an impression that money was going on Captain Flanagan's side. What grounds have you for saying that? Did you hear of anyone in particular having it?—Nothing but what is very general on such occasions.

9247. You are referring merely to the habit of the town?—As far as Captain Flanagan is concerned.

9248. Did you witness any of the mob violence in the town at the last election?—I did.

9249. Was there much violence?—There was some.

9250. Was that violence directed against the voters who were suspected of having been bribed?—It was directed against voters that wouldn't go with their own people or party. I am living in a most public place, and it was known that I took an active part in the election, but I didn't get a pane of glass cracked or a stone thrown at me or a groan or a shout. There was one evening, certainly, I was attacked with Major Knox. I took shelter. I got a warrant for the arrest of the party, but I didn't prosecute.

9251. Was there any violence offered to any Protestant voters who were looked on as having voted according to their principles?—There were. Mr. Woods's place was broken; Mr. Leech's was broken; Mr. Gilmor's was broken—a great many suffered.

9252. Were any of these gentlemen suspected by the other side of tampering with the voters?—I can't say.

9253. What do you believe?—I think it was in the violence of passion. Mr. Woods and his son were coming down the street, and I saw them attacked, and though Mr. Woods's house was quite close by I asked them into my house, for I thought at the time that they might be injured.

9254. Do you know anything of the election at which Mr. Wynne and Mr. Somers were candidates, when Mr. Wynne was returned by a large majority?—I do.

9255. Are you aware of any money going at that election, or after it?—I believe that there never was so pure an election in Ireland as that. I believe that was a pure election.

9256. Mr. *Commissioner Bruce.*—Why was Mr. Wynne's last election a pure one?—Because the contingencies of party spirit led to it. When I say party spirit, I mean political party spirit amongst the fighting parties; besides Mr. Wynne had great influence, and was highly esteemed by what had been called "The Old Ireland party" on the Roman Catholic side——

9257. And all the Conservatives, I suppose?—And all the Conservatives were along with him; they respected him. Mr. Wynne was a gentleman that lived in the esteem and respect of everyone.

9258. We have been told that about forty Liberals voted for Mr. Wynne *en masse*?—I should not wonder.

9259. Do you think or believe that such a large number voting was prompted by any dislike to Mr. Somers?—It was pure love of Mr. Wynne and esteeming his principles.

9260. He was of Conservative principles?—He was a Conservative.

9261. Then it was that they did not hate Mr. Somers, but they loved Mr. Wynne more?—Mr. Wynne stood on a different footing with Mr. Somers. Mr. Somers had no landed property—had no influence here. Mr. Wynne was not so; he was a gentleman of extensive influence.

9262. You recollect, of course, Mr. Macdonogh's first election, when he was returned?—Very well.

9263. Was not Mr. Tennison a candidate at that time?—No, we first selected Major Folliott.

9264. Was not Mr. Tennison a candidate at that election?—I believe he was; he withdrew.

9265. He addressed the electors?—He did.

9266. Do you recollect how long before the election he withdrew?—On the evening prior to or the morning of the election.

9267. He was nominated, I think?—He was.

9268. Was there any report in town of the reason of Mr. Tennison's withdrawal?—I could not say there was any exact report.

9269. Was it said he withdrew because he would not bribe, and the people would not vote for him unless he gave money?—I do not think that was the reason.

9270. Did you ever hear it said that that was the reason?—No, I never heard that.

9271. What was the reason?—Well, I think he heard Mr. Somers was weakly—his own side—and that as both would be putting together, there was no chance.

9272. Were the M'Mullens believed to be supporters of Major Knox?—They said they would vote for Major Knox.

9273. When they came to you, and there was the interview about their going away, did you believe they would vote for Major Knox?—I did believe they would vote, but I believed they were afraid. I actually thought it was a story they made up to go away. Major Knox did not want them; the Major got in with a large majority.

9274. Was the reason you offered them the £50 to go away because you were afraid of their being tampered with and voting for Captain Flanagan?—There was a diversity of reasons—one that they might be tampered with and forced to vote; the next was that they might be injured, and the third was that I did not think the Major stood in need of them, and on the whole, it was better they would go.

SEVENTH DAY.
October 12.
Mr. Robert Stokes.

9275. I want you to be a little more precise than you were as to Hignell. You said, "Hignell, I think, gave the address." Could you not be more positive than that?—Indeed I could not.

9276. Did you see anybody else but Hignell at that time with respect to the M'Mullens?—I cannot call to mind that I did. I am telling the truth simply as best I can.

9277. Did you tell us that Captain Ethelred Knox was aware of the transaction?—He was not present.

9278. I am not saying he was present. Was he aware of the transaction at the time?—I think he was.

9279. Was anybody else besides Mr. Hignell and Captain Ethelred Knox aware of the transaction at the time?—Myself and the M'Mullens.

9280. Of course you and they were, but anybody else?—Not that I know of.

9281. Is your recollection fresh with regard to that transaction?—Well, I said before we agreed to keep all these things as quiet as we could.

9282. Could Captain Knox have given the address of Kavanagh in Dublin?—He did not.

9283. Are you positive about that?—I am quite positive.

9284. Is there anybody else, to your knowledge, who could possibly give the address for M'Mullens, except Hignell?—Indeed no. Indeed I neither knew where they were going, nor had I anything more to do with them than sending them to Bundoran, and to go from that to Dublin, but then and there I lost sight of them. I had no more communication with them or correspondence with them.

9285. When did you first hear Kavanagh's name mentioned?—I thought it was at the petition—either there or here.

9286. Where did you first hear mention of the petition?—I did not hear it at the petition; I did not hear it until this.

9287. Did you hear at the petition that the M'Mullens were at Clitheroe?—No, I did not.

9288. You did not know they were in England then?—I did not.

9289. When you told Charles Tighe you would not give him any money to vote, what did you mean?—I meant that I did not wish to have anything to do with him.

9290. Was Charles Tighe a supporter of the other side?—He was. He was a Catholic, and not the most agreeable man to have to do with.

9291. Still you told us you offered him thirty-five strokes?—It was as much to get out of him, as anything else.

9292. But you intended he should understand it?—He understood it, that he would be honestly dealt with, I believe.

9293. You were cautious with him?—I think I was.

9294. You did not like to commit yourself?—I did not.

9295. Had you at that time an idea that you could legally give a man money to go away, although it would be bribery to give him money to vote?—I believe it was quite within my province to send any man away I liked.

9296. When the money was left in the envelope at Galbraith's for the two Youngs, how long before the election was it?—If I do not mistake, they got half the night before the election, and the other half the night after it.

9297. But I suppose the half notes were left at Galbraith's?—I think they were.

9298. How long before?—Perhaps two days.

9299. Two days?—It might be. I cannot be exactly certain of the time.

9300. With whom did you leave them in Magrath's establishment?—I think I threw them on the floor or the counter, or something that way.

9301. Do you mean in the shop?—No, I think it was in the wareroom.

9302. Upstairs?—Yes.

9303. Were the Youngs there then?—I think the youngest of the Youngs were.

9304. When you threw it on the floor, it was for them to take it up at once?—They might.

9305. What I want to know, is it so?—I believe so.

9306. Have you any doubt of it?—I think they did. I believe they did.

9307. And that is what you call leaving money in an envelope at Galbraith's?—Yes.

9308. You threw it on the floor and they at once picked it up?—I don't think—— I walked out—— and I presume he picked it up.

9309. You intended him to do so?—I did.

9310. Who was in the room at that time besides yourself and the youngest Young?—I do not doubt but Mr. Galbraith was.

9311. You think he saw what was going on?—I believe he did.

9312. I suppose there is only one Mr. Galbraith in town?—That is all.

9313. What is his name?—John.

9314. In how many different sums did Captain Knox give you the £275?—I think about five.

9315. Give the times and the amounts of the payments?—I could not.

9316. Can you give some idea?—I think he gave me £100 at one time.

9317. Was that in your own place or in his room?—I think it was in his room.

9318. In his room?—Yes.

9319. Was that £100 lying on the table in an envelope, and did he give you a wink?—It was understood where I was to get something that would suit.

9320. Was it Captain Knox showed it to you?—Yes.

9321. He said, "You will find it there?"—Yes.

9322. Pointing to the table where the envelope was?—Yes.

9323. Was it in bank notes?—It was.

9324. One or two notes?—One or more, I do not know which.

9325. When did you get the second payment—Youngs'?—I think the very day the Youngs consented to take the money.

9326. That was a couple of days before the election?—Yes.

9327. How much did you get at that time?—I dare say £40 or £60; I could not tell.

9328. When did you pay the Ryans?—They are not paid yet.

9329. I thought you told me you paid them?—Only a little; they got £15.

9330. Fifteen pounds a piece?—No; £15 between them.

9331. How much of that £275 do you now hold in your hands?—About one hundred and odd pounds.

9332. You gave the M'Mullens nothing except a couple of pounds?—No.

9333. You gave the two Youngs £40?—Yes.

9334. Did they get the second notes after the polling?—They did.

9335. How long after was it?—A day or two, I suppose. I could not exactly say.

9336. Then you gave the four Ryans £15—was that before the election?—No; it was since.

9337. How long after?—It was only the other day that some of it was given.

9338. Then you gave Mr. Barber for Pat Gallagher £50—does Mr. Barber still hold that?—I believe he does.

9339. You gave Henderson £20?—Yes.

9340. Was that before the election?—It was.

9341. That makes £125—that was all the money you paid?—I could not give all the little items exactly.

9342. That is all the money you have told us about—was the £50 given to Mr. Barber before the election?—It was.

9343. Have you got this brief?—I have not.

9344. Do you know where it is?—I do not. I never saw it after I wrote it.

9345. You wrote it in Mr. Palmer's office?—No; in Carrick-on-Shannon.

9346. You said the charges made against you at the

hearing of the election petition were colourably false. What do you mean by that?—Just as I told you.

9347. Do you mean that they were completely false?—I could not say completely false. When the men came and I chatted with them at all, there was a certain truth in it.

9348. Do you refer to such cases as Kearns's?—Kearns, Barry, or Tighe saying that I sent for them.

9349. Do you recollect a man named Dominick Oates?—I do.

9350. Do you recollect him coming to you?—I do.

9351. Did you offer him any money to go to Dublin?—No.

9352. Are you positive about that?—I offered him "thanks"—that he would get so many "thanks."

9353. Did you not mean money when you said "thanks?"—Well I hoped he would understand it.

9354. And if he had gone to Dublin you would have given him 30 "thanks," whatever they were?—Oh, yes—he would have got it.

9355. Where is the £15 you got from Mr. Sedley, did you return it or give it to voters?—I had it not ten minutes.

9356. Whom did you hand it to?—Ryan—they left it on my parlour table, and he came in, and I said "What you get on the table take."

9357. Then the money was given to Ryan and Buchanan?—Yes.

9358. I thought you held it for them?—No.

9359. Was it before the election?—After he voted.

9360. Can you give me any idea of how many Catholic voters got money at the election on your side?—I could not tell.

9361. Were there ten?—I could not tell.

9362. Were there five—surely you can give some idea—I do not want to pin you to any particular number?—I could not tell.

9363. Were there many—was it a common thing?—I could only tell of those I had to do with.

9364. How many had you to do with?—I told you I had to do with very few.

9365. Did Pat Gallagher tell you money was going on the other side?—He did. I am not sure. I am not positive of the conversation. I think the principal thing was what he would get himself.

9366. What other Roman Catholics were you tampering with, or trying to get to vote for Major Knox?—Oates was one.

9367. Did he tell you he was offered money by the other side?—I think he would rather have gone for half the money to the other side, or something that way.

9368. But did he say anything about money going?—I am not positive about that. I cannot say.

9369. What other Catholic had you to do with—Kilcullen?—No.

9370. What other Catholic were you trying to get to vote for Major Knox?—Burke said he could get it. Burke said that Mr. Thomas O'Donavan was getting him money and offered him money.

9371. Did he say Mr. O'Donavan offered him money to vote for Captain Flanagan?—That he got it for him.

9372. Did he mention the sum?—No. I cannot say.

9373. When did that take place?—When we were speaking. That conversation was I think the Sunday night before the election. Burke came to me and wanted me to have money. I told him I would not have money—that I could not have for him any money at all. He said he could get—that Mr. O'Donavan offered him money.

9374. Is Mr. O'Donavan a voter?—He is.

9375. You spoke of violence and attacks on voters. In your opinion was that violence intended to intimidate them and prevent them voting against their own side?—Oh, most assuredly.

9376. How many voters, in your opinion were there, who were considered to be voting or influenced to go vote against their own side?—Not answered.

9377. Think a moment?—Do you mean from common report——

9378. From common report; but give it to us also as far as your own personal knowledge extends?—I cannot give my own personal knowledge, but the common report was that Major Knox would have fifty Roman Catholic voters.

9379. Fifty?—Between forty and fifty.

9380. Was it the common report that all these men were voting for money, or with the expectation of getting money?—Well, the most of them liked Major Knox. He is a great favourite—he professed high liberalism in every respect except as to disestablishment, and perhaps if it was put to the poll this moment he would be elected above any.

9381. Evidence has been given that all these voters did not vote for Major Knox for monetary reasons, or intend to vote for him, but what I want to know is, what was the report on the subject?—Well, the report, and I think the common belief, is just what I repeated to you.

9382. That it was for money, or was not?—What do you want me to tell?

9383. What I want to know is, was it the common report that these fifty voters who were expected to vote for Major Knox were operated on, or were to get money after the election?—Oh, I could not say that. All I say is what I believe, that Major Knox is a very general favourite with everyone.

9384. That is no answer, Mr. Stokes. I want to know what the report was, and surely you can tell me?—The reports were as various as anything.

9385. Give them all?—One was that he bribed everyone that voted, another that he did not bribe any—there was hardly a third person that had not a different story.

9386. The *Chief Commissioner.*—Tell, me, Mr. Stokes, what made a respectable man like you, carrying on business here, and having property, engage in this bribery for the first time in your life at Major Knox's election?—Major Knox did me a favour that I felt bound for, and then I was brought from one thing to another.

9387. Brought into it?—Brought into it.

9388. Who was the first voter you bribed?—The first thing—the first instance of it was when Mr. Sedley handed me the money for Mr. Macdonogh's case.

9389. I mean the men you mentioned at the last election?—Mr. William Ormsby called on me and asked me to use my influence, saying that he was prepared to discharge something. I did use a little influence, and one person refrained from having a vote. He was not discharging the promise, and I pressed him to it, and he afterwards did.

9390. Mr. Ormsby?—Mr. Ormsby.

9391. How did he discharge the promise?—He paid the money.

9392. How much?—I think £15.

9393. When was that?—At the revision.

9394. Who was that £15 given to?—John Creighton.

9395. For what purpose?—Not to have a vote. Not to register.

9396. How many men altogether got money not to register, to your knowledge?—Only that one.

9397. Was it Mr. Ormsby that mentioned that matter to you first?—I think it was.

9398. Did you hear of any other man getting money not to register?—I did not. Burke promised to do it, and I think would have been glad to get out of registering, only his vote was registered for him in his absence.

9399. Now, of the men bribed at the election—I mean Ryan, Henderson, Gallagher, Young, and the M'Mullens—which was the man that you bribed first, and which set of them had you the first interview with?—I think the first that I succeeded with were the M'Mullens, as well as I recollect. I did not bribe; they did not get the money yet.

9400. I know they did not. Before you bribed the M'Mullens, had you got any money from Captain Knox?— think I did. I saw it either two or three days before.

SEVENTH DAY.

October 12.

Mr. Robert Stokes.

9401. Then I presume the first thing you got from Captain Knox was the £100?—I believe it was—I think it was that.

9402. Then before you succeeded in bribing any voter, had you got the £100 from the Captain?—I had.

9403. Did he tell you what it was for?—No, he left me to myself.

9404. Was it perfectly well understood between you and the Captain that you were to use it at your own discretion?—It was.

9405. And, if necessary, in bribing?—It was.

9406. Did you show that money to the M'Mullens to show that you had it?—No. And Captain Knox since told me that I had not to pay the M'Mullens; that they were taken off my hands.

9407. And put into whose hands?—I could not say that. He did not tell me that, but that I had not anything more to do with them.

9408. When was this?—I think it was since the election.

9409. Oh, yes, I know, since the election. Was it in Dublin?—No, it was in Sligo.

9410. Did he intimate to you who was to pay them?—He did not.

9411. Was that before the petition or afterwards?—I think it was before the petition, but I am not positive.

9412. Had Captain Knox any little book, or memorandum book, in which he put down these things?—Not that I saw.

9413. Was any list of the electors in his room?—Not that I saw.

9414. Now, do you know Michael Brennan who did not register, or who was to get money for not registering?—I don't know.

9415. Do you know anything about that transaction?—No. I don't know where he lives. I don't know any such person.

9416. Did you hear of a man writing to the Chairman at Quarter Sessions not to put his name on the registry? Did you hear that story?—There were a number of them.

9417. Who wrote to the Chairman?—Who was it said wrote?

9418. M'Mullen was annoying you some time recently, I believe, Mr. Stokes?—He was drunk, and he made some noise outside the door one night.

9419. He said he had a conversation with you some three weeks ago, but could not be precise as to the time. But when it was known that the Royal Commission was coming down here did you mention to him then anything about Kingstown?—He came into my shop about three weeks ago, or so. He was under the influence of whiskey, and asked me was I getting any jobs done, or had I any work. "I have not," said I, "at present anything to get done. I would give it to you as soon as ever I did in my life if I had, but I have not anything to get done at present." "Trade is very bad," he said. "I am sorry for it," said I. "I am about leaving town," he said. "Are you?" said I. "Where to go to?" "Oh, I will go to some good town," he said. "Where," said I. "I have a notion of Kingstown," he said. "Well, if you go there," I said, "anything in the world that I can do for you I will. I have some friends, and I will give you an introduction in the way of work."

9420. At that time did you know the Commission was to come down here?—Well, we expected the Commission a good while.

9421. Was the son to go for work to Kingstown too?—I don't know.

9422. You don't know?—No, it was only the master just. He was wickedly under the influence of whiskey, and it was to try to get rid of him. I cut out of the shop.

9423. Whom did you intend to introduce him to at Kingstown?—Two or three tenants of mine.

9424. Well, you must name them?—Mr. Barker Primrose.

9425. Did you give him a letter?—Nothing more in the world than that if they wanted a coat cleaned, or anything of the sort, they would patronize him; but there was no other intention under the sun.

9426. Was that to get him out of the way of being examined as a witness at Carrick?—It was not, indeed. It was nothing more than an introduction to a friend in case they had any work to give him; and if not, to let it alone.

9427. I must just ask you this. You were away from town some time?—I was.

9428. How long were you away?—About ten days. I was promising this length of time to go and see a nephew of mine who is in the Church, and to hear him; I saw no prospect of being able to go if the winter came on; and I thought I would be back to answer any questions that you might ask me.

9429. Where did you go to, exactly, Mr. Stokes, on this visit?—I went to Newry.

9430. Then you were there?—I was.

9431. And you read every day's newspapers, I suppose?—Not every day's.

9432. You read the accounts of the Commission?—I read some days.

9433. Did you not see that you were one of the first witnesses that were called?—I did.

9434. Did you see that your name was called four or five times?—Well, it was, I believe.

9435. Was it when you read Macdonogh's evidence that you determined to come back?—It was not.

9436. When did you make the determination to come back?—I made it when I was spending a day with a doctor outside of Newry—an acquaintance of my friend's, where I was. I determined that I would come home and answer anything that I could answer.

9437. Yes,—that was after you read Macdonogh's evidence?—It was not.

9438. On what day did you get the subpœna that was left at your house?—For the Commission?

9439. Yes?—I never saw it yet.

9440. You never saw it yet?—Never did. I thought to be home by the two o'clock train yesterday and report myself to the Court.

Mr. Thomas B. Hignell.

Mr. *Thomas B. Hignell* re-examined.

9441. The *Chief Commissioner*.—Did you write the direction—Mr. Kavanagh's name and address—for the two M'Mullens?—No, sir.

9442. You swear you did not?—I do, positively.

9443. Most positively?—I do.

9444. You heard Mr. Stokes's recollection on the subject?—I did.

9445. Were you in the office when the two men were there?—Never. I never saw the men in Sligo in my life.

9446. Never saw the M'Mullens?—Never.

Mr. *Robert Stokes* re-examined.

Mr. Robert Stokes.

9447. The *Chief Commissioner.*—Was Mr. Hignell present on any occasion when you and the M'Mullens were together?—The only chance was the time that I tell you. They went next day.

9448. I know they did. Did Mr. Hignell in your presence see the two M'Mullens?—Well, there was very little space between us.

9449. Was there as much as there is between you and me?—There was not.

9450. Where was it?—I think it was in my shop—between the shop and the little room off it.

9451. How long had Hignell been in your house before the M'Mullens came?—I could not exactly say—half an hour, or ten or fifteen minutes or an hour, something that way.

9452. Did you speak to Mr. Hignell about the M'Mullens?—I am not positive about that; it is possible I did.

9453. What leads your recollection now to the statement that Mr. Hignell, as you believe, wrote the address?—The only statement is, that I don't recollect of any other person being by, and I never wrote the letter myself.

9454. Was it a letter or a mere address?—I don't know what. I did no such thing; although M'Mullen swore he got it, I did no such thing in the world.

9455. Was it on an envelope it was written?—I don't know.

9456. Have you now present to your mind a recollection that you saw Mr. Hignell write it?—I have not.

9457. You have not?—Oh, I have not—no.

9458. Did Mr. Hignell speak to the M'Mullens in your presence?—I could not say that, indeed.

9459. How long were the four of you—the two M'Mullens and Hignell and you—in the same room, or in the same passage?—Oh, perhaps between a quarter and half an hour; I could not say exactly. It was not long.

9460. Mr. *Commissioner Bruce.*—Mr. Stokes, had you any conversation with Mr. Waugh or Mr. Doherty about the M'Mullens?—No.

9461. Is there anybody connected with the *Irish Times* office that you are aware of, in Sligo, except Mr. Waugh and Mr. Doherty, besides Mr. Hignell?—There is not, that I am aware of.

9462. I heard that Mr. Gilmore's young man, Mr. Malley, was the reporter and private correspondent?—Oh no, it is the *Daily Express* he is connected with. I don't know of anyone.

9463. Are you quite sure, now, that neither Mr. Waugh nor Mr. Doherty spoke to you about the M'Mullens?—Quite positive.

9464. Are you sure that any address was written at all?—I am not. All I am sure of is, that I never handed the paper that M'Mullen swore to.

Mr. *Hignell* re-examined.

Mr. Hignell.

9465. The *Chief Commissioner.*—Mr. Hignell, did you ever mention Kavanagh's name in Sligo?—Never; never mentioned it nor——

9466. Then you did not know where the men were to be sent to, Mr. Hignell, did you?—No, sir; I never knew they were to go. I never saw the men nor heard of them before the election in Sligo. I never saw them in Mr. Stokes's house; that I swear most positively. He never spoke to me about those men, and I know nothing about them.

9467. Mr. *Commissioner Bruce.*—Had you ever spoken to Major Knox of Kavanagh as having a house where electors would be received?—No.

9468. Did you ever speak to Major Knox about Kavanagh at all?—No.

9469. Or to Captain Knox?—Or to Captain Knox.

9470. The *Chief Commissioner.*—You see the result is that we now don't know who wrote the address?—I think you could know, sir. I swear positively. He does not swear it, nor does not recollect these things. You know he does not recollect ever seeing a letter or paper.

9471. We are now trying to find out the truth?—I know that.

9472. You see, Mr. Hignell, Mr. Stokes says he did not know Kavanagh?—I don't know whether he did or not.

9473. And where could the M'Mullens have got Kavanagh's address?—I don't know.

9474. I am now trying to find that out?—Yes.

9475. You say now that you did not write it, and that you did not mention the name in Sligo?—Certainly not.

9476. There must now be some one else in it whom we have not discovered, and whom we shall subpœna if we do discover.

9477. Mr. *Commissioner Byrne.*—Have you any suspicion in your mind, Mr. Hignell, as to who gave that address?—I have not.

9478. The *Chief Commissioner.*—When you did not give it, and did not mention Kavanagh's name to Stokes, some one else on Major Knox's side must have given that address to Stokes to give to the M'Mullens?—I cannot say anything about that, nor I have no suspicion of anyone doing so.

9479. Is it not perfectly plain that some one else must have done so—you did not?—One would suppose that somebody must have done it.

9480. The M'Mullens could not have gone to Kavanagh by intuition?—No, I should say not.

9481. They did not know Kavanagh—did not hear of him at all; they were men in a different rank of life. Can you suggest to us, now that it is all over, the way you fancy they were enabled to use that address?—I cannot say.

9482. Who gave it?—I cannot say, indeed. I had no transactions of the sort with any man in Sligo, and therefore I had no suspicion of any man doing this.

9483. Oh, it was not a Sligo man that was doing it; the Sligo people did not know Kavanagh at all; it was a Dublin man that did it?—I could not say.

9484. Mr. *Commissioner Byrne.*—Is Captain Knox connected with the *Irish Times*?—Ethelred; yes, he was manager of the place for a long time.

9485. The *Chief Commissioner.*—And cashier?—Cashier.

9486. Mr. *Commissioner Bruce.*—Is he a Dublin man?—No, he has not, nor has not been for some time.

9487. Was he living in Dublin at the time of the election?—He was.

9488. Then he was down at the time of the election, of course?—He came down, I think, two or three days before it.

9489. Had he any knowledge of Kavanagh?—I don't think he had. I don't think he ever knew Mr. Kavanagh.

9490. Where is Captain Knox now?—I could not say.

9491. Of course you could not say exactly; but is he in Ireland?—I don't know; he might be at his own place, perhaps, near Ballina.

9492. Then he resides with Utred Knox?—No; Utred Knox resides in Ballina.

9493. In Ballina, too?—Somewhere near it. I saw Mr. Utred Knox yesterday, and I think he is here now, or will be here to-day.

9494. Do I understand you to say that you wrote out a brief?—Me, sir?

9495. Yes, the brief containing your evidence?—No, never.

9496. Well how was it taken down?—My evidence? There was no evidence.

9497. I mean the evidence you proposed to give?—Oh, I beg your pardon, it was Mr. Stokes.

SEVENTH DAY.

October 12.

Mr. Robert Stokes.

Mr. *Robert Stokes* re-examined.

9498. Mr. *Commissioner Bruce.* — Mr. Stokes, did you yourself write down what evidence you proposed to give at the petition?—I did.

9499. And sent it to Mr. Palmer?—Yes.

(The witness withdrew.)

Mr. Arthur W. Malley.

Mr. *Arthur W. Malley* sworn and examined.

9500. The *Chief Commissioner.*—What statement do you wish to make in reference to what Mr. Stokes said?—He was asked the question whether he knew anyone else connected with the *Irish Times*, and he said he heard that Mr. Malley, a young man connected with Mr. Gilmore's paper, used to report for it. I used to do so, but I had nothing whatever to do with the election.

9501. You are now sworn; can you give the Commissioners any information about these corrupt practices?—Not the slightest. Major Knox's word to me was, that if he did not carry his election pure, he would not carry it at all.

9502. I thought you had nothing to say to the election?—Except in casual conversation. I was up in Dublin often, and would go to see Major Knox to settle an account for correspondence, or something that way, and we might talk that way. He always said that if he did not carry his election by fair means, he would not resort to bribery. But I can give you something of the intimidation here, for I had to take notes of it.

9503. Give us any evidence you have on the subject?—Anything to exceed the violence of the mob on the polling day—and I am not very squeamish, for I have been at other places where elections were—anything to exceed the violence of the mob in Sligo I never saw. I had no vote; but being connected with a Conservative paper, I often had to get into a doorway meeting a mob; and I was nearly being mobbed myself on the day of the polling, although I had nothing whatever to do with the election, except in the way of my business.

9504. Do you know Captain Knox?—Except to settle an account with him I do not know him.

(The witness withdrew.)

Moses Monds.

Moses Monds sworn and examined.

9505. The *Chief Commissioner.*—Mr. Monds, your name has been mentioned by Mr. Lyons as having got money at Mr. Macdonogh's first election; how much money did you get?—I cannot state the exact amount.

9506. Did you get £200?—It was about £200.

9507. How long before the polling day did you get it?—I cannot tell.

9508. Was it before the polling day?—Oh, I am certain it was.

9509. To what electors did you give that money?—I gave £40 to James M'Kim; I allowed in a rent account £40 to Thomas M'Kim; and I gave James Wallace £40. I gave no other money to electors to my recollection.

9510. What did you do with the balance?—There was about £30 that I think I expended in travelling expenses.

9511. Travelling expenses of your own, do you mean?—No; sending for voters. You must recollect it is about ten years ago, and I dismissed the matter entirely from my mind; after two other elections since that I was very well out of it. I paid the amount of a decree—it was either £38, or £48, or £43, I cannot recollect which—to Mr. William Taylor, that he had against a man named Atkinson, whom I brought from Manchester to vote, and whom Mr. Taylor told me he would have arrested if the decree was not settled; and I promised to settle it, and did.

9512. Now what bargain did you make with the three men whom you have mentioned for their votes before the election?—I made no bargain whatever with the M'Kims.

9513. What influence had you over them?—Well, I was a personal friend of one of the M'Kims, and the other was a tenant of mine. I made no bargain either with James Wallace; but he did ask me in my own office whom I would recommend him to vote for, and I said to him, "I am voting for Macdonogh."

9514. When he said, "Whom do you recommend me to vote for," you understood the meaning of the word "recommend"?—I understood it in the ordinary sense; no other meaning.

9515. That is, in the ordinary sense it bears in Sligo?—No, the ordinary sense in the English language—for whom I would recommend him to vote.

9516. The word "recommend" had no reference then to any money dealings?—I cannot say that.

9517. That is what I ask you?—Ah, but I cannot look into his mind; I can only speak for myself.

9518. You did not intend to pay him anything?—I did if he voted for Macdonogh.

9519. And he perfectly well understood that from your manner?—How can I tell that?

9520. How much did you intend to give him?—Well, I had no exact sum in my mind. I just intended to give him according to circumstances. If there were a great many claims on me it would make the sums small; if there were a few claims on me it would make them large. All I wanted was to get rid of what I had possession of.

9521. Did you tell anyone you had got this money?—I did not.

9522. Did you pay any of those people until they had voted?—Certainly not.

9523. You paid them then on the polling day after they had voted?—Oh no, nor for months afterwards, I think it was. I cannot recollect. You know the thing is in fact nearly out of my memory. I am quite sure it was at least six months, or three months, or four months. I am sure I would not pay a penny until after the time for petitioning was past, in any case—that I am sure of.

9524. Are you too old a hand for that?—Well, I was concerned with a good many elections, but I never had a penny in my hand before or since.

9525. Now, which of the M'Kims was it that owed rent?—Thomas.

9526. Was it a year's rent?—Oh, I think he owed two, or two and a half year's rent. My recollection is that it was about £40.

9527. It was due to you?—To myself—yes.

9528. And this M'Kim, when he owed two and a half years' rent was not able to pay a farthing?—Well, indeed I think he was poor.

9529. He was not able to pay?—I will not go that length. He had an establishment and business.

9530. He owed two and a half years' rent?—I think it was about two a half years.

9531. You say that you paid two and a half years for him, paying your own rent to yourself?—No doubt of it; and he told me so at first.

9532. About the decree that Mr. Taylor had against Atkinson—was Taylor a friend of yours?—He was.

9533. An intimate friend?—Yes.

9534. And before you brought Atkinson over from Manchester, did Mr. Taylor tell you that if you did bring him over he would have him arrested?—He did not, nor I would not have brought him if I had known he had the decree.

9535. Mr. Taylor being a friend of yours, did you bring Atkinson over in order that Taylor might get his money out of Macdonogh's money?—No. I believe

the intention was to give Atkinson money himself; but this decree being in the way, it was thought that Taylor had a right to it.

9536. Then Taylor was the only man that got any benefit by the transaction?—The only man. I think Atkinson got something. I don't recollect clearly.

9537. Atkinson got something?—Yes, it is likely he did. I think the messenger that went for him got £10 or £20. He was his brother-in-law; I forget his name.

9538. That is, got £20 for bringing over the voter?—For his loss of time.

9539. Well, that's a delicate way of expressing it?—Well, I am expressing it properly.

9540. How long was he away?—I don't recollect.

9541. Then the £30 travelling expenses that you mentioned included Atkinson's travelling expenses?—Well, it did not.

9542. That is a large item for travelling expenses—I want to know what voters got it?—I think I did not say £30 for travelling expenses; I said for that and paying money to messengers, and things of that sort; there were a variety of small incidental expenses that I could not——

9543. But travelling expenses are very often a form of bribery, and that's the reason I ask you?—Well, I believe the law is more stringent now than before. At that time we did not think it was.

9544. What I mean by a form of bribery is giving an extraordinary sum to a man for his travelling expenses. I must therefore ask you to what voters did you pay money for travelling expenses, and how much?—I don't think I paid money to any voters. I don't think these men were voters at all.

9545. Were they going for voters?—Going for voters, and doing little things. I have not a single document in connexion with it. After that election was over I thought I was free of it, and I discharged everything from my recollection.

9546. According to the law, after the time for petitioning was over you thought you were free of it?—I thought I was.

9547. Did you get the receipts of all these men?—No, indeed, I never got a receipt from one.

9548. Now, did you look on this transaction at that time as bribery?—Well, I was not quite sure. I made no promise, you understand. I had the money, and I determined to give it to the men that voted right; but whether that's bribery or not I must leave the Court to determine.

9549. Were these men Conservatives or Liberals?—Oh, Conservatives. I never spoke to a Liberal for a vote, nor would offer him a shilling. Those men, I believe, at that election—every man on both sides—would have voted the same way if there was not a single shilling produced.

9550. That was the election at which Colonel Tennison withdrew?—The election at which Colonel Tennison withdrew.

9551. Did you hear any rumour going through the town that he withdrew because a number of his Liberal supporters demanded a large sum of money from him?—No, I heard a contrary rumour.

9552. What was it?—The rumour I heard was that he would not accede to Mr. Somers's demand. Mr. Somers wanted a sum of money, and he would not give it.

9553. How much did Mr. Somers want?—I heard he wanted £3,000, and that he was offered only £1,000.

9554. To withdraw, and give his interest in favour of Tennison?—Oh, of course; then the voters that supported Somers would vote for Tennison.

9555. Now, do you know anything about the corrupt practices that have been stated to have taken place since that election?—I do not. I determined that I never would have anything to say to an election afterwards, and I never had.

9556. Can you give us the names of any other electors who at that election were bribed in a similar way?—I could not; I just kept my mind to myself, and interfered with no other person.

9557. Mr. *Commissioner Bruce.*—Whom did you vote for at Armstrong's election?—For Macdonogh.

9558. Before that election did you canvass any of those that you have just now mentioned—the M'Kims or Wallace?—I don't think I did. I made up my mind that I would take no part in elections afterwards.

9559. Had Mr. Lyons before that told you that there was no money forthcoming on Macdonogh's side?—Well, I can't recollect that, except from having heard Mr. Lyons state it so. I have no recollection about the matter. I merely recollect accepting a bill and getting some money. I heard Mr. Lyons state it so, and I am sure he stated what was correct.

9560. I am now asking you in reference to Sergeant Armstrong's election. Before that election did Mr. Lyons say there was no money forthcoming from Mr. Macdonogh?—He did not; I heard nothing at all from him about it. I know nothing about it, nor about the last election.

9561. Had you no conversation about Sergeant Armstrong's election with Mr. Lyons or Mr. Stokes?—I had none that I recollect. I dare say I had hundreds of conversations in the ordinary way—words going into one ear and out at the other; and I did not fix any of them in my memory.

9562. It was a strong fact, you know, the first time when Mr. Macdonogh was elected, that money was being given for distribution amongst the voters. Well, now, did it not occur to you at Sergeant Armstrong's election to inquire whether there was any money similarly to be given?—If I had determined to have taken any part in the election it would have occurred to me, and if I had gone into it at all I would have gone into it pretty actively; but as I had made up my mind to have nothing more to say to elections, I did not trouble myself about it. It is ten years since I was concerned in Mr. Macdonogh's election. I voted in every election since the Reform Bill.

9563. But at the election of 1865 do you mean to say that you did not converse with any voters as to whether money was going or not?—I did not say that I did not converse with any voters.

9564. Well, do you remember any conversations?—But I am quite certain I did not speak about money to any man; that I am quite certain of; I determined that I would not.

9565. Did Mr. Macdonogh canvass you?—I don't know whether he canvassed me or not. It was not necessary. He knew right well I would vote for him. There was no doubt about my vote. I always voted the one way.

9566. Mr. *Commissioner Bruce.*—I think Mr. Lyons said that you spoke to him first about the raising of this money?—I heard so.

9567. Do you recollect whether that is so?—I do not; I think it is unlikely, but I would not contradict him. The reason I think it unlikely is this, that I had no communication with Mr. Macdonogh about money, and I don't think it likely that I would propose drawiug bills; but as Mr. Lyons has said it I assume it is true.

9568. Assuming that to be true, do you recollect the state of Mr. Macdonogh's prospects at that time?—Oh, I think if there had not been a single shilling at all Mr. Macdonogh was certain of being returned. He had a clear majority on the poll-books.

9569. Why, then, was the money spent? Surely there must have been some apprehension?—Well, I gave you all the explanation I can give you about my part of it. I got a certain sum of money and I disposed of it.

9570. But you have no recollection as to that?—I have not, indeed. You know that this is about ten years ago, and there are matters that people like to get out of their minds as quickly as they can.

9571. Sometimes they stick there?—They do in spite of them.

9572. But you got no more than £200, you are positive about that?—I am not positive. I saw Mr.

SEVENTH DAY. October 12.

Moses Monds.

Lyons's evidence. He said £180 or £200, and he went up as far as £250 afterwards. Really I cannot tell what I got.

9573. I think you have accounted for more?—It would not be surprising if I spent hundreds of my own at elections.

9574. The *Chief Commissioner.*—Hundreds in parliamentary elections?—In matters connected with the elections.

9575. Mr. *Commissioner Bruce.*—Was any money spent in Mr. Wynne's election?—Not a shilling was spent in Mr. Wynne's election on either side. I know it. I was on his committee. There was not a penny spent.

9576. Can you account at all for this sudden corruption that appears to have sprung up, if Mr. Wynne's election was so pure?—I cannot give any explanation of it. I think there was this feeling abroad. The Conservatives had supported Mr. Somers through a great many elections, and they never got a penny for supporting him I need not tell you. Then they supported Mr. Wynne purely as a matter of principle. I induced him to come forward, and proposed him at a private meeting. So far from getting anything for that they lost heavily, for they had to raise a subscription among themselves to pay the expenses of Mr. Wynne's election. He did not wish to come forward. There was then, I think, a general feeling amongst the leading Conservatives that if there was really a rich candidate in the field on their side, those poor fellows that had always stuck to their colours should get something if it was possible.

9577. Could you tell us anything more about those sums that were subscribed to assist Mr. Wynne?—I could not, we all subscribed as far as we were able to pay Mr. Wynne's expenses—his legal expenses.

9578. What amount was subscribed?—I think there was £200 subscribed at the last, and we subscribed about £200 before that to prosecute the petition against Sadlier. I was the person who went to prosecute it, and I lost about £100 of my own. I proved three undoubted cases of bribery, yet the House of Commons, that is now so pure, passed it over as of no consequence, and would not even print the evidence, though a special report was made by the committee that three cases of bribery had been proved, but not agency.

9579. The *Chief Commissioner.*—Is that what you referred to when you said you spent hundreds of your own?—It was.

9580. You did not mean that you spent it on voters?—Oh, no; I never gave a voter a penny before nor since, I assure you, nor never will again.

9581. Mr. *Commissioner Bruce.*—Before Mr. Macdonogh's first election had you any conversation with Mr. Lyons to the effect that poor voters on your side should get some money?—Oh, I had not to my recollection. I think it was exceedingly probable that the matter was talked over, but I have not the slightest recollection of it. I have told you everything I know.

9582. But there was that feeling at the time Mr. Macdonogh came into the field?—I think there was. It was my own feeling, I know decidedly. Whether others felt it I cannot tell, but I thought that those people deserved something.

9583. You heard the same feeling expressed by other Conservatives?—Well, I cannot recall to my recollection. I am just telling you as I think myself.

9584. Was that feeling communicated to Mr. Macdonogh to your knowledge?—Not by me, nor never to my knowledge. Mr. Macdonogh was determined to be exceedingly pure.

(The witness withdrew.)

Hugh Conellan sworn and examined.

Hugh Conellan.

9585. The *Chief Commissioner.*—You are an elector?—Oh, yes, for many years.

9586. On what side have you been?—Always the Liberal. Before you proceed further about my examination, be so kind as to allow me to refer to a matter respecting which I, on Thursday morning last, claimed to be examined.

9587. Certainly?—Michael Hunt, if I have been correctly informed, stated to you that he heard and believed that I received money for my vote at Sergeant Armstrong's election. I beg to say that I never directly or indirectly received a penny, or any consideration whatsoever for my vote. I have always taken a lively interest in the Liberal cause, having always conscientiously professed it.

9588. Did you know anything at Sergeant Armstrong's election about the distribution of this money?—No, not until after the election that I heard; the electors spoke to me about it. I must say, if you will allow me to explain, that I had no idea of Sergeant Armstrong's return until the day of nomination. In point of fact, I had thought the chances were dead against him, but the magnificent speech he made on that occasion, his frankness and candour, and his exposition of Macdonogh's political inconsistency created such an enthusiastic feeling in his favour, that from that moment we almost looked on his election as certain. And there was another matter amongst my co-religionists, freely spoken of through the town, that tended strongly to injure Mr. Macdonogh's prospects, as far as the Conservatives were concerned, and that was the alteration of Mr. Macdonogh's religious belief.

9589. I am asking you about corrupt practices at elections, and you had better answer questions. I cannot allow further statements. Do you know anything about the distribution of money after Sergeant Armstrong's election?—I only heard of it.

9590. Did you take any part in it yourself?—I did not.

9591. Did people apply to you to get paid?—I was one evening coming up opposite to the post office when a mail guard named Dugdale spoke to me in the street, and said, "When are we going to get settled," or "arranged with?" Of course, I believed at once he alluded to the election, and I told him I had nothing at all to do with such matters. On another occasion I was passing on the old bridge——

9592. Mention the names of how many voters applied to you about money after the election?—They only asked me for information evidently about it. There were three altogether—there may have been more, but I only recollect three that alluded to money matters—Dugdale was one. On another occasion I was passing over the old bridge, and an elector named Stephen Hughes said he had heard that Michael Gethin, solicitor, since dead, had been appointed to arrange matters and deal with such electors. I said I had nothing to do with such matters, and made use of the remark at the time that it was no wonder for the country to be unfortunate when such matters were sought for. The third was one Doran, whose name I have mentioned to you. In my shop he said to me that he and eleven others had offered to leave town for Mr. Macdonogh for £40 a man, but that Mr. Harloe Phibbs and Mr. Sedley advised Mr. Macdonogh not to trust them, and that they would not go without the money, and that of course the matter then dropped.

9593. Whom were they offered the money by?—He did not say. He said they offered to leave town. He did not name any of Mr. Macdonogh's friends as having offered it; but I understood him to convey that they made the representation to Mr. Macdonogh's friends, and that Mr. Sedley and Mr. Harloe Phibbs advised Mr. Macdonogh not to trust them.

9594. Now do you know anything about money being paid at any of the last three elections?—Only from hearsay; and with your permission I will come to Sergeant Armstrong's election.

9595. I cannot allow you to be making speeches at all. What information can you give even by hearsay about money paid at the last three elections?—Oh, I heard there was a great murmuring through the town after a lapse of some months; that parties were expecting money for their votes, and that some of them alleged they had suffered very much.

9596. Which election was that?—Sergeant Armstrong's.

9597. Is that all you heard about that election?—That's all I can at present charge my memory with.

9598. Do you know anything about the mobs in town at the last election?—Yes; I was very much through the streets; and I don't think I went to bed either the night before Sergeant Armstrong's return, or that before the polling at Captain Flanagan's election. I was through the streets with some friends looking about to see that our opponents were not interfering with parties we might have a doubt about. Of course wherever we went we endeavoured to keep peace and order, but at the last election every friend and lover of order must condemn the violence that was resorted to on the night of the day of the election. But there were two circumstances to which I would call your attention ——

9599. Now I ask you, first of all, do you know anything about the mob?—Yes, I endeavoured to save Larry Burke's premises.

9600. That was after the election?—The night of the day of the election.

9601. I want to know were they strange people?—On the day of Captain Flanagan's election there were strangers in town.

9602. On his side?—Yes, I saw a number of men come into town carrying green boughs. I did not know them. I did not see sticks or other sort of injurious weapons.

9603. Where were these men fed and supported during the election?—I do not know. I heard some of them were completely starved. They were the whole day without getting a morsel of food.

9604. They were not in town the whole day without getting bit or sup?—Of course some of them may have got some nourishment.

9605. Can you give any information as to where these men were fed and supported?—I cannot; only they may have frequented the houses of those that supported Flanagan, for all I know. I don't know by what means they got support.

9606. Did you see them in the public-houses?—No, I did not go into the public-houses.

9607. Did you see a crowd in the public-houses of these country fellows?—I saw a crowd round several of the houses.

9608. Apparently getting drink there?—Oh, I could not know what was going on inside.

9609. Whose houses did you see those country fellows round?—I saw a number of fellows at the corner of Knox-street, near Tom Ward's. I don't think I was up Pound-street side that day to my recollection. I should say there must have been some of them up there, for it is a favourite side with that class of people.

9610. I only want the names of the public-houses you saw them about?—I cannot charge my memory with having seen them about any other houses on that day. It is a prominent corner of Knox-street.

9611. He is a supporter of Captain Flanagan?—He was. He always supported the Liberal side.

9612. Do you know anything about any orders being given for refreshments to those country people?—I never heard of them at that election. I heard of orders at Townley's election, but not at Captain Flanagan's.

9613. You know very well the meaning of the phrase "orders?"—I do; to give so much refreshment, or something like that.

9614. "Give bearer £2 worth;" and the publican gives that in drink to the person?—Oh I understand well what you mean.

9615. And at Townley's election there were orders going?—I believe there were.

9616. To about what amount?—I heard the mob cost Townley £1,400. I don't know if it be true.

9617. From your experience of the election how many were in the mob on Captain Flanagan's side?—Oh, the mob were scattered through the town.

9618. I know they were?—I dare say on the day of the election several hundred people. They came from all the rural districts about, and I was going to give an explanation of that when you interrupted me.

9619. Well, go on then—give the explanation?—Of two causes which, I believe, very much added to the excitement.

9620. I do not mean the causes that led to the excitement,—I do not mean the political causes?—I don't mean the political causes.

9621. Were they local causes?—I mean acts of violence by the opposing party.

9622. Well, you may go into that if you like?—About three weeks or so previous to the election on a Saturday evening a man named Leonard, whose name has already figured before you—I think he is on Major Knox's list as a manager—with three or four others came down Market-street shouting out, "Knox for ever." I was about the counter in my shop; and in a few minutes afterwards I heard women roar out—"Oh, they have a bar of iron and they will murder some person." I went down about the street opposite to the *Independent* office, and immediately there was a row. The butchers are generally a very patriotic class of men.

9623. Yes, on the right side?—Their anger I daresay, was excited by the demeanour of the other men. So the police came and got the parties separated. They went up the street shouting, "Knox for ever," and immediately there I saw the Rev. Father Morris who had previously heard of the circumstance. I gave him a description of the men, for at the time I did not know Leonard by name. He followed them up the street, and immediately afterwards it was rumoured that one of them had attempted to strike him; and that in my opinion caused a very angry feeling in the town and the rural districts, that Knox's men were going to strike a Roman Catholic clergyman.

9624. A priest, of course?—Yes. Well, on the morning of the polling some of Captain Knox's friends and some of our gentry about here brought in a hundred or more, I should say, of the sons of Conservative farmers; and it went through the town that a number of country Orangemen had come in with a determination—to use plain words—to slate the town fellows; and before the place opened a lot of these were brought across the street from the house opposite to the door leading into Mrs. Hall's, evidently wanting to get into the Court-house. A row then commenced immediately before the Court-house opened to receive votes; and the upshot was, that the men from the rural districts were defeated and had to retreat.

9625. And then reinforcements came in?—Then during the day; and when Larry Burke's house was attacked I lived nearly opposite.

9626. You mean on the night of the polling day?—On that night. I think it right to explain the matter, for I believe every well-wisher of Captain Flanagan was pained at those acts of violence.

9627. Mr. *Commissioner Bruce.*—State the facts as shortly as you can?—I was in my father-in-law's house, when I heard the crash of glass. He got to the door before I did and looked out. The night was very dark; and the moment he did so two stones were flung at us. Of course we had to retire. I again went out the same night and heard the breaking of panes, but it was so dark that I could not see anyone. They broke the panes again. We did everything we possibly could to dissuade the people from violence. There is another matter that I wish to refer to—I feel bound to do it.

9628. Never mind what you feel?—It strikes at the very root of the corruption.

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Hugh Conellan.

9629. The *Chief Commissioner.*—We don't want your belief about the corruption.

9630. Mr. *Commissioner Bruce.*—Can you tell us any fact?—I heard that Major Knox's friends, or some parties on his behalf, lent money to electors months before the election. I heard of one instance of an account of £30.

9631. The *Chief Commissioner.*—Who did you hear lent money?—I heard that an account owed by a man named Andrew O'Beirne, of Market-street, to Dowd, Crowe, and Wilson of Dublin, was settled by Major Knox or his friends. There was a rumour several months before the election; and this was one of the men that voted for the Major.

9632. Had he belonged to the Liberal party before, or to the Conservative?—I am not sure how he voted on former occasions. I know he is a Roman Catholic.

9633. Mr. *Commissioner Bruce.*—Have you heard of many voters being intimidated on account of the violence at the last election?—I heard some express themselves as being frightened and intimidated.

9634. Do you believe them?—I do.

9635. Do you believe that the mob violence was for the purpose of intimidation?—No; when I say that, I don't believe there was an organized system of mob violence, but that it was just all done in the heat of excitement.

9636. But do you believe it was for the purpose of intimidating voters?—The chief excitement was after—the chief violence, rather, was after the poll.

9637. But there was intimidation before that; people were intimidated by acts and threats?—I am not aware of the threats.

9638. I mean, they have been sworn to?—Oh, well, I am not aware of them.

9639. Mr. *Commissioner Byrne.*—Do you believe the mob violence prevented electors from voting?—I think every elector could have voted, for there was plenty of military in town to bring them up. The town was full of military; but, of course, the chief efforts of the populace were directed against their co-religionists, who, they thought, were going against principle.

9640. Did you hear of any elector who was prevented from voting in consequence of the mob violence?—I heard of Mark Antony Macdonogh having refused to vote after he heard of Captain King's death.

9641. Did you hear of anyone else?—I heard here in court about Edward Gethin.

9642. Any other?—Yes, I think I heard of John M'Guirk.

9643. Any other besides him?—Not that I can recollect.

9644. These three, at all events, you heard, were prevented from voting by the violence?—No; but I heard they were afraid to come up.

(The witness withdrew.)

Thomas Ward sworn and examined.

Thomas Ward.

9645. The *Chief Commissioner.*—What are you?—A publican and grocer.

9646. You are an elector?—I am.

9647. You voted for Captain Flanagan at the last election?—I did.

9648. During the election were there any people getting refreshments in your house, as is usual at election times?—Nothing unless what they paid for.

9649. I am sure you were paid for?—That is, people came in and got it the same as at any other ordinary time.

9650. Did you see strangers in town forming part of the mob?—Well, I saw the whole people—the whole gathering.

9651. I mean country people?—I did.

9652. A great many country people?—I did.

9653. Some of them had green boughs?—Well, I did not take notice; they might have.

9654. And some of them had sticks?—There might be some sticks with the countrymen coming to town.

9655. Do you think that the countrymen coming into town on the polling day might have sticks?—A countryman at all times coming into town mostly has a stick.

9656. A blackthorn?—Well, any sort of a one.

9657. On the polling day, on the day before the polling day, I suppose, a good deal of custom was going in your house?—Well, there was—people coming in and out drinking.

9658. About how much did you get on the polling day?—Really I could not say.

9659. Did you get £20?—I did not, nor £10.

9660. Did any person give you any orders to give drink?—No; I got no orders nor money for drink.

9661. You tell me that truly?—I do.

9662. That you got no orders nor money?—I got no orders.

9663. Do you know of any orders or money going?—No.

9664. Did you give any drink for nothing that day?—Well, I might have treated some of my acquaintances.

9665. I don't mind that—to any respectable man?—No, sir; I gave no drink.

9666. I mean to any country person that came in?—No; no more than that if a countryman that I might be acquainted with came in, I might give him a glass.

9667. Did you give much that way during the polling day?—Well, I don't think I did; I did not give 10*s.* worth of drink.

9668. Did you ever hear of any orders going at former elections—you have been a long while in the town?—I am—I did hear of orders.

9669. At whose election?—I heard of orders at Mr. Townley's election.

9670. Did you get a share of them yourself?—I did.

9671. How much?—I think I got something about £30 worth.

9672. Now, from that time out, did you get no more orders?—No.

9673. Is the word "orders" well understood at times of election—you know well what I mean?—Oh no; the word "orders" does not—unless there comes an order from some person to supply—a written order—unless that a gentleman sends an order to give so much on it.

9674. And did you get no orders since Townley's election?—I did not.

9675. Did you get any orders at Sadlier's election?—No.

9676. On which side were you then?—I was on Sadlier's.

9677. Now, do you know anything about money going after Sergeant Armstrong's election?—I know nothing about the money, but that I was told that there was £20 sent to me. I was in prison at the time, and I was told that there was a present of £20 sent to me.

9678. Did your wife get that?—Well, I believe she did.

9679. Did you get any money at any previous election?—No.

9680. Except the £30 you have mentioned?—And £10 I got at Sadlier's election afterwards.

9681. Ten pounds?—Yes, some time afterwards; some months, I think—some time afterwards.

9682. Was the £30, and the £10, and the £20 all you got in reference to any election?—That's to the best of my knowledge.

9683. To the best of your knowledge, did you ever get any money for voting for Mr. Somers?—No.

9684. Mr. *Commissioner Byrne.*—Was the £10 you got after Sadlier's election promised to you before the election?—No; no money was promised.

Thomas Ward.

9685. Was the money you got at Townley's election promised to you before the election?—I did not vote for Townley at the time.

9686. Did you vote?—Not at that time.

9687. You were not a voter at the time of Townley's elections?—Not at his first election.

9688. On the polling day of the last election did you see any of the crowd gathering round any of the bakers' shops?—I did not.

9689. As if wanting to get refreshments?—I did not.

9690. Or round any of the shops?—I heard them shouting through the streets back and forward in all quarters, but I did not see them gathering round any particular shop.

9691. Did any of the mob appear to be country people?—Well, there was a fair share of them.

9692. Are you not aware of some of these country people having got refreshments in the town, at some of the places of refreshment here?—No, not that I could swear; I saw none of them getting it.

9693. Not that you could swear; but did you hear of their getting refreshments at any of those places?—No.

9694. Mr. *Commissioner Bruce.*—Did you expect to get any money for voting for Captain Townley?—I did not; nor was not promised any, nor did not ask any.

9695. I dare say you got some after Armstrong's election?—I did.

9696. Were you promised any then?—No.

9697. Did you ask for any then?—No.

9698. You did not expect any for voting for Captain Flanagan?—I did not.

9699. Mr. *Commissioner Byrne.*—Are you aware that about the time of Sergeant Armstrong's election the Catholic clergy had set their faces against giving money to voters?—I cannot say. The Catholic clergy, I believe, did not wish to encourage any money in any way.

(The witness withdrew.)

John Creighton sworn and examined.

John Creighton.

9700. The *Chief Commissioner.*—I believe you are not on the list?—I believe not.

9701. Did you ever get any money in order not to register your vote?—I did.

9702. How much?—Fifteen pounds.

9703. Who paid it to you?—Mr. William Ormsby.

9704. What bargain was made before you managed not to be put on the list?—There was no bargain.

9705. Did you want to be on the list?—I did not. There was no bargain with him. There were only a few words between him and me.

9706. What were the words?—He called me across or at least sent Michael Doherty. I live opposite to the hotel. He was standing at the hotel door and beckoned me across. I went into the coffee-room, and he pointed to three notes on the table. "I won't tell you," he said, "what that's for." That's all.

9707. Did you know what it was for?—Well, indeed I did.

9708. How did you know what it was for?—From the message I received.

9709. What was the message from Doherty?—That Mr. Ormsby wanted me.

9710. Wanted you about what?—About not getting on the registry.

9711. Did Doherty tell you nothing about some money being given to you if you would not go on the registry?—I don't think he did.

9712. What did he tell you?—He told me Mr. Ormsby wanted me.

9713. From all that was going on you knew what it was for?—Yes.

9714. Had you signed a notice of claim?—No.

9715. Were you going to be registered on the Liberal side?—I think so.

9716. And would you have voted for the Liberal candidate?—I don't know that I would vote at all.

9717. Had you ever a vote in the borough?—Never.

9718. Mr. *Commissioner Bruce.*—Had you anything to do with mobs. No, nothing whatever.

9719. Did you ever get a shilling at all except that £15?—Never a shilling.

(The witness withdrew.)

Michael Gillan, sworn and examined.

Michael Gillan.

9720. The *Chief Commissioner.*—How long have you been an elector?—Well I voted in 1837, and I always supported the Liberal cause.

9721. From first to last?—From first to last.

9722. Did you vote at Sergeant Armstrong's election?—I did.

9723. Did you get any money after that?—Well, some time afterwards Mr. Phillips sent for me and I took what he gave me.

9724. Twenty pounds you got?—£20.

9725. Now, had Mr. Phillips canvassed you before that?—No, Sergeant Armstrong canvassed me himself. I would have voted for him if I never got a penny.

9726. Did you ever get money after any other election?—No. I supported Captain Flanagan at the last one.

9727. You have voted since 1837?—I did.

9728. You remember a great many elections?—I do. I was some time that I had not a vote on account of a change of houses.

9729. Did you vote for Sadlier?—I did.

9730. You heard Ward say he got £10 after that?—Yes.

9731. Did you get anything after that?—Yes.

9732. How much?—I got £10. That's all the money ever I got at an election.

9733. In Townley's time whom did you vote for?—I voted for Townley, but I got no money.

9734. And you voted for Somers?—I voted against him.

9735. Were you one of the thirty or forty Liberals that voted against him the last time?—Yes.

9736. Why did you do that?—We voted for Townley.

9737. For Wynne?—For Townley against Somers, and we voted for Sadlier against Somers. That's what I allude to.

9738. I come down to more recent times when the Right Hon. John Wynne was contesting the borough with Somers; whom did you vote for at this second election?—I voted for Wynne at one time just merely to get rid of Somers. That was the object of it.

9739. What was the object of getting rid of Somers?—Oh, he was dividing the parties here and creating bad feeling amongst the people. Indeed I might say that to him should be traced all the misfortunes of the borough.

9740. Do you mean in the way of corruption?—Well, I do.

9741. How do you explain that?—Well, every candidate coming in had to make fresh grants to fresh people.

9742. That is, to buy the people?—Well, I could not go that length myself from my knowledge. I did not take part in the matter.

9743. But when you say to break fresh ground?—When I say so I only infer.

9744. That's your opinion?—That's only my own private opinion.

9745. You have heard about the evidence about the distribution of money after Macdonogh's first

SEVENTH DAY. October 12.

Michael Gillan.

election and after Sergeant Armstrong's election; you shared in that yourself?—Yes.

9746. I want to know what you allude to by saying that Somers was the cause of corruption by breaking fresh ground?—Because if two candidates came here surely he was a third one, and he would divide the parties and throw division into the matter, and lead people into squabbles and things that would be foreign to the borough otherwise. That's the object I have in telling you.

9747. Do you know anything about orders going?—Oh no, I know nothing at all about them. I never minded them. I used to be always in the shop and never left it.

9748. Minding your own business?—Yes; I did not pay any attention.

9749. At the last election you voted for Captain Flanagan?—I voted for Captain Flanagan.

9750. When you voted for him, did you expect that you would get anything?—No; I never got a penny.

9751. Did you expect that any money would be going?—Oh no, no; I did not think there would be; but if there was, and if I got it, I would take it, and if not I would do without it. That's the way.

9752. Why should a respectable man like you take money after an election?—Well, I am not able to form an opinion of that, I only just merely speak for myself. I would say this much, that if people get it, they take it, and if not, they do without it. That's my own impression.

9753. And do you think it no harm to take money after an election, for having voted?—Well, sir, I don't know. I could not give an opinion. It may be wrong, or it may be right. I do not know.

9754. But at all events you did it before, and you would do it again?—Well, I don't know. If I got it well and good, and if not I would do without it.

9755. Mr. *Commissioner Byrne.*—You said that the new candidates having to pay the same party for themselves, led to corruption?—Oh no; I don't mean in the way of corruption. I do not know what may be between the candidates and the electors. I cannot say. That's a general question I am not able to answer; but I should think it—only my own opinion.

9756. Your opinion is that that led to corruption?—Well, I would not go that length. A great many people could not be corrupted.

9757. Well, I mean, led to people expecting money?—Well, we all know there are people expecting money, and that would take it if they got it, and if they did not get it, they would do without it. I will not speak of others. I do not know.

9758. But the new candidate coming into the field, led to the expectation of money?—Well, I should think that should be the feeling.

9759. Now tell me—you took money after Sadlier's election?—I was sent for.

9760. You were sent for?—I was sent for.

9761. Was any promise made to you before?—Certainly not.

9762. Nothing of the sort?—No.

9763. But you were not surprised when it was sent?—Well, I was not. I was tendered the money, and I took it. If I did not get it I would do without it.

9764. Just so; but you were not at all surprised at its being sent to you?—Well, no; I don't know now, it is such a long time ago.

9765. Now let us come to Sergeant Armstrong's election?—Yes.

9766. After that election you took money?—Yes, sir; I think it was eight or nine months after, as well as I can recollect. I was sent for, and I just took it.—I was offered it.

9767. Had not there been rather a murmuring amongst some classes?—Oh there is always that.

9768. That money was not forthcoming?—There is always, generally speaking, that after the excitement of an election. You know there is, generally speaking, an expectation amongst people. I don't know.

9769. Now, was not there a general expectation among people that money would be coming from Sergeant Armstrong before it actually was sent?—Well, I could not tell you. I don't know.

9770. Had not you yourself an expectation that some money would come?—Well, I had and I had not. Perhaps I thought that they would get nothing.

9771. You were not quite sure?—No.

9772. Was not there an expectation—a vague expectation that some money would come?—Well, there may have been a feeling to that effect, but I don't know whether it was general or not. I did not mix much in those matters.

9773. Mr. *Commissioner Bruce.*—If Sergeant Armstrong had sent no money, do you think he would have shown his face in the borough again?—Well, I do believe he would be supported against Macdonogh.

9774. Oh, against Macdonogh?—I do believe he would.

9775. But as against another candidate?—I do believe if any other man was to come in against Macdonogh, I do believe——

9776. I am not asking you that question. I want to know this: do you think if Sergeant Armstrong had not sent that £1,500, or whatever it was,——?—I don't know what he sent.

9777. I want you to tell me, if he had not sent that money would he have been supported if he had come down again?—I would vote for him for one. I only answer for myself. I will vote for him to-morrow again if he comes down.

(The witness withdrew.)

James M'Mullen.

James M'Mullen recalled.

9778. The *Chief Commissioner.*—You are already sworn; do you remember the night you were in Mr. Stokes's?—I do.

9779. And when you got that direction where to go to in Dublin?—There was only an agreement there.

9780. Do you remember where you got Mr. Kavanagh's name of Dominick-street?—I do. My wife got it and brought it down to me. I was outside of the house at that time.

9781. Do you know Mr. Hignell?—I do.

9782. Did you see Mr. Hignell in Sligo before you left for Dublin?—Not to my knowledge.

9783. Just try and recollect whether you did or not?—Not to my knowledge, because I never spoke to him until I spoke to him in Dublin.

9784. How did you know Hignell—was it that you were to go to him in Dublin to get the £2?—Thomas Brennan told me.

9785. When you were in Stokes's office that night?—It was in the back parlour.

9786. Was anyone present but Stokes?—There was another man.

9787. Who was the other man?—I don't know. He was a stranger to me.

9788. You now know Mr. Hignell?—Yes; I would know him if I saw him.

9789. Was that other man Mr. Hignell?—Well, I cannot tell.

9790. You do not remember Mr. Hignell very well?—No, I do not.

9791. Was he an old man or a young man—the man you saw with Stokes?—Well he was not a young man.

9792. A middle-aged man?—A middle-aged man.

9793. Was he a gentleman?—He was.

9794. And he was not any gentleman that you had known before?—I don't know. I never saw that gentleman before.

9795. You are positive it was your wife that brought you the direction where you were to go in Dublin?—Yes, I was outside of Mr. Stokes's, and she brought me

the letter. Said I, "You may keep that until we go down to the house." So we went down to the house and she gave me the note. I could not say whether it was sealed or not; but she gave me the note, and she gave my father one pound and gave me the other.

9796. Was it a letter?—It was a letter. There was a note inside.

9797. That's what I mean; and what did you finally do with that document?—I kept it until I went to Mr. Kavanagh's. I gave it to Mr. Kavanagh and he opened it.

9798. Did he read it?—He did, but not openly. He read it to himself.

9799. Were you present when he opened it and read it?—I was.

9800. Had you any idea whom it was from?—The letter?

9801. Yes?—Yes.

9802. Who?—From Mr. Stokes—so my wife told me.

9803. What did your wife tell you about how she got it from Mr. Stokes?—Well, you know there was an agreement with Mr. Stokes before I came away that I was to send her up again. So I sent her, and he told me the letter would be for me in the morning.

9804. And you sent your wife up?—Yes.

9805. At what hour did you send her up?—About eight o'clock.

9806. How long was your wife away getting the message?—About a little better than ten minutes. You know I was with her.

9807. You waited outside?—I waited outside.

9808. And she went in?—Yes.

9809. Did you on that occasion see the strange gentleman whom you saw before?—No, I did not see him, because I was not in at the time.

9810. When Mr. Kavanagh read the letter did he keep it?—He did.

9811. And have you ever seen it since?—No, never saw the letter since.

9812. Mr. *Commissioner Byrne.*—Do you know Captain Ethelred Knox?—No, sir, I do not.

9813. Do you know Mr. Waugh by sight?—Not by name. I might know him.

9814. What sort of man was it that was in Stokes's back parlour—was he tall or short—He was not a very tall man. He was a stoutish man, of a middling pale face.

9815. What aged man would you take him to be?—Well, I would take him to be a little better than forty, from his appearance, to the best of my knowledge.

9816. Did you ever see him before?—Not to my knowledge.

9817. Did you ever see him since?—No, not to my knowledge.

9818. Was your father with you when you were in the back parlour of Stokes's house?—I was in first, and then in about two or three minutes afterwards he came in.

(Mr. *Hignell* was here called to the table.)

9819. Witness, do you know this gentleman?—(After hesitation.)—Oh yes, this is Mr. Hignell. This is the gentleman that lent me the two pounds.

9820. Was he the gentleman you saw in the back parlour that evening?—Well, I could not swear that.

9821. Could you swear whether he was or not?—Well, I don't know indeed. I cannot swear whether this was the man that was in with Mr. Stokes at the time the bargain was made or not.

(The witness withdrew.)

Peter Talant sworn and examined.

Peter Talant.

9822. The *Chief Commissioner.*—You are an elector of the borough?—I am.

9823. How long?—I suppose fourteen or fifteen years.

9824. Did you vote at Sergeant Armstrong's election?—I did.

9825. Did you vote for Sergeant Armstrong?—I did.

9826. After the election did you receive any money?—I did.

9827. How much?—Fifteen pounds. I did not receive the fifteen pounds, but I received it as an instalment of rent due to the agent that was then acting for the property that I lived upon.

9828. Just explain what you mean by "instalment" of rent?—Half a year's rent—I think it was four pounds. I am not sure if the poor rates were out of it, or anything else; but I received the balance of it.

9829. How much did you receive?—I received, I believe, four pounds. I don't know whether there was any of the poor rate out of it or not.

9830. Who got the money?—I can't say who got the money, but Mr. Poe allowed me in the rent.

9831. Who canvassed you for the Sergeant?—I think it was himself, and some other gentlemen with him at the time.

9832. Did Mr. Poe canvass you?—No, he did not.

9833. Who paid you the money?—Mr. Poe.

9834. Who paid you that four pounds?—It was Mr. Poe. He allowed half a year's rent to me, and I got the balance, four pounds.

9835. Had you been a supporter of the Liberal party?—Always.

9836. Did you ever receive any money after voting at any other election?—Never.

9837. Who told you that the money would be going after the Sergeant's election?—No one told me; but two days previous to my going to pay the rent Mr. Poe came to say there was £15 for me.

9838. The rent you were going to pay was the November rent?—I don't know indeed whether it was the November or the March rent. I can't say which it was.

9839. Did you ever get any money since that time?—Never.

9840. Did you think it any harm to take the money?—Not the slightest. I thought that when it was going I might as well have it as another. But there was no promise whatever.

9841. Mr. *Commissioner Byrne.*—Who is your landlord?—Colonel Tennyson.

9842. Are you aware whether the other tenants of Colonel Tennyson, who are voters, and who supported Sergeant Armstrong, got £15 each?—I believe they did. I am not aware of it.

9843. How many of them are there?—I can't say.

9844. About how many?—Why I suppose there were five or six of them at any rate.

9845. Could you give me their names?—I will give you their names with the greatest pleasure. One I believe was Willy Ward, another was Peter Harte, another was Devine. I don't know his Christian name.

9846. Anyone else?—Well, I have no one else.

9847. Mr. *Commissioner Bruce.*—These are all Colonel Tennison's tenants?—They are all; it's only from hearsay I have that. I have no personal knowledge that they received anything; but that's what I heard.

9848. Did you expect any money the last time?—No, none.

9849. You voted for Captain Flanagan?—I did.

9850. And I suppose if money were going you would take it again?—No, I don't think I would. I might take it if it were going in the ordinary course.

9851. But you did not expect it?—Never; nor never expected money at any election.

9852. The witness was permitted to withdraw, and was moving off the table when he turned about and said—But I tell you now plainly before I go down, I

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Peter Talant.

was offered £100 if I would vote for Major Knox. That's just the best way of telling you, sir.

9853. Who offered you that £100?—Mr. Robert Stokes.

9854. Where did he offer it to you?—Either the morning before the election, or the second morning before the polling day.

9855. Where did he offer it to you?—He offered it to me in my own shop.

9856. Came in to you while at business?—No, he came in early in the morning and offered me the money.

9857. He had no other business in your shop?—Not the slightest whatever.

9858. At what hour was it?—I suppose between six and seven in the morning. He offered me the £100 if I would vote.

9859. Between six and seven—then your shuts were on still?—No, I think they were down, for I generally take them down when I get up. He came in and asked me was my house taken. I said the house was not taken for the election. "Well," said he, "I will take it for the county election in case your son and yourself vote." "Well," said I, "I tell you what it is"—I asked him after he said was the house taken—"No," said I, "the house is not taken." "Well," said he, "I will give you £100, or engage to get it for you"—I don't know which he said. "Well," said I, "what's the terms?" "That your son and yourself vote." Well, I don't know whether it was the Provincial Bank or the Bank of Ireland I named, but I said that what money was in it would not purchase me to vote for them.

9860. Then you refused?—I did, decidedly—repudiated it on the spot.

9861. Did he mention when the money would be ready for you?—Oh, he did not. You know we did not come to a close agreement, for I said to him at the time, "What's the terms?" and when he told me the terms I don't know whether it was the Provincial Bank or the Bank of Ireland I said, but I told him whatever money is there would not purchase my vote for him.

9862. How long was he with you?—I suppose about five minutes.

9863. I presume you and your son are Roman Catholics?—We are.

9864. Did he tell you that any other Roman Catholic voters were going with him?—He did not, but my son might give you some information as to what passed between them. I cannot.

9865. There was a conversation with your son also?—I think there was. I heard so from my son. I can't say personally from my own knowledge.

9866. The *Chief Commissioner.*—You have sworn to tell the whole truth and you have acted very properly. Send your son up.

(The witness withdrew.)

Francis Dunleavy.

Francis Dunleavy sworn and examined.

9867. The *Chief Commissioner.*—You are an elector?—Yes.

9868. How long have you been an elector?—I think about twenty years.

9869. What party do you belong to in Sligo?—The Liberal.

9870. What business have you been in?—Shopkeeper.

9871. You voted for Sergeant Armstrong, I presume?—I did.

9872. Was there any money going after that?—I heard there was. I received a subpœna the other day to be examined after it was stated that I got Sergeant Armstrong's money.

9873. That is the reason why you are examined?—Yes. Well, I solemnly swear that I never got it, nor never thought of it, nor never asked money. I was offered money.

9874. We come to that now, who offered you money?—It is a long time ago—seventeen years ago.

9875. Who offered it to you?—The man is dead that offered it to me.

9876. To vote for whom?—I voted for the person for whom I intended to vote.

9877. According to your principles. How much was offered to you?—I think it was £35.

9878. Was that one of Somers' elections?—It was.

9879. To vote for Somers?—To vote for Sadlier. I will tell you the conversation. Michael Gethin who is dead was a great friend of mine, and said to me one day in the street, "I think you could make some money at this election." "How so?" I said. "I could give you £35," I think that was the sum he mentioned. Said I, "I could not think of taking it." Said he, "Nobody will know it." "But would not you know it," said I—"say no more about it."

9880. You refused it?—I refused it.

9881. And voted according to your conscience?—According to my conscience, and I think I have a person in court that could prove that Gethin told him the same story.

9882. Do you know anything about any money going at the last election?—No, only that I heard there was any amount of money on Knox's side. There was a gentleman in my shop to-day.

9883. What is his name?—His name is Perkins. I am going to state to you a thing that I thought at the time was only a jest, but from what I hear of the fabulous amounts of money paid latterly, I think it must have been in earnest. He told me I could get £50 at this election. Said I to him, "You could get two or three votes for that." "We don't want that," said he, "we want to break in upon a party like you." I regarded it still as a joke, but he came back to me the same evening, and told me he was authorized to say £75.

9884. Who is Mr. Perkins?—A commercial traveller.

9885. Is he for any paper house?—No, he travels for Brown and M'Conkey of Dublin. Up to this day when I heard stories about money I always regarded it as a jest.

9886. Do you know Mr. Perkins' Christian name?—I do not.

9887. Had you known him before?—Oh, for a long time.

9888. Knew him as travelling in the west of Ireland for Browne and M'Conkey?—Yes.

9889. That is the house in Dame-street?—Yes.

9890. Is he still in their employment—I mean has he been travelling for them since the election?—I think so. I am sorry to mention his name, but I am bound to do it.

9891. A great number of names have been mentioned here, and every one engaged in these practices must be detected and exposed?—Would you allow me to refer to evidence that I heard given here last week, and that I think is not correct?

9892. Certainly; anything affecting yourself?—No.

9893. Or affecting the borough?—I heard James Devanny examined. My recollection is that he stated he abstained from voting for no consideration of a pecuniary character. That is not the fact. The current report is, that Major Knox was to get him a situation in Guinness's brewery; and that that is the reason for his declining to support his own party.

9894. When this Mr. Perkins came back, and said he was authorized to give you £75, did he give any hint to you—I don't mean by name—as to who was the party authorizing him to offer you that bribe?—No, not the slightest, because I cut the thing short. I did not want to hear anything more about it, because no money could make me vote against Captain Flanagan.

9895. What did you say to him—did you toss it off as a jest?—As a jest.

9896. Or resent it as an insult?—No; I thought it was a jest at that time.

9897. Do you remember the words he said—"We want to break in upon a party like you"?—Just so.

9898. And I presume you now suppose that to refer to your well-known politics in the town?—Decidedly so; and I must tell you that I could very well afford to allow Hunt's observations in reference to me to pass by, as far as I am concerned, only I know they would be seen in the papers.

9899. You were perfectly right in coming forward when you saw in evidence the observations affecting yourself.

9900. Mr. *Commissioner Byrne.*—You have spoken of fabulous amounts of money going at the last election; are there any facts or rumours warranting you in making that observation?—Nothing more than this—hearing that Pat Gallagher got £50 for voting. I think that's an extraordinary amount of money for a man like that.

9901. Do you know of any other instance of money going?—Only what I have heard here.

9902. Mr. *Commissioner Bruce.*—Were you examined before Judge Keogh?—No. Would you allow me to refer to a matter of landlord persecution that occurred since the last election?

9903. The *Chief Commissioner.*—First of all, was it to an elector?—It was.

9904. Tell it?—Peter Hennessy holds land from Mr. Wynne; and previous to the last election he was sought to vote for Major Knox. The man conscientiously declined to do so. After the election he was dispossessed of the land, and it was given to others in a *bona fide* way, and he was allowed to go on as a grazing tenant under them, and they are preparing three votes in the three that they have put in his place. That is what I have heard. Another case: there are two men named Sherry and Chrystal who live at a place called Hudson's-bridge. They each had small houses, rated at £4 10*s.* each, and wanted to qualify for the franchise. At the previous revision they came up—they did not at the last—and their case would have been established as voters, but a man named West, a bailiff on the property, came up and produced documents which proved that he had possession of a certain portion of their land during sometime in July last. That was the ruling of the Court here last winter.

(The witness withdrew.)

Mr. *William Middleton* sworn and examined.

Mr. William Middleton.

9905. The *Chief Commissioner.*—You do business in Sligo?—Yes; I am in business here.

9906. In reference to what evidence do you wish to make a statement?—The evidence of a person named Dominic Kilcullen, who stated that Thomas Brennan told him he would give an order on me for £75. I wish to state that I never authorized any such orders. I have no funds to pay such orders, nor no directions; nor have I accepted any engagement to be mixed up at all in money matters or any other matters with regard to either the last or the previous election, although I seconded Major Knox at his nomination. That's the only interference I had in it.

9907. You are quite right to come forward?—That's what I think, as my name was mentioned.

9908. You are aware that it is impossible to prevent people on oath from making statements about everyone, from the highest to the lowest?—As I thought I saw my name mentioned, and being so much concerned in the trade of the place, I felt that I should not allow the statement to go to the public without a contradiction, and without saying that there was no foundation, so far as I was concerned, for paying orders, or authorizing orders to be paid. If there be any question you think proper to ask me I shall be very happy to answer it.

9909. I am quite certain of that. Mr. Middleton, did you, until it was disclosed in court to-day, hear anything about Captain Knox having money down here?—No. I have not heard the evidence of to-day.

9910. Well, Mr. Stokes has proved that he got £275 from Captain Knox, and also this: that as fast as he had secured any voters either to go away or to vote, the Conservative party getting about £20 a-piece, and the Liberal party getting about £50 a-piece, he communicated that to Captain Knox, who had a room to himself. I want to know whether you, as his seconder, knew anything of that?—I never heard any particulars such as you mention. In fact, anything that I heard was mere flying reports, without any sum being mentioned, or anything of that kind—mere general rumours; something about money and so on; but I know nothing about Mr. Utred Knox except what I read in the papers.

9911. It is Captain Ethelred Knox that is referred to?—I never attended any meeting of Conservatives with regard to the election, nor made myself busy at all; and I came forward, I should say, rather unwillingly to second Major Knox.

9912. I mean to say had you, as an influential supporter, any idea that Captain Ethelred Knox was a person authorized to employ people like Stokes in reference to these money influences on the electors?—I never heard of it till now, that Utred Knox—except what I read in the papers at Carrick——

9913. It is Captain Ethelred Knox that I mean?—I don't know the gentleman at all.

9914. Mr. *Commissioner Byrne.*—You say you were in no way mixed up with orders?—None whatever.

9915. Did you hear of any orders being given on other persons on Major Knox's side?—I don't remember any such thing; I am not aware of it. There were rumours that certain gentlemen in town, who have given evidence themselves here, were interested about the election in some way; but I have no means of judging, for I had no particular knowledge, nor any direct contact with them; nor did I go to any voters or speak to any voters, or influence them to vote, or mix myself up in any way whatever with the election except, as I have mentioned, by seconding Major Knox. I refused at first, but afterwards was prevailed upon that it was my duty to come forward, which I did.

9916. Did you hear of any tradespeople in town getting orders?—No; I don't remember that I was told anything special of the kind with regard to the last election. They were more general rumours than anything particular that I could fasten on, so as to say that I was told anything special.

9917. Do you remember any of the names that were mixed up in these rumours?—It was mentioned, I think, that Stokes, Cherry, and some other gentlemen were trying to influence voters to vote for Major Knox. That's about the general purport of what I heard. Then, on the other side, I heard that there were several gentlemen, of course, using their influence to get voters for Captain Flanagan.

9918. Do you mean in the way that Stokes said?—Well, I don't know; I have not had particulars of the way. The fact was, just that certain people were busy about the election, and money was talked of generally; but any special instance of it I was not aware of.

9919. But did you hear the names of any person on Captain Flanagan's side who was to distribute money?—Well, there was, I think, a Michael Foley some way mixed up about it; but that is just the same as others—more a general report than otherwise.

9920. Was there a general report about anyone else on Captain Flanagan's side?—There were several.

9921. Would you give us their names?—There were Keighron, Conry, Phillips, and different people,

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Mr. William Middleton.

but it is mere rumour that I can't vouch for with accuracy. But these people were talked about as being very active with regard to influencing people to vote for Captain Flanagan. That's all; I can't say anything specially about money at all.

(The witness withdrew.)

Michael O'Beirne.

Michael O'Beirne sworn and examined.

9922. The *Chief Commissioner.* — Are you an elector?—I am, and have been for fourteen or sixteen years.

9923. To what party do you belong?—The Liberal party.

9924. Were you paid anything after Sergeant Armstrong's election?—I was.

9925. How much?—Ten pounds.

9926. How did it happen that you only got £10?—I never expected money at all, at all the elections that ever I voted at, nor never expected, on my solemn oath, and I was offered it at one time.

9927. Who offered it at one time?—It came through Mr. Lyons.

9928. Which Mr. Lyons?—Mr. Henry Lyons.

9929. What did he offer to you?—He sent word to me by a man named Tom Hennessy that I would get £40 if I would leave town.

9930. At whose election was that?—I think it was Mr. Wynne's. I disclaimed it. I said that no money would induce me.

9931. At Wynne's?—I think so.

9932. Was that the election at which Mr. Wynne was returned?—No, it was a very hardly contested election.

9933. That is, the election at which Mr. Wynne was beaten at first?—I think so.

9934. And afterwards got in on a petition?—I cannot say.

9935. The election at which the "Right Honorable" was beaten at first, and afterwards got in on a petition?—I should say so.

9936. Where were you offered that £40?—Tom Hennessy and I were standing at Madden's house, at the foot of Market-street, when Mr. Lyons was coming down the street; he came back to me and said, "I have a message for you." Hennessy asked him what it was, and then told me that if I would leave town I would get a £40 note. "What did you tell him?" I said to Hennessy. "I told him you would not," said he. "Well, you told him the truth, Tom," said I.

9937. You say you staid for the election and accepted no money?—Not a cent.

9938. Who paid you the other money?—Mr. Phillips. I never knew it till the day he called me in the street. I thought it was about some work, and never knew of, nor expected a penny.

9939. At the last election you voted for Captain Flanagan?—I did, and was canvassed by Major Knox some six months, I think, before Captain Flanagan canvassed me. He himself and Mr. Phibbs came to my house; I met them coming from the house as I was going to dinner at three o'clock. Mr. Phibbs introduced me to Major Knox. "I expect your vote," said he to me, "and your interest." "Well, you will get neither the one nor the other," said I. "Why," said he, "am I not liberal enough for you?" "I never go from my party," said I. "Oh, that's enough" said Mr. Phibbs. I did not see Captain Flanagan till a few days previous to the election. I got unwell, and after I was able to go out he met me in Market-street and said he was happy to see me out. "I am happy," said I, "to be able to vote for you."

9940. Supposing a £10 note was to be offered to you now because you had voted for Captain Flanagan would you take it?—I swear before God I would not.

9941. But you took the £10 when it was offered to you at the former election?—"Well," he said to me, "you may as well take it; other people got money and you may as well take it."

9942. You knew it was for your vote?—I did.

(The witness withdrew.)

Peter Davy

Peter Davy sworn and examined.

9943. The *Chief Commissioner.* — You are an elector?—Yes.

9944. How long have you been an elector?—Well, I suppose it is thirty years, off and on.

9945. Did you get any money after voting for Sergeant Armstrong?—I did.

9946. How much?—£15.

9947. Who paid you?—Bryan Chrystal.

9948. On whose recommendation did you vote for the Sergeant?—On his own. He met me in the street here and he asked me to vote for him, and I looked at the gentleman, and I said I would, for I thought he had too honest a face to refuse him.

9949. Before that had you been canvassed?—No, I had not.

9950. You knew, of course, that he was on your side in politics?—Certainly, that.

9951. When you voted for him did you expect any money?—No, I did not.

9952. Did you ever get money before at elections?—Never, a single penny from any person.

9953. Did you vote for John Sadleir?—No.

9954. Or Townley?—No; I had not a vote then. I was in a situation, and had not possession of a house.

9955. At the last election I suppose you voted for Captain Flanagan?—I did.

9956. Did any one offer you money on either side at the last election?—Not a single person.

9957. On either side?—On either side.

9958. Mr. *Commissioner Byrne.* — Who is your landlord?—Myself.

9959. Who gave you the £15?—Bryan Chrystal. Though it was sworn here I told Michael Hunt I got £20 from Conroy, I never spoke a word to Hunt about the election, for he is a man I did not like much.

(The witness withdrew.)

John Hagarty.

John Hagarty sworn and examined.

9960. The *Chief Commissioner.* — You are an elector?—Yes.

9961. Was your house used at all at the last election?—No.

9962. I had left it a few days before—my time was up. I had a lease for ten years, and on the expiration of the lease I left, having paid Major Knox his rent.

9963. And who then got the empty house?—Major Knox.

9964. Then you were not in it?—Oh no. That is the reason I was very anxious to get up, for my name has been mentioned frequently in connexion with the house, and I have been identified more or less with a party I do not like.

9965. Your house has been mentioned, and up to this moment I did not know the circumstance of your leaving it?—Oh, yes. I left probably a week before the election.

9966. Then the party had it?—Yes. It was Major Knox's house, and it was a tally-room or rendezvous for the other party. My name has been mixed up with it, as it was called Hagarty's house. I laughed at it as a mistake, but it was supposed by persons at a distance that I was identified with the party who had it.

9967. Mr. *Commissioner Bruce.*—You voted for Captain Flanagan?—Oh, yes.

9968. The *Chief Commissioner.*—You know nothing about what occurred after you left the house?—Nothing in the world.

9969. And you would not let the party into it before?—Not I, they would scarcely ask to come into it. At the same time I should say I was always happy to meet Major Knox as he was a perfect gentleman. He and I parted on the best terms and I would have voted for him but for the Church Bill. I believe him to be a good man, a good landlord, and a gentleman.

9970. Mr. *Commissioner Bruce.*—Did you take an active part for Captain Flanagan?—Nothing more than to give my vote.

9971. You had nothing to do with canvassing?—Nothing.

9972. And you knew nothing about the reports that were going about money?—I heard a great many ridiculous reports; but the reports that are going—half of them are just as true as what the man Hunt said when he mentioned my name in connexion with a bribe. They were just *canards* that were talked of.

9973. The *Chief Commissioner.*—We had not the information of your having left the house a week before the election and therefore you were summoned?—Just that—from the remarks about the house, and Hunt's remarks—I wished to be examined.

9974. Do you wish to make any other statement now?—Not the least—only that there is not the slightest foundation about these reports. I gave my vote, and I never mixed myself up in the election, of course, I was anxious to see the Liberal party succeed and nothing more.

Mr. *Hugh M'Tiernan* sworn and examined.

Mr. Hugh M'Tiernan.

9975. The *Chief Commissioner.*—In reference to the mob of strangers who were in the town it was mentioned in evidence that some of them appeared to know you, as if they came from your property or the adjacent property—do you know anything about them?—On my oath I know nothing about the mob being in Sligo. There were plenty of people in it, but I don't know where they came from. No person came from my property or the neighbourhood, nor do I know of any organization of a mob in Sligo.

9976. At all events you say no person came from your property?—No person came from my property. It lies mostly in the county Leitrim, and a very small portion in this county, most of it being in my own hands, as I am myself the tenant of the lands. No person came from my property, nor I believe ten persons from my neighbourhood to the election.

9977. It has been mentioned here that persons came from Leitrim, and that in connexion with your name?—I swear that not a tenant of mine from the county of Leitrim was at the Borough election, most positively, nor was I aware that there was any organization of mobs coming from the country to the election, nor do I believe there was any organization of mobs. If you would allow me to make a statement.

9978. Certainly if it be in reference to anything given in evidence, or any information you can give us about the election?—It is in reference to a letter I got from the stipendiary magistrate here in town. Major Knox mentioned my name——

We will not go into this.

9979. Mr. *Commissioner Bruce.*—Of course when you say no tenants of yours were there, you mean that you did not see any?—No tenants that I saw, nor did I believe, nor did I hear of any.

9980. The *Chief Commissioner.*—Did you, as far as you could, do your best to keep the peace?—I did all in my power, to the best of my ability, and if you allow me to read this letter——

9981. Oh, no. It is a letter from the resident magistrate stating you did your best to make them keep order?—Of course, being a Roman Catholic and a Liberal, and living all my life in the county, and known by every man, I believe I am rather popular, and when I came out in the street, of course the people cheered me. That was the only connexion I had with the mob. I never lost an opportunity of restraining the mob in every way in my power.

9982. Mr. *Commissioner Byrne.*—Did you take an active interest for Captain Flanagan?—I did, a most active interest. He was a neighbour of mine and a great friend.

9983. Were any men paid for mobs at the last election?—None whatever. I had nothing to do with any money.

9984. I am quite sure of that, Mr. M'Tiernan. I merely ask you as to your knowledge?—I believe there was money paid to them.

9985. You believe there was?—But I am not aware of it; that is my belief. I could not tell how or when I arrive at the conclusion.

9986. To Captain Flanagan's mobs?—I speak of mere suspicion on my part.

9987. Are you aware of their getting any refreshment or drink in town on the polling day?—I am not. I know nothing about it.

9988. Did you hear that they got refreshment?—Well, I did not.

9989. The *Chief Commissioner.*—Through whose hands was it likely the money would be paid from what you know of the men who were managers of the election on Captain Flanagan's side?—I know nothing whatever about any money.

9990. I mean even by suspicion you may give us the names of those whom we may summon, and examine as to whether it be the fact or not, because it is the employment of mobs in this way that leads to outrages and loss of life, and the employment of mobs must be put down?—Well, I suppose by Captain Flanagan's agent. I don't know anything about it.

9991. Give us the names of the gentlemen?—Mr. Molony was an agent of his, Mr. M'Dermott was—I don't know whether Mr. Molony was conducting for him or not, but I know nothing about the payment of money—that is, if money was paid I know nothing about it. I swear most positively that I had nothing to do with mobs; that I knew nothing of any organization for mobs, and that no mob came from my property in the county of Leitrim, nor from near my property.

9992. Mr. *Commissioner Byrne.*—Who, do you think, could assist us in giving information as to the giving of money to mobs on Captain Flanagan's side?—I know nothing about money, nor did I see it given.

9993. I am quite aware of that—you misunderstand—but what I ask is, as you are here to give us information, whether you could suggest the names of those persons on Captain Flanagan's side who would give us information in reference to those mobs?—Well, I really could not positively. I suppose his agents could.

9994. Could you mention any particular agent or supporter of his who could throw some light on the mobs at the last election?—Well, unless Mr. Molony or Mr. M'Dermott could these are the only persons I know.

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Mr. Hugh M'Tiernan.

9995. Are you aware of Mr. Lenehan having acted for Captain Flanagan?—No.

9996. The *Chief Commissioner.*—Mr. Lenehan, from Geeva, was mentioned?—No; I don't even know a man named Lenehan. Unless Mr. Molony or Mr. M'Dermott I don't know. I don't know who it was, or whether any men were paid or not.

(The witness withdrew.)

Mr. Utred Augustus Knox.

Mr. *Utred Augustus Knox* sworn and examined.

9997. The *Chief Commissioner.*—Are you any relative of Captain Ethelred Knox?—I am. He is my brother.

9998. Where is he now?—I can't possibly tell you, sir.

9999. You cannot possibly tell?—I can't possibly tell you. I have not seen him for more than two months. I have not the least way of knowing where he is.

10000. Where does he reside—what is his residence?—He has been staying at various places during the summer time—part of the time at the Marine Hotel, Kingstown. He generally lives in lodgings during the winter portion of the year, and generally goes to some hotel or watering place for the summer months.

10001. Have you received no letter from him within the last two months?—No. The last letter I had from him was from London, and it's about the time I speak of since I received it.

10002. Have you that last letter he wrote to you?—I have not.

10003. Did he give you an address?—None.

10004. I do not mean the address where he was going to live, but the address where a letter would find him?—None.

10005. Did that letter give you any information as to where he was going?—Not the smallest.

10006. Where was he staying then in London, at what hotel?—I forget this moment the name of the hotel, but it was a hotel. It was addressed from a hotel in London, but I cannot remember or call to mind what hotel it was.

10007. Did you keep that letter?—No.

10008. Did you destroy it?—I did.

10009. Immediately on getting it?—Immediately afterwards.

10010. Immediately after?—Immediately after.

10011. Why did you destroy it?—For no special reason. There was no object in keeping it. It was not a letter on business, or important one way or the other as I considered, and I destroyed it as I do very many letters that I receive of that character.

10012. Had it any reference to the Sligo election?—None.

10013. Then, was it merely a letter such as would pass between two brothers or friends?—Nothing more; entirely of a private character.

10014. Then I do not ask you anything more about it. Have you any reason to suppose your brother will soon return?—I have not.

10015. Has he ever been away this way before?—He has been away on more than one occasion. He was away last year for a time, and, I think, he was away the year before as well as I remember; but I know he was last year. He generally goes from home in the summer and autumn months.

10016. Does he travel on the Continent?—Yes; last year he was off on the Continent.

10017. You were in Sligo at the last election?—I was.

10018. And Captain Ethelred Knox had a room, I forget in whose house?—I know he was staying part of the time with me, while he was in Sligo, in my house, or the house of which I was part owner, at least.

10019. Did you know the room he had in Mr. Leech's house?—No.

10020. Were you ever in it?—I have been in Mr. Leech's house, but I don't think I ever was in the room he had there; certainly not to know it as his.

10021. Did you know Mr. Robert Stokes?—I did.

10022. Did you hear his evidence to-day?—No.

10023. Have you been informed of it?—I was not in court.

10024. Have you been informed about it?—No; I heard something about it.

10025. I am merely going to tell you what it was. He swore that your brother gave him £275, which was to be expended in bribery. Are you aware of what sum of money Captain Ethelred Knox brought to Sligo immediately before the election?—No.

10026. Did you give him any money?—No.

10027. Were you aware during the election—I mean by that, on the polling day—or, if not, before the polling day, that he had money in Sligo?—Except the money that I used to see in his pocket from time to time, when he used to take out his purse, I am not.

10028. Did you yourself bring any money to Sligo?—Did I bring any money to Sligo? I was living in Sligo at the time.

10029. What I mean is, was any money brought by you to Sligo a week before the election?—No.

10030. Had you any sum in your possession then, in Sligo, outside your ordinary affairs?—No.

10031. Had you any sum—I don't refer to your ordinary private affairs, Mr. Knox, at all—but had you any sum in your possession then in Sligo?—No.

10032. Which is your bank in Sligo?—The Provincial.

10033. Had your brother, Captain Ethelred Knox, any account opened for him at any bank?—I know not.

10034. Did you hear he had?—I did not.

10035. Did you transfer, before that time, to him, in any bank, any sum of money?—No.

10036. Or did you hear of any sum having been transferred to him?—No.

10037. What relative are you to Major Knox?—He is my cousin.

10038. First cousin?—No, second cousin.

10039. Did you hear at that time that Stokes was engaged in managing any voters?—No; other than that I heard Stokes, along with other people in Sligo, was one of those interested in the return of Major Knox.

10040. You have since heard in the evidence about the M'Mullens?—As I read it in the papers.

10041. That's what I mean. Stokes swore to-day that he made a bargain with these men to give them £50 a piece if they went away, and that £50 was the price of a Roman Catholic voter who would either go away or vote for Major Knox, and that £20 was the price of a Protestant voter, as far as he was manager. Now, at the time of the election, did you hear anything about that?—Nothing whatever.

10042. From any person?—Not from a soul.

10043. Did you see the M'Mullens at the election?—I would not know them.

10044. Did you see them?—I might have seen them.

10045. I don't mean in the streets. What I mean by seeing a voter just before polling is seeing and knowing him to give a vote at your side?—I would not know the individuals. I think I would know old M'Mullen, having seen him occasionally standing at the door when going home to my house, at the Mall, in Sligo. Beyond that I would not know the man. If I had not cast my eyes on him for a week I would not recognise him in the street. The son I never saw to my knowledge.

10046. Were you ever in Stokes's back parlour or

office, or that passage between them, when two voters were there who you understood to be the M'Mullens?—No.

10047. Do you know Mr. Kavanagh?—No.

10048. You do not know him at all?—Don't know him at all. Don't believe he is a Sligo man.

10049. He is not?—Well, I don't know him.

10050. Mr. Kavanagh of Dominick-street?—I don't know him.

10051. Then if you do not know the person at all, of course it could not have been you who gave the slip of paper to the M'Mullens to go to Kavanagh?—Certainly not.

10052. Did you hear the M'Mullens were away?—Not till I saw it in the papers the other day. I heard it at Carrick at the trial of the petition for the first time, and I saw it again in the reports of this Commission in the papers the other day.

10053. Now, as we know from the evidence at Carrick you lent some money to voters?—I did lend money to men who were voters—yes.

10054. Now, first of all as regards Tiernan, did you lend money to him?—I did.

10055. How much?—I think it was about £10.

10056. Was the money lent to him before he was canvassed?—Long before there was any talk of canvassing.

10057. Before Major Knox intended to stand for the borough?—Yes.

10058. I must just ask you did you lend him your own money?—I did.

10059. You never have been repaid that?—I never yet asked for it. I presume it will be when I do.

10060. Samuel Gilmor?—Yes; I think I lent him some also.

10061. How long before the election?—The exact time I cannot say, but I should say it must be pretty nearly a year.

10062. How much did you lend him?—It was a small sum—a few pounds.

10063. Five pounds was what was stated?—It might be about that—in or about that. I know it was a small sum; that was all he asked me for.

10064. Do you know James Doolan?—I do.

10065. You lent him money on two occasions?—I did.

10066. About how much altogether?—The first was a broken sum to meet the amount of a decree, as he explained to me, that was against him, for which his goods were to be sold. As he expressed it to me, he would be left abroad on the street if he did not get the money to pay before sunset. I put my hand in my pocket and lent him this sum, between £5 or £6, or something like that. The second sum I lent him was, as well as I remember, after that. I won't say for certain which of the two sums I lent him first, the larger or the smaller; but the other sum was smaller. It might be about £5. I remember he said it was for a bill that he had in the bank, or something of the kind, I lent it to him. Both of these transactions were long anterior to the period at which Major Knox was seeking for the suffrages of the electors of Sligo; nor had it anything to do with these men in the slightest degree with reference to who might be the candidate, or who might be the member, or how they would vote, or whether they would vote at all or not.

10067. To what other persons whom you ascertained to be electors did you lend money?—I don't know of other parties.

10068. You know of no one else. You said before you lent money to four or five?—Small sums at various times. I know I lent money to a woman in Bridge-street. One time I sent her down a pound note. I don't consider that a loan, for I received no legal security for it. That I regarded as charity. I make a distinction between what I give to a man for his necessities, and that for which he gives me a legal security recoverable at law—the former being what I should give to a person as mere charity. I consider alms-giving totally distinct from charity. I consider anything you do to relieve the distress or necessities of a fellow-creature is charity in the true sense of the word. Anything you may give as alms is quite a different thing.

10069. But did you give much in charity this way to electors?—No; I don't think much beyond what I told you. I never asked whether they were electors or not, as well as I can call to mind. Some of those at the time, to whom I gave money, may not have been electors at all. I doubt very much if Tiernan, from the poor mouth he made to me, could have been in the position to be an elector or to be on the registry, as he disclosed his circumstances to me there must have been abject wretchedness. I saw by passing the man's door that every one was in a very poor way. I had known him to be a hardworking, industrious man, and the late inspector of the gaol, Captain Fawcett, told me that he was a hardworking, industrious man. He told me at that time that his necessities were most pressing; I gave him the money as a loan, and received, as I still believe, good security, and any time I choose to ask for the money it is perfectly recoverable.

10070. You were at the trial at Carrick?—Yes.

10071. Was Captain Knox, your brother, there?—He was.

10072. Was he there to be examined?—I can't say.

10073. Did you know the M'Mullen's were in Clithero?—I did not.

10074. Had you anything to say to the M'Mullens being sent to Clithero?—Not the slightest.

10075. We have it in evidence that the sum of £9 was brought to M'Dowell, the confectioner and lodging-house keeper, in a letter, that he should go to England with these men. Did you ever hear that before?—No.

10076. You know nothing about that £9?—Nothing whatever.

10077. Did you pay any money at all during the election?—No.

10078. I mean for election expenses or anything?—Not a farthing, nor connected myself in any one way with it. From the moment Major Knox became the declared candidate for the borough of Sligo there is not a man in the borough of Sligo can say I said a word to them relative to the election, one way or the other. I never asked an elector of Sligo to vote for him, or in any one single way did I identify myself with the election of Sligo, save that I recorded my vote on the polling day.

10079. Have you any expectation of Captain Knox returning to the country?—That is more than I can say.

10080. At all?—Oh, at all; he might return some day or other.

10081. There is nothing to oblige him to return?—Nothing whatever. He is his own master and may go where he thinks proper.

10082. Do you mean to say there is nothing to oblige him to return to Ireland in the way of business or occupation?—I am not aware that there is.

10083. And he may never return to Ireland?—It might be so.

10084. Have you heard the matter discussed?—Never.

10085. Did you ever speak to Major Knox on the subject?—No.

10086. Nor he to you?—No.

10087. How long is your brother away?—It's very close on two months, if not fully two months, as well as my recollection serves me, since I received the letter he wrote me from London, and I know nothing of his movements from that time forth; nor did I know he was going there or anything about it till I got the letter from him. I knew he intended to make a tour on the Continent, as he did the year before and for the last two years; but when he was to go, or where to, I did not know.

10088. How long did he remain away last year?—I think he remained away a couple of months.

10089. And he came back, I suppose, when the weather broke in autumn?—Yes. It was after autumn when he came back—between autumn and winter.

SEVENTH DAY.

October 12.

Mr. Utred Augustus Knox.

10090. Although you did not canvass the electors for the Major, did you introduce the Major to the electors?—I did, I think, on more than one occasion, but that was before Major Knox commenced his canvass. I never introduced him to an elector after he commenced his canvass as a candidate for the borough.

10091. But you introduced the Major for example to Tiernan?—Yes.

10092. And you introduced him to Doolan?—No.

10093. Or Gillmor?—No.

10094. Can you name any other elector besides these three to whom you lent money?—No.

10095. Did you introduce him to some fifteen or twenty voters?—Never after he commenced his canvass as the declared candidate.

10096. Did you do so before it?—When he first came to Sligo I may have met parties in the street to whom I may have introduced him. I don't now remember it, but it is a likely thing. For example, if I met a party that I knew to be resident in Sligo, I might introduce him to them. It is a likely thing that if he were walking alongside me, and if I met any person—suppose you, if you were in Sligo—I would introduce you.

10097. Now, do you know anything about the previous election?—No, nothing whatever about it.

10098. Can you give us any information?—I was not resident in Sligo at the time.

10099. When did you come to live here?—In '64.

10100. You were here then at the election between Sergeant Armstrong and Mr. Macdonogh—how did you vote then?—I had no vote then.

10101. And you say you did not interfere much then?—Not at all; I had nothing whatever to say to it, either *pro* or *con*.

10102. Mr. *Commissioner Byrne.*—Did you ever hear the name of Mr. Kavanagh, of Dominick-street, mentioned or referred to before it transpired in this inquiry?—I think not; I can't call to my recollection that I did.

10103. You are not sure?—No; I would almost say I did not; I have no recollection that I did.

10104. Had you any conversation about the time of the election as to any voters being brought away from the town?—No.

10105. Did you hear of Sheil's case, for instance?—Never till I heard it at Carrick.

10106. Nor the M'Mullen's?—The same answer to that. I never heard it spoken of till at Carrick.

10107. Was it the July before the last election that Major Knox formally declared himself a candidate for the borough?—The precise date I can't tell you.

10108. Had he consulted you before he formally declared himself a candidate?—He had.

10109. In reference to his standing for the borough?—He had.

10110. How long ago?—After his first visit here. I think his first visit here was in '67, as well as I can remember. It was immediately after that.

10111. And what advice did you give him?—I told him not on any account to present himself as a candidate for the borough of Sligo.

10112. You interested yourself for him then?—So far as that.

10113. Did you consult, for instance, with Captain Fawcett and some of the other leading Conservatives?—I did not. Captain Fawcett and other gentlemen were part of a body of Conservative electors, as they were called, who wished Major Knox to come and stand for the borough of Sligo; and he asked me, as well as I now remember, shortly after, what my advice would be, and I said not on any account to think of it.

10114. Mr. *Commissioner Bruce.*—Why did you give him that advice?—Because, sir, I was under the impression that the borough of Sligo was not in a position, as regards its Conservative tendencies, to return any man as a Conservative member, and besides I believed that Major Knox was very sanguine, and that he would be sadly disappointed.

10115. Was your advice then with reference to his ever presenting himself as a candidate, or that it was too soon?—With reference to his ever presenting himself as a candidate.

10116. Then you disapproved of his presenting himself as a candidate always?—I did, sir, and I remember instancing the fate of his predecessor—not his immediate predecessor—but Mr. Macdonogh, who represented Sligo before; and I told him he would be treated precisely as he was treated.

10117. Did you tell Major Knox it would be necessary to expend large sums of money upon the borough?—Not particularly. I told him that I heard from hearsay that Mr. Macdonogh had expended money, and I thought that it was likely Sligo had not improved in that respect since.

10118. Had you at that time as a matter of fact heard that money had been distributed on Mr. Macdonogh's behalf among voters?—I had.

10119. You mentioned that to Major Knox?—I did.

10120. It was in February '67, I believe—in fact Major Knox told us so—that he first came to the borough?—I should say about that. I know it was the commencement of '67.

10121. And all these sums that we heard of that you lent and got I. O. U.'s for were in '67 and '68?—I think so; as well as I can now remember. I have not got the documents here. I was in Dublin when I heard the summons had been sent to my residence, Mount Falcon, Ballina, and I thought it better to come down here and be examined; but if the Court thinks it desirable I will get the documents here for you. I produced them at Carrick, and I have preserved them carefully.

10122. Mr. *Commissioner Byrne.*—Before '67 did you ever lend any sums for which you took I. O. U.'s to electors in Sligo?—I never did. The first money I ever lent as well as I remember was Doolan's. I only came to Sligo in the latter end of '64.

10123. I think you mentioned three applications;—How many were made to you for money as loans with which you complied?—I only complied with the number I have mentioned, as well as I now remember, namely three. I never lent money to any man that I did not get a legal document from him, to enable me to recover it when I thought proper.

10124. But you never did lend money before '67, to any person in Sligo?—No.

10125. Does your brother, Captain Ethelred Knox keep permanent lodgings anywhere?—No.

10126. You have told us he had lodgings in winter?—Yes.

10127. Are these lodgings generally in the same place, in Dublin or London?—They are not all necessarily so, but he has, for the last two years, been lodging in the one place in Pembroke-street, in Dublin.

10128. Give us the number?—No. 6.

10129. I suppose if you wished to write a letter to your brother you would direct it there?—Certainly not. He has not been there for, I think, the last six months, not since last April.

10130. Have you any reason to believe he would not leave his address there?—I know he did not because he cleared everything out of that as he does every season. He changes about as he finds it to suit his conveniences. During the last winter months and before that he lodged there.

10131. Does he belong to any club?—Not that I know of.

10132. And you have no idea, if you wanted to communicate with him, where to write?—No more than the man in the moon.

10133. The *Chief Commissioner.*—Did you tell Major Knox where you had the conversation with him about the chances of his standing for Sligo and of his success, how much it was understood Mr. Macdonogh spent in bribery?—I did not.

10134. Did you know then how much it was suspected he had spent?—I did not.

10135. Did you hear it was about £1,000?—I did

Mr. Utred Augustus Knox.

not hear anything at all about it. I only heard the people saying that Macdonogh was deucedly well plucked, and was very badly treated; and I was most anxious that Major Knox, my near relative, should not be similarly treated, and that is what, exactly, I told him.

10136. You told him that he had been well plucked?—I told him that was the report I had heard.

10137. Did your brother keep an account at any bank?—I don't know, sir.

10138. You never saw a cheque book with him?—Never.

10139. Never; and you can't give the court any information as to what bank he would have drawn cheques on?—I do not know.

10140. I should say that is a thing you might easily remember—its generally well known in a family?—I had no reason for knowing from him. He has been generally living in Dublin for some years past, and I have been living in the country; and I had no direct dealings with him, one way or the other.

10141. Is he a member of any club in Dublin or London?—Not that I know of.

10142. I need scarcely ask you Mr. Knox are you a party to keeping him away from giving evidence here?—Not the smallest.

10143. As far as you are concerned there is no reason you know of why he should not be here on the table to-day?—Not the least.

10144. Mr. *Commissioner Bruce.*—You never had any communication with your brother with regard to any money expended by him at the election?—Never, sir, never.

10145. The *Chief Commissioner.*—Did you expect him to be examined as a witness at Carrick—I mean did your brother inform you that he had been subpœnaed by the other side?—Upon my word, sir, I can't answer that question at once. I know he was there, but whether he was there expecting to be examined, or merely as an interested spectator I can't tell you.

10146. Do you mean, of course, interested in whatever evidence would be given about the election?—Yes.

10147. You have not, as I understand, been much in Dublin of late?—Occasionally now, and again.

10148. I mean you reside in the country—at your country house?—I do.

10149. Have you any reason to suppose that after the election your brother got any sum of money?—No, sir.

10150. Did you ever hear he got £1,000 to *recoup* him, or anything of that sort?—I know nothing about it.

10151. Did you hear anything about that?—Not anything of the kind.

10152. Have you any reason to believe or suspect that your brother was paid a sum of money after the election?—I don't believe he was.

10153. Mr. *Commissioner Bruce.*—Did you ever hear he spent money during the election?—I did not.

10154. The *Chief Commissioner.*—Is he a younger brother of yours?—He is a younger brother of mine.

10155. Had he been in the army—he is called Captain?—He is in the Sligo militia.

10156. Now, Mr. Stokes has sworn that he got £275 from him; until your brother is examined we must assume that to be correct. Was that a usual sum for him to have about him, having regard to his income?—Well, sir, I cannot really answer you that. I can't answer you that question. I have no possible way of knowing it.

10157. He swore he got that sum from him in notes, and although he cannot tell the exact amount he got at a time, he says he got this £275 in five different sums, the first of which was a sum of £100. I just ask you now, having regard to what you know of your brother's income, was that a usual sum for him to have, or an unusual one?—I don't think it was by no means an unusual sum.

10158. To have in cash about him?—Not at all. I should say not.

10159. Having regard to his own private means?—Yes.

10160. It is not an unusual sum?—No.

10161. That will do. We will not require those I. O. U.'s which you produced at the Carrick petition trial.

10162. *Witness.*—Do you require my further attendance?

10163. The *Chief Commissioner.*—We do not at present, but we will have to inquire about your brother, where he is?—Well, sir, I can't give you the slightest information.

10164. Mr. *Commissioner Bruce.*—I think it is only right to say, Mr. Knox, that the statement made by Mr. Stokes certainly implicates your brother very seriously, and I think his family ought to take every means in their power to inform him of the state of the case, and of the wishes of the Commissioners?—Well, sir, if I knew his address I would write to him and tell him so, but I have not the slightest idea where he is.

10165. I presume that means will be taken by his family to make him aware of it. I don't mean for a moment to say that you know where he is. All I say is that you have a better opportunity, from knowing his associates and something about him, of finding him out than we have.

10166. The *Chief Commissioner.*—Suppose now he got a legacy of £5,000, do you think you would be able to find him?—Possibly I might, sir.

10167. Well, suppose he did, what steps would you take to find him?—Well, I should make inquiry as to whom he was last with, and where he was last seen, from those who would know more about him than I do.

10168. Do you think you would be able to tell us now the London hotel he wrote his last letter from?—I could not think of it.

10169. What has been the usual hotel he stops in when he goes to London?—The Charing Cross he generally stops at.

10170. Was that the hotel he wrote from?—No.

10171. But he stops there whenever he goes to the Continent?—He might or might not.

10172. Would that be the hotel he would stop at if he were only going through London?—Well, it's difficult to say. There are a great many hotels, and a man might stop at any one he liked.

10173. Have you any means of refreshing your memory as to the address?—I have not, sir. I destroyed the letter five minutes after I read it, because there was nothing important in it. It was a mere private letter from him to me.

10174. Mr. *Commissioner Bruce.*—Does he spend much time in London?—No.

10175. The *Chief Commissioner.*—According to his usual habits of life, will he be back in Dublin in November to spend the winter?—I cannot really say about that.

10176. He was back here last year?—He was, last year. He might be inclined to stay longer, or he might be home before that, for aught I know.

10177. He usually spent the winters in Dublin?—He used.

10178. At No. 6, Pembroke-street?—The last winter he spent there.

10179. And the winter before that?—I think so.

10180. Mr. *Commissioner Byrne.*—Is there any friend or relative of his that, in your opinion, would be likely to know where he is?—No, sir.

10181. Do you think he left the country for the purpose of not giving evidence at this inquiry?—I do not.

10182. The *Chief Commissioner.*—Then, in the ordinary course of things, he will be back in November?—It is very probable he might.

10183. Mr. *Commissioner Bruce.*—Where should we address a letter to you in case anything should turn up that would require your attendance?—Mount Falcon, Ballina.

(The witness withdrew.)

SEVENTH DAY

October 12.

John O'Beirne.

John O'Beirne sworn and examined.

10184. The *Chief Commissioner.*—You are an elector?—Yes.

10185. How long have you been an elector?—I suppose for about eighteen years.

10186. To what party do you belong?—The Liberal party.

10187. Did you vote for Sergeant Armstrong?—I did.

10188. Were you paid any money after the election?—I was.

10189. How much?—Fifteen pounds.

10190. By whom?—By Mr. Poe.

10191. Who had canvassed you to vote for the Sergeant?—He himself.

10192. When you promised to vote for him did you expect to get money?—I did not.

10193. Did you think it a right thing to take money for your vote?—Well, I would not think it a right thing to take it.

10194. If it was going would you take it?—I took it from Mr. Poe when he gave it to me nine months after the election; but I never asked for money.

10195. I ask you now, do you think it a right thing to take money for your vote?—I would not make a bargain about money.

10196. But you would take it after an election?—I took it after that election.

10197. In the same way, I suppose, you voted for Captain Flanagan?—I got no promise of money from Captain Flanagan.

10198. But if anyone offered you £15 now would you take it?—Now, after the election?

10199. After the election?—I would.

10200. And all your neighbours who are voters, I suppose, would do the same thing?—I suppose they would. I don't know what my neighbours would do.

10201. Did you ever get any money before or after an election?—Never.

10202. Was that the first you got?—The first. I never got a glass of beer for any election but that.

10203. Were there any offers made to you on the other side at the last election?—No.

10204. Did anyone tempt you to vote for Major Knox?—No.

10205. You never got money before that?—Never.

10206. Mr. *Commissioner Byrne.*—Had Mr. Poe canvassed you for Sergeant Armstrong?—No, he did not.

10207. Had you any chat with him before the election at all?—No, I had not.

10208. Had he any business connexion with you?—He was my agent.

10209. Your agent?—He was the agent of my house.

10210. Who is your landlord?—He is a gentleman named Barrington. He lives in the county Donegal. I never saw him.

10211. And Mr. Poe is his agent?—Mr. Poe received the rent.

10212. Did he canvass you for Captain Flanagan?—No, he did not.

10213. Did he go round with Captain Flanagan when he was canvassing?—I do not know whether he did or not.

10214. Mr. *Commissioner Bruce.*—If you voted for a man and did not get any money, at the next election would you be inclined to vote for him again?—I would.

10215. Just as much as if you got the money?—I would vote for the Sergeant now if he was in the field.

10216. Yes, but you got the money from him?—I did.

10217. Suppose you had not—come, now?—I never was disposed to look for money at elections. I never asked for a shilling in my life at elections.

10218. But you took it, you know?—I did.

10219. What did you take it to be for?—Mr. Poe came to me and handed me £15, and I did not refuse to take it.

10220. And you would not refuse it again if it were offered to you?—I suppose I would not.

10221. If there were two men in the field on the same side, and of the same principles, and you thought you would get £15 for voting for one, and nothing for voting for the other, on which side would you vote?—Well, I suppose I would take the £15.

The witness withdrew, and the Court adjourned till the following morning at nine o'clock.

EIGHTH DAY.

October 13.

EIGHTH DAY.

WEDNESDAY, OCTOBER 13, 1869.

The Commissioners sat at nine o'clock.

Mr. Robert William Shekleton.

Mr. *Robert William Shekleton,* sworn and examined.

10222. The *Chief Commissioner.*—You were here, I believe, at the election between Sergeant Armstrong and Mr. Macdonogh, in '65?—I was. Perhaps you will allow me to state a matter, as I have to go back a little before the year '65, the previous election. I saw a report of the evidence in the papers, and I wish to rectify it. In '60, at the election when Mr. Macdonogh was first returned, I was down here. I was then concerned for the county; and Mr. Macdonogh apprised me that he heard it would be requisite for him to have money, that he had not got money, that he couldn't get it, and couldn't draw on his account. I said, "If you want money, I can manage it for you. I will send up a cheque to a friend in town, and get the money." I did so, and I got £400 down for Mr. Macdonogh in '60. There was no contest at that election, and he didn't take the money. Shortly before the election of '65, he either wrote to or requested me to call on him. I met him in the Library of the Four Courts, and he said to me, "I want to know could you assist me as you did on the former election," that is by getting some money for him. "I should have asked you whether you lost by selling out then. Of course, if you did," said he, "I should make good any loss you have incurred by selling out." It's too late to speak of that now," said I, "the time should be long since. If you recollect, it was when you were in the drawing-room at Leech's that I wrote the cheque, and sent it off to the bank in Dublin. Therefore there was no selling out." "How much could you let me have?" said he. "I dare say you can let me have the same amount as in '60." I said, "I can't tell you without looking at my bank account." I was coming down to Sligo at the time, for I was then concerned for Sir Robert Gore Booth and Colonel Cowper at the election for '65, and I was coming down to attend a meeting of country gentlemen. I said to Mr. Macdonogh, "there's no use in getting money now, for I will be up to Dublin again." Mr. Macdonogh came down to Sligo in the mean time, he said to me, "I find it necessary for me to have the money here at once," and added what a fix he would be in without it. I said, "if you like I will go up to Dublin." "If you do," said he, "any expense you will be at I will pay." Accordingly I came up to Dublin. The nomination was on a Wednesday, I left Sligo on Sunday afternoon, and went up to Dublin. On Monday morning I got £400, I brought it down with me on Tuesday—that was the Tuesday before the

election. Mr. Macdonogh positively swore that I brought down the money. I say I did so at his express request, and it was given on the understanding that I was to be repaid the expenses I was at. I went up, and came down here again on Tuesday, when Mr. Macdonogh and I had a conversation about the matter. After the nomination on Wednesday—it was in the interval between the nomination and polling. We were talking on Thursday about what took place. Mr. Sedley had been obliged to go out of town, and there seemed to be great uneasiness amongst Mr Macdonogh's supporters, in consequence of his absence. I think it was Alderman Lyons and Mr. Sedley said that they wouldn't take a single step unless they had a guarantee that they had entered into some arrangement, as I understood, for the hiring of people to cheer Mr. Macdonogh at his previous election, and were to a certain extent let in for it. They so put that case, and said they wouldn't take a single step unless they had a guarantee. I then told them I brought down with me money, and that anything they required should be handed over immediately to them. On Thursday, Mr. Sedley having gone away to Ballysodare, there was a meeting at Mr. Macdonogh's house, and he was very uneasy. Mr. Macdonogh said he really thought he had been sold. The gentlemen who were there left the room. I said to him, "This is a matter you can't possibly interfere in; you will leave the matter in my hands with respect to the money; you had better not bring yourself in connexion with money in any way; I will act for you as I would for myself." He said, "I am not satisfied with that." Mr. Sedley had not returned until late in the afternoon, and Mr. Macdonogh said, "I will spend no money; don't on any account spend money." There was a meeting at his house. Mr. Sedley and Alderman Lyons were there. Mr. Sedley mentioned what brought him away from town at the time. Mr. Macdonogh seemed determined at that time not to spend any money. I was dining in town with a friend. I heard nothing whatever, nor was I at any meeting, nor did I know anything about the parties. A little before ten o'clock at night I was sent for to where I was dining, and was told that I was required at Mr. Macdonogh's. I came to Mr. Macdonogh's, and found in his room Mr. Sedley, Alderman Lyons, and one or two other gentlemen—at all events Mr. Sedley and Alderman Lyons were there, and they said they were determined to go on and fight. Mr. Sedley intimated to me that they were speaking to Mr. Macdonogh before I came in, and that when they mentioned the matter of money he said, "I can't interfere," and that he was leaving the room when Mr. Sedley said to him, "Have you any objection to our seeing Mr. Shekleton?" "As to that," said Mr. Macdonogh, "you may do so, I can't have anything to say to money." Mr. Sedley told me they were determined to go on. I asked "Is there any use in spending money?" They said "they must get it, we can't get on without it." "I have," said I, "£400, and if that isn't enough, I dare say I can get £100 more from a friend," which I did, and that made £500. Mr. Sedley said, "We must have that money." I handed Mr. Sedley £495. I had paid £5 previously for Mr. Macdonogh, and Mr. Sedley went away. I asked Mr. Macdonogh's servant could I see him, and he told me that Mr. Macdonogh had gone to his bedroom, and said that I was the only person he was to be called for. I went to his room and spoke to Mr. Macdonogh about the matter. He said, "I am sorry you did so, I didn't want to spend any money." I said, "If you like, of course, I can go after Mr. Sedley, he probably hasn't left the house yet." "No," said he, "as you paid it, let it be; I am sorry you did it." I didn't go among the electors, nor did I in any way interfere or inquire how the money was spent, nor did I know anything about it, except that a portion of it was for a mob to applaud Mr. Macdonogh.

10223. You knew, I suppose, that portion of it would be used to influence voters?—I understood that a certain portion would be used to pay voters. I had nothing to do with, nor had I any conversation with regard to the disposition of that money with Mr. Sedley nor Mr. Macdonogh, until Saturday morning. On that morning Mr. Macdonogh and I went to Dublin by the six o'clock train; Mr. Sedley came with us as far as Carrick, as he was going on business connected with the Leitrim election. Mr. Macdonogh impressed on me most strenuously that I should tell Mr. Sedley that on no account should he make any payment whatever to Roman Catholic electors. He guarded us all through against that. He mentioned some persons he wished to have paid. I really can't recollect their precise names, but I am positive about the Roman Catholic electors, and impressed that on us every place we went to—in the train to Carrick, again on the platform at the Cavan Junction, and thirdly, at the Broadstone; at each of these places he spoke of it, and asked me to mention it to Mr. Sedley; that was the direction he gave me. I was coming down on Saturday evening—I was concerned, as I told you, for Sir Robert Gore Booth and Colonel Cooper. I was going to Sharkree on Monday. When I came to Sligo I saw Mr. Sedley. He showed me a list of the men among whom he proposed to allocate the money, which amounted to considerably over £495. I said to Mr. Sedley, "I will not advance a single farthing more; I am sorry I had anything to say to the transaction, as I am not satisfied with the way Mr. Macdonogh has acted. I can't give any more money; you are not to expect anything more, nor will I be responsible for it." Mr. Sedley then made some alterations in the list, and he gave it to me. I went up to town on Thursday; as well as I recollect, I saw Mr. Macdonogh on Friday. I showed the list to him, and his sole anxiety was to try and cut down the expenses as much as he possibly could. He said, "It's very hard on me that I should have to give money;" that I acted injudiciously in giving the money, as he was thereby deprived of any ground of petition for the bribery that was alleged to be practised on the other side. Mr. Macdonogh never repudiated his liability to pay the money, he only said he couldn't make any payment on account of it until after twelve months, in order to protect himself from the consequences connected with it. I said he should have borne that in mind before he asked me to place myself in that situation for him. I certainly would never have given a farthing of my money unless I was satisfied that as a gentleman he would have repaid it me on the spot. I had known from friends that all the liabilities of that kind he incurred at Carrickfergus, when he had been a candidate, were paid by him immediately, and I wouldn't bring sixpence down unless I was certain that I would be repaid. I told him that it was money that didn't belong to myself, but that it was rent I got for different persons, among them my father—and that it was a great inconvenience for me to have to replace it. He said he couldn't help it, that he wouldn't pay the money until the twelve months had gone over. Mr. Macdonogh never repudiated the liability, and it's untrue—I say most positively what I saw in the newspapers—that it was at the solicitation of a friend that he had paid it. It was not. The only question was whether he should give any security for its repayment. A friend mentioned by him, whose name he should never have introduced at all events, was the means of getting him to undertake to give some security that he was to repay it to me. Mr. Macdonogh wrote to me and said he would give me promissory notes for the amount. I then went over to his house, and on my way I got two bill stamps. He refused even to take the stamps. He said he shouldn't allow anyone to interfere—that he could recognise no one in the transaction, and that he would fill the stamps himself. He refused afterwards to give the promissory notes, and gave me three I. O. U.'s—one for £95, payable in September, '66, one for £200, payable in October, '66, and a third for £200, payable in November, '66. When I was down here at the election with him, he had asked me to act as his counsel; and when he de-

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murred making any payment on account of £495, I said, "At all events you could have no objection to paying me my statutory fee for acting as your counsel, and let that go against the £495," he took no notice whatever of it. I forwarded my claim to Mr. Davis, his agent for election expenses; and Mr. Davis refused point blank to pay it. I never have been paid it, nor did Mr. Macdonogh ever pay me one farthing of my expenses for going up to Dublin to get the money down. In August, '66, I was going to Harrogate, and shortly before I wrote to him. The I. O. U. for £95 was dated not payable the 2nd September, '66, the second for £200 was dated the 2nd October, '66, and the third for £200 was dated the 2nd November, '66. I wrote to him, asking him to let me have the amount of the first I. O. U. as I was going to Harrogate. He gave it to me some days before the time it fell due, I passing my receipt for it. About November 1 asked him about the second I. O. U., he said he couldn't possibly pay it, as he hadn't money at the time—that the rents of the property his wife had settled on him at his second marriage hadn't been paid; that there were very large arrears, and when he would get them he would pay me. He asked me to look after the payment of them. He paid me the amount of that I. O. U. in January, '67, and the third I. O. U. he paid some time afterwards—I can't tell you the date, I could tell you if I knew I was coming down here, for I kept a little diary in which I kept these things, but it is unfortunately at Bray where I am staying at present. I could tell you at once the precise dates on which he paid me this money.

10224. At the first election of 1860, you say you came down with £400?—Yes.

10225. Had you actually got that sum?—I had. I got it from Dublin. I wrote to a friend in Dublin asking him to send it to me, sending my cheque on the Bank of Ireland where I had them banked, and I asked him to send down the money without apprising him of why I got it. I got down the money.

10226. How long was that money in Sligo?—I got it down on a Tuesday morning. I forget when the election was at that time. I brought down the money. Mr. Macdonogh refused to take it from me, and I brought it back to Dublin.

10227. Did Mr. Macdonogh know that the £400 was to be brought down for the purposes of bribery?—Perfectly, for he stated to me he heard there was no chance of carrying the first election without paying money.

10228. To voters?—To voters.

10229. For their votes?—Unquestionably. He said he couldn't draw on his own account; if he did, it would be discovered. Then he asked me if I could possibly manage it. I said if he was in great want of money I had money lying by and I would give it to him, I said; but I then said I couldn't tell how much until I looked over my bank-book. I went over to the hotel. I got my cheque-book, and saw on the reverse of the last block the amount to my credit.

10230. On that occasion were you informed by Mr. Lyons, or anyone else, of the £850 arrangement that is now disclosed?—I had no communication with Mr. Lyons or anyone else on that occasion. I was merely down as a friend, as auditor, as an assessor for the county on that occasion.

10231. We now know that Mr. Macdonogh put his initials to an envelope with the figures 850 on it, in Mr. Lyons's handwriting, and we have it that that was understood between them as the sum necessary to be advanced for bribery, that is the way to put it; did you ever hear of that?—I never heard a word of it. I knew nothing of it. I knew nothing of his transactions with respect to the borough, until after I got that list from Mr. Sedley, for of course I was careful to avoid having anything to say to Mr. Macdonogh afterwards.

10232. We had it here stated that the whole of the £850 was raised before the election, and we have it that was raised by a £500 bill between Mr. Lyons and a man named Monds, and for the other £300, Mr. Lyons overdrew his account; and that sum of £850 was given to persons who held it as trustees for the electors, and was paid to them after the election of 1860?—I know nothing whatever of the election of 1860.

10233. It was stated here that the money was given to some respectable gentlemen in the town, who consented to act as trustees, and the electors took their word, as it were?—The only thing I know of the election of 1860 was simply getting the money brought down from Dublin. I wrote up to a friend for the money. I don't want to mention his name, for he really knew nothing whatever of the purpose for which I wanted it.

10234. How long before the election of 1865 was it that you had any conversation with Mr. Macdonogh about the bringing down of the money for that election?—I can't exactly fix the date. I should say three weeks or a month; it wasn't so long as that, it must be a very short time. The election was in the early part of July, just as term was over, and the circuits were beginning to go out.

10235. Did Mr. Macdonogh inform you that he was in communication with parties in Sligo who told how much would be necessary for bribery?—No.

10236. I don't mean of course, in these words?—He never mentioned it; but simply asked me could I assist him in the same way as in 1860. I said, of course, if he wanted it; but I couldn't decidedly tell what amount I could give him until I looked over my bank accounts to see how I stood. Mr. Macdonogh was always aware that I had a large amount of money passing through my hands.

10237. How often did Mr. Macdonogh speak to you on the subject before you went down to the election?—As well as I recollect, that was the only occasion he spoke to me about getting the money; it must be closer than I said to the election, as I told Mr. Macdonogh I was going to a preliminary meeting of county gentlemen, which was in connexion with the county election, and it would be too soon to bring it down then, so that it must be a short time before the election.

10238. Was it perfectly understood between you and Mr. Macdonogh before the election of 1865 that that £500, or whatever it was, was to be applied for bribery?—There was no understanding whatever in any way. Mr. Macdonogh only asked me would I oblige him in the same way as in 1860—that is, give him money. I believed there wasn't the slightest intention of doing anything of the kind, but it having been mentioned, I gave it to him. I didn't inquire what it was allocated or employed for—whether it was for the purposes of bribery, or whether for anything of that kind, I don't know.

10239. You have stated "in the same way as in 1860;" did you understand by that that the money was for bribery?—There was no understanding on the subject; there was nothing said as to what he wanted it for. Mr. Macdonogh told me he wanted the money; he didn't use the words "for bribery."

10240. That is never said, you know—that word is never used?—Nothing was said but that he wanted the money; he didn't say what he wanted it for, but of course I suspected that he wanted it for bribery, if bribery were necessary.

10241. Mr. Macdonogh appears to have forgotten all about these preliminary conversations before the election. He said the £500 came on him by surprise. That is the result of his evidence?—So I saw by the papers.

10242. Do you say that at that interview, when Mr. Sedley and Mr. Lyons were present, you brought the £500 with you?—I had the £500 in the hotel. I went to the hotel, got the money, and brought it back to them.

10243. In what notes had you it?—In five and ten pound notes; there was some gold also.

10244. Was there any list of names produced in your presence that evening?—No list whatever—in fact it was utterly impossible.

10245. Mr. Sedley said he couldn't recollect, that it

was not clear whether you were present or not, but he was distinct about the list he produced, and which is here?—There couldn't be any list; it was the month of July, and there was no light in the room. That is the reason why I couldn't be positive as to whom I saw in the room precisely besides Alderman Lyons and Mr. Sedley. I was in front. The gas had not been lighted. The gas was lighted in Mr. Macdonogh's large room, but it wasn't in the small room.

10246. At what hour did you go into Mr. Macdonogh's bed-room?—It was a little after ten.

10247. Of course there would not be the slightest difficulty in getting the money back from Mr. Sedley?—Not the slightest. Mr. Sedley couldn't have been more than a hundred yards from the house when I told Mr. Macdonogh of what I did.

10248. And the money was not to be given until after the polling—that we all know. It was only to be given to parties as trustees, who would give it then?—Precisely, and I knew from Alderman Lyons that he wouldn't take a single step or make an engagement unless the money was in his hands.

10249. When you say "engagement," you mean with voters about their votes?—Yes.

10250. And hiring mobs?—I understood that they had hired a number of men to applaud Mr. Macdonogh when he was speaking in the court-house on the day of nomination, and that this money was to be applied to pay these men a certain sum, and that they wouldn't take a single step unless they were indemnified.

10251. Mr. Sedley said he expected a small sum—£20; I presume that money went that way?—I cannot tell. I know Mr. Sedley showed me that list.

10252. When you went to Mr. Macdonogh and told him you had given the money did you distinctly apprise him that you could get it back from Mr. Sedley at the moment?—I told him that distinctly. I said, "If that be the case I will go after Mr. Sedley and get it back. I doubt if he has left the house yet. I can go after it and get it back." He said, "It is no use; as you have given it let it be."

10253. Mr. Sedley in his evidence stated that he distinctly understood from Mr. Macdonogh's manner that, though he verbally forbade, he really sanctioned, the money being spent in bribery?—I can't tell you what took place at that interview, for, as I told you, I was dining out and I couldn't say what took place. Mr. Sedley mentioned to me what I told you—that they were talking about Mr. Macdonogh's not wishing money to be spent, and his saying, "Act as you think fit, I can't interfere in money matters," that was really on the assumption that Mr. Macdonogh, to a certain extent, had thereby revoked the former direction he gave to me, that I would give the money, and also acting on the authority, in the first instance, to act for him as for myself.

10254. When you gave the money to Mr. Sedley and authorized him to spend it in that way, did you believe you had Mr. Macdonogh's full sanction?—I did, his perfect sanction to it, and what struck me as rather strange was, that Rooney, Mr. Macdonogh's servant, when I asked could I see Mr. Macdonogh, said, "Yes, you can. I was told not to allow anyone up to him but you." It wasn't very likely that Mr. Macdonogh, with whom I generally dined every day, and who must have known I was dining out that night, would expect that I would call to his house at the late hour when I'd be leaving my friends.

10255. Mr. *Commissioner Byrne.*—Was there a list given to you by Mr. Sedley?—There was.

10256. The *Chief Commissioner.*—Why were the Roman Catholic electors not to be paid?—I don't know. Mr. Macdonogh did not mention why they weren't to be paid; but simply that was the direction he gave me—that they weren't to be paid at all. That was a matter he was impressing on me the entire time going up—at Carrick, Cavan Junction, and in Dublin.

10257. Mr. *Commissioner Byrne.*—Was there a list given to you by Mr. Sedley?—Yes, on Monday.

10258. Does that list remain with you?—It does. I have it in my possession this moment. It happened to be in Dublin, and I brought it down with me.

The list was as follows:—

20	20	James Hall.
20	20	James M'Kerin.
20	15	Thomas M'Kerin.
20	20	Robert Lindsay.
20	20	James Burns.
20	20	Samuel Gilmour.
30	30	——— Buchanan.
25	25	John Ryan.
20	15	——— Phair.
15	10	Richard Pallen.
20	15	——— Crozier.
30	10	Pat Devaney.
Mallen,	10	John Lynch.
20	20	James Everatt.
20	20	R. Henderson.
5	5	Pat Jinkens.
—	5	John Henderson.
20	20	James Cummagh.
25	20	Samuel Williams.
20	30	James Wallace.
20	10	Thomas Graham.
20	15	John Burns.
20	15	Mr. Smith.
20	15	James Crompton.
20	20	Robert Macredy.
—	20	John Burns.
—	10	G. Wilson.
—	20	Thomas.
—	20	Gunning.
—	20	Mallum.

10259. Mr. *Commissioner Bruce.*—Is this a copy of another list?—It is not?—It is the list that Mr. Sedley handed to me on Monday.

10260. Mr *Commissioner Byrne.*—Does it represent here the figures 20 and 15?—You will see two sets of figures. The first was what were put in when Mr. Sedley gave it to me—showed it to me in the first instance. Then the other figures were added when I was talking with him. Just let me look at the list for a moment. (Witness looks at the list.) I think that some of these figures are in my handwriting. This inside row is in my handwriting, the outside ones are his. The inside ones are those he mentioned he would give afterwards. I wanted it then for the purpose of showing it to Mr. Macdonogh, and I got it for that purpose.

10261. But Mr. Sedley said he paid these sums that are marked on the inside?—No, not paid; he was to pay them. These were the sums that were promised, as well as I understood him.

10262. Mr. *Commissioner Bruce.*—Did I understand you to say that these were sums actually promised?—They were not promised, but it was the understanding that these were the amounts they were to get.

10263. I see a mark here, does it recall anything to your mind?—It doesn't.

10264. As a matter of fact, it is in evidence that these two sums were actually paid by Mr. Sedley through separate persons to hold as trustees for these people?—It may be so—I can't tell you—they were bracketted together.

10265. It is very likely that he put the mark here to tell you what he had paid?—No. I don't think he paid a farthing.

10266. Mr. *Commissioner Byrne.*—Did you show that list to Mr. Macdonogh?—I did.

10267. When did you show it to him?—It was either on the Thursday or the Friday after the election—I am not sure which.

10268. But it was after the election?—After the election. I went to town, the next day I went to Mr. Macdonogh's house at Rutland-square. I hadn't the list until the Monday after the election, so that I could not have shown it to Mr. Macdonogh until after that.

10269. Do you remember what observation Mr. Macdonogh made when you showed the list to him?—He objected very strongly to some of the payments, and said they were a great deal too large—in fact, he

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almost in plain terms, imputed to these gentlemen, Mr. Sedley and Alderman Lyons, that they were arranging among themselves to keep portions of the money for themselves—that he didn't believe, he said, that these sums had been promised or would be paid, and in fact, that these gentlemen were keeping a portion of the money for themselves.

10270. Then his objection was only to the sums—as to the amounts, Burke said he was sorry that any money whatever was given?—Unquestionably, as it deprived him of his chance of succeeding by petition.

10271. Was that list ever after the subject of conversation between you and Mr. Macdonogh?—Never. When I found the way he was inclined to act, as I told you, I rather avoided Mr. Macdonogh's society for the future. Though I had been on very intimate terms with him, I never was inside of his door except professionally since, for I thought he acted very badly by me—he kept me out of my money for nearly two years; he never paid my expenses to Dublin when I went for the money; he never paid my fee as his counsel, nor sixpence for interest.

10272. The *Chief Commissioner.*—Before this you were personal friends?—Yes. I knew him from my childhood. There never was a man under deeper obligations, not only to myself but to every member of my family.

10273. Mr. *Commissioner Bruce.*—Did I understand you to say that, when you gave the sum of £495 to Mr. Sedley, you didn't know for what purpose it was except that it was generally for the election?—It was generally for the election, of course; but I had a shrewd idea that a portion of it was to be spent in buying electors, but there never was a word to that effect, for, as I said before, I carefully kept myself away from that. I didn't interfere in it, for, as I tell you, I was concerned for the county members, and I didn't wish to mix myself up in the borough.

10274. The *Chief Commissioner.*—In reference to the evidence you read in the papers, I presume you read fully Mr. Macdonogh's evidence there?—I read it in a hurry on Monday morning. I have been very busy professionally for the last few days, and I read it very hurriedly.

10275. Do you wish to say anything now in respect to any statement that appeared in that evidence, or can you give us any further information?—I couldn't tell you. I read it very hurriedly on Monday morning. That was the first intimation I got that he mentioned my name at all.

10276. Mr. *Commissioner Bruce.*—Are you quite positive that no list could be made up by Mr. Lyons or Mr. Sedley before they left Mr. Macdonogh's that night, assuming that it was not made before you came there?—Oh, there was no list made out or produced in my presence, only the list before you that I handed up, and which I didn't get until Monday. I never saw any list except that.

10277. Was the room you were in not lighted?—It was not lighted—it was the small room. They were standing out in the hall between the two rooms, in the passage, when I went up to Mr. Macdonogh.

10278. Mr. Sedley stated that a list, which I fancy was a duplicate of the one you had, was made up that night?—I can't tell you. I know nothing whatever about it; but it was utterly impossible to do so when I was there, as there was no light in the room they were in.

10279. Had they any opportunity of going into a lighted room and making up a list before they left Mr. Macdonogh's, and after you had gone up stairs; was the passage you speak of used as a passage? If it was I suppose it was lighted in some way?—I could not tell you what occurred after I went upstairs to Mr. Macdonogh.

10280. Were you given to understand by Mr. Sedley when he met you in that way that the list had been made up previously to the election?—No. Mr. Sedley told me that he and Alderman Lyons had gone over it, and that they had some dispute with regard to the amount to be paid to one particular man; there was a large sum put down to some one man, and they had some objection or dispute with respect to it.

10281. That was probably the man who was to get £40?—I think so.

10282. Mr. Lyons told us about that; he said he paid £40, and only got £30 for it?—It may be this man James Wallace. I think there is £30 down to him.

10283. The *Chief Commissioner.*—Mr. Lyons said he paid him £40?—I recollect Mr. Sedley mentioned that there was some dispute between him and Alderman Lyons with respect to the sum to be paid to some one man.

10284. Mr. Lyons is still out of that £10?—I know nothing of that. I see that Mr. Sedley stated, with respect to asking an account of the money, that I avoided him. I did not avoid him; I considered that the money was paid to Mr. Macdonogh, and that Mr. Sedley should account, not to me, but to him. I never looked on it, after I gave it, as my own money—it was Mr. Macdonogh's money. I treated it as payment to Mr. Macdonogh, and I looked on it as a debt of honour due by Mr. Macdonogh to me, and that I had no right to ask Mr. Sedley for an account, and I never did.

10285. In order to have it clear on the notes, you stated that you had only £400 when you came down from Dublin, and that you said you could get an additional £100 from a friend?—Yes.

10286. You said you got £495?—Yes; I got an additional £100 from a friend here. I only brought down £400 on Tuesday morning, and I got another £100 here from a friend, and then I paid a £5 note out of that, I forget now to whom it was; and I paid another £5 also. I gave £505 altogether, and Mr. Macdonogh gave me £10 back.

10287. Mr. *Commissioner Byrne.*—You had better read over the whole of Mr. Macdonogh's evidence, and see whether there is anything you wish to make any explanation to the Court about?—I will; if there is anything in it requiring explanation I will give it, and attend here at any inconvenience. I have told you everything connected with the transaction; of course I could by looking at my books, give the precise dates of the payments. That's the only further thing I could add to the evidence which I have given, for my memory—I have a very accurate memory, and I am perfectly distinct about everything that occurred.

10288. The *Chief Commissioner.*—I am afraid Mr. Macdonogh will be examined again?—I can produce the cheques.

10289. Mr. *Commissioner Byrne.*—I only make the observation for your own sake—if you didn't do so you may regret it afterwards?—Unfortunately I am staying at Bray at present, and all my books and papers are there; but I purpose moving from Bray, on Tuesday next.

10290. The witness withdrew, but at a later period of the day returned into court, and said, there is one matter that occurred to me since I was here. When I told Mr. Macdonogh the amount I gave Mr. Sedley, when I was speaking to him about it; I can't tell whether it was in his own room that night, or in his own house in Dublin. He said, "I thought you had only £400, I understood that that was all you had." I said, "Yes, that's all I brought down from Dublin, but I got £100 from a friend in Sligo; so that he then specified the sum I told him I would bring down."

James Leonard sworn and examined. James Leonard.

10290. The *Chief Commissioner.*—Are you an elector?—I am.

10291. Whom did you vote for at the last election?—For Captain Flanagan.

10292. Whom did you vote for at the previous election?—For Sergeant Armstrong.

10293. Did you get any money after Sergeant Armstrong's election?—I did.

10294. How much?—Fifteen Pounds.

10295. From whom did you get the £15?—From Martin Phillips.

10296. Did you ever get any money at any previous election?—No; that was the first time I voted.

10297. Was there any offer of money made to you at that election by anyone on the other side?—No; I was always a Liberal; I wouldn't vote at the other side.

10298. Did anyone offer you money at the last election?—No, not a shilling.

10299. On whose recommendation did you vote for Sergeant Armstrong?—He canvassed me, he was a Liberal, and we thought to put him in on that account.

10300. Were you offered or promised any money to vote for the Sergeant?—Never. I voted freely for him. I didn't ask a shilling.

10301. Who gave you the hard word about the money you got?—Kearns and Barry told me of it. Kearns and I went up together. Mr. Phillips had three £10 notes. He handed one £10 note to Kearns, and another to me; he then gave me a second one, and said he had no change—"Change it and give £5 to Kearns."

10302. When you voted at the last election did you expect to be paid as you were after Sergeant Armstrong's election?—I did not. I didn't expect a shilling.

10303. Did Mr. Phillips canvass you?—He didn't, but I met Captain Flanagan in the street—Father Quinn was with him at the time—he asked me would I vote for him, and I said I would.

10304. What trade or business are you?—I am a farmer.

10305. Do you know anything of the mobs that were going about at the last election?—Not a ha'porth.

10306. Did you get any treat or refreshment in a public-house on the day of polling?—I didn't get a single glass of whiskey. I kept in the tally-room the whole day after I voted.

10307. What were you doing there?—I was erasing the names.

10308. According as each man voted?—Yes.

10309. Mr. *Commissioner Byrne.*—Did you get anything for erasing the names in the tally-room?—Not a penny. I asked Mr. Molony was I to get anything, and he said there was no money going.

10310. Mr. *Commissioner Bruce.*—What made you think there was no money going on Captain Flanagan's side at the last election?—They never mentioned that Captain Flanagan was giving money.

10311. They thought he was poor, was that it?—Yes.

10312. Why did you vote for him?—Because we knew he was a good member, and that he would vote for good measures—for tenant-right and the like.

10313. Was it understood that he had no money to give?—It was, and even if he had itself, we wouldn't ask it from him.

John Burke sworn and examined. John Burke.

10314. The *Chief Commissioner.*—Are you an elector?—I am.

10315. And you have been an elector for some time, I suppose?—Forty years, I suppose.

10316. Did you ever get money to distribute at any election?—I did.

10317. At whose election did you first get money for distribution?—At Mr. Macdonogh's.

10318. At his first election in 1860, was it?—At his first election.

10319. Who gave you the money on that occasion?—As Mr. Sedley stated here,—I was sent for to my own house to go to Mr. Sedley's office, that there was a message for me. When I went to the office there was a parcel delivered to me by the hand of a strange man who told me to take it home. James Sedley said "Them are old musty documents, consult them." I did take it home, and found that instead of being old documents they were parcels of money with slips of paper having the names of certain voters in Sligo on them.

10320. How much money was there in the parcel?—Three hundred pounds. Mr. Sedley said it was £200, but it was £300.

10321. To whom did you give it?—Will I tell the names?

10322. Yes, tell all out?—I certainly will; I will answer. There was Samuel Williamson.

10323. How much did he get?—Twenty-five pounds; Richard Robb, £35; Robert Shaw—am I to continue the names?

10324. Yes, certainly—how much did Robert Shaw get?—Thirty-five pounds; James Grevett, £25. I should remark that he didn't get the whole amount of £25; there was an account due by him to a draper in town, for which I was responsible; the amount of the debt was deducted, and I gave him the balance.

10325. Who was the draper?—His name was Davidson.

10326. What is his Christian name?—William. Their accounts will show that the debt was paid.

10327. What was the amount of the stock supplied?—I think it was £13. The balance was handed over to Grevett.

10328. Who were the others to whom you gave money?—Robert Henderson, £30; but in that case I should state that I was responsible for a sum of money to a man named Collins, who keeps a loan office, for £5. I stopped that sum, and paid Collins out of the £30.

10329. Who else was paid money by you?—George Williamson, £30. Did I say William Smith?

10330. No?—William Smith, £20; and my own name was down for a similar sum.

10331. Twenty pounds?—No; £30. I wish to remark that I suffered a severe and permanent loss by that election. I was the tenant to Colonel Tennison, who was the opposite man to Mr. Macdonogh; and I was deriving a benefit, a profit, out of the holding I had from him—the entire earnings of my life were expended on it. I thought that Mr. Macdonogh would give me some guarantee in case Mr. Tennison would take steps to dispossess me as tenant-at-will. Mr. Macdonogh evaded it, but pledged himself that Mr. Tennison was too good a gentleman to do anything of the kind to me if I voted for him. Under the pressure of his solicitation, and of other friends, I consented and gave Mr. Macdonogh my vote, and a dear vote it was to me; for I was put out of the place—it was the place of my birth, and was in my family's possession for more than a hundred years. That's what I gained by my vote at that election.

10332. In what year were you evicted?—The year after '61. I made every effort, I offered double rent for it. I wanted Mr. Tennison to give me some compensation for the loss I sustained as the property was greatly enhanced and greatly improved by my outlay on the ground. I had planted a beautiful orchard and built

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four or five nice little houses. I hoped at the close of my life to finish my career.

10333. Go on with the list of those who were bribed?—How many have I given you?

10334. Nine?—That's all; that's the number.

10335. Were not there more than nine on the list?—I don't believe there was.

10336. In whose handwriting was the list, do you know?—I don't know.

10337. Previous to Mr. Macdonogh's time had you voted for the Liberal party?—No, I voted for Mr. Wynne on the two occasions he stood for the borough.

10338. Before that had you voted for Sadlier?—No. I refused a large offer made to me on that occasion. I sympathized with Mr. Somers, for he was borne down, and I gave him my vote.

10339. How much were you offered for your vote for Mr. Sadlier?—There was a man named Hanly with Mr. Sadlier and wanted me to propose or second Hanly. I refused to do both.

10340. As a candidate?—Yes. This person came in late one evening into my shop, laid down a slip of paper with £150 marked on it, and said I would get that sum if I did propose or second his nomination. I refused to do so.

10341. What was Hanly's Christian name?—John Hanly.

10342. Was he Sadlier's managing man?—He was Sadlier's particular friend.

10343. Was it supposed that he had put down money for Sadlier?—No, it is unlikely that they would trust him with money.

10344. Had he put down the £150 on the slip of paper?—No, he didn't.

10345. Do you know who did?—I don't. I was afterwards sent for by Mr. Allen. He asked me did I turn madman to refuse such a sum.

10346. At Townley's election for whom did you vote?—For Mr. Townley.

10347. Was any promise of money made for your vote on that occasion?—No, but there was for my active services during the election. For a fortnight I assisted in having Mr. Townley returned, and I got £20 after the election.

10348. Who paid you that £20?—I am not sure whether it was Mr. Stoner, the relative or friend of Mr. Townley in this town at the time.

10349. Do you remember Mr. Stoner's Christian name?—I don't.

10350. Did you know him previous to that time?—He was here twice. He was here at Sadlier's election.

10351. Do you know his Christian name?—I don't.

10352. Since that election of Mr. Macdonogh's in 1860, did you vote at Mr. Macdonogh's second election?—I did.

10353. For whom did you vote?—For Mr. Macdonogh.

10354. On that occasion did you get any money?—I did. You have a docket there, and Mr. Sedley stated that he went round, and gave certain men certain sums of money. I was among that number.

10355. How much did you get?—I got £20.

10356. I suppose you remember that election very well?—I do.

10357. Do you know Mr. Lyons?—Is it Mr. Henry Lyons?

10358. Yes?—I do.

10359. Do you know Mr. Sedley?—I do.

10360. Do you remember the night before the poll anyone coming to you and telling you that Mr. Sedley had money?—I had a message from Mr. Williams of High-street, for me to call at Mr. Sedley's office—that there was a message for me.

10361. Was that the night before the poll?—I think it was. I am not quite sure.

10362. Was it before you voted?—It was.

10363. That is enough—what was the message?—For me to go to Mr. Sedley's office.

10364. Did you go?—I did.

10365. What occurred when you went there?—At one of the entrances to the office—I believe there is but one entrance to the office, off the hall—I met a man there——

10366. Was he a voter?—I never saw him before or since—he was a stranger to me. He was dressed in the garb of a porter.

10367. Was he a Sligo man, do you think?—I couldn't tell whether he was or not. From his attire I considered that he belonged to a low class. When he presented me with a parcel, Mr. James Sedley said, "them are old documents, when you go home peruse them."

10368. That is the same thing that you stated already?—I was but one time at it. I am only repeating what I have stated already.

10369. What I want to refer you to is—the election at which you distributed the £300 was when Colonel Tennison was a candidate against Mr. Macdonogh?—Yes, that was the only one at which I distributed money.

10370. That is the election you are referring to about the old documents?—Yes.

10371. I want to bring your mind to the election between Mr. Macdonogh and Sergeant Armstrong when you got £20 yourself—did you hear of any persons getting any money, or getting a tip about it, until after you voted?—Not a word—were it not for straitened circumstances I wouldn't take it from him.

10372. Did you know of any other men that were to get money?—No.

10373. At this last election between Major Knox and Captain Flanagan, for whom did you vote?—I voted for Major Knox.

10374. Was anything said about money at the last election?—Not to me.

10375. Was anything said about it to any member of your family?—No.

10376. Did you promise Major Knox when he canvassed you?—I did.

10377. Did you expect any money for your vote at your last election?—No, indeed.

10378. Did you intimate to anyone that you might wish for some money?—I haven't the slightest recollection that I did, so as to derive anything from the election.

10379. Did you get any money at the revision?—No.

10380. You were not engaged at the revision?—No.

10381. Do you know Captain Ethelred Knox?—I do.

10382. Did you know the room he had when he was at the election?—Is it at the Mall, where he lived?

10383. No, but Mr. Leech's house, where Captain Knox had rooms?—Do you mean the Clerk of the Peace?

10384. No; I mean Captain Knox?—I don't know him at all; I never saw him.

10385. Do you know Mr. Hignell?—For the first time I saw him yesterday.

10386. Did you know of the existence of any committee-rooms at the time of Major Knox's election?—I once asked if they had a committee or committee-rooms, and they said they hadn't.

10387. Mr. *Commissioner Byrne.*—Who canvassed you at the last election?—Major Knox did, and Mr. Phibbs, Mr. Pollock, and some other gentlemen that were with him.

10388. Did Mr. Stokes speak to you about your vote at the last election?—Never.

10389. Did you see any of the mobs that were in town on the polling day?—I did.

10390. Did you see any of them get any refreshments in the streets on that day?—I didn't. I was very little in the streets that day. I voted early in the morning. I went home, and after Captain King was shot I didn't wish to be out in the streets much.

10391. Had you yourself any difficulty in getting from your own house to the court-house to vote on that day?—I hadn't. I went to the court-house very early, as I knew that was the best time to go.

10392. On your way to the court-house did you

meet with any obstruction?—There wasn't a word said to me from the moment I left my house until I returned. I saw mobs of people at a distance, but their attention was turned in another direction, and I got up clear.

10393. Mr. *Commissioner Bruce.*—You told us you got £300 for distribution at the election when Mr. Macdonogh and Mr. Tennison were candidates?—Yes.

10394. What did you do with the balance of that sum, because the sums you say you distributed only amount to £230?—There should be more.

10395. As far as I see, after adding them up, that is all?—The names I gave are the only names I recollect. I am sure there is a balance in my hands since.

10396. You say there is a balance lying by?—There must be. I know there were some trifling things laid out by me. I gave a trifle sometimes to silence an angry man in a mob, and to keep him a little quiet.

10397. Did you keep any account of the expenses?—Not of the small sums I expended.

10398. Did you of the large sums—did you get receipts for these sums?—I didn't. The list of names I got in the parcel didn't instruct me to get receipts.

10399. Have you that list of names still?—I haven't. After the election I called on Mr. Charles Sedley to look at the names and the sums distributed. He asked me if they were all paid. I said, and I referred him to the parties themselves, that I may stand clear.

10400. At the time that you were evicted, was it said that it was on account of your having voted for Mr. Macdonogh that you were evicted?—It was.

10401. By whom was that stated?—By Mr. Robert Poe, the under agent.

10402. Did Mr. Poe say you must leave the farm because you voted for Mr. Macdonogh?—He did, and Coloned Tennison told me so also.

10403. Where did Colonel Tennison tell you so?—He was stopping at the hotel. I waited on him there. I told him the circumstances, and begged of him to allow me to remain on the farm, if not, to give me some compensation for the loss I sustained. He said if threepence were to enrich you I wouldn't give it to you. He very courteously opened the door and let me out.

10404. You told us of a message brought by Thomas Williams for you to go to Mr. Sedley's office—was that at the 1860 election?—It was.

10405. Had you received a similar or any message on the second election?—I had not.

10406. On the election between Sergeant Armstrong and Mr. Macdonogh, did you hear any talk of money being wanted by Mr. Macdonogh's friends?—When you say "friends," do you mean voters?

10407. I mean voters?—I heard nothing particular about it.

10408. Did not you know there were some voters hanging back on that occasion?—That is generally the case, and I suppose that election was not an exception.

10409. Was there any talk about money going at the last election for men who voted for Major Knox?—There was plenty of talk, if it was of any use.

10410. Among the voters?—Yes.

10411. Did you hear many complain that they expected money, but did not get it?—I heard a good many complain that they expected something, and that they didn't get it.

10412. Was that after the last election?—I can't say that. I don't wish to commit myself to anything I am not positive of.

10413. Do you recollect anyone who complained of not having received money?—I don't remember the names of any. I was so engaged with another person in business, who was a friend of Captain Flanagan, and I was very cautious of keeping out of everyone's way as much as possible.

10414. But you heard persons complaining?—I did.

10415. Was it a general complaint?—I can't give you a distinct answer to that.

10416. Did you hear twenty complain?—I can't say I did. I could give you a definite answer.

10417. You are quite sure you cannot remember any of the names?—I am.

10418. Do you think if you thought over the matter for one or two days you could remember and gives us the names?—I don't know. I will think over it.

10419. Did you hear anyone on Captain Flanagan's side complain that there was no money going there either?—I mixed myself up very little there. I kept myself very clear of the matter. I can't say that I did hear anyone complain.

10420. But you may have heard such a complaint?—I may.

10421. Did you hear anyone who voted for Captain Flanagan say it was a hard thing that there was no money going?—I heard it generally. You heard it stated that there was a deep impression produced on the minds of the voters for Captain Flanagan by the question raised between the parties—the question between Church and State—and that Captain Flanagan's friends gave their votes for him on that account.

10422. The *Chief Commissioner.*—Did you make any demand on Colonel Tennison at the time you waited on him at the hotel, which annoyed him?—Nothing but what he told you.

10423. Were you under notice to quit when you called at the hotel?—I was.

10424. The ejectment hadn't come on for hearing?—No.

10425. Did you defend the ejectment?—I didn't. I knew it was no use.

10426. Did you ever make any demand on Mr. Macdonogh afterwards, in consequence?—Never.

10427. What rent were you paying?—I was paying but £8 a year. It was a field containing one acre one rood. I commenced planting an orchard—it being my birthplace. I was very much attached to it. I improved it and it is a very handsome place. I expended a good deal of money on it. I built three or four cottages on it, they cost me a good bit of money; I built one of them particularly snugly, that I might close my life there.

10428. Mr. *Commissioner Bruce.*—When was the notice to quit served on you?—I can't tell you.

10429. You were evicted in 1861?—I was.

James Gallanagh sworn and examined.

James Gallanagh.

10430. The *Chief Commissioner.*—Are you an elector?—I am.

10431. Whom did you vote for at the last election?—For Captain Flanagan.

10432. Whom did you vote at the previous election?—For Sergeant Armstrong.

10433. Did you ever get any money after Sergeant Armstrong's election?—I did.

10434. How much did you get?—£20.

10435. Who paid it to you?—Mr. Kenny.

10436. Was there any other man paid along with you?—There wasn't.

10437. What is Kenny's Christian name?—I don't know.

10438. Is he in Sligo still, do you know?—He is, I think.

10439. Is he a clerk to Mr. Harper Campbell?—He is.

10440. Had any promise been made to you of money, before you voted?—No; I hadn't.

10441. On whose recommendation did you vote on that occasion?—Sergeant Armstrong's.

10442. What employment are you in?—I am a butcher.

10443. Have you any guild or society of victuallers in Sligo?—No.

10444. Had you ever got money previously for voting?—No.

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10445. Was any promise made to you at Sergeant Armstrong's election, on the other side?—No.

10446. I suppose they thought it was no use to do so?—I don't know, for Mr. Macdonogh said to me after voting for Sergeant Armstrong, "Mr. Gallanagh, I didn't think you would do that to me."

10447. Had you ever voted before that election?—I had.

10448. For whom had you voted at previous elections?—I voted for Mr. Somers, for Mr. Townley for Mr. Ball (I believe), and for Mr. Sadlier.

10449. Were you promised anything at Sadlier's election?—Not a halfpenny.

10450. Did you get anything after that election?—I got nothing after it.

10451. You voted for Captain Flanagan, in accordance with your principles?—I did.

10452. Did the victuallers in Sligo go mostly for Captain Flanagan?—They did.

10453. Have you any place in Sligo where the victuallers met before the election?—No, each man walked out of his own house to vote.

10454. How many voters are there among the victuallers, do you know?—I don't exactly know—there are seven, or eight, or ten, I suppose. I am not sure how many there are. I didn't calculate them.

10455. Do they generally go together to vote?—They do.

10456. You told me that there is no society among yourselves in connexion with voting?—No, there isn't.

10457. Did you expect any money for voting at the last election?—There was no money for themselves, let alone to expect it for us.

10458. Mr. *Commissioner Byrne.*—Were you with any of the mobs at the last election?—No; I wasn't.

10459. Did you see any of the country fellows among the mobs getting any refreshments on the polling day?—I didn't. I don't think they got any, unless they drank it out of their own pocket—they couldn't get it any other way that I knew of. I suppose they didn't come into town with an empty hand.

10460. Mr. *Commissioner Bruce.*—Did you expect there would be money going at the last election?—I couldn't expect it, for I heard the gentlemen hadn't it themselves.

10461. When you heard the gentlemen had not got money themselves, was it at any conversation you were asking whether money was going?—What was the use of asking it, when I knew it was not there. It was the common report before they came to town at all that they had got no money.

Daniel M'Gill

Daniel M'Gill sworn and examined.

10462. The *Chief Commissioner.*—Were you a supporter of Sergeant Armstrong at his election?—I was.

10463. Did you, after his election, distribute any money?—I did.

10464. Give the names of the men to whom you distributed money?—Pat Gunning, £30; John Gallagher, £20; Thomas Brennan, £15.

10465. Was that all the money you distributed?—That was all.

10466. Had these men made any application to you for money before you put their names on your list?—Never.

10467. Were these men in your employment when you put down their names?—The man who got the £30 was a poor man and had a long family; the others were also poor.

10468. What were they?—Gunning was a carpenter, Gallagher is a small farmer, and Brennan is also a small farmer.

10469. You had nothing to say to them in the way of business, or of employing them?—Never.

10470. How did it happen that they were selected by you to receive money?—They lived in my neighbourhood.

10471. You had canvassed them?—Never.

10472. When first were you consulted about the necessity of giving money to voters?—When Mr. Tracy came to town, I was sent for to the hotel.

10473. Did you know that either Mr. Tracy, or anyone else was bringing down money?—I knew nothing of it until I went to the hotel. I was then asked if there were any poor parties, or if I knew any of them in my neighbourhood.

10474. What was the object of giving the money to them?—To assist them in their necessities, I suppose.

10475. Was it then given out of charity?—It was to a certain extent.

10476. And the other extent was for having voted for the Sergeant?—I dare say.

10477. Did you consider this to be bribery?—I never thought of it at all—whether it was or not.

10478. Do not you know now it was bribery to give money to voters in that way?—I wasn't aware of it then.

10479. But you know it now?—I know it now.

10480. Do you know the names of all who distributed money on that occasion?—I don't.

10481. Do you know anyone who had the names of those who distributed the money?—I don't.

10482. Do you remember those who attended at the hotel with yourself?—There were—Mr. Kidd, Mr. Campbell, Mr. Petrie, Mr. Conry, Mr. Keighron, Mr. Phillips, and myself.

10483. Had you written to the Sergeant, or interfered, or witnessed negotiations with other men about the necessity of money coming down?—Never.

10484. Was that the only money you knew to be spent in that way at elections?—At Sadlier's election I was sent for to his lodging. I went there, and I was told that there was a man, a friend who would vote for him, but wouldn't unless he got money. I said I would not have anything to do with that man. They asked me to go to him, and I said I wouldn't. After Sadlier's election, the man's wife got £36. He is now dead.

10485. What was his name?—Rooney.

10486. Who gave his wife the £36?—I did.

10487. Was that the only money you handed to voters during that election?—It was.

10488. Who asked you to give the money to the wife?—Mr. Kennedy, solicitor in Dublin; and Mr. Walker, the solicitor for Sadlier.

10489. Were there many electors got money at that election?—I don't know.

10490. Did you know of any other money expected at this election?—Never, except that I never handled a shilling from any candidate.

10491. Who gave you the £36 to give to Rooney's wife?—Either Mr. Kennedy or Mr. Walker—they were both present.

10492. You are a long time in Sligo?—I am.

10493. From your experience of elections, is it your opinion that the poorer classes expect to be paid after elections?—It is not. If they liked a candidate they would vote for him—if Sergeant Armstrong came again I believe they'd vote for him without a pennypiece. They like a popular candidate, and one who avows his principles openly as Sergeant Armstrong did.

10494. We have now three instances of the distribution of money, and we have the case as to Captain Knox giving money to Mr. Stokes for distribution—these are four cases—you know these cases to be proved; do you consider that the poorer or what are called the corrupt classes, expect to be paid after elections?—I don't know. I think the middle classes are worse, and are more greedy for money.

10495. You mean the respectable shopkeepers and artisans in town?—Yes; I believe they get money from time to time.

10496. In fact you consider that that class expects to be paid?—In fact I don't know what they expect, but I know they have got money.

10497. Mr. *Commissioner Bruce.*—This money that

was distributed among the supporters of Sergeant Armstrong, did it go among the respectable classes of voters?—Some artisans and shopkeepers got it, they were poor generally.

10498. Was it distributed among the respectable classes more than the poorer?—The poor got it.

10499. You stated that it was among the respectable classes it went?—Both classes took it; small shopkeepers took it.

10500. Do you think they would refuse it?—I can't say. When Mr. Townley came here, and was unseated in '48, he sent £10 to all poor voters.

10501. How much did he send in that way?—I am not aware.

10502. It was over £1,000, I suppose?—I dare say it was. On that account I thought it was no crime to take Sergeant Armstrong's money.

10503. Mr. *Commissioner Byrne.*—How much did you get from Mr. Tracy altogether?—Sixty-five pounds.

10504. No more?—Not a penny more; and if I was as wise as I am now, I wouldn't take a shilling.

10505. The *Chief Commissioner.*—Was the money which Mr. Townley sent, sent after he was unseated?—Yes, a good while.

10506. Who was his agent at the time?—Mr. Stoner. His name was mentioned at the trial of the petition.

10507. Mr. *Commissioner Bruce.*—I suppose you know the town very well?—I know almost everyone in it.

10508. Could you divide the voters into any classes; is there, for instance, a class you consider very well off, and would you divide that again into classes of shopkeepers and artisans; and is there a class lower than that—a class of persons of very small means?—I know there is a class of men of one creed, the Roman Catholics, they have invariably condemned bribery; and on the other side there were equally honest-minded Conservatives, and they had the same views.

10509. The *Chief Commissioner.*—And they wish to get rid of the system?—They do.

10510. Mr. *Commissioner Bruce.*—I want to know, with regard to circumstances, whether the voters can be divided into classes—the very rich, the very poor, and the medium classes?—There is a class of men that are well off now, but who may be very poor next year, and these may be tempted.

10511. Whose circumstances are fluctuating—is there a class that is constantly poor?—There is.

10512. Could you give any idea as to the relative number of these classes?—I couldn't.

10513. I thought you said you knew everyone in town—you know more or less of their circumstances?—But I can't tell how much may be in each one's pocket.

10514. You could from the way he lives; could not you give us any assistance in that respect?—I couldn't.

10515. Could you do so after consideration?—It would hardly be fair, I think, to impose on me that trouble.

10516. Mr. *Commissioner Byrne.*—When you met Mr. Tracy and Mr. Byrne, do you remember any conversation about the voters?—There was a conversation, a talking about the poor voters, and what they should get.

10517. Was there any talk about the class of voters that expected money?—There was talk of poor men that wanted assistance.

10518. Could you remember how the subject was presented to Mr. Tracy or Mr. Byrne?—I can only account for myself. I represented that there were very poor men in my neighbourhood. I mentioned three, and I could have mentioned more.

10519. What was said at that meeting, do you recollect?—Each one was asked if he had a very poor man to recommend, and Mr. Tracy said he had plenty of money.

10520. Were the gentlemen who met Mr. Tracy and Mr. Byrne on that occasion asked whether there were any voters to whom they had made promises, or held out expectations?—Not a word was said about it.

10521. Could you try and remember what was said in reference to the voters?—I don't know that. The meeting was on a Saturday—Easter Saturday, which is generally a busy day, and we were all very impatient to get away to our business. I was annoyed that I had to go there at all. I stopped but a very short time there.

10522. Mr. *Commissioner Bruce.*—Who told you to go to the meeting?—I was sent for to my own house by Mr. Tracy.

10523. Had you the list prepared when you went to it?—I had these three men in my head, and when I was asked had I any poor men to recommend I said I had three men.

10524. When you went down to the meeting, did you know that it was to distribute money you were sent for?—I didn't know a word about it.

10525. When you were asked if you knew any poor men, you knew of course that it was poor voters was meant?—I presume I did.

10526. Mr. *Commissioner Byrne.*—Were there large mobs at Sadlier's election?—There were.

10527. Did you know they were paid?—I suppose they were. They wouldn't go into the street without being paid—everyone knew that.

10528. Mobs cannot be got up without being paid?—Never; they never were as far as I know.

The Secretary announced that the Commission stood adjourned until Friday, the 15th October, at half-past two o'clock.

NINTH DAY.

FRIDAY, OCTOBER 15, 1869.

The Commissioners sat at ten o'clock.

John Jennings sworn and examined. John Jennings.

10529. The *Chief Commissioner.*—Are you an elector?—I am.

10530. Did you vote at the last election?—I did.

10531. For whom did you vote?—For Captain Flanagan.

10532. How did you vote at the previous election?—I voted for Sergeant Armstrong.

10533. Did you get any money after that election?—I did.

10534. How much did you get?—I got, to the best of my opinion, between £12 and £13.

10535. Were you paid the whole of that?—No, there was a balance of money that I passed my word to Mr. Keighron, and I told Mr. Chrystal of it.

10536. Who paid you?—Bryan Chrystal.

10537. Did you get any money for voting previously?—All I ever got was £5 and £20, for the last twenty years.

10538. Who gave you the £5?—At the election of Mr. Somers I got it.

10539. For whom did you vote at that election?—I voted for Mr. Somers.

10540. When did you get the £10?—I got it at Sadlier's election.

10541. On whose side did you vote at Sadlier's election?—I voted for Sadlier.

10542. Did you get the £5 after you voted for Somers?—I can't say.

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October 15.
John Jennings.

10543. How long after the election was it that you got it?—I can't say.

10544. Who gave it to you, do you remember?—It was a voter.

10545. What is his name?—To the best of my opinion it was Tom Ward.

10546. The publican?—Yes.

10547. Did he pay any other men along with you?—Yes, three more.

10548. Who were they?—One was a man named Kilmartin.

10549. What is his Christian name?—Another was Thady Boyle.

10550. Who was the third?—Bryan M'Keon.

10551. Who was the fourth?—I don't remember.

10552. Were they active voters?—They were.

10553. Where did Tom Ward pay you the £5?—At the rere of Gethin's place.

10554. What Gethin is that?—Mr. Somers's attorney.

10555. Was he Somers's attorney?—I can't say. I think Mr. Tracy was one of his attorneys.

10556. Which Mr. Tracy is that; is he the Dublin or the Sligo Mr. Tracy?—He was the counsel or attorney that conducted the election here. I don't know whether he was the counsel or attorney.

10557. How did you know that Ward was to pay the five of you the money; who told you?—I heard it passing.

10558. That he had the money?—Yes.

10559. Had he money for more than the five of you?—Not to my knowledge. There were only four of us.

10560. Were you one of the four?—I was.

10561. What was the Christian name of Kilmartin?—Pat.

10562. Is he here still?—He is.

10563. Did you vote at any other election?—I did, but I didn't get a shilling. I voted for Mr. Wynne at his election.

10564. Did you get any money for that?—No, that's all I ever got in my life.

10565. I want to know who told you that Ward had the money for you?—I asked him the question myself in person, and he said I would get so and so.

10566. How much did he say you were to get?—Ten pounds.

10567. How much did he give you?—He gave me £5 of it.

10568. Was it after you polled that you got the £5?—I can't say that. It was on the polling day I got it.

10569. That is all, you say, you got for voting at elections?—Yes.

10570. Who gave you the money in Sadlier's time?—Pat Walls.

10571. Is he any relative of Tom Ward?—He is not.

10572. Is he here still?—He is.

10573. What is he?—He was foreman shopkeeper to Martin and James Madden and Company.

10574. I am now coming to the last election. Do you know Tom Brennan?—I do well.

10575. Did he ever offer you any money?—He did.

10576. How much did he offer you?—Fifty pounds.

10577. Where did he offer it to you?—He sent a boy named Gray for me on the 8th.

10578. Which of the Grays is that?—I don't know his name, but he is the youngest of the two.

10579. When did he send Gray to you?—On the 8th November he sent him, and awakened me out of bed. I was after coming from first prayers at the time, and he told me that Brennan wanted me. I went over to see him.

10580. Where did you go to?—To Colonel Barrett's fort.

10581. When you went there what did Brennan say?—He was in company with Dominick Kilcullen. He told me that he would give me the £50 if I would go away. I told him I wouldn't go away.

10582. Did Brennan on any occasion mention the names of any other people that were to go away with you?—Yes.

10583. Whose names did he mention?—He mentioned the Grays of the River-side; Pat Gallagher, from the Riverside; Mark Anthony M'Donagh. He mentioned ten or twelve that were to go away. He mentioned persons living in Market-street.

10584. Tell me what are the names of these persons?—He mentioned Michael Hunt, John M'Grath, Matt Feeney, John Reid.

10585. Mention the names of all that were either to vote for Major Knox or go away?—He mentioned about twenty-four or twenty-five altogether.

10586. How many of them were to vote?—Half of them, and half to go away.

10587. Were these all Roman Catholics or Protestants?—Roman Catholics.

10588. Do you remember any more names; these are only eight names you mentioned?—He mentioned Pat O'Brien, Gethins.

10589. What is Gethins' Christian name—is it Edward or Michael?—He is a shopkeeper. I think Edward is his name.

10590. Did anybody else offer you money at the last election—tell it all now?—No. Brennan told me to call after the 10th. A person asked me had I my mind made up to vote for Captain Flanagan.

10591. Who asked you that?—Michael Doherty.

10592. Mr. *Commissioner Byrne.*—Did he ask you had you any land on Colonel Tennison's property?—He did. He said he was agent to Colonel Tennison, and if I had any land he would give me a spot that would suit me, and not pay a high rent. He said he had land that was purchased by Major Knox.

10593. Did Doherty offer you land on the property which he said Major Knox purchased?—He did. He said he would give me a piece of land on that property, and would give me £50 if I went away. I said I had no land on Colonel Tennison's property, it was on Colonel Knox's property.

10594. Did you ever consent to go to Dublin?—Never, whatever I might do to Easky.

10595. Who canvassed you for Captain Flanagan?—Himself. On the first occasion I told him that I was undetermined to vote at either side.

10596. Was there anyone present but Captain Flanagan when he canvassed you?—There was a clergyman with him—I think it was Father Morris—but he never spoke to me.

10597. The first time Captain Flanagan canvassed you, did you promise him?—I didn't.

10598. Who made you promise your vote to Captain Flanagan?—On the second occasion that he called on me, I told him that I would vote for him.

10599. On that occasion who was it canvassed you?—There was Father Morris and a few other gentlemen on a car—they were going up to Mr. Petrie's. They asked me had I my mind made up. I said I had my mind made up to vote for Captain Flanagan, for I was after speaking to my landlord, and my landlord said he would leave me to my own free-will. That was the reason I didn't give a decided answer at first when Captain Flanagan canvassed me. I wanted to speak to my landlord about it.

10600. Mr. *Commissioner Bruce.*—Who canvassed you for Sergeant Armstrong, do you recollect?—It was the Sergeant himself.

10601. Anyone else?—There were several gentlemen with him.

10602. Did Mr. Chrystal canvass you?—No; he was with Sergeant Armstrong.

10603. Did Mr. Harper Campbell canvass you?—Never. I never spoke to him.

10604. Did not any person but the Sergeant canvass you?—Not to my knowledge. There were plenty of persons with him at the time.

10605. Did you promise to vote for the Sergeant immediately?—Not the first time he canvassed me, I did not.

10606. When did you promise him first?—The second time he came round.

10607. I am speaking of Sergeant Armstrong?—I know—the second time he came round I promised him.

10608. How long before the election was that?—I can't say.

10609. Was it the day before?—It was a couple of days before the election.

10610. Did anyone offer you any money on the other side to vote for Mr. Macdonogh?—I was told I could get it, but I never looked after it.

10611. Who told you?—A man named Kearns.

10612. What Kearns is that—is it John Kearns or Pat Kearns?—Pat Kearns.

10613. Where does he live?—He lived at that time in Pound-street.

10614. Is he here now?—I don't think he is.

10615. When did you see him last?—I didn't see him, I think, for the last twelve months.

10616. Did you tell anyone before you voted that you were offered money by or for Mr. Macdonogh?—I might.

10617. Could you recollect whom you told it to?—I couldn't.

10618. Try and recollect?—I can't.

10619. Didn't you tell it to Mr. Phillips?—I might. I can't recollect that I did.

10620. But you might have done so?—I might.

10621. Was it the first time that Mr. Somers, that you got the £5?—No, it was on the second occasion.

10622. For whom did you vote on the first occasion?—I voted for Mr. Wynne.

10623. Do you recollect did Mr. Somers win that time?—I don't recollect.

10624. I will tell you—he was beaten?—He got in the first occasion.

10625. He did on the second occasion, too, by a petition. On which of these occasions was it that you got the £5 from Mr. Somers?—It was the second time.

10626. What was Boyle's Christian name—I mean one of the men who got money from Ward?—Thady.

10627. Is he in Sligo now?—He is.

10628. How long before the election was it that you promised Captain Flanagan to vote for him?—I promised him, to the best of my opinion, two days before the election.

10629. How long before the election was it that he asked you the first time to vote for him?—It might be a fortnight.

10630. Had you ever intended to vote for Major Knox?—Well, my heart was never with him.

10631. But you were thinking of the £50?—I didn't covet it.

10632. You were hesitating, you know?—I never coveted or took the money either.

10633. Did anyone threaten you for voting for Major Knox?—Everyone belonging to me was pleased with me to vote for him.

10634. Did anyone outside your own family threaten you that if you voted for Major Knox you would catch it, or that you would be beaten, or that your house would be smashed?—No one separately ever told me that.

10635. You say no one "separately" told you; did any persons altogether?—Never; no person ever told me.

10636. Did a mob tell you?—No.

10637. Did you ever hear it in any way?—I never heard it from anybody, except my own people.

10638. Did you hear it from any people besides your own people?—No, I didn't.

Michael O'Hara sworn and examined.

10639. The *Chief Commissioner.*—You are a victualler, I believe?—I am.

10640. Are you an elector?—I am.

10641. Whom did you vote for at the last election?—I voted for Captain Flanagan.

10642. Did you vote at Sergeant Armstrong's election?—No, I had no vote then.

10643. Was the last election the first time you ever voted?—It was.

10644. What is the rating of your house?—It was only £4 10*s.* at first.

10645. Were you examined at the trial of the petition at Carrick?—I was.

10646. Do you know Mr. Stokes?—I do.

10647. Do you know Mr. Petrie?—I do.

10648. Did you ever get any offer of money from anyone about not registering your vote?—Never from anyone except Mr. Petrie.

10649. How long was that before the revision?—It was a long time before the revision.

10650. What did Mr. Petrie say to you?—He came to me several times and asked me whom I would vote for. I said I would vote for the side I always voted for, meaning the Liberal side. "Will you come along with me?" said I, "you are on the Liberal side; you were always with us." "There's no money going," he said, "I'll not be with you this time, I'll be against you." "Why not be with us now, as you were when Sergeant Armstrong was a candidate?" I said. He said, "They treated me not too well, and I took a notion." I said, "You'll take another notion before long." "Come on," said he. "I won't," said I.

10651. Did he mention anything about money to you?—He did.

10652. What did he say about it?—He said, "Come with me and I will get you £25." "Well, now, Mr. Petrie," said I, "I would do a great deal for you, but if you gave me £500 I would not go with you, or vote against my principles. I always voted for a Liberal, and that's the way I will go all through."

10653. What was the £25 for, did he tell you?—To go away and not register. He told me that Captain Flanagan wouldn't stand the ground, and that there were four, or five, or six butchers who would go away; and that I may as well have £25 as nothing.

10654. How are you circumstanced in the way of business as regards Mr. Petrie?—I suppose I bought a couple of thousand pounds worth of cattle from him. He gave them to me off and on, and when I hadn't money he gave them to me as well as when I had.

10655. On what terms are you since the election with him?—He never spoke to me since that, and he withdrew his custom also.

10656. Mr. *Commissioner Byrne.*—How long before the revision was that conversation between you and Mr. Petrie?—About a fortnight or a month.

10657. Where did it take place?—In my own house. He used generally come to my house at that time, and talk with me.

10658. In your shop, was it?—Yes.

10659. Was there anyone by?—Yes. My son and daughter were there, so that if he wanted any proof, he was listened to. He told me when I said if he gave me £500 I wouldn't vote for Major Knox, "I don't want you to vote for Major Knox at all, I want you only to go away."

10660. After that conversation did he speak to you again on the subject?—After that until the revision came on he didn't speak to me. During the revision I stopped two days in the court-house, thinking that my name would be called. I stopped there Wednesday and Thursday, and when my name wasn't called I said I wouldn't come into the court-house.

10661. Mr. *Commissioner Bruce.*—Did you ever say to Mr. Petrie that you thought it would be better to go away and not register your vote?—I never said a word about it.

10662. You are positive of that?—I am.

10663. Did Mr. Petrie state to you that it would

NINTH DAY. *October* 15.

Michael O'Hara.

not be forgotten for you?—He said that I got money at Sergeant Armstrong's election. I didn't get money then, I had no vote at his election.

10664. Did you ever vote for anyone before Captain Flanagan's election? did you vote at Sergeant Armstrong's election?—I didn't. I had no vote. I would have voted for Sergeant Armstrong if I had a vote.

10665. Did you vote for Mr. Somers?—I didn't.

10666. What do you mean then by saying that you always voted for the Liberals?—I always went with them. I voted for them.

10667. When did you vote for them?—I voted at Townley's election.

10668. When else?—I hadn't voted except then.

10669. The *Chief Commissioner.*—Did you state, at the trial at Carrick, that no one was present when Mr. Petrie made the promise of money to you?—Not a word; I wasn't well in Carrick—I was sick for three days there; they had no business of me there.

10670. Did you ever receive any money for your vote?—Never; I never received a shilling or a halfpenny for it.

James Wallace.

James Wallace sworn and examined.

10671. *Chief Commissioner.*—You are an elector?—I am.

10672. How long have you been an elector?—Since the first municipal election.

10673. How long ago is that?—Since '29 or '30; I am not exactly sure.

10674. How did you vote at the last election?—I voted for Major Knox.

10675. Did anyone promise you any money for voting for the Major?—No one.

10676. Did you get any money?—I did.

10677. How much did you get?—It was after the election I got it.

10678. The election between Captain Flanagan and Major Knox?—No; I didn't get it after that election.

10679. After what election, did you get a promise of money?—I got it at the former election.

10680. How much did you get from Mr. Macdonogh?—Nothing.

10681. Were you paid any money after his election?—I think Mr. Lyons gave me something after the election.

10682. How much did you get—£40?—I think I did.

10683. When you say you think, you mean you have not the slightest doubt that you got it?—I did get it.

10684. Who gave you the £40?—I got it from Mr. Lyons.

10685. Where did he give it to you?—He sent for me, and I went up. The money was left for me in the inside office on the counter. Mr. Lyons desired me to take it up. I did so, and walked out.

10686. At the election between Sergeant Armstrong and Mr. Macdonogh did you get any money?—I don't recollect getting any.

10687. On what day was it that you got the £40—was it on the polling day?—No; it was long after the election.

10688. How long after it?—I can't say.

10689. Did you ever get any other money?—I might have got it, but I forget, it is so long ago.

10690. Had you voted at the county as well as the town elections?—I had.

10691. Whenever you got money, was it for your county or town vote?—It was for my town vote.

10692. Did you vote for Mr. Wynne?—I did.

10693. Did you get any money for that election?—I didn't.

10694. Did you vote for Mr. Somers?—I think I did, once.

10695. Did you get money for your vote?—No, I got nothing.

10696. Did you vote at Sadlier's election?—I did.

10697. Did you get any money at that election?—I did; I got £10 after the election.

10698. From whom did you get the £10?—I got it from a man named Mullen.

10699. What is his Christian name?—I don't know.

10700. What was he?—He was a distiller for Mr. Donovan.

10701. How long after the election was it that you got the £10?—It was a good while after.

10702. Did you vote at Townley's election?—I did.

10703. For whom did you vote then?—I voted for Townley.

10704. How much did you get at that election?—I did; that was the £10 I got after the election.

10705. Did you not get £10 for Sadlier's election?—I didn't.

10706. Did you vote for Sadlier?—I didn't. I voted for Mr. Somers against him.

10707. Did you get any money at that election?—I got no money.

10708. You voted for Mr. Townley?—I did.

10709. And you got £10 after the election?—I did.

10710. How long after the election did you get it?—It was about eight or ten days after the election.

10711. Had you, then, a promise of the £10 when you voted?—No; I promised him I would vote for them.

10712. At this last election, had you made up your mind to vote for Major Knox?—Yes; I told him I would vote for him.

10713. How often did Major Knox come to you more than once about your vote?—He came to me several times.

10714. Do you know Captain Ethelred Knox?—I don't. I might have seen him, but not to know him.

10715. Do you know Timothy Fallon, a horse-trainer?—I know him to see him passing—that's all.

10716. Do you know Mr. Hignell?—No. I never saw him to know him.

10717. What is your business?—A shopkeeper, oil and colour, window glass, and the like.

10718. After the petition, and after this Commission was known to have been issued, did you attend any meeting at which Mr. Abbot was?—I did.

10719. Was Fallon at it?—I don't know. There were fifty or sixty electors there.

10720. You have not been paid anything for the last election?—No.

10721. Did you go voluntarily to that meeting?—

10722. How long ago is it since that meeting was held?—I don't exactly know.

10723. You don't know Mr. Hignell?—No. I never spoke to him.

10724. Was Major Knox at that meeting?—He was.

10725. Was Utred Knox at it?—I don't know him at all.

10726. Who else were there—was Mr. Cherry?—I think he was.

10727. Was Mr. Stokes?—I can't say.

10728. Tell me who else were there?—I can't say.

10729. Was Mr. Abbott introduced as a future candidate to that meeting?—He was, by Major Knox, I think.

10730. For the borough of Sligo?—Yes.

10731. Was Mr. Harloe Phibbs there?—I can't say.

10732. Was Mr. Thomas Williams?—I can't say.

10733. Was Mr. Henry Lyons?—I can't say.

10734. Do you mean to say you don't remember whether these gentlemen were at the meeting or not?—I don't remember. They might be there. I didn't make any remark of their being there.

10735. Was that the first time you heard of or saw Mr. Abbott?—It was.

10736. Did you get notice from anybody to attend that meeting?—I think I did.

10737. Do you remember what signature there was to the notice?—I can't say who signed it.

10738. Don't you know that a great number of Major Knox's supporters had been paid nothing?—I don't know. I heard them say they got nothing.

10739. But did they expect it?—They didn't say that.

10740. Who said they got nothing?—Several; James Compton said he got nothing.

10741. Who else said it?—A man named Macklin, a superannuated gauger, in John-street; I had very little conversation with any of them.

10742. Do you know any more that said they got nothing?—I don't; they are in the habit of coming into my shop, and said they got nothing.

10743. And that others did get something?—Yes.

10744. Did you hear who got the something?—I can't exactly say.

10745. Were there not complaints, that some of them kept the money that should have been given to the voters?—I didn't scrutinise the matter, and I was careless about it.

10746. Just as careless, I suppose, as you would be to take the money, if it was going?—Just so.

10747. Do you remember any others who said they got nothing?—I don't.

10748. How long were you at the meeting?—Not very long—about an hour.

10749. Did you hear that Mr. Abbott had bought some of the houses in the town?—I heard a passing thing that he did.

10750. A passing remark?—Yes; that's all.

10751. And that he bought the houses from Major Knox—I don't know that.

10752. Did Mr. Abbott address the meeting as a candidate for the borough?—Yes; as an intended canditate.

10753. You do not know Mr. Hignell?—No.

10754. Was there any list of electors produced at that meeting?—I didn't mind it.

10755. You say there were forty or fifty electors at it?—Yes, I think so. I can't exactly recollect, it's so long ago—it is six months ago now.

10756. You mentioned only Mr. Cherry as being present at the meeting?—I don't exactly know whether he was there or not.

10757. Do you know Tom Brennan?—I do.

10758. Had you any talk with him before the election?—I had not. I didn't see him at all during the election, except going up to vote.

10759. Was Mr. William Ormsby at that meeting?—He was.

10760. You know the gentleman I mean?—I do. I know him very well.

10761. Did Mr. Ormsby speak to the meeting?—I think he did. I am not positively sure. I didn't mind.

10762. Who, did you mind, did speak?—I didn't exactly mind.

10763. Was Major Knox the first that spoke at the meeting?—I can't exactly say.

10764. Did anyone speak at all at the meeting?—There were people speaking.

10765. Are you sure of that?—I am.

10766. Where was it they met?—In the Victoria hotel, I think.

10767. You had no doubt that you went up the street to the meeting?—I did go up the street, I think.

10768. What do you mean by "I think?"—I am doubtful of it.

10769. I must ask you to tell me some more names of those who were at the meeting?—I can't exactly say who were there.

10770. Who do you think were there?—I can't say exactly.

10771. Are you a member of the Conservative party?—I am a Conservative. I never took——

10772. What do you mean by "took." You took money, you know?—That I was no committee man.

10773. There was no committee at the last election. Tell me who were at the meeting?—I can't mention them.

10774. Not even one?—I might mention one, but I might make a mistake.

10775. You say there were forty or fifty at the meeting. You would save yourself a great deal of trouble if you give me six names?—I can't say positively. I saw James Burrowes, he was there.

10776. Would you like to see the registry of voters to refresh your memory?—No.

10777. Do you remember if any of the Armstrongs or the Allens were there?—I can't exactly say, for fear I make a mistake. I can't say.

10778. There is no apprehension about making a mistake, the only object is to summon the parties here to give us information. You do not blame or censure any one by saying who were there?—I can't say who were there.

10779. Mr. *Commissioner Byrne.*—It was some time after Mr. Macdonogh's first election you got the £40?—It was after that.

10780. Had you any promise before the election?—No.

10781. You got £10 from Mr. Townley after the election?—Yes.

10782. Had you any promise before it?—I hadn't.

10783. At that meeting, at which Mr. Abbott was present, did Mr. Macklin or Mr. Crompton say that Mr. Abbott had plenty of money?—I didn't mind.

10784. Was there any reference to the fact that he was a rich man?—I didn't mind.

10785. You didn't mind?—It might have happened; I can't exactly say.

10786. Are you quite sure that there was no reference to it?—There might be, but I can't say. He said he was a Conservative in principle; he said he was a moderate Conservative.

10787. I am not talking of what Mr. Abbott said, but what Mr. Macklin or Mr. Crompton said. Did they say that Mr. Abbott was a rich man?—I don't mind what they said.

10788. Was it said at that meeting that you wouldn't suffer for having voted for Major Knox?—They broke a good deal of my house.

10789. Did anyone mention that you would be compensated?—I did put in a claim, but it was badly filled.

10790. But did anyone mention that the loss would be made good by Major Knox or Mr. Abbott?—No; I had no claim on Mr. Abbott.

10791. Mr. *Commissioner Bruce.*—Do you know a man named Ryan?—I know two Ryans.

10792. Did you ever hear that they got money for voting for Major Knox?—Nothing more than what I read in the papers.

10793. You never heard it before?—Never.

10794. These were not the names mentioned by Mr. Crompton or Mr. Macklin?—No.

10795. Did you ever hear from them that Gallagher got money?—Never.

10796. Did you hear that the Youngs got money?—Never until I saw it in the papers.

10797. Or that Watt Henderson got money?—No.

10798. Who was it you heard got money?—No one except what I read in the papers.

(The witness withdrew.)

NINTH DAY.
October 15.
Patrick Pyne.

Patrick Pyne sworn and examined.

10799. The *Chief Commissioner.*—You are an elector?—Yes.

10800. How long have you been an elector?—Thirty-five years, I suppose.

10801. Whom did you vote for at the last election?—For Captain Flanagan.

10802 Whom did you vote for at the previous election?—Sergeant Armstrong.

10803. Was any money offered or given to you at either of those elections?—Neither directly nor indirectly.

10804. Your name was mentioned?—It was, by Michael Hunt.

10805. That's the reason why you are called as a witness?—Nor anyone belonging to me. My son is not here now. He was mentioned also. I could vouch for him as well as for myself. We are independent Liberals, and never either the Conservative side or any side would imagine that we would take it. I was canvassed by Major Knox, who left his card; and also Mr. Chambers, Lord Erne's agent, canvassed me for Major Knox on account of Lord Erne. I told them I was bound to go with the Liberals; and I just had no more interest than that I took a great interest in Sergeant Armstrong and Captain Flanagan afterwards, knowing that they were good members of the Liberal party.

10806. Have you always supported the Liberal side?—Always. I may remark to you that I carried a great number of my countrymen out to America, and they went out with a very bad feeling—hundreds—and that is what strengthened me to be so strong a Liberal.

10807. Can you give any information about the mob at the last election?—Well, I heard a great deal of mobbing through the press—the Conservative press talking. I accompanied Captain Flanagan from the time he came to canvass me at the house. I went out and said that the electors—the Liberal electors should accompany him, if they did right, to show that Captain Flanagan was their choice.

10808. The choice of the people?—Of the people. I went out and walked with them from my own house in John-street, up Church-lane, up the hill and back again, and round—I can't say whether we went down Church-lane—and up Market-street. We had a number of people, and there were a number of magistrates with Captain Flanagan at that time. At every house they went to they got a promise of a vote, and the parties cheered, but there was no such thing as a mob.

10809. What I refer to is, on the polling day was there rioting?—Oh, on the polling day and on the night.

10810. Before and after?—I voted for Captain Flanagan, and in ten minutes——

10811. You were on the popular side, and got no obstruction?—No. I walked up immediately after Captain King was shot, and the whole street was open, or at least the middle of the street, all on the right side; the pathway and the middle of the street were quite clear.

10812. That is after the shot was fired?—Immediately. I think it would be five, or eight, or ten minutes, to the best of my opinion. I went into Captain Flanagan's tally-room. There was a large gathering of people about there, but not noisy at this time; and I was in some minutes in the tally-room when I heard that Captain King was shot.

10813. Tell me now, I want to know this—do you know anything about any people having been brought in from the country, or who brought them in?—No, I do not.

10814. Because we have it in evidence that a number of strangers were in Sligo that day—the day of polling?—Yes.

10815. I suppose you saw the men and recognised them by their frieze to be strangers?—I saw strangers from different parts of the country round, but not to know them. I knew them to be from all sides round.

10816. Can you give any information as to how these men were brought in?—I cannot give the least.

10817. To your knowledge did they get any money or drink in the town?—Not to my knowledge. I have not the least idea. I was nothing interested. As being a Liberal I was not mixed up in anything to know.

10818. Can you give any information about money going previous to the election?—I could not give any.

10819. Were you on the Committee that distributed the money?—Never in my lifetime. I heard the Hunts' "Cave" talked about; they always held back; and indeed they held back in the Sergeant's election till the last moment, I think three o'clock; and it was necessary to have them; and finally he went himself and brought them down.

10820. Do you remember that occurrence—of five men holding back at the Sergeant's election?—I do.

10821. Did you go to canvass them?—I think I was asked, but I had not influence with them; and he is a man I did not like, although I knew him.

10822. This Michael Hunt?—He was rather a strange character.

10823. That was in 1865; we now have the word "Cave," although you had not it then?—No; I heard it in court.

10824. What were they called then; had they any name those who used to be hanging back?—No; they knew that the two sides, namely, the "Tory" formerly—Conservative now; and the Liberals at the revision were generally nearly equal, and that they were always able—these five or six men—to turn the scale, and they were anxious to get the money and they held out. They would sooner take it from their own party if they could get it; if not, they looked out to get so much more from the others.

10825. Do you remember on the polling day, when you were in a state of anxiety about your own party who went to them first—went to the people whom we now call the "Cave"?—Well, no. There was a talk I cannot recollect.

10826. Do you remember when Phillips went to them; he was the last man that went to them before the Sergeant went?—Well, I don't know. I do not know if it was Conry or Phillips who went; but it was rumoured that we would go up, we were all so anxious.

10827. Keighron says he went?—I think he did, but I did not go until I saw the Sergeant coming down.

10828. Keighron told us he went, and that when the man who spoke on behalf of them mentioned money; he most distinctly and most properly said that he would have nothing to do with it?—I don't recollect what passed from the anxiety of getting them down.

10829. Do you remember when the other leading Liberals were working and trying to do their best the word coming that these men were hanging back for money?—I do; I heard that.

10830. That day, during the election?—I think it was the general belief of every one that they were waiting to get the——

10831. Money?—Or bribe, or whatever it was.

10832. They would take less from their own side?—I think so.

10833. You know these men—Harte, Moran, Hunt, Magrath, Dominic Hunt?—I know.

10834. It was said in the progress of this inquiry that a man named Lenihan, described as Lenihan of Geeva, came in at the last election and made them all vote for Captain Flanagan; do you know such a man?—I don't know him good or bad. I never heard of him to my knowledge unless here in court.

10835. Mr. *Commissioner Byrne.*—You spoke of mobs: are you not aware of so many houses having been wrecked?—I am, on the night of the polling.

10836. And of a great deal of mischief having been done?—Well a great deal more than was actually done.

10837. Well, but you are aware at all events that houses were wrecked?—I am.

10838. Were there any voters kept back from re-

cording their votes at the election by the violence of the mob?—I don't think there was, as far as my belief would go.

10839. As far as your knowledge goes?—As far as my knowledge would go. In short my knowledge leads me to believe that if it were not through bribery or the like, the Conservative party would not get one. That's all I know. I cannot speak of anyone. They never troubled me indeed, all my lifetime for a vote, except that Mr. Macdonogh canvassed me and my son at my own door one time. He thought he had me I was so kind with him and his friend Mr. Phibbs; and when he asked me for my interest I just turned round and said, "Ask your friend Mr. Phibbs." He laughed as he went away and said "How is it that you are such good friends with Mr. Phibbs?" "Oh," said I, "I know what it is to be a gentleman too well to fall out with my opponents."

(The witness withdrew.)

George Blair sworn and examined.

George Blair.

10840. The *Chief Commissioner.*—Do you carry on business in Sligo?—I do.

10841. What is your business?—I am in the general provision way—meal and flour.

10842. Have you been an elector for a considerable time?—Thirty-four years.

10843. What party do you belong to?—Well, I am not concerned in any party. I never meet in any lodges or night meetings.

10844. I do not mean "lodges" at all, I mean the Conservative or Liberal party, which anyone may belong to. I am not asking you about lodges at all—it is not my inquiry. However, you are right to say that you don't belong to any party?—I don't.

10845. Now, whom did you vote for at the last election?—For Captain Flanagan.

10846. And at the election before?—For Sergeant Armstrong.

10847. After that did you get any money?—I did.

10848. How much?—In the year 1866 an attorney named Foley handed me £15, which I am very sorry for. He had my name on his list.

10849. You took the money?—I did.

10850. Why did a man, apparently respectable, like you, take that money?—Well, I am sorry for it, and I would not wish for three times the sum that I took it.

10851. That is a very small amount indeed to be wishing. Why did you take the money?—I did take it.

10852. Why did you take it?—He handed it to me and I took it.

10853. Do you know why he had you down on the list?—I don't know.

10854. You do not know?—I did not know why he had me on his list.

10855. Can you give no information as to why he put you down on his list without previous engagement or promise, or expression on your part of dissatisfaction—did you ever say you expected to get something?—I did not.

10856. Were you ever offered any money before?—I was offered £100 in Sadlier's election by himself and Counsellor Jones. I despised it and would not take it. I had means then, plenty of means, and I voted for Somers and that without a shilling; and I solemnly declare before God I never got anything—and I have a county vote also—except that £15, and they may contradict me if they can.

10857. Were you ever offered any money on any other occasion?—Never for county election or borough election. I voted for Cooper and Swift in the county. He was member at the time, and was returned.

10858. That was Sheriff Swift?—I think so.

10859. Mr. *Commissioner Bruce.*—Did Foley canvass you?—He was with Sergeant Armstrong at the time he canvassed me.

10860. Were you ever offered anything to vote for Flanagan?—No.

10861. Did you hear of any money going?—Oh, I don't know.

10862. Did you hear of any?—I did not. I did not hear of any money going in Captain Flanagan's time. I never inquired anything about it.

10863. Did you vote for Somers in 1859?—I did, I think, three or four times. I voted for Somers in Sadlier's election—the last election, when I said I could have got £100 from Sadlier.

10864. And the last time, when he was beaten by Mr. Wynne by such a majority?—I voted for Wynne, I think, twice.

10865. Did you hear of any money going for Somers at that time?—I don't know, I never got a shilling.

10866. I am not saying you did. Did you hear of any going?—I don't know. I could not say. However I gave Somers money myself. At that time I had means; and the time of the petition against Townley I think I gave him £2.

10867. The *Chief Commissioner.*—Was there a general subscription at that time?—There was. They held a meeting over in the brewery.

10868. At that time you tried to keep the town pure?—Well, I don't know.

10869. You don't know?—It is a good while ago since that election.

10870. But did you believe that any money was given for bribery by Somers or people for him?—I did not hear it.

10871. You never heard a report?—I never heard a report that he gave money to anyone.

10872. Or anybody for him?—Or anyone for him. I did not hear it. I hear now that a man got £5, but I never heard of it before. I think the man had no money to give anyone.

(The witness withdrew.)

Thomas Graham sworn and examined.

Thomas Graham.

10873. The *Chief Commissioner.*—You are an elector?—Yes.

10874. Whom did you vote for at the last election?—Major Knox.

10875. How long had you promised the Major before that election?—Some short time previous to it.

10876. Was the last election the first time you had a vote?—No.

10877. Whom did you vote for before?—Mr. Wynne.

10878. Did you vote in the election between Sergeant Armstrong and Mr. Macdonogh?—I did.

10879. Whom did you vote for?—For Mr. Macdonogh.

10880. Did you vote for him twice?—Once.

10881. Did you get any money after that election or at it?—No.

10882. Did you ever get any money for voting for Macdonogh?—Never in my life.

10883. Were you ever promised any?—I was in a certain way.

10884. Tell the way it was?—I was in the habit of going in and out of Lyons's shop, and one day, as I was chatting to him, and canvassing about the election, he said to me, "I am just after coming up a while ago, and I have got your name on the office books as a sort of agent, and you will be paid."

NINTH DAY. *October* 15. Thomas Graham.

10885. How much?—He spoke something, the day after that, I think, about £30, as well as I can recollect—I am not certain.

10886. At which of the elections was that—was it the one between Armstrong and Macdonogh?—Yes, the second election between Armstrong and Macdonogh.

10887. Was that before the polling?—It was.

10888. Did you understand, of course, when you were to get that £30, that you were to vote for Macdonogh?—Oh, he knew that previous to it, but he did not ask me any questions, indeed, about it one way or another; but what he said to me was this—"Now, I am well aware that you are intimate with a good many of the voters, and if you choose you can do a good deal of service." So then, I think, I told him I would not go out in that way. "Well," said he, "when you accidentally meet them, you can keep matters up as well as you can, and do your best." So I just made no reply.

10889. Did you do anything?—Oh, nothing.

10890. I suppose there was nothing to be done, in fact?—I had no opportunity.

10891. Did you ever ask for money?—I did not.

10892. What did Mr. Lyons say?—I met him in Knox-street one day, and spoke to him, saying—"What about what you told me about putting my name on the book." "Oh," he said, "I have no money for you."

10893. Did you know that Mr. Sedley got money to divide?—I did.

10894. Who told you?—No, I did not. I heard it afterwards. At the time I did not know anything of it.

10895. When did you hear that Mr. Charles Sedley had the money—was it at the time of the polling?—Oh no, I did not hear anything about money at that time.

10896. Then did you vote without having any word about money, except what Mr. Lyons gave you?—Just voted without a word more.

10897. Did you ever know that Mr. Sedley had the money before it was distributed?—No.

10898. We now know that a sum of £420 was actually distributed by Mr. Sedley—did you know about that money being there for the voters before it was given to them?—Oh, not till long after the election I heard some rumours, but that's all.

10899. Did you try to get a share of it then?—I think I spoke to Mr. Sedley. I just told him as I told here—something similar to that.

10900. What did he say?—"Oh," said he, "sure you never spoke about money," or something like that. I just walked away. I told him just as I have told here.

10901. Now, at this last election you say you made up your mind to vote for Knox about a month before the election—is that it?—When I was canvassed by him, I told him I would vote.

10902. How long was that before the election?—Well, I can't exactly say now.

10903. Did you expect that any money would be going?—I did not.

10904. Did you know Thomas Brennan?—I did.

10905. Did he canvass you?—No; I was not canvassed by any man but himself.

10906. The Major?—Yes.

10907. Do you know Captain Ethelred Knox?—I don't know him.

10908. Do you know Mr. Hignell?—Not till I saw him here in the chair. I never saw him before.

10909. Then you say you have not been paid anything?—No.

10910. Do you expect it?—I do not expect anything.

10911. Were you at the meeting at which Mr. Abbott was introduced as a candidate?—I was, I may say. I will just describe to you.

10912. Do?—I went in when the meeting was nearly over, and stood at the door outside.

10913. You were not sure whether you would go in or not?—I did not go in.

10914. You were there to know what was going on—were you not?—I did not hear what was going on at all.

10915. Did you know that Mr. Abbott was a candidate?—I heard him talked of.

10916. By whom?—By several of the electors. I don't recollect now. There was just a rumour going.

10917. Did you see the gentleman?—I saw him once.

10918. Where was that?—At that meeting, I saw him coming out.

10919. Who were at that meeting; you know the people of the town, and can tell us?—Indeed I do, well; but I was not inside to see them.

10920. Whom did you see coming out—did you see Major Knox?—Yes, he was there, I think.

10921. Have you any doubt on the subject?—I have not the slightest.

10922. I know you have not, but the words "I think," in Sligo, mean "I am perfectly certain;" go on?—Mr. William Ormsby was there; if there were any others I could not say.

10923. Did you not see plenty of electors there?—I did not go inside the room where they were.

10924. But, did you not see them coming out?—Well, I think I was one of the first that came out myself.

10925. From the room?—Oh, no; from the lobby where I stood outside. I don't think I was more than two minutes there that day.

10926. What is your business?—I am a gaol official.

10927. Mr. *Commissioner Byrne.*—Are you aware of any other voters, besides yourself, applying to Mr. Sedley?—Not till I heard them read out here. I did not trouble myself much about it.

10928. Did you hear anybody complaining of money not being distributed?—No, I didn't.

10929. Try now and remember?—Well, I cannot recollect that I did. I took no notice of it, indeed.

10930. Was there dissatisfaction to your knowledge, on the part of Mr. Macdonogh's supporters, that money was not going after the election?—Well, I have no recollection. I did not trouble myself much about it.

10931. They would have taken the money from Sedley?—Under that form I would. I would not like to take it in the form of a bribe.

10932. If money were offered to you after Major Knox's election for having supported him, I suppose you would have no objection to take it?—I don't know that I would take it now.

10933. You are not sure?—I would not like to take it.

10934. On your oath, would you not have taken it if it were offered to you; answer candidly, you are on your oath; have you any doubt on your mind that you would have taken the money, if it had been offered to you?—I know I did not expect it.

10935. But if it had been offered to you, would you have taken it?—I would not like to take it under that name.

10936. You would not like to take it?—I would not.

10937. But you would?—I can scarcely give you an answer.

10938. The *Chief Commissioner.*—Did you ever get any money yet?—No; not a shilling.

10939. Did you ever get any from Mr. Rowlett?—No; nor from any other man.

10940. Do you know Mr. Rowlett?—I do well.

10941. The man in the rent house?—Yes.

10942. Mr. *Commissioner Bruce.*—What was it Mr. Sedley said to you, when you asked him about the money?—I think what he said was—"Oh, sure you would not want the like."

10943. What did you say to that; did you get ashamed then?—Well, I did not. I told him that from the form it was offered in, it was through that that I spoke about it, as well as I recollect.

10944. That is all that passed?—That's all that passed at the time.

(The witness withdrew.)

John Galbraith sworn and examined.

10945. The *Chief Commissioner.*—Do you know voters of the name of Young?—Yes.

10946. You heard about Mr. Stokes's evidence here?—I did.

10947. And that these men were bribed?—I did.

10948. Were they in your house on that occasion?—They were.

10949. Did you see them get the money?—I did.

10950. Had you sent for them?—Yes; I did.

10951. State what occurred between you and them, and how you knew they were going to be bribed?—Well, I will tell you the whole thing. The elder Young came to me, and told me that his son was tampered with, and that he had no control over him; and he said that he was badly treated by the other party—by his own party, at the last election, and that he certainly would vote against them.

10952. By his own party, you mean the Conservatives?—I do. I had no interference with the thing at all; but I know Major Knox, and I certainly would wish to see him returned. I went down to him, and told him about the Youngs, and the Major did not say anything to me that I remember, but introduced a Mr. Lawder, and told Mr. Lawder. Mr. Lawder said, "Does the man want money?" I said "I did not know; I did not ask that, nor did they mention anything to me about money."

10953. They had only said to you that they were badly treated?—They did; that is, the father did. I told Mr. Lawder about them, and gave him no answer no more than that I said I did not know, and came away. Shortly after that Mr. Stokes came up to my place and we sent for the Youngs. They came in; and the elder, the father, said he did not want to have anything to do with money, and that what was to be given might be given to his son. Mr. Stokes then threw down half notes on the ground, and one half the younger Young took up, and I took the other half, and kept it until after the Carrick petition. That's exactly the whole thing so far as I know about it.

10954. Were you examined before Judge Keogh in Carrick; you had the half notes in your possession?—I had.

10955. And gave them, after the report of the judge was in, to the Youngs?—Gave them to the son.

10956. Forty pounds?—Forty pounds.

10957. I presume you have been some time in Sligo?—Some sixteen years.

10958. And know the town well and the electors well?—Yes, I do, tolerably well.

10959. When the Youngs, or one of them, said to you that they had been badly treated by their party at a former election, did you not know that that meant that they had not been paid?—Well, I did not know, but I believe there was something of the sort.

10960. That is, as a man of the world you understood them to mean that?—I did.

10961. And that either they or one of them wanted money for his vote on the present occasion?—I did. I believe that to be what they intended.

10962 You believe that to be what they represented to you?—I did, distinctly.

10963. You went, zealous for your party, as every man has a right to be, and told Major Knox that they said they were badly treated?—I did.

10964. Did you mean to convey that these men were mercenary voters.—Well, I did.

10965. And did you believe that the Major so understood you?—Well, I could not say that.

10966. I am obliged in this inquiry to ask the witness's belief as to what the parties he spoke to understood from him—did you intend to convey that the Youngs wanted to be bribed?—Well, I think so. It is my opinion that I did, decidedly.

10967. And you did that in the clear and intelligible language in which you are now expressing yourself to me?—I did.

10968. Because I understood you to say that was it. You intended, then, to convey that these men wanted to be bribed?—I did, distinctly.

10969. How long before the election was that interview with Major Knox?—Well, it was a very short time.

10970. It was in the week before the polling?—It was a week.

10971. "Within a week before it"—that was the phrase I used?—I believe it was.

10972. How long were you with the Major before Mr. Lawder was sent for?—Not more than about three minutes.

10973. Did you say the same things in the same language in Mr. Lawder's presence that you did in the Major's?—I did—yes.

10974. Do you believe that you conveyed to Mr. Lawder what you have now informed us, that these men wanted to be bribed?—Well, I could not say.

10975. Oh, the word "bribe" is never used?—I used the very same, as far as expression went. I meant the same thing.

10976. Meant that the men wanted to be bribed?—Well, I meant that they wanted to get money.

10977. Do you believe that Mr. Lawder so understood you?—I do.

10978. When you went away from the interview between the Major and Mr. Lawder and you, did you understand that you were to go anywhere or to do anything?—No.

10979. Where did you go to?—Came straight to my own place.

10980. And how soon after that, then, did Mr. Stokes come up to you?—I should say not more than an hour.

10981. What did he say to you? did he say he had any communication with anyone?—Mr. Stokes?

10982. Yes?—Well, I don't remember that he did.

10983. I will try to refresh your memory; did he say he had seen the Captain?—No; I don't think he did.

10984. You know whom I mean by that?—Captain Ethelred Knox, I presume.

10985. Was his name mentioned at all?—No; it was not.

10986. Do you know the Captain?—I know him to see him.

10987. Had you not spoken to him during the election?—Oh, yes, I did.

10988. Can you now give the Court information, on your oath, how Mr. Stokes knew he was in some way to speak to you about the Youngs?—Mr. Stokes was at Major Knox's during the time I was there.

10989. You did not mention that before?—Well, it is the fact.

10990. He was there?—He came in during the time I was there.

10991. Did he hear the conversation about the Youngs having been badly treated?—Well, I don't know that he heard that, but he heard about my coming about the Youngs, and knew what it was for.

10992. Knew perfectly well what it was for?—I believe he did.

10993. Was he there before Mr. Lawder came in, or was it subsequently?—I rather think not. I rather think it was after Mr. Lawder that he came came in.

10994. Did Major Knox in any way repudiate any overtures being made to these two voters?—Not that I know of.

10995. Or Mr. Lawder, his conducting agent?—Not that I know of.

10996. Not in your presence at all events?—Not in my presence; certainly not.

10997. Did they understand that you, as it were, brought the message from the Youngs—I don't mean in an offensive sense that you bought people at elections, but did you, and did they understand that you brought a message from the Youngs?—Well, I don't know that

NINTH DAY. *October* 15. John Galbraith.

they did, because I did not tell the Youngs that I made mention of anything about it.

10998. Did you tell the Youngs you would communicate with anyone?—I did not.

10999. You were only acting as zealously as you could?—Nothing more.

11000. Had you and Stokes before you finally arranged with the Youngs, any conversation yourself as to the amount the Youngs were to get—I mean, who made the bargain about the half notes, and you being the trustee of the other half?—Mr. Stokes.

11001. With the Youngs?—With the Youngs.

11002. In your presence?—In my presence.

11003. I will ask you about other matters afterwards in reference to which you are to be examined; can you give me any information about any other voter that was bribed?—None, sir.

11004. Did any other voters ask you for money?—Not one.

11005. Or give any intimation that they were to get it?—Not one. I never had anything to do with a voter in my life before, and I never will again.

11006. Mrs. Dunleavy was examined, and you heard about her evidence?—I did.

11007. You are examined to contradict her evidence; did you ever offer her any money?—Never.

11008. What she swore about you, I won't repeat it all now, was it untrue?—Perfectly untrue, with the exception of sending for her to write the letter.

11009. I mean about the money; just tell all that occurred, in your own way, about that letter, between you and Mrs. Dunleavy; you knew her husband was away?—No, I did not know it at that time. Mr. Woods came to me——

11010. Just tell all that occurred shortly; it is better to have it cleared up?—Mr. Woods came to my place on the Saturday before the election, and asked me would I send for Mrs. Dunleavy. I said I would. I was in a hurry and I did not think of anything. He said when I sent for her, to send for him when she would come. I did so, and she came. Mr. Joseph Woods, son to Mr. Woods, came up. We went up stairs into the paper wareroom, and I asked her would she write a letter to her husband to come and vote for Major Knox, as she had previously told me on several occasions that her husband would vote for Major Knox, and had determined to do so, without my asking her at all, or wanting to have anything whatever to do with her, nor did I wish to have anything to do with her. I then got a pen and paper, and she wrote the letter. Mr. Woods was present, and Mr. Joseph Woods. Mr. Joseph Woods took the letter away, and I knew nothing of it until I heard of it in Carrick. That's all I know about it.

11011. I suppose Mr. Woods, senior, was, of course, trying if possible—I put it now by fair means—to keep Dunleavy away, or to get him to vote for the Major?—I presume so. He did not vote for the Major.

11012. Your idea was that the letter was to make him come and vote for him?—It was.

11013. Here is the letter:—

"DEAR FRANCIS.—I have arranged matters with ——— in Sligo, and am quite satisfied you should go, after you get this letter, with the party who brings it to you. Dear Francis you may be quite satisfied I have all things made right to your satisfaction, so don't come home."

Mr. Woods, junior, said, when I said to write the letter for her husband to come and vote for Major Knox, that he would get a party to vote for him, and that he was to go with this party. I did not get the letter into my possession at all; I never had it in my hand.

11014. Did you not read that letter?—No, sir; never.

11015. Mr. *Commissioner Bruce.*—Was the letter written by the woman herself?—It was.

11016. Was it read out in your presence—did you hear her say, "Don't come home?"—It was read by young Mr. Woods. I don't remember it. I was not paying attention, for I went over to the window. This was in the centre of the room. I went over and was looking out of the window during the time she was writing the letter and he was reading it.

11017. You were looking out at the window when the letter was being written?—Yes, I was.

11018. By Woods?—No, the letter was written by Mrs. Dunleavy.

11019. Was Mr. Woods near her when she was writing the letter?—No, he was standing at the other window. There were two windows, and he was at one and I was at the other, and we were both looking out during the time she was writing the letter.

11020. Had Mrs. Dunleavy been in Mr. Woods' house before you came there?—It was in my own house.

11021. What conversation had you with her before that letter was given by her?—I asked her would she write the letter for her husband to come and vote for Major Knox, as she had previously informed me she would. She frequently came bothering me about the place to say that she wanted him to vote for Major Knox, and that her husband was determined to do it, and would do it if he was quartered.

11022. Were you aware of her having made any arrangement in reference to her husband's vote?—Not any.

11023. Did you hear of any arrangement having been made with reference to her husband's vote?—Never.

11024. Did this expression at all surprise you—"Dear Francis,—I have arranged matters with a friend in Sligo;" did you pay any attention to the letter as it was read?—I did not.

11025. Do you believe she had arranged to get money for her husband?—I really could not say.

11026. If he stayed away—you could not say what your belief is on the subject?—Well, I really could not answer.

11027. I only ask you to the best of your belief—do you believe that it was so arranged?—I have no belief on it, for I know nothing whatever about it.

11028. Now, would you tell me, on the occasion of that interview with Major Knox and Mr. Lawder, did Mr. Stokes come into the room after Mr. Lawder had been there?—I believe it was after Mr. Lawder—I believe it was.

11029. Had he been sent for?—Not that I know of.

11030. He might have been sent for without your knowing it?—Oh, decidedly.

11031. Was there any expression used, after Mr. Stokes came in, to lead you to the belief that he had come into the room, having been sent for either by Major Knox or Mr. Lawder?—None that I know of.

11032. But it was after your conversation about the Youngs that he came into the room?—It was.

11033. You had fully discussed the matter before he came into the room, had you?—Well, yes; we spoke about it. I mentioned the case to them.

11034. And when Mr. Stokes came into the room, was the matter mentioned again in your presence?—I really don't remember.

11035. You do not remember?—I do not remember.

11036. But it had been fully discussed before he came?—It had.

11037. Did Mrs. Dunleavy owe you any money at the time this transaction took place?—She did.

11038. Had you been pressing her for payment?—Yes, I did; and sent for her. I did not press her; I sent for it frequently.

11039. Did you tell me you had a doubt on your mind with regard to what Mrs. Dunleavy expected as a return for writing that letter?—I know nothing at all about it.

11040. I don't ask you what you know—I want to know had you a doubt on your mind that she was to be paid?—I do not know.

11041. Now that is not the question I asked you. I am asking you have you a doubt on your mind now, reviewing that transaction, that she was to be paid, or that her husband was to be paid?—Not that I know of or could answer.

11042. Mr. Galbraith, you must answer my question; I am not asking you about what you know; I am asking you have you any doubt upon your mind?—I really could not answer. I don't know anything about it.

11043. You can answer whether you have a doubt or not?—Really I cannot answer that.

11044. You must answer it; you can tell whether you have a doubt or whether you have a belief?—Well, I have no reason to believe it.

11045. I do not want to know what your reason is; I want to know what your belief is from your knowledge of the woman and of the town, and of the whole circumstances?—My reason for sending for the woman was simply——

11046. Look here. I do not want to know your reason for sending for her; I want to know what your belief is as to whether she was or was not to get money?—I really have no belief in the matter.

11047. No belief in the matter?—No, none.

11048. And you had no belief in the matter at the time?—Certainly not.

11049. What did you mean by saying to Mr. Lawder that you did not know whether the man wanted money or not?—Oh, these are the Youngs.

11050. I am coming to their transaction now; what did you mean by saying to Mr. Lawder that you did not know whether they wanted money or not?—Well, the Youngs never mentioned anything about money to me.

11051. But you had a belief there?—I had.

11052. And you did not mention that belief to Mr. Lawder?—I did not.

11053. Why did you not mention that belief to Mr. Lawder?—He did not ask me.

11054. Did you not believe that he wanted information as to what the Youngs wanted?—I did.

11055. Why did you not tell him what your belief was?—Well, I really don't know. I can't answer that.

11056. You cannot answer that question now?—No, I cannot.

11057. You have told us that old Young told you his son had been tampered with?—I did.

11058. Did you understand him to mean that he had been tampered with by the Liberals?—I did.

11059. Did he mention who had been tampering with him?—He did not.

11060. At any time, either then or afterwards?—He did not.

11061. Had you any idea who had been tampering with him?—Not the slightest.

11062. When you went to Major Knox's whom did you first see?—Really I can't say, but I know that Major Knox himself came in very shortly afterwards.

11063. Yes, but who went in and called him?—I think the servant was the first I saw.

11064. Was there any person in the room when you came in?—No, not one. I was shown into a room, but there was no one in it.

11065. Try and recollect who came in first?—I believe it was Major Knox that came in first.

11066. Was he alone?—He was.

11067. Then just repeat again, if you please, what you said to him, and as nearly as possible following the words?—I said that Mr. Young called on me, and said that his son was tampered with, and that he had no control over him; that for himself he wanted nothing, and that anything that was given might be given to his son.

11068. This is rather important; do you swear you said that to Major Knox?—Well, I meant to convey it. I really do not swear that I said it, but I meant to convey it.

11069. This is a different account of the transaction from what you gave us five minutes ago?—No. I think it is the same.

(By order of the Court the short-hand writer read a previous part of the evidence of the witness.)

11070. Then it is not accurate what you told me a moment ago, that you told Major Knox that the older Young wanted the £40 to be given to his son?—No, I did not say that to Major Knox; or if I said it, it was an error.

11071. Would you be so kind as to repeat again to me the words that you used to Major Knox?—I really could not.

11072. I think you purported to give them before; at any rate give them as nearly as you can?—I told him about Young coming to me, and that Young told me that he had no control over his son, and that for himself he wanted nothing.

11073. You are positive you told that to Major Knox?—Well, now, I think I am confusing it. I think it was to Mr. Stokes that I told that.

11074. Try and recollect yourself, because you have given two different accounts in a very few minutes?—I know I spoke to Major Knox, and I really cannot say what exactly I said to him about the Youngs.

11075. Try and recollect?—It is a good while ago.

11076. This is a very important thing?—Yes, but I really cannot recollect exactly what I said. I know the purport of it was—I went to them about the Youngs, and I spoke to them, and told them exactly what the father said to me.

11077. That is to say, you communicated to Major Knox the purport of your conversation with the Youngs?—I did.

11078. Did you communicate to Major Knox the impression you received from that conversation?—I did.

11079. Did you tell Major Knox that you did not know whether they wanted money or not?—I believe I did.

11080. Did you communicate to Mr. Lawder your impression as to whether they wanted money or not?—I made the same statement to him as I did to Major Knox.

11081. You made the statement at different times?—Oh, yes. Major Knox was by himself, and then Mr. Lawder came in.

11082. Then did Major Knox leave the room when Mr. Lawder came in?—I really forgot that. I rather think he did not.

11083. You think they both remained?—I believe they both remained.

11084. Try and recollect what Major Knox said to Mr. Lawder when he came in; not the very words, though if you can recollect the words give them to us?—I do not indeed.

11085. Try and recollect?—Well I know he introduced me to him, and told him who I was, and Mr. Lawder I think, said, "what does the man want," and I said I did not know. He said he would see about it, or something like that. So I left and went away. It did not last, I think it was not three minutes.

11086. Had Stokes come in before you left the room?—He had.

11087. Can you tell us whether he heard any conversation; I wish you would think?—I don't think he did. I don't think he did during the time I was in it.

11088. You told us a little while ago that Stokes knew why you were there; how do you know he knew why you were there?—Not to my knowledge I never mentioned anything to him of the sort.

11089. You say now, at any rate, that you do not know whether Mr. Stokes knew why you were there or not?—I beg your pardon.

11090. You said I thought, a little while ago, that Mr. Stokes knew why you were at Major Knox's, that is, the reason why you went there?—No, I don't know that.

11091. Then you did not?—No; simply I told you everything I know about it.

11092. Did you ever hear about the four Ryans having got money?—No. I did not know anything about any one.

NINTH DAY.
October 15.
John Galbraith.

11093. You are an intimate friend of Mr. Stokes?—I am.

11094. Had you never a conversation about this transaction afterwards?—About which transaction?

11095. About the transaction with the Youngs?—No, never till I saw him at Carrick.

11096. What did you say in Carrick?—I really could not say—ordinary conversation about them.

11097. Did you talk about the Youngs?—No, not in particular.

11098. Did you talk about them in general?—Well I don't remember.

11099. But this affair of the Youngs was rather a remarkable transaction?—I don't remember ever mentioning anything about the Youngs in Carrick.

11100. You knew that the inquiry was into bribery and you knew that you had bribed, or had joined Stokes in bribery?—I did not know that I had bribed.

11101. You knew that you were privy to bribery?—Yes, I did.

11102. You had the money as trustee?—I had.

11103. You knew that you had it in your pocket?—Not in my pocket.

11104. Well, that you had it in your hands?—Yes.

11105. And that Stokes was the man who paid this money?—I knew that.

11106. To pay for the voting for Knox?—I did. I believe it was. Yes.

11107. Had you any doubt about it?—Yes.

11108. Had you a doubt about it?—I had not.

11109. Can you not recollect whether you had any conversation with Mr. Stokes with regard to that money at the time of the petition, where you both were?—I don't believe we had, for he stopped in a different place altogether from me, and I scarcely met him.

11110. Why did you not tell the judge about this?—I was not asked.

11111. You knew what the object of the inquiry was, of course, before Judge Keogh?—(Answer inaudible, if any.)

11112. Where did Mr. Stokes get the £40?—I don't know exactly.

11113. "Exactly;" but you can guess where he got it—Well, I believed it——

11114. Yes?—I have no knowledge of it.

11115. Where did he get the money?—I have no knowledge of it.

11116. You used the word "exactly." Give the name now that was in your head when you say you did not know where he got it exactly. Tell me the name in your head?—I really don't know.

11117. What do you mean by "not exactly?"—Well, I do not know exactly where he got it.

11118. Where did he get it *in*exactly?—I don't know, any more than that I had a belief that he got it through Major Knox or some of his friends. That was my idea, but Mr. Stokes never told me.

11119. Which of his friends?—I could not say.

11120. Which of them was in your head when you said "not exactly," because I don't believe the Major himself gave the money?—Well, I don't know.

11121. Which of his friends did you mean when you said "not exactly?"—I could not say.

11122. Which amongst the three names—the three of them that were all there, and Sligo men?—I don't know.

11123. Did you believe that Mr. Lawder gave the money?—I could not say.

11124. Do you mean to say that you did not form a belief on that subject?—I did not—I really did not; that's honest and true.

11125. You thought it was from Major Knox or some of his friends?—He never mentioned it to me. That was only my idea.

11126. Did you give your evidence to any solicitor for the Carrick petition?—No, I gave it to some barrister; I think he is some small-sized gentleman; I don't know his name.

11127. To a barrister?—I really could not say what he is. He was in Major Knox's interest.

11128. Was it taken down in writing?—It was.

11129. Were you asked about the Youngs?—No.

11130. Was your evidence about the Youngs taken down?—No.

11131. Did you tell anyone in Carrick that you had the money—the half notes?—No, I did not.

11132. Did you ever tell Mr. Lawder that you had them?—I did not.

11133. After you got the £40 that night before the polling, or some days before the polling, whichever it was——?—It must have been some days before it.

11134. Some days before it. Did you tell anyone you had them?—Not one.

11135. If you had been asked in Carrick about the £40 half notes, would you have told the whole truth?—I would.

11136. If you had been asked had you got any money directly or indirectly, would you have told?—I would.

11137. Mr. *Commissioner Byrne.*—Was it into your shop Mrs. Dunleavy walked?—It was.

11138. Was she wanting to buy anything?—No.

11139. Young Mr. Woods came into the shop afterwards?—He did.

11140. Did you go upstairs?—Yes.

11141. The three of you?—Yes.

11142. Did Mr. Woods say on that occasion that the place was too much exposed—the place where they generally buy fancy things?—Not that I have any knowledge of whatever.

11143. Why did you all three go upstairs?—Because we thought it better to go out of the public shop, and we went up to the paper wareroom.

11144. What was the business you were about to discuss and arrange?—To get her to write the letter to her husband at Roscrea.

11145. To get her?—Yes.

11146. What inducement did you hold out to get her to write that letter?—None.

11147. None?—None.

11148. What did you say to her about writing the letter?—I asked her would she write the letter to her husband at Roscrea, as she had previously promised me, and she said she would do anything I wished.

11149. When did she previously promise you?—Oh, she had been coming several times—both she and her husband about an account that they owed me, and she used to introduce the subject.

11150. How did you get her to make the promise?—Never said anything more than asked her, and she did it.

11151. Did it for you without your saying anything?—Yes, decidedly.

11152. Were there many people in the shop when she came into the shop?—There was not.

11153. Was there anybody in the shop except herself and Mr. Woods?—Oh yes, there was.

11154. Did you produce any notes on that occasion, or roll of notes?—Not one.

11155. Did you produce any money, and keep it—not handing it to her, but merely showing it?—I had not a pound on my person in the world at that time, nor I never carry notes about me. I had not a single pound.

11156. Now do you remember what conversation passed between you before you got her to write that letter?—I do not, no more than just what I have stated.

11157. Did she write the letter all at once without discussion, or think over the matter?—She did. There was not the space of five minutes, and Mr. Woods hurried away and took the letter with him, and I never saw or heard of it till I heard it in Carrick, nor knew what was done with it.

11158. But the letter was read out to you?—It was.

11159. Did you make any observation on it, or say anything on it in court?—I did not. I made no observation on it. Mr. Woods said he thought that

would do, and that he would take it, and have it taken by a party.

11160. You said she owed you money for rent?—No; the house in Sligo is the one I live in.

11161. Did not you say something about her owing you some money?—Oh, I did, about her owing me money for shop goods sold.

11162. You referred to a previous promise. At the time she made that previous promise was there any reference to the debt she owed you for shop goods?—No, not a word about it.

11163. The *Chief Commissioner.*—Tell me, now—I shall just ask you in conclusion—when you engaged in the transaction of bribing the Youngs, did you believe that you had Major Knox's sanction?—I had no knowledge. I had no communication with Major Knox about it whatever.

11164. Did you believe that you had Mr. Lawder's sanction?—Well, I was under that impression; he did not tell me so, but I was under that impression, and you know it was Stokes—I should correct myself there—I did not—it was Stokes that came——

11165. Stokes came, but you consented to be a trustee; and I tell you that in that you were as much engaged in bribery as Stokes—every bit, in point of law and fact, although you did not consider yourself so at the time?—I did not. I knew nothing at all about it.

11166. Why were you under the impression that you had Mr. Lawder's sanction?—Nothing more than having mentioned it to him.

11167. What did you mention to him?—I mentioned the case of the Youngs.

11168. Tell all the words that you mentioned to Lawder?—Really I could not.

11169. No more than what you have already told?—Not a single word.

11170. But you did believe you had Mr. Lawder's sanction?—Well, he did not say anything; he said he would see about it.

11171. Yes, you remember his distinctly saying, "I will see about it?"—I do.

11172. Of course that only meant money for the Youngs?—No. I had no knowledge about it at the time. I did not know a single thing about it till Mr. Stokes came up with the money, and the Youngs were in my place, and Mr. Stokes threw a half note down on the ground and one on the table. I took up the one on the table, and Young took up the other, and I kept it for him until after the petition.

11173. Why was it kept from them till after the petition? who told you to do that? someone must have told you to do that?—I think it was Stokes. I could not say that he told me to keep it till after the petition; but he told me to keep it.

11174. That is what I want to know. I want to know why did you keep it back; for if you told the judge that you had £40 in half notes, he would have directed you at once to bring it into court, in order that the person might never have got it. I want to know why did you keep it till after the petition—who told you to do that?—I don't know that anyone told me, indeed.

11175. You said a short time ago that you thought it was Mr. Stokes?—He told me to keep the money certainly, and I kept the half note.

11176. Till when?—I don't think he mentioned any time.

11177. They were of no use to you?—At the time that I had them—oh no, certainly not; nor I did not want to make any use of them in the world.

11178. I understand that perfectly well. I want to know why did you keep them till after the trial of the petition? Did the Youngs ask you for them?—No, not till afterwards. Afterwards he did—the younger Young asked me.

11179. Were the Youngs at Carrick?—I believe they were.

11180. Subpœnaed as witnesses?—No. I don't know that; I don't think they were.

11181. What brought them there?—I don't know.

11182. Did you see them there?—I did.

11183. Where did you see them?—I saw them in the street.

11184. You did not see them in court?—No; I did not.

11185. Where were they in the street?—Going up towards the court-house.

11186. Did you see them in court?—No; I don't remember seeing them in court to my knowledge.

11187. You saw them in the street—who were they with?—Well, the father and son were walking together when I saw them. There was no one with them that I know.

11188. Now, were you at the meeting when Mr. Abbott was here?—I was.

11189. Tell—you appear to be an accurate man—who else were there?—I really could not say; the room was crowded with——

11190. Electors?—Electors; yes. I believed them to be electors.

11191. What was the object of the meeting?—I think to introduce Mr. Abbott. That was the only object I know of.

11192. As the Conservative candidate?—Yes.

11193. Was it understood amongst you, that Major Knox could not stand at the next election?—I had no conversation with them. I just merely went; I got a notice from Mr. Roger Robinson, I think, to attend.

11194. That is a circular?—A circular, I should have said—yes. I had no conversation with anyone in it till I left. I heard Mr. Abbott addressing the people; and I think they had Mr. Lestrange as chairman, as well as I remember.

11195. Have any of the men been complaining to you, that since the election they have not been paid?—Not one. I had no connexion, nor never mixed up with elections in my life, until this, nor had anything to do with them.

11196. About what particulars was your evidence taken down at Carrick for the trial—I mean in reference to what cases?—Oh, Mrs. Dunleavy's only.

11197. Was it taken down at Sligo, or at Carrick?—In Carrick.

11198. You have told us you do not know who took it down?—He was a small, dark gentleman; I don't know his name. I know he was in Major Knox's interest.

11199. Was there a clerk there for him to write down?—No; it was the same man himself.

11200. Did you hear Mr. Stokes's evidence at Carrick?—No, I did not. I read it; but I did not hear it. I was not in court at the time.

11201. Were you examined before or after Mr. Stokes?—I think it was after him.

11202. After Mr. Stokes?—I think it was.

11203. Mr. *Commissioner Bruce.*—When old Young told you that he was badly treated by the Conservatives, and would vote against them, what did you say then?—I don't remember making any reply.

11204. That is not likely. You were active and anxious for the success of the Conservative candidate?—Well, I was not very anxious indeed.

11205. You have told us, that you immediately went and comunicated with Major Knox, and Mr. Lawder; so that I presume, you took some interest in the matter?—Well, that's the only interest I took in it.

11206. I ask you again, what took place after that with the Youngs?—I went down, as I told you before, to Major Knox's lodgings, and I told him about it.

11207. You are positive that no further conversation took place between Young and you?—I am.

11208. Then you now have no doubt about it, that after Young told you he was badly treated by the Conservatives, and would vote against them, you said nothing?—Well, I don't remember saying anything, except it might be a casual expression, that I was sorry for it, or something of that sort. I had nothing to do with it.

11209. The son was not there on that occasion?—He was not.

NINTH DAY.
October 15.
John Galbraith.

11210. And you did not tell Young to come back again?—I did not.

(The witness was told that he might withdraw for the present.)

11211. The *Chief Commissioner.*—If Mr. Stokes be recalled, you ought to be in court and to attend to his evidence.

11212. *Witness.*—Very well.

11213. Mr. *Commissioner Bruce.*—You will certainly have to be examined again, and I think you had better be in court when Mr. Lawder is being examined.

(The witness withdrew.)

William Petrie.

William Petrie sworn and examined.

11214. The *Chief Commissioner.*—Whom did you vote for at the last election?—Major Knox.

11215. And for whom at the previous election?—Sergeant Armstrong.

11216. Were you one of those who distributed the money for the Sergeant?—I was.

11217. Had you made out a list as the other gentlemen did?—No, I had no list, I had only a few parties, I can tell you their names. I received £130, and I gave £30 to Atkinson, £30 to Jackson—Alexander Jackson, I think, £40 to James Burns, and £30 to one Wilson.

11218. Is that all?—That's all.

11219. Why did you give these different sums of money to these men, and why did you think they were entitled to them?—Well, they complained that they lost their business and trade from it, and were injured by the election.

11220. Had you canvassed them?—I did.

11221. Describe what each of these men is by trade and occupation?—Well, Jackson keeps a small nursery outside the town.

11222. Had you any connexion with him in business?—To no extent at all; perhaps only buying some small things not worth speaking about.

11223. Did any of these people owe you any money at the time of the election?—No, not a penny.

11224. How did you arrange; did you bring that list to a meeting?—When we had the meeting in the Imperial hotel, I said what each of them should get.

11225. And what you said was agreed to?—Exactly.

11226. Had you ever distributed money before in this way?—Never in my life.

11227. Why did you begin to do it in that way?—Well, I was very anxious for the return of the Sergeant, I suppose that's how I got involved in it.

11228. At that time you were anxious for the return of the Sergeant, was there any word given to those men that a trifle might be going after the election?—Oh, no; I suppose they understood that they might be considered afterwards if anything was going, but there was no real bargain.

11229. Oh, there never is a real bargain; but didn't you know when you canvassed them that they perfectly well understood that if any money was going after the election, you would get their share of it for them?—Well, I believe some of them did think that.

11230. Which in particular. Well I believe Jackson and Atkinson, and Wilson too, might have understood it that way.

11231. When you say "might," you mean that they did understand that you would do your best for them?—Oh exactly,—that I would get a share for them.

11232. How did you imagine at the time of the election that any money might be going?—I heard no mention at all about it.

11233. Of course not; but you never had been engaged in anything of the kind before?—No, never.

11234. And these men, as far as you were concerned at the beginning of the matter, you were perfectly innocent before that?—It was my first start.

11235. How did you imagine that at the Sergeant's election money would be going or might be going?—Indeed I don't say I did. I did not imagine anything at all about it.

11236. Did you write up to the Sergeant at all?—Well Mr. Phillips wrote, and I signed the letter. I put my name to it.

11237. The Sergeant here said he understood from the letters Mr. Phillips wrote to him, and that you wrote to him, that promises had been made in Sligo by his friends and supporters; did you mean to convey that in your letter?—No.

11238. That is what the Sergeant understood?—That's not what I understood to convey or that I put my name to. That they were expecting it, that was it; something to that effect, at least to my understanding.

11239. That the voters were expecting it?—Yes.

11240. And that they would be badly treated if they did not get it; do you know that phrase here "badly treated?"—Well I am perfectly satisfied that was not in the letter. I don't think it was.

11241. Before you wrote the letter saying that money was expected, had some of the men been asking you?—No, not a penny

11242. Then you put down these men's names on the list that the Sergeant was to get without their having asked you for a penny from the day of polling?—They complained that they lost their business by it, and I think Jackson said his landlord had ill-used him, or taken land from him, or something. The others complained that they lost their business greatly by it.

11243. Was not that with the object of getting you to give them some money?—I have no doubt of it.

11244. Now you voted for the Major this time?—I did.

11245. Was that because you agreed with his opinions and principles?—Oh indeed no, for I don't bother myself about politics at all.

11246. About politics at all?—No. I may say I was decided not to interfere at all until the very last.

11247. Do you know Mr. Stokes?—Perfectly well.

11248. Did you know anything about this bribery business until Mr. Stokes was examined in court?—No; I never heard a word about it.

11249. Can you give the Court no information about anything at the last election?—Nothing whatever.

11250. You have nothing whatever to say to it?—Nothing whatever to do with it.

11251. Directly or indirectly?—Directly or indirectly.

11252. Did you hear that anything of the kind was going on; did you attend at any meeting?—I was at, I think, two or three meetings in what was called Hagarty's house.

11253. Because he was not there at all?—Well, his name was above it as the last party that occupied it I suppose.

11254. Were you present when any lists were gone over?—No, never.

11255. Did you know when the Youngs were asked?—I never knew the Youngs at all. I would not know them if they were standing there.

11256. Or the four Ryans?—I did not know them at all. I know one Ryan a blacksmith here.

11257. Do you know Captain Ethelred Knox?—I know Mr. Utred Knox; I don't know whether he is a captain or not.

11258. Do you know his brother, Mr. Utred Knox, who was clerk of the peace here?—I know him very well.

11259. Do you know his brother, Captain Ethelred?—I know another Mr. Knox that lives at Mount Falcon. I had some fishing, and I saw him when I was there out fishing, but I don't know his name.

11260. This gentleman is a captain in the Sligo regiment?—Well, I would not know them by name at

all unless I saw them. I know the one that lives at Mount Falcon, by being up that way.

11261. I must ask you about Mr. O'Hara's case—did you ever promise him £25 not to register his vote?—No, not I.

11262. Had you anything to say to such transactions at all?—No, never—nothing but what I mentioned to you during the Sergeant's election.

11263. Mr. *Commissioner Byrne.*—Do you know a man named Michael M'Goldrick?—I know the two M'Goldricks—father and son.

11264. Did you ever give any money to either of the M'Goldricks?—Oh, never; nor never mentioned the subject to them. They were pledged to Major Knox months before I knew anything at all about it.

11265. You had nothing to say to it?—Nothing whatever.

11266. How much did you get to distribute after Sergeant Armstrong's election?—A hundred and thirty pounds. I took the receipts and sent them up the next day to Dublin.

11267. Mr. *Commissioner Bruce.*—That was paid a long time after the election?—Twelve months I think.

11268. Could you give us the Christian names of the men?—Well, I think they are Alexander Jackson and James Burns.

11269. What is Wilson's Christian name?—I think Thomas.

11270. What is Atkinson's Christian name?—Well I don't know, but he is in Market-street here and cannot be far away at all; it will be easy to find him.

11271. Is it John?—Well I think it is John.

11272. Did you never hear of money going before that election?—I never mixed in elections before.

11273. Did you hear of it?—Oh, I never heard of anything at all about it?

11274. Because it was rather queer, that expectation that the Sergeant was to pay people if they never got any money before?—At former elections I voted several times. I think I voted before the Sergeant's election, for Macdonogh. I have been here sixteen or seventeen years altogether; and I think I voted also once or twice for Mr. Wynne—or once for him.

11275. You told us that you were not induced to vote till the very day of Major Knox's election?—Not to vote for him. I did not intend to vote at all.

11276. Were you threatened or assaulted?—Oh, when I was walking up the streets I was sometimes interrupted.

11277. Was any damage done to your house?—Yes; in my own house two miles out of town the windows were broken. My son's house was assailed the week before the election, and the windows were broken there also.

11278. Was an attack ever made on you—I do not mean jostling, but an attack?—Oh, well I can't say that any serious attack was made on me. I had to take shelter several times coming along the street. One time I went in to Stokes's; another time into Brien's

11279. Just describe what it was; perhaps you think it a more trifling thing than I should; were there sticks used?—No.

11280. Or stones thrown?—No, there were no stones thrown there; they just got round about me—that was all.

11281. Was it these transactions that decided you to vote for Major Knox—were you resolved that you would not be bullied?—Well, it helped it a good deal.

11282. Mr. *Commissioner Byrne.*—What decided you to vote for Major Knox?—Well, really I could not exactly say, for I did not intend, till almost within a few days of the election, to vote at all. That was the truth of the matter.

11283. Who persuaded you to vote?—Nobody persuaded me. I never would be persuaded by anybody. I would exercise my own mind upon it.

11284. Mr. *Commissioner Bruce.*—On which side do you believe was the mob that smashed your windows?—Well there was no mob on the Major's side that I observed. I think they were all on Captain Flanagan's side. I think there was a feeling against me from my not going with them as I did formerly.

11285. The attempts, in fact, to intimidate you did not succeed—but did you believe that that was the object with which those things were done?—Well, it might have been. I understood that coming on a few days before it.

11286. The *Chief Commissioner.*—Did you go to the meeting at the Victoria hotel to meet Mr. Abbott?—No, nor do I know anything at all about that.

11287. Did Major Knox ever oblige you in any way before you voted for him?—Well, about a year or two years before it he, I think, gave some assistance in getting the Sligo fishery opened earlier. I also applied to the Sergeant about that. Our fishing was not getting fair play with other fishings. When I promised to vote for Mr. Macdonogh first, I asked him, if a fishing bill should be brought into the House of Commons, to give all the assistance he could to pass it.

11288. That is, to have the season opened earlier?—I am also largely connected with the salmon fishing in many parts of Ireland. So many changes were going on in the country, that I said I did not care how he voted, or what his politics were, provided that if a fishing bill were brought into the House, he would give me assistance to pass it.

11289. Provided your rivers were well looked after?—The fishing interests, exactly; that was it. I suppose that was why I did not vote for him the second time, because he did not do it, though he promised it. I went to his house in Dublin, with Mr. Sedley, when the bill was passing, and I showed him the clauses that interfered with the fishing, and he promised to go to London, but he did not do it. As far as I was concerned, I might as well have been without a representative for Sligo; and so, may be, that was what made me take such an interest in the Sergeant. I thought he would be better—at least, he did what he said.

(The witness withdrew).

William Young sworn and examined.

11290. The *Chief Commissioner.*—You are an elector?—Yes.

11291. How long have you been an elector?—I voted for Somers against Townley.

11292. We have it in evidence that you and your son got half notes for £40 from Mr. Stokes before the last election?—I believe my son got the money, but I got none.

11293. Do you know Mr. Galbraith?—I do.

11294. Had you any conversation with him about voting a week before the election?—Well, I think not. That is, for myself I never interfered.

11295. I do not mean for yourself—did you tell him about your son?—Oh, no; I told him nothing. What I said to him was this, that I would vote for the Major myself, but that I had no influence over any other man living but myself.

11296. That you had no influence over your son?—Yes; I had no influence over my son.

11297. Did you intimate that your son wanted to get something—come, out with it?—Well, I think not; I think I did not.

11298. Did you think your son would not take it?—I don't say he would not take it; I say he would take it.

11299. Don't you know he did take it?—Yes, I do now; but I did not know it at that time.

11300. You did not know he would take it at that time?—You know I did not know it at that time, nor till it was done. I had no conversation with the other man, Stokes.

11301. No, you had no conversation with him at all; but you told Mr. Galbraith that you had no influence over your son?—Yes; none whatsoever over my son, or over any other man living.

NINTH DAY.
October 15.
William Young.

11302. At that time you were afraid that your son would go and vote against his party?—Well, I was.

11303. You and your son belong to the Conservative party here?—Yes.

11304. And you told this to Mr. Galbraith in order that your son might in some way——?—I just did not tell him that; I told him what I told you at first.

11305. Tell it again now?—We were chatting, you know, according as the election was coming on—everyone was talking about it. I said to him that we had two votes, but only one that I was sure of, for that I could influence no other man than myself. That's all I said to him.

11306. Now, were you present at any conversation between your son and Stokes?—No, never; nor did Stokes give me any money.

11307. The money was all for your son?—Yes.

11308. Did the son ever give you a bit of the money?—No, never.

11309. Then he got the whole £40?—Yes.

11310. You voted for the Major?—I voted for the Major.

11311. When did you know that your son had got £40 in half notes?—Some time; I could not exactly say.

11312. Did you know before the polling day?—I think he did not get the whole of it until after.

11313. He did not get half notes before it?—I believe now he did; but at the time I did not know.

11314. Do you mean to say your son never told you that he got £40 in half notes?—He did not for some time—he did not do it at that time; but I would have known by his appearance, and by his gesture and his looks, that he had got it

11315. Although he did not say he had got the money, you knew, by his appearance, his gesture, and his looks, that he had it?—Yes.

11316. How much did you know by his appearance that he had?—I suspected that he had got the full £40; that was the money they were saying they were giving everyone.

11317. Who were saying?—Oh, I could not say who it was; my memory does not serve me. There were a thousand things talked about the election.

11318. We will try and refresh your memory. I use your own expression—"You knew by his appearance, looks and gestures, that he had got £40?"—Yes.

11319. Whom did you hear talking about the £40?—We did not hear them talking about it. I heard no person talking about his having got the money, but after the thing occurred I knew he had got the £40 then. I did not know it at the time. I now positively swear that I never got a penny, or a shilling, or a sixpence.

11320. You would not take it?—Well, I don't say that.

11321. Will you describe how you knew by his looks and gestures?—I could not say another word to you about it.

11322. Did you ever get any money before?—At the time Counsellor Jones came in to me—I did not go to him—on the occasion of Sadlier's election he gave me £20, and in an hour or an hour and a half afterwards I sent for him and gave it back to him; and since the hour I was born I never handled a penny.

11323. Why did you give it back to him?—Because I did not think it right to keep it.

11324. Was it because it was not enough?—No; because I would not take it at all. I did not keep it; I did not think it was right to keep it at all; and I now swear positively here—and there are a great many men round me—that a single penny of election money I never got since.

11325. There were a great number of men giving out money at this last election?—So I hear.

11326. Who did you hear were giving out money at this last election?—I did not hear it until now. I could not believe it. I can't believe it after having heard it.

11327. Tell me, now, who you heard was giving out money?—Well, Stokes, I hear by his own evidence, was giving it to others.

11328. Go on now?—I cannot tell you.

11329. Stokes, I knew myself was?—I can tell you nothing except what I saw in the papers since the trial began. I can tell you nothing before that.

11330. Is your son in court?—He is.

(The witness was directed to leave the table.)

John Young

John Young sworn and examined.

11331. The *Chief Commissioner.*—Had you any conversation with your father about voting?—I used to hear him saying that he never got any money, and that he would vote for Major Knox without money; and I used to be greatly ashamed when I heard him making those avowals.

11332. Why were you ashamed?—That he would be so coarse in the breed as not to get money. I thought he ought to be brighter than that.

11333. Did you reproach him then, for not being willing to take money?—No; I told him he was quite right to do as he had always done, and to let me vote the way I liked.

11334. Did you mean by that, that you would take money?—I did not mean that exactly, because I told him one day that they treated him very shabbily before, at other elections; that out of election business he always lost by them, while others gained.

11335. In plain language, you wanted to get £40 for yourself?—My whole mind was centred on getting the most money I could.

11336. Did you convey that to your father?—I did not. No; it was no use.

11337. Did you tell anyone that you wanted to get £40?—I looked about me, to see could I see anyone that would be giving out money. I saw Mr. Stokes going about the houses—getting into voters' houses, and that he had a very benevolent smile on his features; and I thought that if any plot was going on he was captain-general, or something. One day coming up Market-street, I caught his eye as he was passing. I don't know did I say that I wanted to speak to him; but he beckoned me to follow him, and we went into Mr. Galbraith's. I told him then, that if he treated me honorably, I would vote for the Conservatives, and that if he did not, I would vote——

11338. Was Mr Galbraith by at that time?—He was.

11339. Go on now; what occurred?—Stokes walked up and down the room, and said a whole lot of things that I don't mind—all nonsense, that I could not remember about; but at the same time he began saying to me, "mind, there is no talk about money now." He said to me first, "how much did I expect?" said I, "I think £20 would be a fair sum." "Well," said he, "that's £20 for you, and £20 for your father, making £40." "Yes;" said I to him—"that's just it." He walked up and down the room for a long time, and said, "mind, there is no talk about money now; it is about forty engravings that we are talking." I was going to say to him, "for God's sake, Mr. Stokes, don't be mocking the law." So I remained silent, and he did all the talking; and the end of it was, that he left half notes on the table behind him. He and Mr. Galbraith had their backs turned, and I did not know which of them left the money there. I told him that I would leave the other half notes with Mr. Galbraith—that I had confidence in Mr. Galbraith, but that I would have none in them. The other half notes was then left with Mr. Galbraith till after the election. Mr. Galbraith said he would pay it in the March after the election.

11340. You got half notes for £40?—I did.

11341. And you were paid by Mr. Galbraith?—No, not by Mr. Galbraith, but by a shop-assistant of his named Noble.

11342. After the petition?—Yes.

11343. Were you in Carrick at the time of the petition?—I was.

11344. Who brought you there?—I got the money from Willy Ward.

11345. How much?—I think 6*s.* 6*d.*

11346. Was Willy Ward serving the summonses?—Yes.

11347. Then you went to Carrick?—I did.

11348. Did anyone take down your evidence in Carrick?—I was not examined at all, nor did anyone take down my evidence.

11349. Did anyone come to you on the Liberal side to give information?—No one.

11350. Did you get any money while you were in Carrick?—I did not.

11351. You got no money for your support?—I stopped in a house there, and I believe the Conservatives paid the bill.

11352. That is what I want to know. You were in the Conservative house?—I was.

11353. Were there any other electors there with you?—A man named Petit, and a man named Hicks or Hickson, I don't know which. They were all in it.

11354. What was the name of the house?—Dunne's, I think.

11355. A publican?—I don't know what it was; the door was shut.

11356. How many of you were staying there during the petition?—I don't recollect. There might be eight, or nine, or ten.

11357. Did you get any money while you were there—any pocket-money from the Conservative side?—I did not get any at all. I thought I had got enough of money, and I did not look for any more.

11358. Did you ever ask for the other half notes before the petition came on?—I asked for the half notes the morning after the election. Mr. Galbraith said he would give them the morning after the election. He said, "I did not say it at all; Mr. Stokes said it." I said to him, "When you were present and allowed Mr. Stokes to say it you said it by your acquiescence." He said, "Not at all; I did not say it myself, but you will get it; you need not be in a hurry; you need not run at me for the balance."

11359. You gave none of the money to your father?—I never gave him a penny of it.

11360. Did you ever see a gentleman they call Captain Knox?—I saw him at the Carrick petition when I was in the Court-house, but I never saw him before that.

11361. Who pointed him out to you?—I saw him along with the Major. I don't recollect.

11362. Was any other elector paid the way you were paid, in half notes?—I don't know of any other elector.

11363. I don't mean that you were by at it; but was there any other man that you heard of as having got half notes?—I did not hear of anybody but myself being paid.

11364. In half notes?—No, nor in any other way.

11365. Did you insist on getting the money?—I insisted on getting the money.

11366. If you had not got the half notes how would you have voted?—I would not have voted at all.

11367. Did you demand from Mr. Stokes to get the money lodged for you?—I demanded of him to give me money. He said it would not be a fit way to give half notes; that they were half "engravings," and that he would leave the other half with Mr. Galbraith.

11368. You had confidence in Mr. Galbraith's word of honour?—That he would return the half notes.

11369. Mr. *Commissioner Byrne.*—Did your father know that the £40 was to be given for his vote and yours?—He did not know anything about it at all. I never told him a word about it, but remained silent. I know he suspected I got the money.

11370. You did not tell him anything at all about the money before you got it?—I never told him until after the election that I got the money. I was afraid to tell him for fear of the election petition, lest he would give evidence, or something of the sort, if he were summoned, and betray the person that gave the money sooner than perjure himself; so I told him nothing.

11371. The *Chief Commissioner.*—When you went to the Carrick petition, if you had been called as a witness, would you have told the truth?—I would not.

11372. Why would you not have told the truth?—Because, as I told young Mr. Woods, the sin of perjury was a very awful sin, and the sin of betraying one's friend was also an awful sin; but there was an infinite difference in magnitude between the two.

11373. You told that to young Mr. Woods?—I did.

11374. When did you tell him that?—When the petition was coming on.

11375. What is young Mr. Woods' Christian name?—Joseph.

11376. Did he know that you got money?—I don't know. What he said to me was—"I want to know what evidence you have against Major Knox?"

11377. Just so—go on?—I told him I had no evidence to give against Major Knox; that I got no money, and that I did not think that anybody had a right to betray either a friend or an enemy.

11378. How long was that before the petition?—I don't know.

11379. Was it after you were served with a subpœna?—It was.

11380. I suppose there were a number of other names in the subpœna that you were served with along with your own?—I did not read any but my own.

11381. Were there a number of other names in it?—I don't recollect. I only minded my own name in the subpœna.

11382. Did you tell Mr. Woods that you considered it a greater crime to betray your friend than to commit perjury?—I did.

11383. Did you leave him under the impression that you would commit perjury rather than betray a friend?—I just told him. I don't know under what impression I left him.

11384. Did you give him any information?—I did not tell him I got any money at all, so he did not know. What I told him was that if I had it to do, I thought it was a great deal an awfuller sin to betray one's friends—to swear on them; that though my heart might be bursting with the idea of committing perjury, the other was an awfuller sin, and that I would not swear on the person at all that trusted me.

11385. You told him that?—I did.

11386. That you would not swear on any person that trusted you?—Yes.

11387. What did Mr. Woods say?—He said nothing at all, but went away.

11388. Did he take any note of what you said?—He took no note; he had neither pen nor pencil in his hand.

11389. Mr. *Commissioner Bruce.*—Did you never ask Galbraith for the money but once?—I asked him that once, and then I asked him again; and shortly afterwards Mr. Noble told me, one night, that he would change the half notes, and brought me in, and took the half notes, and gave me the whole ones instead of them.

11390. That was after the petition?—After the petition.

11391. You never asked him between the election and the petition about the notes?—I may have asked him more than once, but I don't recollect. I was often talking to him.

11392. Do not you believe you asked him more than once?—I believe now, when you put me in mind of it, that I may have asked him twice about it. I do not remember.

NINTH DAY.
October 15.
John Young.

11393. What did he tell you the second time?—Something like this, that he would surely give them—did I think he was going to keep them.

11394. Did he give any reason for not giving them?—No, no reason whatever; only, "did I think he was going to keep them."

11395. Were you subpœnaed on the Liberal side at the Carrick petition?—Ward gave me the subpœna; I suppose he is for the Liberals.

11396. You were not examined?—No.

11397. Did you give your evidence to anybody?—I did not; I gave no evidence to anybody.

11398. Did nobody ask you what evidence you could give?—Nobody but young Mr. Woods, who asked what I was going to swear against Captain Knox.

11399. The *Chief Commissioner.*—Did you leave Sligo at all?—I never left Sligo at all.

11400. Mr. *Commissioner Bruce.*—Was your father not in the house when Mr. Stokes brought you in with Mr. Galbraith?—I think he was behind the counter and I was standing at the door when I met Stokes, and I went in to Galbraith's.

11401. He was behind the counter?—In his own shop.

11402. Is your shop next to Galbraith's?—Yes.

11403. Where were you standing?—At the door of my father's shop.

11404. Then Stokes beckoned you on to Galbraith's?—Yes.

11405. And did your father follow you in?—No, he did not.

11406. Did your father ever tell you he had any conversation with Galbraith?—He did not.

11407. Did Galbraith say anything about your father having been speaking to him, or Stokes?—I don't think he did. I don't recollect anything. I was so occupied about getting the money from Stokes that I did not mind anything else.

11408. Who took you to the Conservative house at Carrick?—A man named Petit showed me the house, and said I might go into it. I met him at the door of the hotel where a whole lot of people were in Carrick for Captain Knox.

11409. Did he tell you to pay nothing?—He did not tell me anything, only I went in and stopped at the house; I got no bill; and when I went away I paid nothing.

11410. You paid nothing?—No, beyond a shilling to the servant.

11411. You were asked for nothing?—I was not asked for anything.

11412. Did you expect to pay nothing?—I did not expect to pay anything.

11413. Who gave you the by-word that you had to pay nothing when you went to that hotel in the strange place?—I think there was a report that none of the Conservative witnesses would have to pay anything at the petition.

11414. You were not a Conservative witness, you know?—Well, none of the Conservatives that were summoned by the Liberal party.

11415. The *Chief Commissioner.*—Was it Joseph Woods that made the remark about your evidence?—Yes.

11416. Is he the gentleman that is now away?—Yes.

11417. Where did you hear he was?—I heard he was in San Francisco.

11418. When did you see him last?—I don't recollect. It is a long time ago.

(The witness was ordered to stand down.)

William Young.

William Young re-examined.

11419. Mr. *Commissioner Bruce.*—Do you swear positively that you did not tell Mr. Galbraith that you had been badly treated by the Conservatives, and would vote against them?—Well, I might have said that to more than him.

11420. But did you say it to him?—I might have said it to him. I said it to many a man.

11421. Did you intend to vote against them?—No, I did not. I never voted against them.

11422. I know you never did?—I might have said to him, on my oath now, that they treated me badly, and that I would not vote for them again; but I did not speak the language at the time that I meant.

11423. Why did you not speak the language you meant?—I'll just tell you the case, now, simply. I was a poor man in the borough, and I heard that they were giving money to the party, and they never gave me a penny, and I was angry with them.

11424. You wanted your son to get some?—If I got some money I would have taken it—I don't deny that; but I did not get it, nor I never asked a penny, nor they never gave me any. I never asked them at all.

11425. If you had got money you would have taken it?—I might have taken it after all was over.

11426. You did not try to get it?—No, I never asked it.

11427. You were content to know that your son got it?—In this last case I knew nothing about it, no more than you did, till it was over.

11428. You told us, you know, about your son's appearance?—Yes, after he got it.

11429. Was that after he had got the half notes?—I knew nothing at all about it until he had got the money in full.

11430. Did not you believe before the election that your son had got money?—I did believe that he got it, but I could not say it. I believe many a thing that I can't say.

11431. I only want to know what your belief was?—I believe he got the money, but I could not say how he got it. I could not say positively.

11432. Did you intend him to get the money?—No, I did not. I did not care whether he got it or not.

11433. Mr. *Commissioner Bruce.*—You know the £40 was given for the two votes?—Oh, I did not know what it was given for. He got the money and I got none of it, nor I did not want any of it, nor I did not ask it. You know the man has a place of his own.

(The witness withdrew.)

11434. *John Young.*—I wish to explain the statement as to my being badly treated. There was a report at Macdonogh's election that Mr. John Lyons had got £250 or something, and that out of this identical money he offered our landlord £100 for a lease of one house, out of which we were to be put; and the landlord wrote to us saying, although we promised never to put you out while you paid the rent, you must give us £50 fine. That is what I meant by being badly treated.

11435. *William Young.*—And I paid the £50, and John Lyons, who is now in his grave, offered the £100 for the house over my head after I had voted for the Conservatives; and when I was angry I said they treated me badly.

(The witnesses withdrew.)

Patrick O'Brien sworn and examined.

Patrick O'Brien.

11436. The *Chief Commissioner.*—Whom did you vote for at the last election?—Major Knox.

11437. Whom did you vote for at the previous election?—I had no vote at that time.

11438. Where were you on the day of polling?—In Mr. Hall's.

11439. On your oath were you promised anything?—On my oath I was not. I would go to Dundalk to vote against the Liberal party for they killed my family at the "Right Honorable's" election.

11440. Do you mean the election at which the Right Hon. Mr. Wynne was returned, or that which he was beaten at?—The last election.

11441. How did you vote then?—I voted for the "Right Honorable."

11442. Did you get anything then?—No, not a sixpence. A mob came in and dragged me out, and after I got on the hustings, I was knocked down and stabbed in the thigh, and had to go to the hospital.

11443. Was this at the "Right Honorable's" election?—Yes. My house was torn to the ground. I had to put my wife into an asylum for ten or twelve months, and to pay fifteen shillings or ten shillings a week for her. My child died alongside her mother. I was not there you know, but she was brought in my absence; and it is well known to the whole town that I have a child a cripple, whose back was broken by it.

11444. Whom?—A daughter whom I can produce here if your honour wishes. They pulled me to the hustings, and asked me whom I would vote for. I said for the "Right Honorable." Then I was knocked down and beaten; and then I had it on my mind, when I would have to vote again, never to vote for the Liberal party, for what they did to me. I had a claim for £200 then, but the creditors got the money. Mr. Sedley was the solicitor.

11445. You got £200 off the county?—Off the borough. I had to sell two houses for £120 to pay the creditors a fourth; and I am living now in a house of the Right Hon. John Wynne's, at £17 a year.

11446. What business are you in?—A furniture broker.

11447. You are living in the town?—Yes.

11448. Carrying on business?—Yes.

11449. What made you go to Mrs. Hall's?—Because I got enough of elections before; for protection. I settled with her and paid her.

11450. Do you swear that that was your sole reason?—I swear on my solemn oath that that was my sole reason. I would not venture to go to the poll after the treatment I got at the election before.

11451. How did you ascertain that Mrs. Hall's house was open to Major Knox's voters?—I stopped at it at the time of the "Right Honorable's" election, and for a fortnight after I could not make my appearance.

11452. In consequence of the violence of the mob?—Yes.

11453. You are a Catholic?—I am.

11454. And you know somethiug about these elections?—I have a good right to know.

11455. Can you give the Court any information as to how these mobs were got up?—I could not tell you how they were got up.

11456. Are they townspeople, or people from the country?—Country people; country and town.

11457. Did you see them during the election; did they get drink?—I could not say. I never saw anything of their getting drink, for I would not go next to any of them.

11458. Do you know any of the public-houses?—I did not know any of the public-houses to give drink.

11459. Nor never heard tell of it?—Never heard tell of their getting drink. I don't trouble my head about them.

11460. You know some of these people, you know these people who beat you at the Right Honorable's election?—Beat me?

11461. Do you remember the people that did so?—Why they were like a shower of bees about me. I could not remember for I was excited.

11462. Did you see in that mob, for example, strangers and townspeople?—There were strangers and townspeople. I called on Mr. M'Gowan, the mayor, for protection, and he told me to protect myself.

11463. That was at the "Right Honorable's" election?—Yes.

11464. You came in to Mrs. Hall's?—I did.

11465. Do you say how you paid for what you got there out of your own earnings?—I did out of my own hard earnings.

11466. And you do not expect to be repaid by anyone?—I never expect a shilling from any man.

11467. Did you ever get any money for voting at any election?—I never got a shilling from any man.

11468. Have you heard of the quantity of money that has been going at these elections, I mean in the evidence?—I did.

11469. Had you a vote at Macdonogh's first election?—I had.

11470. Whom did you promise to support then?—Mr. Macdonogh.

11471. Did you vote for him?—I did.

11472. Did you know anything about the £150 that was going?—I did not know anything about it. I never saw sixpence of it.

11473. Is there another man named Patrick O'Brien?—He is dead.

11474. There was a man of your name mentioned as having got £10?—I don't know what he got. The poor man is dead.

11475. You are not the man that got the money?—I am not the man. I never got a shilling from them. I would go to Belfast——

11476. Do you expect to be paid?—I don't expect a shilling.

11477. Did you go to Mr. Abbott's meeting?—I did.

11478. Who asked you to go there?—I saw voters going there.

11479. Conservatives?—Conservatives and Liberals, and I dropped in.

11480. Were both sides going?—Both sides were going to hear the speeches.

11481. And to see the new candidate?—Yes.

11482. Did you know on which side he was to be candidate?—I knew well he was brought by Captain Knox; I heard several say he was going to stand for the borough.

11483. If any money is going now on the Conservative side will you take it?—I don't want it.

11484. Will you take it?—I would not take it on my solemn oath. I would not handle a shilling of it. I got enough of them; and I will produce the child here that got her back broken if required, and the mother dying in an asylum. I would go to New York at my own expense, your honour, to vote against them after what they did to me.

11485. Mr. *Commissioner Byrne.*—Did you vote at Sergeant Armstrong's election?—I had no vote then.

(The witness withdrew.)

John Galbraith re-examined.

John Galbraith.

11486. Mr. *John Galbraith.*—There is another person whom I forgot to tell you of, Walter Henderson, who was not mentioned, and whose name had escaped my mind altogether.

11487. The *Chief Commissioner.*—Another case of what we call here "bribery"?—Yes.

11488. What is he?—He is a shoemaker.

11489. How much money did he get?—Twenty pounds.

11490. Did he come to you?—No, Stokes engaged with him to give it and left the money with me.

11491. Was it in half notes?—It was. No,—one £20 note; it was cut in two.

NINTH DAY. *October* 15.

John Galbraith.

11492. You got the whole of it?—I did.

11493. When was that?—I think the same day as the Youngs.

11494. Did you see Walter Henderson himself on the subject?—I did.

11495. I want to know how did you pick out Henderson, or he picked out you?—I was in Stokes's and Henderson came in there, and Stokes arranged with me before this, to give him £20, and Stokes then put the £20 in my pocket to give to him. I kept the £20 and have not given it to him up to the present.

11496. Have you got the £20 note?—I have not.

11497. I suppose you changed it?—I did.

11498. What bank was it on?—The Bank of Ireland.

11499. Was it a new note?—Tolerably new.

11500. Did you, as a man of business, note the number of it in your memorandum book?—I did not indeed.

11501. Then you can't tell what it was?—No, I could not.

11502. Or give any clue to find when that note was issued?—No, not the slightest.

11503. Were the other half notes that you heard of Bank of Ireland notes—the £40 notes?—They were, I believe.

11504. Describe how they were,—were they small notes or twenties?—Two £20 notes.

11505. Of the Bank of Ireland?—The Bank of Ireland as well as I remember.

11506. Did you make no note about them?—Not the slightest.

11507. Was Henderson long in the shop before Stokes, until you and he had made the bargain with him?—I don't know, I happened to be passing and I went in and he was there.

11508. Did you ever mention that to Mr. Lawder?—No, I did not.

11509. Or to anyone concerned for the Mayor?—No, except Stokes.

11510. Was this done in the open shop or upstairs?—In Stokes's open shop.

11511. Had you any connexion in business with Henderson or did he know you merely as a townsman?—Not the slightest connexion in the world, no more than that he knew me, and he said, as well as I remember, that he had confidence in me that anything that was given to me for him I would give to him.

11512. Mr. *Commissioner Bruce.*—I want to ask you was it by himself that the younger Young came in, after the interview you had with his father?—No, he was sent for.

11513. By whom?—By me.

11514. You were not in court when he gave his evidence a few minutes ago?—No, I was not.

11515. Because he told us that he saw Stokes at the door and followed him into the shop?—Well, as well as I remember, I sent for him to come in.

11516. Do you recollect whom you sent?—I do not. It might have been one of the young men in the shop.

11517. Have you got that young man in your shop?—No, I have not, I have some of them,—really I don't know which of them I sent.

11518. How many young men have you in your shop?—Seven.

11519. How many of those seven were in your family at that time?—Two of them are away. I think there are five that were in it.

11520. Was the old man present at the interview at which the son got the notes?—I don't think he was—no.

11521. Do you recollect was anything said to the young man about the former interview you had with his father?—None whatever that I have any recollection of.

11522. Mr. *Commissioner Byrne.*—Did you give the £40 for the two votes?—Yes, it was given to the younger.

11523. For the two votes?—Well I could not say. The father before that said he did not want to have anything to do with it, or that anything that was to be given might be given to his son. He said he would not have anything to do with it, that he did not want it, and never took it in his life.

11524. Did you intend it as compensation for the two votes?—Well I could not say that.

11525. Did you intend it as compensation for the two votes?—Well I did.

(The witness withdrew.)

Dominick Hunt.

Dominick Hunt sworn and examined.

11526. The *Chief Commissioner.*—You are a relative or connexion of Michael Hunt's?—Yes.

11527. What are you to him?—Brother-in-law.

11528. Have you a vote?—Yes.

11529. Had you at Sergeant Armstrong's election?—Yes.

11530. Were you wanting to get any money for your vote?—No, but I was in Michael Hunt's house, and I saw a man named John Magrath, another brother-in-law of mine, and I think James Moran and some few others, electors, including, I think, John Harte; and from what transpired, I could understand that Hunt was making terms between the Conservative party and Sergeant Armstrong's friends to sell all of us for £300.

11531. Who was making that bargain?—Hunt.

11532. Michael Hunt?—Michael Hunt.

11533. To sell all of you?—To any party—the highest bidder.

11534. Did Michael Hunt tell you that?—I heard him say it. I heard him speak about it with parties coming in and out, saying that he would make terms—£1,000 or that he would take £500, and then the parties would go to the door; one of the party, Maurice M'Nulty, would come in and say half a loaf was better than no bread. I wanted to go out when I saw the disgraceful conduct of them. He was supplying us with drink, brandy and all to that, and I wanted to go out as I got disgusted.

11535. However you were there; do you remember Mr. Keighron coming to you—this was the polling day?—Yes, the polling day.

11536. Do you remember Patrick Keighron coming in to you?—I saw him there, but I have no recollection of any conversation.

11537. Do you remember Phillips coming there?—I saw him at the door too.

11538. Do you remember anything that was said between him and anyone?—I heard some altercation and Hunt ordered him away and would not allow Phillips near the door. He made out that he was dragged out from the little room, and Phillips hastily retreated.

11539. You finally voted for Sergeant Armstrong?—Yes.

11540. And you voted with the party of five or six that went up?—That's true.

11541. What made you all go, finally?—Well, really I think it was the consideration on their part of the money. I wanted to pull out of getting the money, as for my part, at the time I did not much need it; because the only thing I ever placed myself in communication to ask any favour about was this:—I had a brother-in-law in the Customs in England, and I wished to get his promotion, and the Sergeant was the member of Parliament to do it; and I thought the sum of £20 was paltry when I never took a farthing for a vote. I received £20 from Mr. Phillips some time after the election, but I returned it back again.

11542. When the five or six of you went to vote that way, who did you understand had promised you any money?—There was no promise made distinctly to myself.

11543. Whom did you understand the promise was made to?—To Michael Hunt.

11544. By whom?—Well I think it came through M'Nulty or messengers came in and out.

11545. Who is he?—Maurice M'Nulty, a brother-in-law, or some friend of Keighron.

11546. Did you understand that word came that money would be given—£50 a piece?—I did.

11547. So you heard through M'Nulty?—Yes; but I heard expressions between them.

11548. What expressions?—That half a loaf was better than no bread.

11549. M'Nulty said?—M'Nulty said. James Moran jumped up, and said he would go over to Mr. Lyons and get £1,000; they held him. Then when I saw the disgraceful treatment of them, half whiskified, and though I had taken a little myself—a little brandy and porter; with that, they held Moran, and in came M'Nulty, and those expressions dropped from him that half a loaf was better than no bread, and to have patience or be quiet, or that they would do what they would be very sorry for doing.

11550. And then they went?—They went; immediately afterwards Sergeant Armstrong came in, and we were there drinking, and they asked him to take a glass of brandy, and I think he cordially took it with them. "You are all right," was the word the Sergeant said; I can't be very minute; but they all walked off, and the Sergeant led and took Hunt on his arm.

11551. Michael Hunt?—Yes; he wanted to be commander or general of all.

NINTH DAY.
October 15.
Dominick Hunt

11552. Why did you refuse the £20?—Well, sir, I'll tell you the reason; I was in communication with the Sergeant about a brother-in-law of mine; and when I brought the money to my wife after some deliberation she said it was better to return it—she said to hold it, and I said not. "Well," said I, "I may get an advance for Murray, the brother-in-law in the Customs; and it would be better to serve him than to take the £20, which I never got before, and never will have the name of again; they are a low, mean pack, and the Sergeant is an honourable man, and would do credit to Sligo, and I believe to any constituency."

11553. And that is the reason why you would not take the £20?—That's the reason.

11554. Were you ever paid before or since?—Never paid a farthing.

11555. Mr. *Commissioner Bruce.*—Who is Mr. M'Nulty—what is his Christian name?—Maurice.

11556. What was he to Keighron?—A distant relative.

11557. Did you vote for Captain Flanagan?—Well, I had no vote then.

(The witness withdrew.)

The Court was then adjourned to Saturday morning, the 16th October, at ten o'clock.

TENTH DAY.

TENTH DAY.
October 16.

SATURDAY, OCTOBER 16, 1869.

The Commissioners sat at ten o'clock.

James M'Kim sworn and examined.

James M'Kim

11558. The *Chief Commissioner.*—Whom did you vote for at the last election?—For Major Knox.

11559. Did you get any money after that election?—No.

11560. Are you James M'Kim?—I am.

11561. Did you get any money at any previous election?—I did.

11562. When was that?—After one election, Mr. Sedley sent for me. He told me——

11563. Was that after Mr. Macdonogh's election?—I believe so.

11564. What did he say?—He said he wished to see me at the office. I went down.

11565. Did you know what he wanted you for?—I didn't. When I went to the office he gave me a paper to sign. I hesitated as I didn't know what it was for. He said he'd like to serve me. I was then under pecuniary difficulties. I hesitated. I thought it was a loan. He said I would never be called on for payment.

11566. How much was the amount?—Twenty pounds.

11567. How long after the election?—About eight or nine months. I can't exactly say.

11568. You voted for Mr. Macdonogh?—I did. I promised him that I'd vote for him.

11569. Did you ever promise any other person?—Never.

11570. Did you know what Mr. Sedley wanted you for when he sent for you?—Not until I went down to his office. I believed it was in consequence of my voting for Mr. Macdonogh that he sent for me.

11571. Did you give him an I.O.U. for the money?—I did, or a promissory note—it was something of that kind.

11572. Do you know or hear of anybody else getting money after that election?—I didn't.

11573. You understood from Mr. Sedley that the £20 was given to you for having voted?—Just so.

11574. Did you think it wrong to take the money?—I didn't. I didn't look on it as a bribe, as it didn't influence my vote.

11575. Were you engaged in any way about the election?—I was engaged in some one way or other about it.

11576. What had you done at the election—for very little is to be done in a small constituency like Sligo in the way of writing in books—were you so engaged?—No.

11577. Every elector in the borough, I suppose, is known?—Of course they are.

11578. Did you ever get any other money at any election?—I did.

11579. From whom?—From Mr. Monds.

11580. How much did you get from him?—Thirty pounds in the same way.

11581. Whom did you vote for when you got the £30?—I can't say; I voted for the Conservative candidate, whoever he was.

11582. Was that at Mr. Macdonogh's first election, do you remember?—I rather think it was, but I can't swear positively to it.

11583. Do you remember, when you got the money from Mr. Sedley, was that the time Mr. Macdonogh was defeated?—It was the last time he was a candidate.

11584. Mr. Monds, you say, gave you £30?—Yes, he did.

11585. Did you get any word about it before you got the money?—Not the least.

11586. But you knew it was in consequence of your having voted, that you got it?—I did.

11587. If you got money now, I suppose you would take it too?—I would not.

11588. Why not you know you took it from Mr. Sedley and Mr. Monds?—Circumstances alter cases. I was in pecuniary circumstances that were not favourable when I took it; but I wouldn't take it now, nor would I have taken it before but for the circumstances in which I was placed.

11589. Do you know of anyone else having been paid at the time that you were paid, by Monds?—No.

11590. Had you a long conversation with Monds when he paid you the £30?—There weren't three words about it.

11591. That was when you voted for Mr. Macdonogh the second time?—Yes; the last time.

TENTH DAY.
October 16.
James M'Kim

11592. Do you remember hearing about the day before the poll, that money was going?—No; I was away working with a man at that time—it gave me more consideration and trouble.

11593. But were not you in town at night?—I was.

11594. And was there no message came to you?—There wasn't.

11595. Are you sure of that?—I am.

11596. Did anyone hold out any inducement to you to vote at this last election?—No.

11597. Were you not asked for your vote?—I wasn't.

11598. Did you attend the meeting at which Mr. Abbott was here?—I didn't.

11599. You are, I believe, petty sesions clerk here?—I am.

11600. Mr. *Commissioner Bruce.*—How long have you been petty sessions clerk?—I think about three years, the 20th of last April.

11601. You were not petty sessions clerk when you got the money of which you spoke?—I wasn't; if I were I wouldn't want it, and I would not take it.

11602. Mr. *Commissioner Byrne.*—Who canvassed you the first time Mr. Macdonogh stood as a candidate?—I was canvassed by Mr. Macdonogh himself.

11603. Did Mr. Sedley not canvass you?—I know he called on me the day of the election.

11604. Did Mr. Monds canvass you?—I can't say that he did. We had talked with each other; we had a conversation.

11605. Was it about voting?—It was not.

11606. Did he give you any intimation that you would be compensated for your vote?—He didn't; not the slightest.

11607. Were you in debt to Mr. Monds?—I was.

11608. How much?—Twenty pounds.

11609. Did he stop the £20 out of the £30 you were to get for voting?—He did; he only gave me £10.

11610. Did Mr. Sedley canvass you before Mr. Macdonogh's second election?—Never.

11611. Was any of the £20 stopped?—No.

11612. Were you in debt, or under any obligation to Mr. Sedley?—I wasn't in debt to him, but I owed him some kindness. As I told you, I was in some difficulties, he was the professional man engaged for me and he did me considerable service, as I believe. I would be anxious to serve him in any way I could, and would yet.

11613. The *Chief Commissioner.*—Were you the person about whose appointment to the office of petty sessions clerk, there was some contest?—Precisely, I didn't get in then.

11614. Mr. *Commissioner Bruce.*—Did you vote at the previous election?—I did; I voted at every election since Sadlier's.

11615. Did you vote at Sadlier's election?—I did.

11616. Did you hear of money going at that election?—I did not; I took no part in elections then. I had plenty to do to keep myself in any position.

11617. Mr. *Commissioner Byrne.*—For whom did you vote at Sadlier's election?—I voted for Mr. Somers. I was offered £20 to go to the country for three hours by Sadlier's agent.

11618. What was the agent's name?—He is not in the country now; he is, I believe, dead.

11619. For whom did you vote in 1859, when Mr. Wynne and Mr. Sadlier were candidates?—I voted for Mr. Wynne.

11620. Mr. *Commissioner Bruce.*—Were you asked to vote for Captain Flanagan at the last election?—I was not.

11621. Mr. *Commissioner Byrne.*—Were you aware of money going at the 1859 election?—I wasn't.

11622. Did you hear that there was money going at either side at that election?—No, I didn't; but I heard that Mr. Wynne said he would not lose sixpence by it.

John Gallagher.

John Gallagher sworn and examined.

11623. The *Chief Commissioner.*—You voted at the last election?—I did.

11624. For whom did you vote?—I voted for Captain Flanagan.

11625. Whom did you vote for at the previous election?—For Sergeant Armstrong.

11626. Did you get any money after that election?—I did.

11627. How much did you get?—Twenty pounds.

11628. From whom did you get it?—From Dan Gill.

11629. Who had canvassed you at that election?—Sergeant Armstrong himself.

11630. Did Gill canvass you?—He did not.

11631. Who was with the Sergeant when he canvassed you?—I can't well recollect. I think it was Mr. Michael Gallagher and Mr. Conry that were with him.

11632. Did you make any complaint that you had not got any money?—I don't recollect.

11633. Did you think you were badly treated as you did not get money?—I didn't expect it. I took it because I got it.

11634. Did you get money at Sadlier's election?—I did.

11635. How much did you get?—Ten pounds.

11636. Who gave it to you?—He is dead who gave it to me.

11637. What is the name of the person who gave it to you?—Mr. Henry Owen O'Connor gave it to me. I didn't expect it. I didn't look for it.

11638. Were you offered any money at the last election between Major Knox and Captain Flanagan?—I wasn't.

11639. Did anyone give you a hint about it?—No one.

11640. What are you?—I hold a bit of land, and I keep a shop.

11641. Did you expect that any money would be going at the last election?—I didn't.

11642. But you took money twice?—I did, but I didn't look for it. I didn't expect it at all.

11643. You would take it if you were offered money?—I would, if I didn't think it was a crime. I wouldn't solicit it.

11644. Do you know anything about the mobs that were going about the town at the last election?—I don't.

11645. Mr. *Commissioner Byrne.*—Did you vote at the election in 1859?—I did.

11646. Whom did you vote for?—For Mr. Somers.

11647. Did you get any money at that election?—I didn't.

Thomas Perkins.

Thomas Perkins sworn and examined.

11648. The *Chief Commissioner.*—Do you travel for Brown, M'Conkey, and Co., of Dublin?—I do through the west.

11649. Is that your district?—Mostly through the west, and a bit of the south.

11650. How long have you been doing the west?—Nearly two years.

11651. Did you see your name mentioned in the papers?—I did. I saw it in the *Irish Times.*

11652. Mentioned by Mr. Dunleavy?—Yes.

11653. Were you in town at the time of the election?—I can scarcely tell you now?—I would be able, by looking at my diary, to tell you, but not now.

11654. Were you interested on any side in the result of the election?—Not a particle.

11655. Mr. Dunleavy said that you informed him that you could get money for him if he voted for Major Knox?—I saw the statement made by him in the

Irish Times, but it is not true—there is not a word of truth in it.

11656. Do you swear that you did not offer him any money?—I swear I didn't offer any money directly or indirectly for his vote, nor do I know he had such a thing as a vote.

11657. Do you know the person I mean?—I do.

11658. And do you swear that you did not offer him any money?—I do positively.

11659. I do not say that in a direct manner you offered money for his vote—no one ever says that at the time of an election—but were you in communication with the parties here at the election?—Not one.

11660. Dunleavy stated here that you first made him an offer, came back, and increased the offer?—There isn't a particle of truth in it. I had no interest in the matter one way or the other, and I had no intention to do anything of the kind stated by him. When I read the statement in the *Irish Times* I wrote to him to know if I was the party referred to by him in his evidence, and said I wanted his reply. There was no name mentioned in the *Irish Times*. I understood I was the person he alluded to. I did not hear from him.

11661. You wrote a letter to him about the statement?—I did. I saw that the person was described as the representative of Brown, M'Conkey, and Co., and I wrote to know if I was the person he referred to.

11662. Are you the only representative of Brown, M'Conkey, and Co. in the west?—I am, for nearly two years.

11663. What are your own politics, may I ask?—I have hardly any politics, going so much through the country as I do. It would not suit me to have them, but if I had any politics I would rather have Major Knox, and would assist him if I could. I have heard a great deal of politics, but it doesn't suit me to take any part in them.

11664. Is it possible that the statement of Dunleavy is without foundation?—I have told you what occurred. I never spoke in my life to Major Knox. I had no interest in the election, and I never offered money to anyone for his vote. To the best of my recollection I did offer £50 or £75 to Mr. Dunleavy.

11665. You say you can ascertain whether you were here at the time of the election or not?—I can.

11666. The witness left court to consult his diary, and on returning said—What time was the election?

11667. The *Chief Commissioner.*—The 19th November was the day of polling?—I have not a diary of it. It is only a diary of this year I have.

Mr. *Dunleavy* was here recalled.

11668. The *Chief Commissioner.*—Respecting what Mr. Perkins said when he called on you, as you stated, Mr. Dunleavy, state exactly what he said?—He said to me he was authorized to offer me £50 for my vote. I didn't entertain the matter, and I turned it off as a joke. On the same evening he called again, and said he would make the £50 twenty-five more—that is £75 altogether. I said, "You could get three or four votes for that amount of money." He said, "We want to break into the class of voters and politicians like you.

11669. That is, on Roman Catholic voters?—Yes.

11670. You looked on it all as a joke, you say?—Yes; I turned it off as a joke.

11671. Do you swear that Mr. Perkins said these words to you?—I do, beyond all doubt.

11672. What hour was it that the first conversation took place?—It was about the afternoon—about two o'clock, I suppose; or it may be between one and two o'clock. I don't exactly recollect the time.

11673. How long before the election was it?—I think it was before the revision.

11674. That must be in October?—If you recollect, I said I looked on it as not a very serious matter.

Mr. *Perkins.*—If you give me two or three minutes, I will try and give you all the information I can on the subject. I swear most positively that not a word of that conversation took place; to the best of my recollection, I never made any such offer.

Mr. *Dunleavy.*—John Bruen was present at the conversation.

The *Chief Commissioner.*—Very well, we will examine him.

John Bruen sworn and examined.

11675. The *Chief Commissioner.*—Do you know Mr. Dunleavy?—I do.

11676. Were you in his employment?—I am.

11677. What were you in his employment?—The foreman conducting his business.

11678. How long are you in his employment?—I was in it twelve or thirteen years. I am not in it now.

11679. In whose employment are you now?—In Mr. Molony's.

11680. Do you know Mr. Perkins?—I do.

11681. Do you know him as the traveller for Brown, M'Conkey, and Co., of Dublin?—Yes.

11682. Were you present at any conversation between him and Mr. Dunleavy?—I was.

11683. State now what it was?—It is so long ago, I can't exactly call to mind the time it took place; but Mr. Perkins was on business canvassing for orders. He called on Mr. Dunleavy, and asked him if he got £50 to vote for Major Knox, would he take it, and he said he was authorized to make the offer. I looked on it as a joke, and more as a "feeler."

11684. Where was it the conversation took place?—In Mr. Dunleavy's shop.

11685. At what hour of the day was it?—It was between one and two, as well as I can fix the time—it was in the early part of the day.

11686. What did Mr. Dunleavy say?—He wanted to show Mr. Perkins that he couldn't vote for Major Knox in the way of principle.

11687. Did any further conversation occur then, did you hear a second conversation?—I heard Mr. Perkins speak of £75 on the same day.

11688. What did he say?—I won't swear that he said he was authorised to go to £75, but he spoke of £75, leading me to infer that he could give £75 for the vote.

11689. Was anything further said—did Mr. Perkins say anything of what Mr. Dunleavy stated about "breaking in on the party?"—I think he did, but I have no recollection of what he said about it.

11690. You have no doubt that what you stated did occur?—No doubt.

11691. Mr. *Commissioner Byrne.*—When there was talk of the £75 did you regard it as serious?—I didn't. I thought it was more as a "feeler," to know if Mr. Dunleavy would take it—knowing that Mr. Perkins was married in Sligo, and that perhaps he might have some authority for making the offer.

11692. Was he married in Sligo?—He was.

11693. To whom?—To a Miss Clarke.

11694. Was Miss Clarke connected with any of the Conservative party—with Mr. Stokes or Mr. Cherry?—Not that I heard of.

11695. Was she connected by family with any of them?—Not that I heard of

11696. Was she a relative of any friend of Major Knox, or of anyone that took an active part in the election on behalf of Major Knox?—I know of no friend of hers that took an active part for Major Knox in the election.

11697. At the time of the second offer—that of the £75—you didn't then regard it as a joke. I thought it was more a "feeler."

11698. Mr. *Commissioner Bruce.*—Are you positive that Mr. Perkins said to Mr. Dunleavy that he was authorised to offer the £50?—I am not positive at all. It is so long since, and I didn't take notice of it at the time.

11699. Mr. *Commissioner Byrne.*—Mr. Perkins, you spoke of your recollection when you were examined by Mr. Heron—you said to the best of your recollection you never offered £50 to Mr. Dunleavy—does this evidence refresh your memory; you seemed not to be sure whether you offered it or not?—It confirms me in my opinion that I had nothing to do with it.

11700. The *Chief Commissioner.*—How does it confirm you in your opinion?—What had I to do with it, I had no interest in the election.

11701. Mr. *Commissioner Byrne.*—You stated that if you could you would assist Major Knox's election?—I mean to say that, if there were two men possessing equal advantages or equal talents, and a person asked me which would I prefer, I would say "Major Knox." I don't know Major Knox personally, nor anyone engaged in the election. I had no interest in it.

11702. Is your father-in-law a voter for Sligo?—I believe he is.

11703. Does he live in the town?—He is not living in Sligo, he is living about a mile and a half from it.

11704. Have you any connexion or relative who is a voter in Sligo?—Not that I know of.

11705. Did you see a list of the voters for the borough of Sligo?—Never in my life. I don't know who had or who hadn't votes. Yet I am dragged here. I don't see why I should be dragged here from my business.

11706. The *Chief Commissioner.*—You are not dragged here, Mr. Perkins, you have been summoned here because two witnesses swore that you gave a bribe. I ask you can you give us any information as to this matter, and as to whether you were in Sligo at the time in question?—No, except by looking at the dates. If you allow me I will do it in ten minutes, if I can do it at all.

Mr. Perkins left court, and after an interval returned with his diary for the year 1868.

11707. The *Chief Commissioner.*—When were you in Sligo in the summer and autumn of 1868.

Mr. *Commissioner Bruce.*—You may commence, Mr. Perkins, with September or August of that year.

Witness.—(Looking at diary.)—I was not in Sligo in August nor in September, 1868. I was in Sligo on the 10th October.

11708. The *Chief Commissioner.*—For how long were you in Sligo on that occasion?—I suppose about two or three or four hours on Sunday. I left by the early car on Monday morning.

11709. What is the date of that?—The 11th October. I left on the 12th.

11710. When after that were you in Sligo?—I have no record of being in Sligo that year again.

11711. Mr. *Commissioner Bruce.*—Turn to that 11th October. Show me the diary for a moment (*hands in diary.*) I find an entry, "In Sligo on Saturday?"—Yes, on Saturday night.

11712. Can you tell us what time exactly you arrived in Sligo on Saturday?—I cannot positively. I didn't come into town early, as Saturday is market day, and I would have no business here on that account.

11713. The *Chief Commissioner.*—"Saturday, Sligo," that means that you came to Sligo on that day?—I can't positively say that it does.

11714. Where did you come from?—You will see the previous entry.

11715. "Tuesday, 6th, Gort." There is no entry to show where you were before that. I see an entry before it "Ennis"?—Yes. The way I generally come, is from Ennis to Gort, from Gort to Athlone, from Athlone across to Strokestown, Elphin, Carrick, Ballinamona, Manorhamilton, and by car to Sligo.

11716. You spent Sunday in Sligo?—On Sundays I generally go to my father-in-law's place.

11717. "Tuesday, Longford and Sligo." Does that mean that you were back on Tuesday to Sligo?—Yes.

11718. "Fourteenth, Strokestown and Sligo?"—I suppose I came back by the night train, and went away by the morning train.

11719. "Fifteenth, Elphin and Sligo." That means that you were back on the 15th I suppose?—Yes.

11720. "Saturday, 17th Sligo" again, "Manorhamilton?"—That week my wife was at her father's place, and I went away in the morning, and came back in the evening.

11721. "Sunday, 18th, Monday, 19th," from the 10th to the 19th, in fact, you were here?—Every night it should be. As my wife was at her father's that week, I went up by the quarter after six o'clock in the morning, and got back by the quarter past ten train at night. Although Sligo is marked there for those days, I used not be in Sligo, but in small towns some distance away.

11722. As to that, I see "Sunday, 18th, Sligo; Monday, 19th, Sligo," that is the only entry, there is no business entry of any other place?—That's only a portion of the day.

11723. Do you mean to tell me that it was essential for you to be in Sligo from the 10th to the 19th for the transaction of your business?—I don't mean to say any such thing. I explained the reason why I was here at these dates. My wife was staying at her father's for a week, and as I don't be often at home to enjoy her society, I used return every night by the quarter past ten train, and leave again by the quarter past six train in the morning to transact my business in the neighbouring small towns. I went to several towns in the neighbourhood during that time from Sligo, and came back to Sligo at night. That was how Sligo came to be marked in the book.

11724. You seem to have made your entries in this book as regularly as ever I saw a book kept, but you have five days here with no entries but "Sligo;" had you any vacation at that time?—I had not. October is the heading where September comes in, and September is the heading where October comes in, that confused me for the moment.

11725. Look at the 10th?—Yes, Saturday night, the 10th.

11726. Why say Saturday "night?"—Because I know I wasn't here in the day on Saturday, for, as I said before, I'd have no business here, it being market day.

11727. When did you make that entry?—When it occurred.

11728. You put down no entry for three or four days before the 10th?—For two days before.

11729. Though you were on business?—I may tell you I didn't keep this thing regularly; it was solely for my own gratification. If you look at the book for this year you will find the same errors in it. I want to show you that the same errors occur in it.

11730. Go on and look at each of these days yourself?—We will commence with Saturday, the 10th October. I was here on Saturday night shortly after ten o'clock.

11731. Turn over and look at the entries without saying anything until you get down to the 20th; count the number of days on which the entry "Sligo" only is?—There are only three entries here on which "Sligo" is.

11732. There are five?—Yes, I see there are.

11733. Does not that mean that you were in Sligo on these five days?—What it means is that I was in Sligo on the evening of some of them. I came here on Saturday night. I went to my father-in-law's and

remained there on Sunday. I came into Sligo on Monday, the 19th, and did business here. On Tuesday I went by the six o'clock train, and did my business through Boyle and the neighbouring towns, and came back to Sligo by the quarter-past ten train. On Wednesday I went to Tubbercurry. Friday and Saturday no entry; no entries after that for some time.

11734. Do you see Monday, the 12th, Sligo?—Yes.

11735. Were you in Sligo that day?—I think I was there the whole of that day.

11736. Do you see Monday, the 19th, Sligo?—I do.

11737. Were you in Sligo that day?—I was not.

11738. Why did you put down Sligo if you were not here on that day?—When I am out at my father-in-law's—it is only about a mile or so from Sligo—I may write down Sligo.

11739. Do you mean that you were there for a holiday?—I do.

11740. Will you show me any previous visits?—You must bear in mind that my wife was at the time on a visit to my father-in-law. I see no record of Sligo here. I don't think there was any record for Sligo.

11741. For 1868?—I can't find it; there is none that I can see.

11742. Did you ever meet a man named Kavanagh that was examined here?—I didn't.

11743. Mr. *Commissioner Byrne.*—Is your father-in-law a tenant farmer?—I think he is.

11744. Who is his landlord?—I believe it is Mr. Wynne. I know nothing of it.

11745. Does he hold any other land besides what he holds under Mr. Wynne?—I think not.

11746. Is he in Mr. Wynne's office?—He is not; he is an old man.

11747. Mr. *Commissioner Bruce.*—Did you hear any talk while you were in Sligo that there was money going for votes?—You could not come into Sligo without hearing people talk of it. I heard everywhere talk about Sligo.

John Bruen.

John Ryan sworn and examined.

John Ryan.

11748. The *Chief Commissioner.*—Did you vote at the last election?—I did.

11749. For whom did you vote?—For Major Knox.

11750. Did you get any money?—No.

11751. Did you get any promise?—No.

11752. You got no promise?—No promise.

11753. Has your son a vote?—He has.

11754. What's his name?—James.

11755. Has he got any money?—I believe it was alluded to here. I will explain that.

11756. First, has he got any money?—He got a loan of money.

11757. From whom?—From Mr. Stokes.

11758. How much was the loan?—Two pounds at one time, and three pounds at another.

11759. When did he get it?—He was sent for the loan of it by me to Mr. Stokes, at the excited time of the election.

11760. How much did you send him for?—I sent him at one time for £2.

11761. And you got it?—I got it.

11762. You sent him at another time for £3?—Yes.

11763. And you got it?—I got it.

11764. How long before the polling day was that?—The £2 was before the polling day—it was on the day of the nomination.

11765. You thought, I suppose, that Mr. Stokes would be benevolent on that day?—I wanted it particularly for the use of my house.

11766. When did you get the £3?—I got it at the time of the county election; while it was going on.

11767. Had Mr. Stokes canvassed you?—He didn't. He might have asked me who I'd vote for, or something like that; but he never canvassed me.

11768. Did he ever lend you any money previously?—Several times whenever I wanted money. There is an account always running between us for work. I worked a good deal in my trade for him.

11769. Do you owe Mr. Stokes that £5 still?—Not all of it. I owe him some of it.

11770. Do you mean to say that you have repaid him?—He is partly paid, not in money but in work.

11771. How much have you paid back?—I don't know what the account between us is. I have an account against him for work, in my book.

11772. Did you ever pay Mr. Stokes a single shilling of that £5?—Not a shilling.

11773. Do you intend to pay him the £5 back?—Yes; certainly.

11774. When?—At any time he sends for it. To show you that I do, I made two gates for him. He was passing by one day, and he came in to pay me for the making of them; I said there was no use in paying me as I owed him £5, and to leave it go into the book in payment of the £5.

11775. Did you ever ask Mr. Stokes for the loan of any other money?—I did.

11776. For how much?—For £1.

11777. When was that?—At a former election.

11778. Did he lend it to you?—He didn't. He told me to go into the parlour, and take what I would get there.

11779. When you went in what did you find there?—Twenty-five pounds.

11780. Your story is that you asked Mr. Stokes for the loan of £1, and that you got £25?—He told me to go into the parlour and take what I'd get there.

11781. Was that £25 a loan?—It wasn't.

11782. Was it a bribe?—It wasn't. I considered it was due to me.

11783. For what?—For former transactions, at former elections.

11784. What were they?—I was asked to do some things that probably others would not take on themselves to do. I went to Blair's, in Knox-street, where he was guarded by a party of butchers; and at great risk I got him out, and beat the butchers that were guarding him.

11785. And polled him?—I did not; I spoke to him or to his wife, or to some one inside, I think it was his wife.

11786. Was it for the Conservative party you did that?—Yes.

11787. Whose man were you then?—Major Knox's.

11788. At Tennison's election?—No; I was Mr. Macdonogh's friend then.

11789. Was it on the polling day you got Blair out from the butchers?—I don't know that. It was at all events the day when Mr. Tennison resigned and went away.

11790. Did you get anything for doing it at the time—were you, in fact, paid at Mr. Macdonogh's election?—No, not a penny since I was born, except what I told you.

11791. How long was it after the election that you got the £25?—It was the day of the polling.

11792. After you voted?—Yes.

11793. For Mr. Macdonogh?—Yes; after voting and for voting for Mr. Macdonogh.

11794. Who told you that you were to get the £25—No one; until I was told by Mr. Stokes to go into the parlour, and take what I'd get there.

11795. When did you ask Mr. Stokes for the loan of the £1?—About five minutes before I got the £25.

11796. Had you voted at the time?—I was after voting at the time.

11797. Did you walk straight from the court-house after voting, to Mr. Stokes and ask him for it?—No; I first went to my own house, and I found a great many of Mr. Macdonogh's friends there. I was out of cash

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at the time, and I was annoyed that I couldn't treat them.

11798. Did you want to treat them?—I did, and I did treat them.

11799. You wanted to send out for drink, and, having no cash as you say, you asked Mr. Stokes for the loan of the £1?—Yes.

11800. You had no idea that you were to get the £25?—I had no idea of it in the world.

11801. Did you ever get any other money?—I never got another shilling in my life.

11802. Do you swear that Mr. Stokes gave you the money because you voted for Mr. Macdonogh?—I didn't know that that was the reason he gave it to me.

11803. Was there anybody in the parlour when you went in and took the £25?—There was no one there at the time.

11804. Did you expect any money for voting the last time?—I didn't.

11805. Do you swear that?—I do.

11806. From Mr. Stokes or anybody else?—I didn't expect it from anyone.

11807. Were you at the meeting at which Mr. Abbott was, after the last election?—I was.

11808. Did you get a circular to attend it?—I did.

11809. Did you intend to vote for Mr. Abbott, in case he became a candidate for the borough?—If he was here in the field a Conservative against a Liberal, I would vote for him.

11810. Was Mr. Abbott introduced as the Conservative candidate at the next election?—Partly. I think he wasn't going to be an out-and-out Conservative. He expressed himself more liberal than a great deal that, he said, called themselves Liberals.

11811. Did you think he was a gentleman of great fortune and wealth?—I heard he was.

11812. Did you hear that he had purchased houses in the town?—I never knew of it.

11813. Did you hear it?—I heard a rumour that Major Knox's houses were to be purchased by him.

11814. Mr. *Commissioner Byrne.*—Did your son get any money at Sergeant Armstrong's election?—He didn't; he had no vote then.

11815. Mr. *Commissioner Bruce.*—I suppose you know Mr. Stokes very well?—Perfectly.

11816. And I suppose he is a man you'd trust?—I never dealt with a more honourable man than Mr. Stokes.

11817. Did he give you to understand that money was going, and that he would look after your interest, and that you would be satisfied?—I would take Mr. Stokes' word for any amount. If he had any money in his possession to distribute, I am sure I would neither be the last nor the least.

11818. That is, you would get your share of it?—Yes.

11819. Mr. Stokes says that you voted on his recommendation—we all know what that means—that's what he swore; is that so?—He would be very apt to correct that—no one could recommend me to vote against a Conservative.

11820. He swore he intended that you would get £20?—I can't contradict that. If he had any money in his possession I am sure I would get it. It is probable he might think he'd have it.

11821. You got money from Mr. Macdonogh after Sergeant Armstrong's election?—Yes.

11822. And you thought it possible, I suppose, that there would be money going after Major Knox's election?—I thought it very possible.

11823. You say it was the day of the polling you got the £25?—Yes.

11824. What election was it that you succeeded in getting Blair out?—It was at Tennison's, when he was a candidate, and went away. I succeeded so far that I got Blair up to my house. I then went away, and when I came back after a couple of hours I heard that Mr. Tennison had gone away.

11825. Did you see Blair afterwards?—I didn't.

11826. Did anyone speak to you of getting any money afterwards until you voted for Mr. Macdonogh?—Not one.

11827. Did you get any money after the election of 1860?—To make a long story short, I never got a penny from any election except what I told you.

11828. Mr. *Commissioner Byrne.*—Did you ever vote for the Liberal candidate?—I did, for Mr. Somers, in preference to Mr. Townley.

11829. When Sadlier was a candidate did you vote for Sadlier?—I didn't. I never voted for the Liberal candidate except Mr. Somers; but it was a Liberal was against him, and I voted for him.

James Ryan.

James Ryan sworn and examined.

11830. The *Chief Commissioner.*—What is your father's name?—John Ryan.

11831. Is that the witness that is after being examined?—Yes.

11832. Did you vote at the last election?—I did.

11833. For whom?—For Major Knox.

11834. Had you ever voted previously?—Never. I never had a vote before.

11835. Do you know Mr. Stokes?—I do.

11836. Had you any word about money at the last election?—No.

11837. Have you heard his evidence?—I have read it.

11838. Is what he stated true?—He seemed to state that four Ryans got money. If they did, I am not one of them.

11839. You have not got it yet, but perhaps you are promised it?—I am not.

11840. Did you go on a message to Mr. Stokes for your father at any time?—I did.

11841. You heard your father state that he asked Mr. Stokes for the loan of a pound at Mr. Macdonogh's election?—I did.

11842. And that he got £25?—Yes. I heard him say before that that he got it.

11843. Did you know he got it before Major Knox's election?—I did.

11844. Did you hear it before the day of polling?—I dare say I did.

11845. The family all knew it, I suppose?—I dare say they did.

11846. Are you rated as joint occupier with your father, or as occupier of your own house?—No. I have no house of my own.

11847. Have you any land?—I have, from Mr. Alford, agent to Mr. Wynne.

11848. How long have you it?—I have it about three years.

11849. Had your getting the land anything to do with your getting a vote for the last election?—It hadn't. I had the land before there was a thought of the election.

11850. Did you bring a message for the loan your father mentioned to Mr. Stokes?—I did.

11851. Had your father told you that he had succeeded at Mr. Macdonogh's election, and had asked for the loan of a pound from Mr. Stokes?—I heard it.

11852. Were you in the habit of going for the loan of money for your father to Mr. Stokes?—I was.

11853. State exactly what you said to Mr. Stokes when you asked for the £2?—I went down to him, he was standing in his shop, and I said my father would be obliged to him if he would be kind enough to lend my father £2. Mr. Stokes then gave it to me.

11854. Why did your father send you for £2; do you live in your father's house?—I do.

11855. Has he any land?—He had the land I have; he gave it up, and I got it.

11856. Was it for the purpose of getting a vote that you got it?—Yes.

11857. How old are you?—I am in my twenty-third year.

11858. Then you got the land before you were of age?—Yes.

11859. Was it for the purpose of creating a vote that you got the land?—I dare say it was.

11860. What was your father's view on the subject?—I can't say what his view was.

11861. You got £3 afterwards from Mr. Stokes—on what day did you get it?—It was between the borough and county election. There were some voters sent into my father's. He was short of money, and he told me to go down and ask Mr. Stokes for the loan of £3. Mr. Stokes went into the office, and gave it to me.

11862. How many voters had your father in his house on that occasion?—I dare say fourteen or fifteen.

11863. Did they sleep in your father's house?—They did, for about a week, about the time of the election.

11864. Were they borough or county voters?—They were county voters; some of them less, and some more.

11865. How much were you paid for it?—I can't exactly tell you.

11866. Was there £20 paid?—More.

11867. £40?—I think so.

11868. £100?—I don't think my father was paid so much.

11869. How much was paid?—I can't say. I was paid nothing.

11870. But your father was—how much was he paid?—I don't know exactly.

11871. Over £50, at all events?—I can't tell now. I think he was paid six shillings a-day for what men he had.

11872. Do you mean to say that you did not expect any money from Mr. Stokes?—I didn't.

11873. You know what Mr. Stokes's evidence was?—If he has any money, I am sure he will give it to me.

11874. Have not you heard it sworn that he has money?—I saw it in the papers.

11875. Do you believe he has money for you?—I do.

11876. Mr. *Commissioner Byrne.*—If Mr. Stokes offered it to you, would you take it?—If I thought I wouldn't be prosecuted, I would.

11877. How much land have you?—Three acres.

11878. Are you a married man?—I am not.

11879. Does your father pay the labourers employed on the land?—He doesn't. I pay them.

11880. What do you do with the produce of the land?—I do what I like with it.

11881. Is your land in grass or tillage?—Some of it is in grass, and some in tillage.

11882. How much of it is in tillage?—About two acres is in tillage.

11883. Do you work the land yourself, or do you hire labourers?—I hire labourers.

11884. How do you pay them?—I pay them by the money I get off the crops of the land. I manage the land.

11885. When you sell the crop, do you apply the money to your own use?—Yes, what I want of it.

11886. Do you give none of it to your father?—If he wanted it, I'd give it to him, and if I wanted any money, he'd give it to me.

11887. Mr. *Commissioner Bruce.*—When you went to Mr. Stokes and got but £2, were you not a little disappointed that you didn't get more?—I wasn't. I got what I was sent for.

11888. Had not you it in your mind that your father got £25 when he only asked for £1?—I hadn't thought of more. I was also present when my father was offered payment for some gates which he made for Mr. Stokes. My father told Mr. Stokes to let it go into the account, as he said he owed him £5. Mr. Stokes said not, that he would pay for the gates, and let the jobbing account go on.

11889. Were you present at Mr. Abbot's meeting?—I was.

11890. There was a report, I believe, that he was a rich English gentleman?—There was.

11891. Do you expect that there would be money going on his side whenever he was a candidate?—I don't.

Matthew Ryan sworn and examined.

Matthew Ryan.

11892. The *Chief Commissioner.*—You voted at the last election?—I did.

11893. For whom did you vote?—For Major Knox.

11894. Do you know Mr. Stokes?—I do.

11895. Did he canvass you?—He didn't. He had no call to canvass me. I had promised to Major Knox twelve months before.

11896. Had you any word that money was going?—I hadn't.

11897. Did Mr. Stokes say anything to you about money?—He didn't.

11898. Did he say anything to you?—He said he had a list of voters, and that he would put my name and my son's down.

11899. Do you positively swear that there wasn't a word, good or bad, about money, between you and Mr. Stokes?—I do.

11900. Did you get anything for the last election?—I never got a farthing for any election. If I got compensation it would be the first time in my life I got it.

11901. Did you say that to Mr. Stokes?—I did.

11902. Where did he tell you he had you on his list?—At my own door.

11903. Was it after you said if you got compensation it would be the first time in your life you got it?—It was on that moment.

11904. When did you speak of getting compensation?—When he spoke of having me on his list.

11905. How much did you expect?—There was no mention about the sum.

11906. How much do you expect?—I can't say.

11907. How much did you think at the election you would get—he wouldn't insult you by offering five shillings to you, did you expect you would get a £1?—I scarcely know.

11908. Did you expect £10?—I can't say.

11909. Did you expect £20?—I heard it mentioned in his evidence that he intended to give me £20.

11910. Didn't you think that that was the sum you were to get?—Yes.

11911. Was your son to get £20 also?—I dare say.

11912. Have you a doubt on the subject—that he was to get it?—I have no doubt at all.

11913. Had you and your son any talk about this before the poll?—Not a word—not a sentence.

11914. How did you know that your son was to get something?—I didn't know, but in consequence of compensation being mentioned, I know that something was to be got.

11915. How did you know that your son was to get something also?—When he could vote the same as myself I knew there was something about it.

11916. You would both go together?—Yes.

11917. How long before the polling day was this conversation?—It was a good while—it might be a week.

11918. Did you ever see Captain Ethelred Knox?—Never, I don't know him at all, good or bad.

11919. Have you got any money yet?—I did.

11920. How much did you get?—At the Assizes after the election, a son of mine was in difficulties, and I had no cash myself—so I went to Mr. Stokes and asked him for the loan of £5. He brought me to the house and got a promissory note. I signed it, and my son signed it too. That was all the money I ever got.

TENTH DAY.
October 16.
Matthew Ryan.

11921. At what date was the promissory note?—I can't say, but it was at the Assizes, the very day the judge came in after the election.

11922. Your son, you say, signed the promissory note as well as yourself?—He did.

11923. You then got the £5 from Mr. Stokes?—I did.

11924. Was that before the trial of the petition at Carrick?—I think it was after it.

11925. Were you at the trial of the petition at Carrick?—I wasn't.

11926. They had not found you out then?—No.

11927. Nor your son?—No.

11928. Did you ever get get any other money?—Never in my life.

11929. Did you always vote on the Conservative side?—Always, except when Mr. Somers was here.

11930. Did you vote for Mr. Somers?—I did.

11931. Mr. *Commissioner Byrne.*—What are you by trade or occupation?—A smith.

11932. Have you business to do with Mr. Stokes?—Not presently. I do nothing for him just now. I did formerly, but he fell in with my brother, and I have done nothing since for him.

11933. Do you hold any land about the town?—Not a foot.

11934. Have you been in the habit of borrowing money from Mr. Stokes?—I never before borrowed any money from him.

11935. How was it you came to vote for Mr. Somers?—I think I had some conversation with him, and I told him that if there was a Conservative in the field I wouldn't vote for himself, but, when there wasn't, and it was a person from his own side that opposed him, I'd vote for him.

11936. The *Chief Commissioner.*—You voted against Mr. Townley?—I did.

11937. Were you at the meeting Mr. Abbott had here?—I was.

11938. Did you hear that he was a rich English gentleman with plenty of money?—I didn't know whether he had plenty of money or not, but his ideas gave me to think that he mightn't come here without it.

11939. Was the word going among the electors at that meeting that he had plenty of money?—I didn't pay much attention to what was said at that meeting.

11940. You did not listen to the speeches about politics at all?—I didn't.

11941. Do you think these speeches have much influence on the electors?—I can't say that. I can't speak of anyone but myself.

11942. They did not influence you much. What led you to the opinion that Mr. Abbott need not come here without money?—It was always the case here—you are aware of that yourself.

11943. You were of that opinion when you went to the meeting?—I was.

11944. Did all the Conservatives go to that meeting?—Yes; all the Conservatives went, and met Mr. Abbott, on a circular.

11945. And, I suppose, recognised him as their future representative?—They did.

11946. Did you get a circular to attend the meeting?—I did.

11947. Have you got it?—No; I don't know where it is.

11948. Did you keep it?—I didn't. I read it, and threw it there.

11949. Do you remember what was in it?—The substance of it was to attend a meeting at the hotel—that Mr. Abbott was to be there. That was the substance of it.

11950. Did Mr. Abbott spend any money in Sligo to your knowledge?—Not that I know of.

11951. Mr. *Commissioner Bruce.*—Was there any talk among the electors after the last election, that it was hard on them not to get any money?—Nothing but rumour.

11952. What was the rumour?—That people got money.

11953. Do you know, or did you hear, who the people were that got money?—I don't know who they were.

11954. Was there any rumour that there were people who did not get any money?—There was a rumour that some were satisfied, and that some were not.

11955. Was there any talk among the electors about Major Knox introducing Mr. Abbott to them?—Not that I heard of. I didn't hear more than what was said at the meeting. They introduced themselves. I must tell you that I keep very close to my business, and I mind no one but myself.

11956. It was a remarkable thing, you know, Major Knox introducing Mr. Abbott to the electors?—He did so.

11957. Did you hear any people talking about it either before or after that meeting?—I can't recollect whether I did or not. I may or I may not hear it.

11958. Try and recollect whether you did or not?—I can't recollect it; it might be the case.

11959. Did you hear any voters say among themselves:—"Now that this rich gentleman is coming, we will get paid off old scores," or anything like that?—No, I never heard a word about it.

11960. Did you think it yourself?—I didn't.

11961. Did your son get any money at the time that you and he signed the promissory note?—He didn't.

11962. Where is that promissory note now?—Mr. Stokes has it.

11963. Did you ever pay Mr. Stokes back the amount of the promissory note?—Never.

11964. Do you ever intend to pay it?—I don't know that. Mr. Stokes must wait for it.

11965. The *Chief Commissioner.*—How much do you expect to be paid on the election account?—I don't know.

11966. How much do you expect if he keeps his word?—Nothing more than what he stated in his evidence.

11967. That is £20?—Yes.

11968. The £5 is to be stopped out of that?—I got £10 altogether from him.

11969. Mr. *Commissioner Bruce.*—From the time you signed the promissory note?—I signed two promissory notes. At the first trial of my son the jury didn't agree, and it was put off to March. Mr. Stokes brought me in and gave me £5 to take me out of my difficulties.

11970. Did you sign a second promissory note?—I did.

James Ryan.

James Ryan sworn and examined.

11971. The *Chief Commissioner.*—You voted at the last election?—I did.

11972. You voted for Major Knox?—Yes.

11973. I suppose you never had voted previously?—Never.

11974. When were you put on the registry?—At the revision before the election.

11975. Was there any conversation with Mr. Stokes about your vote before the election?—Never; except that he asked me one day for whom I was to vote, and I said for Major Knox.

11976. Did you ever hear that you were on his list?—Never.

11977. Your brother did not tell you that you were?—Never.

11978. Did you always intend to vote for Major Knox?—I was always willing to vote for Major Knox from first to last.

James Ryan.

11979. Did you ever hear that your name was on Mr. Stokes's list?—Mr. Stokes told my father something about it once after the election.

11980. How long after the election was it that he told you of it?—Some months after it.

11981. Did you vote expecting to get no money?—I expected no money until Mr. Stokes told me of it.

11982. How much do you expect to get?—Ten pounds. Mr. Stokes told my father I was to get £10.

11983. Did you yourself ever get any money?—Never.

11984. Was the £10 paid to your father?—It was.

11985. Did you sign two promissory notes along with your father for that amount?—I did.

11986. How much do you expect to be paid?—Nothing.

11987. Will you take money if Mr. Stokes gives it to you?—I will. Mr. Stokes told my father that I was to get £10.

11988. Mr. *Commissioner Byrne.*—How old are you?—I am twenty-three years old.

11989. Are you married?—No.

11990. Do you live with your father?—I do.

11991. Do you register out of the house in which you live?—Yes.

11992. Have you any share in the business with your father?—I do the principal business of the house, and my father looks after it.

11993. Your father has not given up the business to you?—He hasn't. I do the business and he looks after it.

11994. The *Chief Commissioner.*—I suppose you were bound to your father?—I served my time with him. I worked with him altogether.

Patrick Gallagher sworn and examined.

Patrick Gallagher

11995. The *Chief Commissioner.*—You are an elector?—Yes.

11996. How long have you been an elector?—The first time in my life.

11997. You voted for Major Knox at the last election?—I did.

11998. Do you know a gentleman named Barber?—I do.

11999. State what arrangement was made between you, Mr. Barber and Mr. Stokes, in reference to your vote?—I know nothing of any arrangement between Mr. Stokes and Mr. Barber, but I know what happened between myself and Mr. Barber.

12000. State what it was?—I am an ostler, and I keep livery stables. My principal supporters are the Conservative party, they stop mostly with me. Mr. Barber came to me one day, and in talking over election matters he asked me for whom I was going to vote. I said I hadn't my mind made up. He then said, "You ought to support us." He went away, and in a day or two after he came again. He asked me if I had my mind made up yet for whom I was going to vote. I said I expected some money for my vote. "How much," he said, "do you expect." I said, "As much as I can get." "What would satisfy you," he said. "Fifty pounds," I said. He said, "That's a great deal of money." He then told me to put his horse into the coach-house; he went away, and said, "I'll be back in a few minutes." He came back, and said, "It's all right." I said, "Very well."

12001. What did you understand by the words "All right?"—That I was to get the money.

12002. Did you know anything of the money being lodged anywhere?—No, nothing.

12003. At all events the upshot was that you agreed to vote if you got £50?—Yes.

12004. And you made that bargain with him?—I did.

12005. When did you know that he had the money for you?—I never knew it; he only said he would make me all right; that he was always a friend of mine, and would always be a friend to me.

12006. When first did you hear that he had the money for you?—I heard it was published in the papers.

12007. At this inquiry?—Yes.

12008. Did you never hear it until then?—Never.

12009. You are a Roman Catholic, I believe?—I am, but my whole living depends on the Conservative party.

12010. Did you hear of any other Roman Catholic besides yourself getting money for his vote at the last election?—I didn't.

12011. Did you apply to Mr. Barber for the money?—I didn't. There was an arrangement that I was not to get the money until everything was square.

12012. What do you mean by "everything?"—The election petition and all that.

12013. When did he make that arrangement with you?—About a week before the election, to the best of my opinion.

12014. Why did you anticipate that there would be a petition?—There was a rumour of it.

12015. Did you and Mr. Barber talk of the chances of a petition?—He said he thought there might be one.

12016. And you were not to get the money until the whole was over?—That was the understanding before I voted at all.

12017. Were you summoned to attend the trial of the petition at Carrick?—Yes, I was summoned by both parties.

12018. Did you give your evidence to anybody?—I wasn't called on at all.

12019. Before you went into Court did you tell anyone what you have told us now?—I never was examined.

12020. Would you, if you had been examined at Carrick, have told the truth as you are doing now?—Just the same. The truth can be blamed, but it can't be shamed.

12021. Mr. *Commissioner Bruce.*—Is Mr. Stokes a friend of yours?—He is nothing to me.

12022. But you know him?—I do; I am in the habit of going to his house with harness for people that stop in my place. I know him very well.

12023. Mr. *Commissioner Byrne.*—Have you any hopes of getting the £50?—Begorra, I have every hopes.

12024. Who do you hope will give it to you?—Mr. Barber, who made the contract. If he don't give it, we must do without it.

12025. Mr. *Commissioner Bruce.*—Did anyone offer you any money on the other side?—No one.

12026. Were you canvassed by Captain Flanagan or by anyone on his behalf, to vote for him?—I was canvassed, but I wasn't in the house at the different times Captain Flanagan came there.

12027. How often did Captain Flanagan call at your house?—He was there twice.

12028. The *Chief Commissioner.*—Were you one of the men that came to Mrs. Hall's?—I was.

12029. Who told you to go there?—I went there of myself.

12030. What reason had you for going there?—I went there for protection.

12031. Mr. *Commissioner Bruce.*—Did anyone threaten you for voting for Major Knox?—No. No one asked me where I was going or where I was.

12032. Were you afraid to stop in you own house?—I was.

12033. Was there any damage done to your house?—There were a few panes of glass broken, but I heard it was done by some little boys who were passing by. I am a poor man, and am living by the Conservative party; they were my principal support. No one, therefore, blamed me for voting with them.

12034. The *Chief Commissioner.*—Do you know Joseph Woods?—I don't.

12035. Did anybody call on you before you went to Carrick, for your evidence?—No.

12036. You never told about this £50 until now?—I never mentioned it to any man until it came out in the papers, nor woman either.

October 16.

Walter Henderson.

12037. The *Chief Commissioner.*—You voted at the last election for Major Knox?—I did.

12038. Had you ever a vote before?—No.

12039. What are you rated at?—Five pounds five.

12040. What are you by trade and occupation?—A shoemaker.

12041. Did you get any money?—No.

12042. Did anyone get any money for you?—Well, I believe there did.

12043. Who?—Mr. Galbraith.

12044. How much?—£20.

12045. When did you hear that the money was for you?—Well, I had a slight idea of it before this, but not to know it really, to be confident of it.

12046. I know. But you had every confidence in Mr. Galbraith that he would ultimately give you whatever he got for you?—Well, I had in fact.

12047. I want to know before the polling—before you voted for the Major—what idea had you in your head about the £20; who gave you the idea first of all?—Well, in fact it was John Young. He told me he had got half notes—I remember him telling me something about getting half notes.

12048. Go on; you thought you would like to get half notes?—Well, I thought I would like in fact to have something if it was going.

12049. Whom did you tell that to, to try and get you the money?—Well, unless I intimated it to him. I believe I intimated to him that if there was anything going I would like it.

12050. That is, to Young?—Yes.

12051. That you had no objection to his telling it to Galbraith?—No, I had not.

12052. You meant that he should tell that to Galbraith—didn't you?—Well, I meant that if he would convey it I would not be——

12053. Unwilling?—No.

12054. Had Young actually the half notes in his hand?—I did not see them.

12055. Did he tell you he had?—He did.

12056. Now go on; what occurred—did you speak to Galbraith about it?—I don't remember that I did.

12057. Just try; you know Galbraith was examined here yesterday?—I remember passing Mr. Stokes' shop and meeting Mr. Galbraith there.

12058. Go on; tell what occurred—we have it from Mr. Stokes, and we must have it from you?—It happened that Mr. Galbraith intimated to me that he had the money—in fact, slightly; I could not exactly be confident of it.

12059. No, but there was an intimation?—He intimated.

12060. That he had money. How much did you understand?—I did not understand then how much.

12061. What did you say when he intimated that he had money for you?—I don't remember that I said anything to him.

12062. Did you say that it was all right?—I don't believe I did.

12063. What did you say; did you intimate your assent to the bargain?—I assented, of course, but I don't remember that I spoke any word to him.

12064. But you may have nodded or winked that you understood what he meant; at all events you assented to the bargain?—I did.

12065. You meant to convey that to Mr. Galbraith?—Well, I did.

12066. Did you know that Stokes had given Galbraith the money for you?—I did not.

12067. Who, did you know, had given Galbraith the money?—I could not tell at that time.

12068. When did you ascertain it?—I could not really ascertain it until I heard something about Mr. Stokes' evidence, that it was to him he gave the money. I did not well know, up to that time, that he was paymaster. Not well; but I believed it was with him that Galbraith and Young had the dealing, but I did not know that he was really the paymaster then.

12069. Did you tell any other voter that Galbraith had the money for you—that somebody had the money for you before the polling?—I don't remember that I did. I am confident that I did not know that he had it. I might unconsciously, but not to remember it now.

12070. Was there any other voter that was going with you—that agreed to vote whatever way you voted, and you whatever way he voted; with whom you agreed to go together—do you understand the meaning of that?—Well, my mind was fully made up from the commencement of the revision to vote for Major Knox, and not to be taken from that opinion; and I had no notion whatever of voting for any other, nor I believe I would not.

12071. Was any offer made to you from the other side?—Well, I was canvassed on the other side.

12072. By whom?—A gentleman who gave his name as Mr. O'Loghlen—Captain Flanagan's friend.

12073. What did you tell them?—I told him that I was sorry I could not vote for Captain Flanagan on any account.

12074. Was any offer of money made to you at the side of Captain Flanagan?—Well, in fact, I could not say that an offer was made; but it was intimated to me that if I would stand back.

12075. You would get what?—I would get £50, or something thereabouts; but I could not say whether that was given as a humbug or not; I really could not say.

12076. Who intimated to you about the £50?—Well, he was a man of the name of Hart.

12077. What is his Christian name?—Dominic Hart. I believed at the time that he was only jesting me.

12078. Is he a voter?—Well, he had no vote for that election.

12079. He was a voter once?—I believe he never had a vote. His father had a vote.

12080. Where does he live?—He lives at Rusheen.

12081. Did any other person joke you in the same way?—There did; another man named Hugh Hart.

12082. Is he a relative of the first man?—I do not know.

12083. Where does Hugh Hart live?—I think at a place called Tubbernavan; but I cannot say that it was jesting; I think it was the other way, in fact.

12084. These jests are very common at the time of an election; did anybody else intimate anything to you?—I could not say that I met any other man that promised me or talked of giving anything but those.

12085. When the talk was about the £50 what did you say?—I said, I don't doubt that I helped up the joke well enough as far as that goes, and that I said I might stand back.

12086. You are now on your oath and serious?—Yes, I am serious.

12087. Would you have voted for Flanagan for the £50?—I would not.

12088. How much would have tempted you to vote for Flanagan?—I cannot say how far the strength of my mind would work on it; but I would not have voted for £50 for him, but I might have stood back for £50.

12089. Refrained from voting for £50?—Most likely I might.

12090. Was that the offer made to you?—That was the offer.

12091. Did you intimate that you would stay away from voting if you got £50—was that amount enough?—Well, it went as far as that—that that was as much as they could expect—that I should stand back.

12092. How many were present when this talk was going on?—I don't think anyone was present but ourselves at this time.

12093. That is Hugh Hart?—Dominic at one time and myself. We often talked of it. About the Sunday before the poll I remember him telling me there would be no money given, and I told him I did not care for that, I had given my promise to Major Knox before that.

12094. Who told you there would be no money given?—The very same man—Hart.

12095. Mr. *Commissioner Bruce.*—Did Hugh Hart mention £50?—He did not. He mentioned £20.

12096. Dominic Hart mentioned £50 first?—He said £40 or £50.

12097. Was it in Stokes's shop that you got the hint from Galbraith that he had money for you?—It was.

12098. Was Stokes there himself?—He was in the shop, I believe, himself.

12099. Do you think he heard what was going on?—I could not say, indeed.

12100. Which of the Harts was it that afterwards told you there was no money going?—Dominic.

12101. You never voted before this last election?—No.

12102. Did you know anything about what was going on at the election of 1865?—Nothing.

12103. Are you a Protestant or a Catholic?—I am a Protestant.

(The witness withdrew.)

Mr. *William Lawder* sworn and examined.

12104. The *Chief Commissioner.*—You were the conducting agent for Major Knox at the last election?—Yes.

12105. Have you the briefs of the petition?—When I got the subpœna from your secretary I immediately afterwards telegraphed to Dublin to send down all the papers in connexion with the borough election petition, and I have got a trunk full of them here; and from these I have got the evidence of Mr. Stokes that was particularly referred to in the subpœna. I got a telegram from my correspondent in Dublin to say, that he had sent all the papers but the briefs by this day's four o'clock train. I received it yesterday, I think, about half-past five; and I telegraphed to him that the briefs were the most particular things, and to send them in immediately. I got no answer to that; but I got a boxful of papers, which I have in Sligo.

12106. Then you have not the brief containing Mr. Stokes's evidence?—I don't think, as well as my memory serves me now, that the evidence taken in Carrick-on-Shannon was regularly briefed the time was so pressing. We took the evidence according as it was given and briefed it; and gave the evidence merely as it was given. In fact I have it here.

12107. But it is what was taken down as Mr. Stokes' evidence that we want in the first instance?—Well, I have that here; coming down in the train I opened the box, and got out all my papers.

12108. Mr. Palmer was assisting you?—Yes, he was.

12109. Mr. Stokes's statement was, that he wrote out his evidence, and gave it to Mr. Palmer?—So I saw by the newspapers.

12110. And that afterwards he read it as copied; have you got the original handwriting of Mr. Stokes?—I have got the evidence of Mr. Stokes compared with that of Mr. Stokes and Mr. Cherry, and indorsed by Mr. Palmer, in his own handwriting, at the Sligo petition.

12111. I presume you have still preserved among your papers the original statement of Mr. Stokes in his own handwriting?—I take it that that was taken down from the *viva voce* statement.

12112. What he said himself was, that he himself wrote out his evidence in his own handwriting. This, obviously, is what you say is taken down in the way that a professional man would do. Cast your eye over it (hands document to witness)?—It was Mr. Palmer that took down his evidence.

12113. Mr. *Commissioner Bruce.*—It might have been taken down in a written statement and turned into a brief?—Whatever papers I have, sir, I have them here.

12114. Of course; we know that?—I have got two other statements of Mr. Robert Stokes's evidence. I assume that there were three—one for each counsel. There is another [hands document to Court]; and here is another of the evidence of Stokes and Cherry jointly.

12115. The *Chief Commissioner.*—Can you find the bill of particulars of the bribery that was served on you by the petitioner?—Well, I did not look for it.

12116. Could you find it now?—I should think it may be with the papers that I referred to.

12117. It is sure to be with the general brief for counsel?—Yes. Well, these general briefs I have not yet got. As I tell you, I telegraphed for them—that they were the most important things, and to send them by the mail last night.

12118. Now, Mr. Lawder, when you were conducting agent for Major Knox, had you had previous experience of contested elections?—Yes, I had.

12119. Had you ever been conducting agent at an election in Sligo?—No, not in Sligo before that.

12120. In Sligo borough or county?—Not before the last election, but I was in several other counties.

12121. Do you remember before the nomination getting any intimation that there were some voters that required money; I put it in a short way, of course, in order that you may understand me, but it was put in a more delicate way during the election?—Oh, I'll tell you exactly how it was put to me. The only way I understand to answer that question is, that when I first came to Sligo it was reported currently that it was a place where the voters were subject to influences of that nature.

12122. I presume, as conducting agent, you had a list of electors?—Yes; I had the printed Clerk of the Peace's borough list.

12123. Have you now the list which you used during the election of Major Knox?—I may have it, but I cannot say that I have or have not, because immediately when the petition was over I directed every paper I had to be put into a box or sack, and they were all sent to Dublin; and I never saw one of them till I opened them this morning.

12124. I will, first of all, ask for the original list which you used as conducting agent during the election?—Well, I have not got it here. If I have it you shall have it certainly.

12125. You did use the list from time to time, and put down on it, I presume, marks as to how the electors had made up their mind or were likely to vote?—Yes; what I call taking the strength of the borough—favourable, unfavourable, and doubtful.

12126. Did you also mark off for your own information the men that you were informed were open to the influences which you have mentioned?—No.

12127. Did you never make a list of those men?—Never.

12128. Did you know from the persons who were working the election that there were some men that you believed were open to corrupt influences?—I did not know the name of a single man who was open to corrupt influences, because I strictly from the beginning to the end said I would have nothing to do with malpractices.

12129. Do you know Captain Ethelred Knox?—Yes. I met him prior to the election, and at the election, and since it.

12130. You know the room that he had, which has been mentioned in evidence—that he had a separate room from Major Knox's room?—No; I don't know what room he had.

12131. Were you never in his private room?—I should not know his private room this moment.

12132. Were you never in the room which we know as his private room?—I don't remember ever having met him in Leech's—that was the house—except in the two drawing-rooms, as they were called, one of

which was used as Major Knox's sitting-room, and the other as his dining-room.

12133. Do you know Mr. Galbraith?—I don't know him. I have heard the name.

12134. You don't know him personally?—No.

12135. Were you ever informed by Mr. Galbraith that any voter, in plain language, wanted money, of course he did not say that?—I don't think I was ever told so by anyone, because I studiously avoided having any conversation with him.

12136. I am sure you tried to do so as much as you could. Did you know two voters of the name of Young?—No, I did not.

12137. Have you heard what evidence Mr. Galbraith gave yesterday?—Except that while I was at the hotel, I met Mr. St. Ledger, the county surveyor, and he said, "I am told your name was mixed up a good deal yesterday by Mr. Galbraith."

12138. I am now going to tell you what Mr. Galbraith swore yesterday. He said there were two voters of the name of Young. These men have been examined. They were paid £20 a piece. Old Young first of all told Mr. Galbraith that he had been badly treated by the Conservatives, and that he would vote against them; then Mr. Galbraith came over to Leech and first of all saw Major Knox, and had a conversation with him; then you came in and were introduced to Mr. Galbraith, the same story was told, intimating plainly that the men wanted money, and you asked then did they want money, he said, "I do not know," and some further conversation ensued, and Mr. Galbraith went away, and shortly afterwards Mr. Stokes came and had the money, that is, £40 for the two Youngs; and that was then given in half notes—half to the Youngs, and half kept by Galbraith. And Mr. Galbraith told us yesterday, he distinctly believed that you sanctioned what he was doing, and must have known about it as a man of the world?—Not one word of that is true. It is all deliberate falsehood. I should not know Mr. Galbraith this moment. I never from the time I came to the Sligo election until this moment offered, or sanctioned, or knew of any sum of money being offered to any elector.

12139. Do you remember the occasion on which you and Mr. Galbraith and Mr. Stokes were in the drawing-room together, or in any dining-room?—No, I do not.

12140. You will not say you were not?—I should not know Mr. Galbraith this moment if I saw him.

12141. You knew Mr. Stokes very well?—Yes, I did.

12142. And you knew that he was an active supporter?—I knew that he was a busybody.

12143. Did you suspect at all, at the time of the election that he was engaged—I will not say with any voter by name, but engaged in practices which were improper?—I had no suspicion of the sort, until a Sunday when I was sitting in Allinghams hotel. Major Knox came in after church a good deal excited, and he told me, from rumours he had heard on his way from church, he was determined or inclined, I won't say which, to pitch up the whole thing, and that he would order his portmanteau to be packed and go away.

12144. Was that on the Sunday before the election?—Yes, I think it was, as well as I recollect. I think it was the Sunday before—or the Sunday week before it may have been; I am not certain. It was on a Sunday; but that was the first time that I heard of Mr. Stokes's interference. I asked him, "Whom did you hear that report from?" He said, "I heard it from Mr. Randle Peyton the attorney," and I think he said from Mr. Utred Knox, a relative of his. When he told me that he had given orders for his portmanteau to be packed up, as that he had made up his mind to leave the place altogether sooner than have anything to do with such work. I said, "I think you are taking an uncommonly hasty step to go away, acting upon the rumours of officious fellows like that," or words to that effect. It was with a good deal of persuasion then that I told Major Knox that he ought to continue, as, of course, if he had not employed Mr. Stokes he could not be held responsible for any such attempts on his part. That's all I know of Mr. Stokes.

12145. Did you see Mr. Stokes after that?—Oh, I saw him repeatedly.

12146. Did you give him any caution?—Yes, I did.

12147. You did?—I did. I pretty much told him what Major Knox was about to do, as well as I can now remember,—about his going away,—and said, "You had better be very cautious, because Major Knox will not do anything, or sanction anything that is illegal or improper."

12148. What did you mean by being "very cautious?"—Being very cautious not to interfere at all for Major Knox. I told Major Knox at that time to go and tell Mr. Stokes that he would not allow him or any man to take any liberties on his behalf.

12149. The meaning of "liberties" of course was——?—Improper acts.

12150. Promising money?—Promising money or any sort of promises.

12151. "Any sort of promises," of course, in plain language, means bribery?—That's of course the meaning,—bribery or promises of any nature.

12152. Where was it that you gave the caution to Mr. Stokes?—As well as I remember it was in the street.

12153. Did you see him after that Sunday?—I saw him every day.

12154. You saw him every day after that?—I think I saw him every day prior to, and until the election was over; but I did not speak to him.

12155. Have you now any other lists of electors besides the Clerk of the Peace's list made for the election?—No. I don't think I have any others; in fact, it was the ordinary printed list that I had ruled with red ink in four columns, and three columns.

12156. And you, of course, marked it from time to time, according to the information you got?—Of course, in my client's interest, trying to see who would vote for him, and who would vote against him.

12157. Were any other persons present when Major Knox said to you that he would pack up?—Mr. Randle Peyton, the solicitor, was present.

12158. Have you a list of the electors to whom Major Knox referred as occupying the houses he had purchased?—No, I have not, nor do I believe it was for a long time that I knew he had any houses at all in the borough.

12159. Had you any information at Carrick about the evidence Mr. Stokes was to give except this?—Except that, I had not.

12160. Mr. Stokes states he was informed by some one, or heard some one say he understood his evidence could not be produced in court—that is the phrase he used?—I saw a report of it in the newspaper, in which he said that Mr. Macdonogh said it could not be produced in court. I saw that in Dublin, and the moment I saw it, I wrote—I think it was on Wednesday or Tuesday last, just after it came out—to Mr. Macdonogh to say—I lost not a moment in intimating to him—that I thought he ought to take immediate steps to set himself right before the public; because I don't believe such a course ever was pursued either by Mr. Palmer or Mr. Macdonogh.

12161. That is a proper observation of your's, of course, but I have now heard the evidence given?—Well, sir, a thing of the kind never occurred to my knowledge. To my knowledge nothing of the sort ever occurred.

12162. He used a remarkable phrase, "That his evidence could not be produced in court"—of course the meaning of that was—it was written out by him, and briefed under your directions—that it would not be sworn to in court; did you so understand it?—Of course I did. It was Mr. Palmer who took down his evidence.

12163. I know; but you understood perfectly well what was meant by that when you read it?—Of course I did. It meant that when he told a story, some one

suggested that it should be a made-up story for the Court, and not the true one. That is what I concluded.

12164. You know now, according to his statement, that he did swear falsely at Carrick?—He must have sworn falsely, either at Carrick or Sligo the other day.

12165. According to his statement he swore falsely at Carrick—he said that here?—Well, he must reconcile that for himself; I cannot do it. He certainly must have sworn falsely either at Carrick or here, according to the evidence that I read in the newspapers.

12166. I must ask you this question: you were conducting agent; directly or indirectly, had you anything to do with suggesting to him what his evidence should be at Carrick?—Never, sir, nor to anyone.

12167. To what does he allude when he says that Mr. Macdonogh said that the evidence could not be produced in court?—I can't fancy what he alluded to, because I believe it is an utter falsehood that any gentleman would do such an act—any professional man.

12168. Mr. *Commissioner Bruce.*—I understand that to mean that Mr. Macdonogh considered his evidence would be fatal to ——?—Damaging to Major Knox—yes.

12169. I did not understand that to mean that Mr. Macdonogh had said that he did not believe that his statement was one that he could swear to, but simply that if he was obliged to swear what was stated in his instructions he believed it would prove bribery?—What I saw in the *Daily Express*, I well remember, was that he gave down his evidence to Mr. Palmer, and that after that it was shown to Mr. Macdonogh, and that then it was altered, or words to that effect.

12170. I do not think that was so?—At all events, I know nothing whatever of such an act.

12171. At all events that is the reason why I want to see into the matter; I am sure you will give every assistance?—Every assistance in my power.

12172. And in order to find out the truth of this business, I want to see the original statement in Mr. Stokes's handwriting?—If I have it, the Court shall have it with the greatest pleasure.

12173. Because this, you see, is apparently drawn by a professional man?—That is a copy by the clerks.

12174. But I mean the draft of it?—Yes; Mr. Palmer told me no later than the day before yesterday—he came up to me to ask for those papers the night before last, and said "I remember perfectly well having taken down Mr. Stokes's evidence;" and he urged on me the necessity, as he had already done, of sending for every document.

12175. The *Chief Commissioner.*—Why did you not keep any list of the men supposed to be open to corrupt influence on the other side, because that is a thing that has been done by conducting agents at elections?—I generally try to find out by fair means what the people are going to do—how they are going to vote, that's my plan. I never will be a party to bribery.

12176. Did you know anything about Brennan?—No; I saw him. I have not seen Brennan since the end of June, or the beginning of July.

12177. Did Brennan apply to you for money after the Carrick petition?—Never, either before or since.

12178. What did he call on you for?—He never called upon me.

12179. You saw him in July?—I saw him once in Sackville-street, near the Post Office, and I saw him a second time at the terminus of the railway station.

12180. That's here?—No, in Dublin—the Broadstone station.

12181. I thought you meant that you saw him in the way of business?—Oh no, never. I saw him near the Post Office in Sackville-street one day, and I saw him another day at the Broadstone station in Dublin, and the only conversation I had with him when he saluted me was, "Are you going to Sligo?" And he said no, he would be afraid, or something of that sort, and I passed on.

12182. Mr. Cherry's evidence was also briefed?—I have it here.

12183. Who took it down?—It is indorsed in the same way by Mr. Palmer. (*Hands paper to Court.*)

12184. And Mr. Galbraith's evidence?—I have not that here; I don't know.

12185. Is it in the box?—It may be; if it is I will look for it. If you will have the kindness to tell me any document that I have you shall have it with the greatest pleasure.

Mr. *Galbraith* was here called to the table.

12186. Do you know Mr. Galbraith now?—I remember his face.

12187. Did you know him to be a supporter of the Major's; do you remember him to have been one of his supporters?—Well, I really can't say whether he was or was not.

12188. Mr. *Commissioner Bruce.*—Are you positive that you never saw him at Leech's in company with Major Knox?—I never recollect having seen him in the place.

Mr. *Galbraith* re-examined.

12189. Mr. Galbraith, where you are will you repeat your evidence about the Youngs; first of all the conversation you had with the Youngs; then with the Major, and then in the presence of Mr. Lawder. Repeat now, that Mr. Lawder may hear what you said yesterday?—The elder Young came to me. He told me that his son was not satisfied, or something to that effect; that he was displeased with his party at the last election, and that for himself he wanted nothing, but that his son expected, or words to that effect. I don't know his exact words, I don't say I am accurate in his exact words, but that was the purport and meaning. I said nothing to Young, and he went away. I then went down and called to see Major Knox at Mr. Leech's. I did see him, and I told him similar.

12190. The *Chief Commissioner.*—Say what you said to the Major as well as you can recollect?—I told him about the Youngs just as I am after telling you, and the Major spoke to me for some time; I don't exactly know what he said; but I know he went in and he introduced Mr. Lawder. Mr. Lawder came out and spoke to me, and he said, as well as I can remember the words, it was to the effect—"Is it money they want?" He did not seem pleased. I said I did not know. I went away, and about an hour after that Mr. Stokes came up, and we sent for the younger Young, and he threw two £20 notes on the ground in an envelope or piece of paper, and Young took up one half and I took up the other.

12191. Did Mr. Stokes, before this, come into the Major's room?—He did, sir. Not before it; I think it was while I was there.

12192. But while Mr. Lawder was there?—Well, I can't say that he did. Mr. Lawder was in the house, but I don't know that Mr. Stokes was present with him. I am not sure of that.

12193. Which did you or Mr. Stokes leave the Major's room first?—I did.

12194. Was Mr. Stokes left behind with Mr. Lawder and the Major?—I think Mr. Stokes was by himself in the room, as well as I remember.

12195. In what room?—In the room in Mr. Leech's.

12196. Was that the drawing-room or the dining-room?—I believe it was the drawing-room.

12197. Which room was it that you had the conversation with Major Knox and Mr. Lawder in?—It was in a small room off that.

12198. Back or front?—Back.

12199. Mr. *Commissioner Bruce.*—How did you see Mr. Stokes at all; did he come into the little room?—No, I went into the other room.

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12200. Who took you into that other room?—Well, I really don't know. I think Major Knox came in and brought me in there; either that or I met Mr. Stokes on the lobby or landing, I cannot say which, and we went in there.

12201. What took you into that room at all?—I really can't say at this moment.

12202. Was it to get a glass of wine?—No, I never got a drop of wine in it.

12203. What was the reason, because you had done your business? You had told, according to your account, Mr. Lawder and Major Knox about the Youngs. You would naturally leave the house then. What took you into the other room?—I really don't know. I know I went into the large room.

12204. How long did you stop there?—Not more, certainly, than three or five minutes.

12205. Did you talk to Mr. Stokes while you were there?—I did.

12206. Was it Major Knox that brought you into that small room?—I really can't remember. I don't remember now what brought me into that larger room.

12207. Did you speak to Mr. Stokes about the Youngs?—I did.

12208. Why did you not tell us that last night?—I was not asked.

12209. You told us last night you did not know whether Mr. Stokes knew about the Youngs?—I don't remember that.

12210. The *Chief Commissioner.*—What did Mr. Stokes say to you in that room?—Well, I really don't know what he said exactly; but I know there was some little conversation about them. I really don't know what it was.

12211. Do you now recollect whether you repeated to Mr. Stokes what you say you told Major Knox and Mr. Lawder?—No, I don't think I did go through it.

12212. Did you tell him the purport of it?—Well, I think so. As well as I remember I did.

12213. Mr. *Commissioner Bruce.*—What brought you into that small room?—I went to tell Major Knox, you know, in the first instance, about the Youngs. That's what brought me there.

12214. Did you see Major Knox in the small room?—Yes; he came in after I was there about three minutes.

12215. Was Mr. Stokes present?—No, he was not.

12216. Did you speak to Major Knox then about the Youngs wanting money?—No; I did not mention a word about money.

12217. No; but did you give Major Knox to understand that they would not vote unless they got something?—Well, I did.

12218. On that occasion, in the small room?—Yes, that was the only occasion I ever spoke to him.

12219. Was Stokes by when you were speaking to him?—He was not.

12220. Was it after that that Stokes came into the small room?—Stokes did not come into the small room.

12221. Was it after that you saw Stokes in the house?—It was.

12222. And while Mr. Stokes was present was there any conversation about the Youngs wanting to get something?—Well, I think there was; I think I mentioned the case to him.

12223. In the presence of Stokes?—I think so.

12224. Did the Major make any observation at that time, do you remember?—Well, I do not remember, indeed. I know he left me, and went out to see some one—I think it was Mr. Lawder. He said that he would introduce Mr. Lawder.

12225. Did he make any observation to this effect, that if the Youngs wanted to get something he would not be a party to give them any, or anything to that effect?—I don't remember his ever saying that.

12226. Did he say anything at all conveying that he would not give money to the Youngs, or allow money to be given to the Youngs?—Not that I remember. There was no mention of money made during the time they were there that I can remember whatever.

12227. The *Chief Commissioner.*—Mr. Galbraith, can you fix how near to the nomination day or to the polling day this conversation was?—Well, I really do not know, but I think it was a short time before it.

12228. Do you remember the Sunday before the polling?—I do not indeed. Anything particular about it I do not.

12229. I want to know whether it was before or after that Sunday?—I know it was only a few days—I believe it was only a few days before the polling, as well as my memory serves, a few days before; perhaps it might be three or four; I believe it was not much more.

Mr. Lawder.

Examination of Mr. *Lawder* resumed.

12230. The *Chief Commissioner.*—Mr. Lawder, looking at Mr. Galbraith can you say he was not in the room with you and the Major—never mind now about the conversation?—Well, sir, I never remember to have seen him in Mr. Leech's house.

12231. You do not remember him now as one of the supporters of Major Knox?—I know his face. Beyond that I think I would not even know his name if I met him in the street.

12232. Is it possible that the Youngs were mentioned to you?—I don't remember hearing any such conversation; and, as I tell you, I don't believe I ever met that gentleman in Mr. Leech's house; and further than that, I will swear most positively that I never was in the third apartment in Mr. Leech's house.

12233. You were only——?—In the two rooms I have mentioned.

12234. You were in the two rooms?—Yes.

12235. And you were not in the room some of the witnesses called Captain Knox's room?—Yes; or the "little room," as this gentleman calls it.

12236. No, that is one of the two rooms?—The little room? Well, the rooms—the one as I described to you was a drawing-room, and the other Major Knox's sitting-room. They were both large rooms—very good sized rooms.

12237. I suppose one was a little larger than the other?—They appeared to me to be pretty much the same.

12238. Are they in the front of the house?—Yes, they are.

12239. Both?—Yes.

Mr. Galbraith.

Mr. *Galbraith* re-examined.

12240. Mr. Galbraith, was the room you call the little room in the front or the back?—It is more in the back, sir.

12241. Is there a window opening in front?—No, sir; I think not.

Examination of Mr. *Lawder* resumed.

12242. After that Sunday on which Major Knox was angry about the things that were going on did you see Mr. Stokes almost every day?—Yes, almost every day.

12243. Did you see him in Leech's house?—I don't remember having seen him after that in Leech's house. I may have, but I don't remember.

12244. You spoke to him about the election?—Yes, as I have told you.

12245. I mean, did you speak to him every day about the election?—No, I did not, because I avoided him after that.

12246. You avoided him after the time you gave him a caution?—I did.

12247. And you were perfectly sincere in giving him that?—Perfectly. I told him Major Knox told me that if £1 would return him he would go away and would not represent the place.

12248. There is no doubt now, that these Youngs got the money?—Well, I don't know whether they did or did not.

12249. I mean that there is no doubt at all about it?—I don't know. I don't know whether they did or did not.

12250. Well, I mean that the two men have been examined, and the two persons who bribed them have been examined?—Well, you must not ask me, sir, with great respect, to pass my judgment on their examination.

12251. I am not asking you?—But I don't know anything whatsoever of their having got £20 or 20*s*.

12252. You heard the M'Mullens' name mentioned at Carrick?—I did at the petition.

12253. When were you first informed where the M'Mullens were?—I don't think I ever heard of their names until I heard the evidence given of their having been sent away from Sligo. I might have seen them on the registry list, but to know where they lived, or where they were, or anything about them I did not.

12254. Do you remember looking once, when you were preparing the briefs, what Mr. Stokes stated in this document about the M'Mullens' case?—No, I don't think I looked at it till I heard him giving his evidence in the court. I had not to do everything. The room was full of clerks and full of people, and I told Mr. Palmer to undertake the taking down of the evidence.

12255. I know you had an immensity to do, and it is only the most difficult things that a professional man can do?—In fact I could not attempt to do one thing until I would be actually called on to do something else; so I intrusted the taking down of the evidence to Mr. Palmer and some others; and there in court, I heard the evidence given by Mr. Stokes and by some lady, some hotel-keeper, as to the M'Mullens having gone away to Ballyshannon, I think they said.

12256. It has already been stated in evidence that you and Mr. Macdonogh both publicly and privately, on Major Knox's side, gave instructions to produce every witness?—Yes.

12257. And these were Mr. Macdonogh's instructions to you and yours to everyone you had anything to do with?—Yes.

12258. But the M'Mullens and Mr. Hignell have been examined; and during the trial of the Carrick petition the M'Mullens were at Clithero in England?—Until I was at Carrick as I tell you, I did not know where they were.

12259. But at Carrick, or immediately afterwards, had you information as to where they were?—Beyond what I heard stated at Carrick I had not. I knew nothing whatever about them.

12260. When did you first hear they were at Clithero?—Well, until you recall the name to my recollection I don't remember having heard it until I heard it at Carrick-on-Shannon. I may have heard it. I never knew where they were.

12261. You may have heard it at Carrick?—Yes, because I heard everybody.

12262. From Hignell?—I think it was from Hignell.

12263. Did he tell the Major?—I don't know.

12264. Is your recollection now, Mr. Lawder, that he told you at Carrick?—No, he never told me, as I recollect; nor did I know where they were till I heard the examination at Carrick-on-Shannon on the petition. I knew nothing of them.

12265. But at Carrick you remember he did tell you?—I remember the subject of his evidence was that they were absent; but until you now mention Clithero I could not have remembered the name.

12266. Do you remember was Hignell charged in the bill of particulars as one of the bribing agents?—Well, I don't know. Of course I will be able to find the bill. He may have been. I don't know.

12267. Because, I presume, as is the usual way, everyone charged with bribing was down, so that Hignell's name would have been down?—Well, they put down no end of names, and they used to wind up with the usual phrase, "and several persons to us unknown."

12268. That is the common phrase?—That is the common phrase.

12269. That is to prevent an objection. Did you take down Hignell's evidence?—No, I don't remember that I did.

12270. I presume you have there the names of all the gentlemen charged with having bribed?—I have every person there that counsel directed me to have, and even some that I myself thought should be there, because Mr. Macdonogh's direction to me was, and my own determination was, not to withhold anything.

12271. Captain Ethelred Knox was there?—He was.

12272. Was his evidence taken down in the brief?—No, not that I know of.

12273. Or was he subpœnaed as a witness to your knowledge?—I subpœnaed him, and he told me he was subpœnaed by the other side.

12274. When you subpœnaed him why was not his evidence taken down?—Well, he told me, as well as I remember, I don't think it was thought important that he had anything to prove, because if I knew he had anything to prove I would have taken care to put him on the table; but he was in court every day, because he was subpœnaed by both sides.

12275. Mr. *Commissioner Byrne.*—You said that before you came to Sligo you heard there were voters open to bribery; did you make any inquiries when you came to Sligo as to what the case was?—I think what I stated was, that when I came to Sligo I heard that it was so.

12276. Having heard that in Sligo, did it occur to you to make any inquiries as to who were corrupt and who were uncorrupt?—Certainly not; I would have nothing to do with such work as that.

12277. Then did you, as a sensible conducting agent, make up your mind that you would not be mixed up in malpractices of any such nature?—Decidedly.

12278. Were you aware of Captain Ethelred Knox having a large sum of money in his possession?—Not at all.

12279. Did you hear of his having hundreds of pounds?—I never heard it until I read the evidence in the newspapers the day before yesterday, or a day or two since it was given here.

12280. Now, before the Carrick trial did you read over the evidence that was briefed for your counsel?—Do you mean at Carrick?

12281. At Carrick?—No.

12282. I mean before the witnesses were produced did you read over the evidence?—Some I may have, and some I could not, because I had not time. They were made up as I tell you in that way; counsel got them; and in court, when counsel examined the witness, if there was a spare copy of course I read it over quickly as the witness was going on in some cases;

and in some I was not there during the examination, and so on.

12283. Did you leave the taking down of the evidence to a great extent to Mr. Palmer?—Yes, and you will see his handwriting on the back of the briefs, which he will identify.

12284. Mr. Lawder, may I ask you, at the Sligo election or before it, were you intimidated or threatened to any extent?—Very much indeed.

12285. Will you state how you were?—In the streets here one evening I went once to see a gentleman on business, and coming back the mob shouted at the door I was at to have me thrown into the river, but a body of police came up and protected me to the hotel. Another day Major Knox and I, and I think a relative of mine, were coming in after canvassing one or two voters outside the town and we were pelted with stones.

12286. After Captain King met his death were you in any way threatened or intimidated?—As far as the throwing of stones and all that sort of thing, so much so that we could not go across from the hotel opposite to this house without protection.

12287. Did any of the mob threaten to treat you in the same way that Captain King was treated?—Yes, they called me some names and said I should be treated in the same way that Captain King was treated.

12288. And after that were you obliged to go about the town with an escort of police?—I never attempted to go any place without an escort of police or military; sometimes the carbineers, when they were there, and when I could not get them the police. I was on my way on Sunday to Major Knox's lodgings at Leech's, and we had to take refuge in several places, and the house was pelted with stones and the windows knocked to pieces. In fact the town appeared more like a town in a state of siege than a town in a country that ought to be peaceful.

12289. As the conducting agent of Major Knox, are you aware of any of the voters who promised to vote for him being deterred from giving their votes for him?—Oh, a great many of them were greatly frightened, and some of them I was told at the time were absent through intimidation.

12290. Were absent?—That they went away. I know one case of a little man, an elector, Mark Antony somebody,—I remember the name, which struck me as peculiar; the surname I can't remember at this moment,—but I know he had to come and take refuge in the hotel opposite, and no power would induce him to come and vote.

12291. He abstained from voting?—Yes, he said he dare not vote for his life he was so threatened. In fact I saw him as he came to the hotel and the mob got round him and caught him by the legs and arms and everything, and we had the greatest trouble to get the man in from the mob.

12292. You believe he abstained from voting in consequence of mob violence?—Yes, I positively believe it; in fact he told me so,—that his life would not be safe.

12293. Was there any other voter who had to abstain from voting in a similar way?—I can't state at present, but I saw by the newspapers that there were houses broken into, and all sorts of things done. It was most disgraceful the state of the town.

12294. Is there anything else that occurs to you to mention in reference to mob violence in town during the election?—I don't know whether it is essential or not, but I believe if we had not had the most ample protection we dare not even appear in the streets.

12295. Mr. *Commissioner Bruce.*—Did you remark whether there was any difference as to the voters against whom this violence was directed?—It appeared to me to be all directed against those in support of Major Knox.

12296. But was there no difference among his supporters,—I mean were Roman Catholics who were suspected of an intention to vote for Major Knox more assaulted than the others?—That I could not say, because I don't know the place sufficiently well to distinguish between the two parties; but if you ask me individually, I know that I was most particularly set upon—myself and my cousin—and we were over and over warned by our friends not to attempt to leave the hotel as we certainly would be murdered; and in this very Court-house I was told I should be treated as Captain King was treated.

12297. Were the mob generally armed with bludgeons?—They had bludgeons and stones. These were their general weapons, I think.

12298. Did you see any mobs assembled round any public-houses getting drink?—Yes, I did. The very hotel in which I was staying—the Victoria hotel—one evening was pelted. Another evening Major Knox's lodgings were assailed with stones, and he had to rush over and take refuge in the hotel and stay there for a night or two.

12299. At what public-houses did you see the mob?—Oh, I did not see public-houses. I saw the place in which I was staying, the Victoria hotel, and Mr. Leech's house.

12300. Did you see mobs getting drunk, or refreshment at any public-houses?—I did not see that. In fact I kept away from the mobs, because they were anything but desirable companions.

12301. From any information you then or subsequently got, have you any idea as to whether there were any public-houses in which the mobs were supplied with drink?—Supplied with drink?

12302. Yes?—No, I could not say personally that I know anything about it.

12303. I do not mean that you knew personally; I merely want to know can you give us any information?—As to particular houses?

12304. As to particular houses?—No.

12305. The *Chief Commissioner.*—To use the common phrase, were any houses open for the mob?—No, sir, not that I know of.

12306. You know what I mean by that?—Oh I do, perfectly.

12307. Mr. *Commissioner Bruce.*—Did you never hear of anybody who could give you information?—I repeatedly heard the mobs who were in a wild, savage state of drunkenness, and committing all sorts of things; and we had to make application to the Government repeatedly to get protection through the town and clear them.

12308. Yes, but you were Major Knox's conducting agent, you know?—Yes, I was.

12309. And, of course, I suppose you kept your attention directed towards what would invalidate his opponent's election, and cause his own to be successful?—My most strenuous efforts were directed towards preventing anything that would——

12310. Oh, of course; but you were, I presume, directing your attention likewise to bribery, and treating on the other side, so that, in case Captain Flanagan should be returned, you would have good grounds for a petition?—The only direction I gave was to have nothing at all to do with it.

12311. But had you no person keeping an eye out on the opposite side as to what is generally done at elections—had you no person watching the other side as to bribery, and treating, and mob influence?—Oh it was hopeless to watch the mob influence, it was so general.

12312. Now, can you tell us, according to your opinion, whether those mobs were organized?—Well, they seemed to be in very good order sometimes, and very disorderly at other times.

12313. That is not what I mean; I mean organized and under the control of persons?—I could not name any person under whose control they were.

12314. From your own observation did you form an opinion as to whether they were under the direction of any person or not?—I saw a gentleman who, I believe, has contradicted all knowledge of it; I saw him very much with the mobs at the time.

12315. I must ask you for his name?

12316. The *Chief Commissioner.*—You refer to Mr.

M'Ternan?—Yes. I saw him very much with the mobs. I saw Mr. O'Loghlen very much with them and some others.

12317. Mr. *Commissioner Bruce.*—Was this mob violence continued for a considerable time after the election?—It was. I left this as soon after the election as I could get away.

12318. I suppose you did; but you had to return?—I had to return for the county election.

12319. I mean after both the county and the borough election had you not to return for the purpose of getting up evidence for the petition?—No; I never had the honour of being in Sligo since; in fact I would not have undertaken to defend the petition at all if it were tried here.

12320. If it were tried here?—If it were tried here I should not have defended it.

12321. From an apprehension of personal violence?—Certainly, both of personal violence, and violence to Major Knox, and to anyone who dared to come here to give evidence on his behalf.

12322. Could you tell us, Mr. Lawder, who was it that told you about there being corrupt voters when you first came to Sligo?—I could not. It was just the current report before I came. I had heard of Sadlier and Ball and people who were here before. I had had nothing to do with an election before.

12323. The *Chief Commissioner.*—Do you know Mr. Abbott?—I know his appearence. I never spoke to him. I saw him one day in the railway carriage as far as from Mullingar to Cavan junction.

12324. Mr. *Commissioner Bruce.*—You became Major Knox's conducting agent about August?—About the middle of August.

12325. Could you recollect what sum you received from the Major?—Perfectly. I received two cheques, one for £200 and another for £75.

12326. I do not ask you very particularly; but you can tell us what you did with the money?—I can tell you very nearly. I paid £75 to Mr. Tighe, who was then mayor, for which he gave me a sort of undertaking, or gave a receipt and undertaking to account for it when called upon, or something of the sort; and I paid Mr Robinson, the advising counsel, his statuteable fee, as everyone knows.

12327. And you paid yourself of course?—And for telegrams—I don't think the £275 would have done all that. However what I got I paid between counsel and telegrams and such things.

12328. All went in legitimate expenses?—Certainly.

12329. Everything you got?—Every halfpenny.

12330. Is there any person to whom you would attribute the violence of the mob as an exciting cause?—I really don't like—that would be a mere matter of opinion.

12331. Well, I ask you as a matter of opinion, and not as a matter within your own knowledge?—I could not name any one individual; but I attribute it entirely to those in the interests of Captain Flanagan.

12332. Could you mention any persons in particular?—No, I would prefer not to name any persons. Any papers you wish for——

12333. The *Chief Commissioner.*—Look for the lists of electors—any you have now?—I will this moment, and Mr. Galbraith's evidence?

12334. Yes?—That I am certain I have.

12335. Mr. *Commissioner Bruce.*—You can arrange to forward to us one of the briefs?—Certainly. I hope they may be here by the mid-day train.

(The witness withdrew.)

Mr. *Robert Stokes* re-examined.

12336. The *Chief Commissioner.*—Do you remember the day the Youngs were paid?—I do, sir. I don't know the day of the week, but I recollect giving it.

12337. What I want to know is, how long before the nomination was it, or the polling—which?—I could not exactly say, but I think I told you it was some days.

12338. Can you recollect whether it was before or after the Sunday before the polling?—How long was Sunday, or what day was the polling?

12339. The polling was on Thursday, and that was Thursday the 19th of November?—I could not say whether it was before the Sunday or after it.

12340. Do you remember John Shiel going away?—Yes.

12341. Was it before or after that that you paid the money to the Youngs?—I could not say, indeed.

12342. Shiel went out of town on a Sunday morning?—He did.

12343. Do you remember whether it was before or after that?—Indeed I could not.

12344. Who was it that first spoke to you about the Youngs, was it themselves, or Mr. Galbraith, or who?—I was listening to Mr. Galbraith's evidence and I thought that Mr. Galbraith's memory was at fault a little on it. I went over to Major Knox's, I met a servant and I was sent up stairs, and I there met Mr. Galbraith in the back room that he described, alone. Mr. Galbraith told me something that he had got over about the others; that the Youngs were trying to do something. Mr. Galbraith intimated to me the manner in which the Youngs were going on, and I said to him, "Oh, man, make it a business matter; just go down to them and see what they want." I don't know whether he and I went together, or whether he went first and I followed; and I there met the younger Young in Mr. Galbraith's and arranged with him according as Young told you. He said twenty pounds. I said, "We shan't speak of pounds at all, say engravings or anything you like." I went back again and brought the money and gave it as described.

12345. Where did you go back to?—To Captain Ethelred Knox.

12346. Where was the Captain?—He was in what he told me was his own room.

12347. Where was that room—on the same floor with the Major's?—On the same floor.

12348. Were you in the room with the Major that evening?—That was, as far as my memory tells me, in the morning.

12349. In the morning?—In the morning.

12350. Were you there in the morning with the Major?—It was on my first going to the house to speak, I could not say about what, possibly about election matters.

12351. Did you see Mr. Lawder there?—No, no; the room was quite without anyone except Mr. Galbraith, when I went in. I cannot say whether anyone came in afterwards or not, while we were there; but the circumstance I relate to you is quite fresh in my mind.

12352. What did you tell Captain Ethelred Knox?—When I came back?

12353. Say everything that you said to him—just suppose that I was the Captain?—As far as I can recollect, I told hin that the Youngs were open to so much, and that the young fellow would not vote without it.

12354. Did you name a sum?—Twenty pounds each.

12355. I want you to speak; just supposing that I was the Captain, what did you say?—There were three, Walter Henderson and the two Young's, and they should get £20 a piece to vote, and that I would arrange it if he gave me the money, and that they would not take my word—they should have the half notes.

12356. The Captain was by then?—He was by himself.

12357. What sort of money did the Captain give you?—Bank of Ireland notes.

12358. What amount?—I think £20 notes.

12359. Where did he take the money from?—I

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don't doubt but it was out of his breast pocket, a pocket book, or something that way. I cannot be accurate exactly, but he had not to leave the house for it.

12360. That is what I want to know—had he the money about him?—He had.

12361. Were they new Bank of Ireland notes?—I think they were.

12362. Do you know what a book of notes is before they are divided?—Oh, it was not that.

12363. It was not out of a book?—No; you mean a book like a cheque-book?

12364. Like a cheque-book—yes?—It was not.

12365. At what hour was it that you got the money from the Captain?—It was between ten, and perhaps one—twelve and one—ten and twelve it might be.

12366. Was it late at night?—Oh, no, in the morning—that morning.

12367. Then had you been before that to see the Major?—Not that day.

12368. Did you see the Major that day?—The after part of the day, is it?

12369. Any part of that day?—Oh, I might; I don't know, indeed.

12370. Now, on the day of the election, did you see the Major?—It is very possible I did.

12371. Do you remember did you call at Leech's?—It is probable that I might, but I can't remember. I was in very frequently.

12372. Mr. Lawder told us about the Major, on the Sunday before the election, expressing indignation about you, and saying he would pack up his portmanteau, and leave town?—That was true as far as I can recollect. Yes.

12373. Did the Major so speak to you?—He did.

12374. What did he say to you, tell us the very words?—I could not tell the words; it was something the way Mr. Lawder described—that he had heard stories, and that he thought it better to resign and leave—that he had been warned something was going on that he did not like, and that he would——

12375. Who were present?—Well, I think the Major himself. I cannot say exactly who any other persons were. I know there were very few, if there were any. But he did tell me that.

12376. That made an impression on your mind—that conversation?—It did.

12377. Was it before or after that, that you bribed the Youngs and Henderson?—Oh, I think it was before that.

12378. That you bribed them?—I think it was; I am not sure.

12379. That is your recollection?—I am only speaking from belief, I cannot be positive about it.

12380. Was it before or after that, that you bargained with the Ryans?—If I am right, I told you that I had no bargain with the Ryans—that they had perfect confidence in me.

12381. Very well. Did you make any bargain after you got the caution, or any arrangement; what I want to know is this—after that conversation with Major Knox on the Sunday when he was going to resign, did you get any money from Captain Ethelred Knox?—I did.

12382. What did you get from him, and for whom was it?—I think it was to dispose of as I wished generally.

12383. How much?—It was between £60 and £100—I could not tell.

12384. In what form of notes was it given to you?—They were bank of Ireland notes.

12385. Were they twenties?—Principally twenties.

12386. After the election did you keep a bank account yourself?—I did.

12387. In what bank?—The Provincial.

12388. Have you now any of those notes?—I have not. I did not keep them. I circulated them according as they came to me.

12389. Did you make any lodgement of that money, in any sum, in your own bank?—I did not. I did not expect to have it. I kept it beside me to let out, and since that, according as I wanted money, I would not send to the bank, I let it out.

12390. Did you ever put any of those notes in a lodgement, making up a docket for lodgement in the ordinary way of business, as a merchant or tradesman does to meet a bill?—I might have paid a bill with some of them, but I am not certain.

12391. Do you remember lodging any of that money in the Provincial?—I could not say exactly. I never lodged it separately by itself, without its being mixed up with other notes or gold, according as it came to me. I never did, except I wanted to make up a sum.

12392. Did you speak to Captain Knox about Henderson at the same time that you spoke about the Youngs?—As well as my memory affords me, I did.

12393. You tell us that you got £60 from Captain Ethelred for these three men in one sum?—Yes.

12394. At that time had you any money that you had previously got from him unapplied?—I think I had.

12395. About how much?—I think I had some thirty or forty-five pounds; I can't be certain.

12396. In your presence did anything occur between Mr. Galbraith and the Major in reference to the Youngs?—My memory is quite at a loss for that, because Mr. Galbraith was alone when I was ushered into the room.

12397. Was he in Captain Ethelred's room?—No, he was in the room that Mr. Galbraith described—that was the back room off the lobby.

12398. That was not Captain Knox's room?—No.

12399. Was Captain Knox's room upstairs?—Yes.

12400. On a higher story?—No, on the same floor.

12401. Did you never see anyone in Captain Knox's room except Captain Knox—refresh your memory now?—The only person I ever recollect was his brother.

12402. What is his name?—I don't know his name.

12403. Is it Utred Knox, the Clerk of the Peace?—No.

12404. The officer?—Yes.

12405. Mr. Alberic Knox?—I don't know him.

12406. You say he was in the army?—He was, I believe, in the army.

12407. You saw him there with Captain Ethelred?—I did, at lunch time and dinner time—something that way.

12408. Now, used you to go every day to Captain Ethelred's room?—I used not, nor every second day. Just some days I might go twice; it was only according as circumstances drove me.

12409. Was he generally in that room?—He was.

12410. What was he doing there—waiting by himself in that room?—Well, I could not say that.

12411. What did he appear to be doing?—I saw a great many papers and a great many books.

12412. A great many papers?—A great many books.

12413. Did you see any lists or papers connected with the election?—No; I don't think I ever sat down in that room, nor I don't think I ever was perhaps fifteen minutes at once in it.

12414. Mr. *Commissioner Byrne.*—Had you been sent for to come to Major Knox?—I was not.

12415. You came up just as you were in the habit of coming up from time to time?—Exactly.

12416. Did you go up to Major Knox in reference to the Youngs—to have an arrangement in reference to anybody?—I went to Captain Ethelred, and after I was speaking to him the youngest of the Youngs and I arranged for the three. When I was here last I was in fault. I did not know Henderson and I said Henderson was a small farmer and son-in-law to Young. I was astray in that. I then thought he was; but it was not so, and I did not know the man.

12417. Then it was to get Captain Ethelred's sanction that you went up?—It was to get the money.

12418. Now, in your transactions with Captain Ethelred Knox, did he make any statement to you as

to the Major's having sanctioned what he was doing or knowing he had the money?—He did not.

12419. Had you any reason to come to the conclusion that the Major was aware of Captain Ethelred Knox disbursing the money?—No reason except this, that as they were friends and relatives he might know what was doing; but no other reasons.

12420. The *Chief Commissioner.*—Did you ever yourself, Mr. Stokes, make any complaint or representation to Major Knox, the candidate, that there were men wanting money, and badly treated from the last election?—Not that I have any recollection o.

12421. Would you know how your evidence commenced if you looked at a copy of it?—I would not, for how I acted then I am a perfect stranger to.

12422. Mr. *Commissioner Bruce.*—Did you expect to find Mr. Galbraith in that little room?—I had not the slightest idea he would be there.

12423. That was the little room you were in the habit of going into?—No, it was the first time ever I was ushered into it.

12424. What took you there at all?—I was going to communicate something I happened to learn with Captain Ethelred Knox, or something—I can't exactly say.

12425. You were told to wait in the little room?—Yes.

12426. Do I understand you to say that you left the younger Young with Mr. Galbraith and went to get the money?—That's what I think. I don't know whether Mr. Galbraith and I left Leech's together or not; however, we met Young below in Mr. Galbraith's, and it is my impression that I came back to Captain Ethelred Knox, and went down again, and left the money as was pointed out to me.

12427. Do you know a man called Peter Tallon?—I do.

12428. Did you ever offer him any money?—I was speaking to him and I told him I thought I would get his house for the county election if he would go from home.

12429. Did you ever offer him £100 for himself and his son to vote for Knox?—That he was to give his house and premises during the election for that £100.

12430. For that £100?—Yes, that he might get that £100 for the use of his house and premises during the county election, if he himself and his son went from home.

12431. From home?—Or voted; he had his choice.

12432. Did you communicate with Captain Ethelred Knox about Patrick Barry?—I don't think I did. I am not rightly certain, for Barry did not close. He did not take my offer. He took the offer, but he would not do as I wanted him.

12433. Did you communicate with Captain Ethelred about Dominic Oates?—No.

12434. Did you about Charles Tighe?—No.

12435. Was that because you had not closed with those men?—Yes.

12436. Mr. *Commissioner Bruce.*—Can you recollect, Mr. Stokes, anything further about the application of the £270 that you told us you got from Captain Knox,—you know the sums you gave did not exceed the £270, or even go near it?—They did not, for I only spoke from memory.

12437. I know; but have you been thinking about it at all since? Can you say whether you paid any portion of that £270 to anybody except the two Youngs, the four Ryans, Henderson, and Gallagher?—At present that's all I can say till I have time to think of it.

12438. I wish you would think of it and come back to-day and tell us, because what you have already stated would leave you £80 still on hands. Is it your recollection that you have £80 still to account for?—I think I have.

12439. Was there nobody at the last election, Mr. Stokes, that you can think of getting money from Captain Knox, or do you think anybody else was?—I could not say.

12440. Have you no idea?—There was no person present but he and I at our transactions; and I presume it was so, if there was any other body, between them.

12441. You must have known a great deal about what was going on. Have you an idea that anybody else was paying voters?—I have not.

12442. Or promising voters?—I have not, I only did the best I could myself. I was anxious to do Major Knox all the good I could; and I did it in ignorance, which I am sorry for.

(The witness withdrew.)

Thomas H. Williams sworn and examined.

12443. The *Chief Commissioner.*—Mr. Williams, you are a magistrate of the borough?—Yes, sir.

12444. Now, did you vote for Major Knox at the last election?—I did.

12445. Did you know anything about Mr. Stokes's transactions at the last election?—No.

12446. Did you meet Mr. Stokes at all on election business?—I saw him once in his own shop.

12447. What was the election business upon which you met him?—Mr. Galbraith and myself went together into Stokes's shop, and Mr. Galbraith spoke to him about Walter Henderson. He went in as usual to have a talk, and Mr. Galbraith spoke to Mr. Stokes about Walter Henderson's vote. I will now tell you the unvarnished truth. Mr. Stokes took a £20 note, and turning round from us tore it in two, and put the half of it in my waistcoat pocket in less time than I spend in telling you. I said, "I will have nothing to do with this transaction." "What are you afraid of?" said he. "My mind is perfectly made up that I will have nothing to do with this transaction," I said. I went to the shop door and Mr. Galbraith said he would not take it back. "I will make him take it back," I said. I went back and told Stokes that he must take this back, and he said, "Very well," and took it. You have the entire of that affair.

12448. You have been a long time living in Sligo?—Nearly thirty years.

12449. You knew then that it was Stokes's intention to bribe Henderson?—I had reason to believe that Henderson would expect money.

12450. What reason had you to believe, independent of that, that Henderson would expect money?—I think Mr. Galbraith told me. If I remember rightly he sent a note to my shop saying he wanted to see me. I had asked Walter Henderson for his vote and he had refused.

12451. In a way you understood? Did you understand he wanted you to promise him money?—I could not say that. I waited upon him with Major Knox. I have a little country house, and I pass Walter Henderson's house on my way out. He said to me he lived in a lonely place and did not know whether he would vote or not, and further, that Major Knox had not canvassed him. I said, "A man like you ought not to be canvassed and ought to vote for his party." I took my car and drove Major Knox out the following day to ask him for his vote, and there the matter ended. I afterwards received a note from Mr. Galbraith asking me to call upon him, and he said he had arranged with Walter Henderson.

12452. Did you know the amount of the arrangement?—I understood since.

12453. Did you know then?—Well, I got the half of the £20 note, and I understood that that was the amount.

12454. You appear to have a correct recollection, and have given your testimony most clearly. Can

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you fix the date upon which the half note was offered to you for Henderson?—I believe ten days before the election at the least. I heard you ask the question from Mr. Stokes, and my memory is ten days before the election—at least that.

12455. Did you know anything about the complaint that Major Knox had made that some individual was to be bribed?—Yes, I spoke to Major Knox, I think, on the subject, and said I had heard a great many rumours and reports about, and I thought it would be very dangerous to his position. Major Knox said to me, "My dear friend, I have heard this day and yesterday about some indiscretion of Stokes, but I will send him word to come; in fact I made up my mind, and mean to leave the town." Mr. Lawder has stated what Major Knox said to me about that circumstance.

12456. Did you tell Major Knox about the £20 transaction?—I did not, sir, certainly not.

12457. That £20 transaction was a long time before the Sunday before the election?—I believe, as well as my memory goes, it was about ten days before the election, or about a fortnight.

12458. Now, was that the only transaction connected with money at the last election about which you, Mr. Williams, could give the Court information?—Well, I can give you further information, not from my own personal knowledge, but from what I have reason to believe.

12459. Quite enough?—In the case of Peter Harrison, I may mention that he is an old porter of mine and of my relative's, Mr. Anderson, for the last thirty years. Peter had told me after the October revision that the Liberals had tried to knock him off the revision. I said, "Well, Peter, I did not know you had a vote; as you have, what are you going to do with it." He said, "I shall vote for Major Knox, certainly." The matter rested there as far as I was concerned. I never spoke to Peter on the subject until the election was over. He was in the habit of going to my house two or three times every day in the week. My senior clerk has been with me twenty-eight years, and one day he said to me that Peter wanted to talk to me about the election. I am speaking now from memory. I said to my clerk, "He may save himself the trouble. I shall have nothing to say with him about the election." I went into the shop, and Mr. Atcheson told me one day he wished to go away as his life was in danger. I said "You can arrange that as you please; I do not want to know anything about it—you have your own friends, and you can arrange amongst yourselves in the office." On the day before the election Mr. Atcheson came to me, and asked me could he take my car to Coolanney, about six miles distance, and that Peter wanted to go with him; I gave him liberty to take the horse and car. I knew nothing about a money transaction until two or three days ago. I said to Mr. Atcheson, "You may as well tell me all," and he said, "Do you wish to know, sir?" and I said "Yes." He then said Peter had had goods and money from him to the extent of £18 or £20. I then said "You will have opportunity of stating it yourself.

12460. That is Mr George Atcheson?—Yes; my clerk.

12461. Is that the only case?—These are the only two cases. I have no information more. Since I have had Her Majesty's Commission of the peace I have kept myself aloof from anything that might cause a blush in my face.

12462. Mr. *Commissioner Byrne.*—Did you take such notice of the £20 note, as to enable you to tell us whether it was an old or a new one?—No; Mr. Stokes put it into my waistcoat pocket, and I said "You must take it back." He said "What are you afraid of?" There were several people in the shop at the time.

12463. As a magistrate, were you endeavouring to preserve the peace of the town as well as you could during the election?—No; my voice is bad. I have lost my voice, and in a street noise I should be quite unable to take any very active part, but the town was in a most uproarious and scandalous condition for weeks before the election, and during the election.

12464. If there was any instance of mob violence that struck you, I would be very glad to hear it?—I cannot charge my memory, but I know as a matter of prudence, I did not go out of my house at night for three weeks before the election.

12465. Was that because of mob violence?—Because there were mobs going through the streets, and when passing my house they would call "To hell with Knox," and sometimes "To hell with Williams."

12466. Did these mobs appear to be organized?—Yes.

12467. Could you give any description in what numbers they were?—From 60 to 200, and 300, and sometimes more.

12468. And were there several mobs ranging about the town?—Yes; a man named Devins, and a man named Kilcullen struck me as active and continuous workers-up of Flanagan's mob.

12469. The *Chief Commissioner.*—What is Devins' Christian name?—I do not know.

12470. (A person in court stated that it was Thomas.)

12471. Mr. *Commissioner Byrne.*—Is that the Kilcullen who was active on Major Knox's side?—No; he is a blacksmith in the town—Michael.

12472. Are you aware of these mobs having deterred any voters from recording their votes?—Yes.

12473. What voters were prevented?—Well, M'Guirk the hairdresser, told me the other day he would not go out because of the mob.

12474. Did he abstain from voting?—Yes.

12475. Is it your opinion he did so because of mob violence?—I am perfectly satisfied he would not go to the poll, because he could not do so with security.

12476. Did you hear of any other voters?—I heard of Mark Antony, but of course I am only speaking of my personal knowledge of the thing.

12477. How long have you been resident in Sligo?—I came to Sligo in January, 1841.

12478. Do you know anything of money going at previous elections—previous to Major Knox's?—Well as far back as Mr. Townley's election—I was connected with that—but since that I know nothing in the world.

12479. But with respect to Mr. Townley's election could you give us information as to the money going then?—Yes, I voted for Mr. Townley and supported Mr. Townley, and I believe there was money given at that election. I gave some myself.

12480. You gave some yourself for Mr. Townley?—Yes, on his account.

12481. That money had either been given before to you by Mr. Townley or afterwards?—I never got it from Mr. Townley. I got it from a friend of Mr. Townley's, and it was not given for three months after the election; or until the petition about Townley's return had been tried, and I can safely say on my oath I never promised a voter in my life even at that election one penny, or gave him any reason to believe he would get money for voting for Townley. I always felt it was a very serious matter to place myself in a position where I could not speak the truth on inquiry. A man would come to me and Mr. Atcheson would at my request come into the office and sit with me while that man talked to me. A man would ask me who would I advise him to vote for, or would he get any money for voting for Mr. Townley, and I would say to him, "If you come to talk to me about money you may go about your business, but if you ask me who will you vote for, I will say vote for Mr. Townley."

12482. Did many of the voters come to you on that occasion asking money?—I do not think they did, but some of them I am perfectly satisfied came with the idea that they would get money or a promise of money.

12483. How much did you give away after Townley's election?—I cannot say. I think about £170.

12484. And you gave it away four or five months after the election?—Yes.

12485. After the petition?—Yes, after the petition was over. I was thoroughly disgusted with the class of people it brought me in contact with at that time

and I made up my mind at that time that I would never again have anything to do with such money affairs, and I have kept my purpose. I think at that time as well as I remember, I distributed about £100 or more to some voters who were in poor circumstances. It was about the year 1848, just immediately after the famine, and I know that a great many of them were in very necessitous circumstances, and I will say to the credit of Mr. Townley that there was a good deal of money distributed to the poor who had no votes, and could not possibly in any way influence the election.

12486. From your knowledge of the borough are you able to say whether there was not an expectation in the minds of a large body of the voters that they will get money some months after the election?—I believe there is a lamentable tendency in that direction.

12487. And that that is prevalent amongst a large class?—I do, sir.

12488. And has that been the state of things in the borough from Mr. Townley's election more or less?—I should say so. I have had no money transactions of any kind whatever at any election since Townley's and I was thoroughly disgusted then.

12489. That expectation exists at the Conservative side to a certain extent as well as at the Liberal side?—I believe it does at both sides.

12490. Mr. *Commissioner Bruce.*—Did I understand you to say your clerk told you Peter Harrison had things from him?—Yes.

12491. Was it things from your shop?—Yes, sir. He explained it. Harrison's house was sacked or broken into and his furniture destroyed the day after the election, and he wanted some things such as beds and bedding and things of that kind, and I saw him getting them in the shop though I had not the particulars of that at the time. I spoke to Mr. Atcheson this week about them, and I think he showed me a private memorandum which he had, and which he will produce if you ask him. I have no further particulars.

12492. But did Mr. Atcheson tell you that the accommodation of these goods was given to Harrison for having gone away?—Yes, I believe that Peter Harrison would have to get a consideration for going away—for that reason I did not wish to have anything to say to him. I do not wish to qualify the statement at all. I wish to make an observation, gentlemen, in reference to a statement made by Mr. Charles Sedley. I was present on Saturday morning last, when he said he met me at Macdonogh's rooms on the night previous to the election of 1865, and that a list was there and then made out of the names of voters who were to receive money after the election. I have to state in reply to that that Mr. Sedley's memory must have failed him in the matter. I never saw Mr. Sedley that day, I positively swear. I remember distinctly that it was a mystery of mysteries to Mr. Macdonogh's friends Mr. Sedley's absence from town on the day previous to the polling. I heard in my office that things were looking adverse to Mr. Macdonogh's election, and I went to his rooms. Mr. Macdonogh then was alone. He complained to me bitterly that he had been forsaken by some of his old supporters and friends and said he was disposed to give up the whole idea of going to the poll on the following day. I said "Do not do so, things will look dark sometimes and bright afterwards—keep up your spirits and do not be dejected or depressed." He made some remarks favourable to myself, and we continued together for an hour or so. He said to me, "I shall go to bed, but I will not allow myself to be dispirited in the morning." He wished me good night, and I turned in the dining-room and talked with some gentlemen, I do not know who and we stopped together for an hour. Whilst there Mr. Shekleton came into the room and said "Is Mr. Williams here?" I stepped forward and said "My name is Williams;" and he said "I want a word with you." He drew me over and said to me "I have a parcel from Mr. Sedley with instructions to hand it to you." I said "What does the parcel contain?" and Mr. Shekleton said "£400, and Mr. Sedley wishes me to say he will be very glad if you will dispose of it according as your judgment may think best." I said to Mr. Shekleton "You may say to Mr. Sedley I will neither handle, nor distribute, nor promise one penny of that money." And Mr. Shekleton said "Who will I give it to?" I said "There are plenty of gentlemen here whose word is worth ten times the amount, if they will take it." I think Alderman Lyons was in the room and my memory is that I spoke to Mr. Lyons about it, and his views were about the same as my own. I then went home. I positively state that I then left the room and did not return that evening. I neither saw Charles Sedley nor did I know until I heard it in the Court-house that Mr. Macdonogh had been wakened from his bed or had an interview with anybody. I never knew that the money was disposed of in the way stated by Mr. Sedley. I heard it stated that Mr. Macdonogh had not acted generously towards Mr. Shekleton as to the payment of it—but I do not know how it was disposed of.

12493. The *Chief Commissioner.*—It was rumoured that you and Mr. Lyons were canvassing here that night?—As far as I am concerned I positively swear I never spoke to a single voter that night. I went down to Mr. Robert Hunter with whom I was in the habit of speaking, and he said I was perfectly right, and wise to keep myself free in affairs of the kind.

12494. Your name has been mentioned once or twice. Have you any statement to make?—Keighron said a man of the name of M'Grath had told him I had offered several voters £80 each to vote at some election.

12495. The election between Armstrong and Macdonogh?—Yes. That is utterly false. I positively swear that from the time I knew M'Grath to the present, I never spoke to him about his vote; I never promised him money for his vote, and if holding up my finger would get him to vote I would not do so, from my knowledge of the party. Now, you have asked me about my knowledge of money or applications for money. Well, I feel bound to tell the facts of the case of William Young: about ten days before the election as I was passing his door he called me in and said, "Have you any news for me," I said, "No, there is plenty of news going, and I suppose you will vote for Major Knox." He said he did not know; I said "What is the use of talking in that way. You know very well you always vote for your Conservative friends, and Major Knox is a good fellow and you ought to support him." He said his two sons had votes also, and they worked very hard, and expected to get some money, and he could not blame them for expecting to get money. "Well," I said, "as far as I am concerned I have nothing to say to you about the matter. If you want money you must go somewhere else, but I wish you good morning," and I left him. There is another man named Atkinson, a shoemaker, who left word at my house that he wanted to see me. I told my clerk to bring him in and to sit by also, and after a good deal of humming and hawing he said he understood there was money going, and he expected to get it, and I said to him, "You are in the wrong box to talk to me about money. If you want money you must go elsewhere." I have no memorandum about any other case. I have told you all I know, and I will be glad to answer any questions you may be pleased to put to me.

12496. Mr. *Commissioner Bruce.*—Did Young tell you he himself would not take money or did he give you that idea?—No, he said whatever money he got he would give to his sons. He led me to believe he intended to get money.

12497. The *Chief Commissioner.*—I think we will not trouble you any further. Would it be convenient to send George Acheson here?—It is inconvenient owing to this being market day, but if it will suit the Commissioners he will attend on Monday.

12498. Certainly. That will do. He need not attend to-day.

12499. Mr. *Commissioner Bruce.*—Was it in ten pound notes that the £170 was given away?—Yes, that is my recollection, sir.

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Thomas H. Williams.

The witness was allowed to withdraw but he returned and said:

12500. There is another circumstance in which my name is mentioned in connexion with money—the election of 1860, for Mr. Macdonogh. It was stated by Alderman Lyons that I got some money of the £850. He afterwards corrected that statement, and he did well in doing so, for I never got any portion of it in any shape or form. Mr. Charles Sedley who I see is present, waited upon me at my residence, and asked me to take that money, and I positively refused to have anything to do with it. He said, "Can you mention any person who could be safely taken in the matter?" "John Bourke," I said, "is a safe man," and John Bourke was sent for to Mr. Charles Sedley's house to get the money.

Mr. Lawder.

Mr. *Lawder* was recalled and further examined.

12501. The *Chief Commissioner.*—Here is a brief which I will have marked with the letter A. It is the evidence of Robert Stokes. Turn to the third page of it and you will see this passage, "As to No. 23, James M'Mullen, Bridge-street, never gave or offered any money or other consideration for voting. James M'Mullen left before the polling day by request of Stokes. Gave £—— travelling expenses for James and William M'Mullen to go to Dublin." I want to know was that brief used in court so far as you know?—I believe they were all used in court.

12502. In whose handwriting is this?—In the handwriting of Mr. Palmer who is in my office. I do not know who it is indorsed by.

12503. These are the duplicates of that? [Documents handed to witness.]—I suppose there was one made for each counsel.

12504. In whose handwriting are the duplicates?—That I do not know. If I were to offer an opinion I should say in the handwriting of a scrivener I had from Dublin, but of course I believe it was prepared there and in the presence of Mr. Palmer.

12505. In whose handwriting is the third?—That is in the scrivener's writing, I think; on looking at page 3 of this I cannot say in whose writing it is. The first sheet is in the scrivener's writing, and I do not know in whose the next is. I do not know whose that writing is. This last sheet but one is also in one of the scrivener's handwriting.

(The documents were marked A, 1, 2, and 3.)

12506. The witness continued.—The first sheet is the scrivener's writing. The second is Mr. Palmer's writing. The second and third are, but not the fourth. The fifth is——

12507. Now I will show you this one which is the evidence of Robert Stokes, and Stephen M. Cherry?—[Document handed to witness.] That is indorsed by Mr. Palmer.

12508. In whose handwriting is that do you think?—That appears to me to be in the handwriting of two scriveners.

12509. You see the brief is regularly made out and paged from beginning to end? Is it complete?—It is paged from one to ten.

12510. Consecutively?—Yes.

12511. I will mark them B 1 and 2. This [document handed to witness] is the duplicate of it—it appears to be also paged continuously?—That is also paged from one to ten.

12512. Now have you anything Mr. Lawder on your mind why the second—I will not say the second, but why five sets were made out?—I have not the least——

12513. How many counsel were there?—We had four counsel; we had Mr. Macdonogh, Mr. Robinson, Mr. Kaye, and Mr. Hartigan.

12514. Now, were all these, according to your recollection, used in court?—I cannot say that. I do not see what other motive they would be made out for. I was looking amongst my papers since you told me that Mr. Stokes, I think you said, stated he had made some evidence in writing. I do not know of this [document produced], but amongst the papers I find this, which I will hand in if you require it. [The document was handed in.] It is only a portion of some document, but it is indorsed, "Mr. Stokes' evidence;" but in whose handwriting it is I don't know. I do not know whether it is his writing, or whose it is. It is evidently only a portion.

12515. Yes, it is evidently only a portion. [The briefs marked B were handed to the witness.] I will tell you at once the reason why I ask you. In that brief marked B the evidence of Mr. Stokes about the M'Mullens is omitted. In the ones marked A it is inserted. I want you to give the court every information upon that subject?—I do not know one word about it.

12516. Look and see whether the evidence as to the M'Mullens is in Stokes' evidence there?—The best way to come at that would be to compare them.

12517. Well, I will repeat the passage. [Passage "As to No. 23" repeated.] Now, that passage I cannot find in the second set of briefs?—I have in my handwriting what is sworn on the table. I do not see that here. A remarkable phrase used by Mr. Stokes in his evidence before this court is, that the brief of his evidence could not be produced in court. Well, I will have the brief of his evidence, I expect. I expect to have the briefs from Dublin, as I telegraphed again for them, and I think I have notes of what he swore on the table. My memory is brought up by the fact of some woman being brought up from whom the car was got, and an entry was made as to the payment.

12518. Yes; but there are two sets of briefs with this irregularity which I have pointed out. Would you not know perfectly well that his providing the money to the M'Mullens, and their going away, would if told, unseat the sitting member?—Yes, I know that perfectly well. It would be nothing short, I should say, of bribery.

12519. Yes, giving one shilling to the voter if agency could be proved?—Yes, but I think if you refer to Mr. Stokes's evidence he said I had told him I would not allow one penny to be given for any improper act.

12520. Had Mr. Palmer the management of this?—Yes, he will be here upon subpœna. That is not Mr. Palmer's writing; I do not know whose it is.

12521. Now, I will read this passage from another paper you produce. "As to James M'Mullen and William M'Mullen, I admit having given them £2 each to enable them to go to Bundoran, but they went there of their own accord, and were anxious to go away"?—I never saw that document until after I went from this court to my knowledge, but I saw Mr. Stokes's name upon it, and therefore I brought it to you.

12522. [Document marked B 2 handed to witness.] Looking at B 2, would you not know it was obviously used in court?—I should say the marks on it are counsels' marks.

12523. There are no marks on any of the documents marked A, and looking at that as a solicitor of eminence, do not they appear not to have been used in court?—I see that they are quite fresh. These appear quite fresh, but I may add to that, that there were a great many documents prepared and read by counsel, and the substance of them was in his brief; but these [documents A] do not appear to me to contain observations on the notes of counsel.

12524. Mr. *Commissioner Bruce.*—Is there any of that evidence, do you think, contained in the large briefs?—Oh, no doubt there must be.

12525. Because that looks so like a supplementary brief?—Very likely it was evidence written too late to be included in the general brief. We were working up to three or four o'clock in the morning to the last day of the commission. You told me to look for any documents prepared with Mr. Galbraith's name. I find only a sort of extract [handed in], but I think I can satisfy you with the notes I took at the time when

Mr. Stokes clearly admitted having persuaded those people to go away.

12526. At Carrick?—Yes.

12527. I will refer you to his evidence. I have it here. I think he said they were going to Bundoran, and a car was to meet them about a mile out of the town. "Do you know who gave them the means of going away?—I do not. All I provided was the car for them." Judge Keogh says, "And you gave them no money?—No." According to the first set of his evidence he gave them "blank" pounds. I expect that you, a gentleman holding a very high position, will tell us all you know about the matter?—Anything I know you may know with great pleasure.

12528. I am sure you will give us any assistance in discovering why Stokes used perjury at Carrick. It is a serious matter, and if perjury is thus to be committed in an open court no man's life or property is safe?—That is the reason I refer to his evidence, in which he charged Major Knox with so many cases of payment to voters. He never said a word about it to my knowledge before, nor when Captain Knox was originally examined in Carrick.

[The document produced by the last witness, in which the name of Stokes appeared, was handed to Mr. Stokes.]

12529. The *Chief Commissioner*.—Is that in your handwriting?—It is not, sir.

12530. It is not?—No, sir.

12531. How many sheets of paper did you send in your statement on?—I think it was one like this. It was only one sheet.

12532. Where did you write it out?—In Carrick.

12533. The examination of Mr. Lawder was then resumed.

12534. The *Chief Commissioner*.—Do not you think it extraordinary, Mr. Lawder, that there should be that alteration in the brief of Stokes's evidence. As a solicitor of eminence, who has prepared a great number of briefs, do not you think it extraordinary?—I think that there is an omission, and the only way I can account for it is this. Sometimes at one, two or three o'clock in the morning people would rush in and say, "Let me look at my evidence," and cause confusion. In looking over the briefs in the train I saw some of them in irregular numbers.

12535. In the second set of briefs marked B, they are regularly paged from one to ten, including Stokes' and Cherry's evidence, and each page corresponds with a similar page in another brief?—I presume they do, but I was not present when Mr. Stokes' evidence was taken down at all.

12536. The rest of the evidence is similar in one brief to the other, and the fact of money having been given is omitted from one?—I cannot tell. I cannot account for the omission at all. It was Mr. Palmer who took down the evidence, and he, no doubt, will satisfy you on that point.

12537. Had Mr. Palmer or any person in your office communication with the counsel?—I think I was the person who alone attended consultations on behalf of Major Knox.

12538. Yes, but you said the briefs were read, or papers were read by counsel before the trial?—No, I say that the counsel had all the papers I could afford them at each consultation, and the very last night we were at Carrick taking down evidence. Some of the papers that were written were never used at all.

12539. [*Robert Stokes* stated that the statement in the paper produced was a correct statement, but he did not think it was in his handwriting.]

12540. Mr. *Commissioner Bruce*—(to the witness, Mr. Lawder)—Could directions have been given by Mr. Macdonogh, or any other counsel, to Mr. Palmer, or any other clerk in your office, to omit things from briefs that were in them?—I believe it is utterly impossible that he ever did such a thing.

12541. The *Chief Commissioner*.—Now, you do not remember having seen this before (document of Stokes' handed witness)?—No.

12542. I find here there is a general denial of all improper acts?—Yes, sir.

12543. And a number of names?—Yes.

12544. In these names, as originally written down with the expression, "I never spoke to them on the subject;" there are the names of Thomas and William M'Mullen, and these names are then scratched out. Do you know anything about that?—No, as I told you I never saw these names before (the document was marked C).

12545. In whose handwriting is the endorsement?—I do not know. It appears to me to be the same as the body. You told me to bring any papers I had with reference to John Galbraith, and this is the only thing I could find of him (a document handed in).

12546. Mr. *Commissioner Bruce*.—Will you hand in the bill of particulars?—I have not got the particulars with me, but this is a copy of it. [Document handed in.] The Chief Commissioner asked me if Hignell was not charged with some of the bribery, and I find his name is in the bill.

12547. Did Major Knox complain to you about his discovery of the improper practices of Stokes?—Just what I told you.

12548. Did he mention any particular case to you?—I think his words were, as well as I recollect, when he came into the hotel to me, "I have made up my mind to leave this place." I asked him why, and he said it was in consequence of the meddling and interference of Stokes, and he would not stay in the place any longer.

12549. But did he not specify anything?—I think he said, "That fellow Stokes has been taking liberties with me, and going about speaking to people in such a way that I have made up my mind to have nothing more to do with him. Mr. Randall Peyton was with me at the time, and I think his cousin, Mr. Utred Knox.

(The witness was permitted to withdraw).

Francis Barber sworn and examined.

12550. The *Chief Commissioner*.—Are you an elector?—I am for the county but not for the borough.

12551. Your name has been mentioned as having got money for voting during the last election. Did you get any money?—Yes, I did.

12552. From whom?—From Mr. Stokes.

12553. How much?—Fifty pounds.

12554. For what?—It was intended for Patrick Gallagher.

12555. Have you that money still?—No, I gave some to his wife.

12556. How much?—I dare say £15 or £20. I could not say.

12557. In what notes did you get that?—I think in one note, as far as I can recollect.

12558. One £50 note?—I think so; I am not sure now.

12559. How long before the election did you get it?—A few days.

12560. Had you made the bargain with Gallagher?—No.

12561. How did you happen to become the holder of the money?—I said to Gallagher he ought to stick to our friend Major Knox. He said he did not know yet. I said the Major was supported principally by a body of people who went from day to day to his house, and that he ought to act as a friend to his friends, and he said he would like to do anything I would think to be right, and that I was always a good friend of his.

12562. Well, how did you happen to get the money?—I went to Mr. Stokes and told him I thought Gallagher would have gone with us.

12563. How did you know you were to go to Stokes?—Well, I think Stokes told me to take him to

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the country out of the way. I think that was the first communication. Gallagher declined to go.

12564. But how did you know Stokes had the money?—I did not know indeed. I went to him and told him I thought Gallagher would go with us, that he said he would; that they were getting £40 or £50, and I went to Stokes and he gave me the money, and I think that is as much as I know of it.

12565. What bank was the note upon?—I cannot tell you that.

12566. When did you change the note?—I did not change it at all.

12567. Have you the note?—No, I lodged it to my credit in the bank when lodging other moneys.

12568. How soon did you lodge it afterwards?—I could not say exactly—perhaps nine or ten days.

12569. Into what bank did you put it?—The Ulster Bank.

12570. Could you fix that lodgment by looking at your bank-book?—I could not say particularly because I frequently draw and lodge.

12571. Do you think you could not by looking refresh your memory?—I could not to the best of my recollection.

12572. I think it should make an impression upon your lodging the election money in the bank?—No. I lodge different sums of money in various ways, and I never thought it would be brought to an inquiry.

12573. Did you get any other money to hold for voters besides that?—No.

12574. Was that the first transaction of the kind you were engaged in?—It was.

12575. Did you never hold money before?—No.

12576. Do you know of any other elector having got money?—No.

12577. And according to your statement there is about £35 due to Gallagher?—I could not say. I think I paid the wife about £15 or £20.

12578. Mr. *Commissioner Byrne.*—There was a witness examined to-day of the name of Perkins. Do you know him?—I do not know any such person to my recollection.

12579. Do you know his father-in-law, Mr. Clarke?—No; I do not know the people at all. I might know them if I saw them, but I do not know them by name.

12580. Mr. *Commissioner Bruce.*—What is your business?—I am a farmer and road contractor.

12581. Do you often make lodgments in bank?—Yes I do.

12582. Every week?—No not every week—but I do it very frequently.

12583. Of large sums?—Yes—sometimes large and sometimes small.

12584. Do you often make lodgments of £50?—Indeed I do and £100 and £200 and £500.

12585. Have you still got in your possession your bank-book for October or November of last year?—No; I think not.

12586. What has become of it?—Oh, when I had it filled and closed my account in the bank, I did not mind it. I got a new book.

12587. People do not generally destroy their bank books?—That would be my impression. When I closed my account I did not see the necessity of keeping it longer.

12588. Do you recollect destroying it?—No, I do not. But I generally do not make any use of them. I might have it, and I might not.

12589. Mr. *Commissioner Byrne.*—Are you a poor-rate collector?—No, sir.

12590. Are you a barony or other collector?—No, I collect rents for gentlemen.

12591. The *Chief Commissioner.*—You will have to search for your bank book because if you lodged this at the time of the election?—I could not say what time. I think I kept the money for some time after I got it, but I could not say how long.

12592. Could you not tell within a week?—Oh, a week or a fortnight.

12593. Did you lodge it within a month?—Yes.

12594. Did you take any note of the number?—No.

12595. Did you put any mark on it or put your name upon it?—No, I did not, sir. I hardly look at notes that way, unless I am suspicious about it—unless a note is strange or cut in two.

12596. Mr. *Commissioner Bruce.*—Will you be so kind as to search for that book and come on Monday. It will save us the trouble of getting your account out of the bank?—Yes.

12597. The *Chief Commissioner.*—We are not doubting in the slightest degree what you tell us, but it is our duty to find out and identify that note. If you cannot find your book, we will only have to ask the manager of the Ulster Bank to come here with the account?—Well, I do not know. Perhaps I got small notes for it. I cannot tell you one way or another.

12598. That is a singular answer after your evidence?—No, sir, it is not, because when I go about the matter that way I may change it. I might have lodged it to my account.

12599. Is your recollection now that you got 50 one pound notes?—No, my recollection is it was one note.

12600. Mr. *Commissioner Byrne.*—Are you aware of any other money going at that election, or at any previous election?—No, sir, I never had any other transactions either at that election or at any previous election.

Matthew Rowlett.

Matthew Rowlett sworn and examined.

12601. The *Chief Commissioner.*—Are you an elector?—I am, sir.

12602. Are you the Mr. Rowlett who has been mentioned as being in the office of Mr. Wynne's estate?—I am, sir.

12603. Who did you vote for at the last election?—I always vote with the Conservative party—I voted for Major Knox at the last election.

12604. Some money has been mentioned as having passed through your hands at a previous election. Give the Commissioners the particulars of that?—I will, sir. I happened to be in Mr. Lyons's office on one occasion after an election of Mr. Macdonogh. As far as I can recollect it was his first election. Mr Lyons said to me "By the way I have some money here for two or three of your people in Pound-street and I wish you to take it to them." One of these was named Mulligan—another was named M'Donald, and I cannot think who the third party was. To the best of my opinion his name was Mr. Macnamara. He gave me three £10 notes which I took up to them and handed them receipts for rent that was due—and which rents they handed to me on getting the money They lived in houses of Mr. Wynne's. The impression on my mind was that they were looking for this money from Mr. Lyons, as they were anxious to settle these accounts.

12605. You stopped the rents and gave them a balance?—They gave me what they wished to apply to the rents. I do not know that each of them gave me the rent. I know M'Donnell, a servant, directed me to apply a portion of it to the rent.

12606. Did you ever distribute money before that?—Never before or since.

12607. You have had nothing to say to anything of that nature since?—No, sir.

12608. Did any people ask you since to get money for them—any tenants of the Hazlewood estate?—Never.

12609. And you are positive you never distributed any money but that?—Never one shilling.

12610. Do you know of any money having been distributed?—No, sir. I am not mixed up with anything of that kind, and never was.

12611. Mr. *Commissioner Byrne.*—Who is M'Donnell's master?—About that time I think he served Mr. Duke of New Park, near Ballymote, about twenty miles from here.

12612. Mr. *Commissioner Bruce.*—Did you ever hear it stated that all the tenants on Mr. Wynne's estate who had voted for Mr. Macdonogh got £10 each?—I never heard of it.

12613. Of course then you do not know whether it is true or not?—I do not know anything about their negotiations for money or anything of the sort.

(The witness then withdrew.)

Matthew Rowlett.

Thomas M'Kim sworn and examined.

Thomas M'Kim.

12614. The *Chief Commissioner.*—Are you an elector of the borough?—Yes, sir.

12615. Who did you vote for at the last election?—Major Knox.

12616. Who did you vote for at the election between Sergeant Armstrong and Mr. Macdonogh—did you vote for Mr. Macdonogh?—I did, sir.

12617. Did you vote for Mr. Macdonogh at his first election?—I did.

12618. Did you get any money on these occasions?—I did get money I did not expect. It was long afterwards.

12619. Who gave you the money?—Mr. Monds gave me some money.

12620. How much?—I could not say. There was an account between Monds, and I heard he said he gave me £40, but I was under the impression it was not so much.

12621. But at all events you got some of that sum?—Yes.

12622. That was at Mr. Macdonogh's first election?—Yes, sir.

12623. How much were you due to Mr. Monds at the time?—I could not say.

12624. Were you due him £20 or £30?—I think it was something about that sum.

12625. Was it for rent?—It was, sir.

12626. Did you owe him two and a half year's rent?—I am not exactly sure.

12627. At that time how much was your rent?—£15 a year.

12628. Then you owed him £37 10*s.*?—Yes.

12629. You only got a trifle of money from Mr. Monds. How much did you get in cash?—I could not exactly say. I did not expect any money, nor had I any knowledge of it directly or indirectly. He brought me down to settle about rent, and he made a statement, and I signed a paper, not knowing what it was.

12630. Did you get any money after the election between Mr. Macdonogh and Sergeant Armstrong?—I never got money on any account unless on Mr. Macdonogh's election. I got from Mr. Sedley £15, but that was long after the election.

12631. I know it was. Did anyone give you the word that money was going?—Never; nor I never expected it, nor did not know what it was the day I signed and settled my account. Mr. Sedley came in and asked me to go down to his place, and handed me the money.

12632. This time, after voting for the Major, will you take any money that is going?—No, sir.

12633. If it is offered will you take it?—No, sir.

12634. Why?—Well, I do not know, sir.

12635. Were you at the meeting at Mr. Abbot's?—No, sir.

12636. Did you get a circular?—I did.

12637. Why did you not go?—I had my business to attend to.

12638. What business are you in?—I am a smith.

12639. Were you ever offered any money at this last election?—No, sir.

12640. On either side?—On any side. I never was canvassed in my life by a Liberal member.

12641. I suppose they thought it would be no use?—Just so.

12642. Would you take money to vote on the Liberal side?—I do not think I would, sir.

12643. You are not quite certain?—I do not know what effect people might have on me.

12644. Do you know any of your neighbours who expected money to be going at the time of the election?—No, sir.

12645. Do you know of anyone but yourself who would take money?—Well, I do not know, sir. I cannot tell what is their mind.

12646. Mr. *Commissioner Byrne.*—Are you quite sure £15 was all that Mr. Sedley gave you?—I am, sir.

(The witness then withdrew.)

Michael Bourke sworn and examined.

Michael Bourke.

12647. The *Chief Commissioner.*—Are you an elector?—I am, sir.

12648. Did you vote at the last election?—I did, sir.

12649. For whom?—For Captain Flanagan.

12650. Did you vote for Sergeant Armstrong?—No, I had no vote at the time.

12651. Did you ever vote before the last election?—I did, sir. In 1848 twice, and in 1853 I voted for Colonel Townley.

12652. Were you offered any money at the last election by anyone?—No, sir. I was not at the election, but at the revision I was promised £12 if I would not register.

12653. Who promised you the £12?—Mr. Stokes.

12654. What did he say to you?—He said if I would not go and register he would give me the price of a cow—£12.

12655. What did you say?—I did not go to the Court-house to register. I am a tenant of his.

12656. And did you keep away from the Court-house in consequence of that promise?—I did, sir.

12657. You are Michael Bourke of Ratcliffe-street?—Yes, sir.

12658. Did you ever ask him for any money?—No, sir.

12659. Did you ever ask him for any money at the time of the election?—No, sir.

12660. Did you expect to get the £12 he promised you?—I did, sir.

12661. And you were willing not to be registered?—I did, because he threatened to put me out of the house if I would go to vote.

12662. Mr. *Commissioner Byrne.*—Who was it induced you to vote for Mr. Flanagan?—Nothing induced me but my own principles. I always voted for the Liberal side.

12663. Were you canvassed for Captain Flanagan?—I was, sir.

12664. By whom?—By Captain Flanagan himself.

12665. Did anybody else canvass you?—No, except the people about the street. We always voted together. The butchers always vote together.

12666. How many vote together?—Perhaps ten or twelve, or fourteen. I am connected with the butchers.

12667. You are a butcher yourself?—I am, sir.

12668. Were you aware of money going amongst the butchers at Armstrong's election?—I heard of it. Some of them I heard got money about a year or so afterwards.

12669. Did you hear that the voters who voted for Sergeant Armstrong afterwards got money?—Some of

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Michael Bourke.

them did not get money, as they say themselves, but most part of them got money.

12670. How much did they get?—Twenty pounds, I heard it said, each.

12671. And the butchers generally vote together?—They generally vote together, sir. They did at that election, and at the last election.

12672. Now, why is it they arrange amongst themselves generally to vote together?—Well, I think they are all upon the Liberal principle, and they would not stand back. They generally go together to have it to say they have a good band of voters going together.

12673. Mr. *Commissioner Byrne.* — How many butchers are there in the town?—There are about fourteen or fifteen voters amongst them.

12674. Could you give us the names of those fourteen or fifteen who were voters and butchers?—I think I could, sir.

12675. Well, tell us?—Pat Feeny, Hennessy, Pat Hughes, Thomas Cunlisk—his brother James has no vote. Bernard Healy is in the list of butchers too. He is a cattle dealer. Frank Feeny is in the list of butchers. John Nattan is in the list of voters and voted.

12676. All these voted on the Liberal side?—On the Liberal side.

12677. And did most of them get money?—I only remember two men saying that they were satisfied.

12678. And you heard some say they were not satisfied?—Yes.

12679. And I suppose they expect to be satisfied after this election too?—I am afraid not.

12680. And were they dissatisfied after this election?—I do not think they were.

12681. Did Mr. Stokes offer you any money to vote for Major Knox?—No; he offered me so far as if I went away the Sunday before the election he would give me forty thanks.

12682. You knew what that meant?—I knew well enough.

12683. And you would rather take £20 from Captain Flanagan than £40 from Major Knox?—Yes.

12684. Did you expect to get £20 when you refused the £40?—I did not expect one penny, for we understood there was no money at all.

12685. Did you sign any agreement to go away from the barrister's court?—I did.

Thomas Ward

Thomas Ward recalled.

12686. The *Chief Commissioner.*—You have been sworn already?—Yes, sir.

12687. Have you heard that it was sworn in court that you gave money to four men?—I did, sir; but I had no recollection of it at the time I was here before; nor had no recollection of it until such time as I met Jennings in the hall—the man who gave the evidence.

12688. Tell the Court now the truth about that?—I did get £25 from Mr. Somers to the best of my recollection. It was after Mr. Somers' election.

12689. At his last election?—Well, I really cannot say. It was at one of his elections.

12690. Who gave you the money?—I think it was Mr. Somers to the best of my recollection.

12691. Mr. Patrick Somers himself?—Yes, to the best of my recollection.

12692. Where did he give you the money?—I think he sent for me. It was in an hotel.

12693. In which hotel?—Miss Allingham's.

12694. What did he tell you?—He told me that there were a few men in Rosheen, and to see could I deal with them.

12695. What did you say?—Well, I said I would see if I could arrange. They wanted £10, and I had not it to give him. They wanted the money from me before they would vote, and I would not give the money, and one of the men, named Bryan M'Keown, said to me, "Tom, if you give the money I will manage it." I gave him the money, and he dealt with these men.

12696. You got five votes for the £25?—Yes.

12697. What are the names of the men?—M'Keown, Jennings, Ted Boyle, and a man of the name of Kilmartin, I think, but I do not remember the fifth man.

12698. Now, did you give any other money at that election?—Well, I did, sir. Mr. Somers and I went into Paddy O'Brien's, in Market-street.

12699. Is that a man who has been examined here?—Yes. We canvassed him to see if he would come and vote for Mr. Somers. Mr. Somers and myself were together, and he refused, and Mr. Somers and myself had some conversation. Said he, "Here Tom, work this." He gave me £10, and we went upstairs to have a conversation with Paddy O'Brien and his wife. On returning down I left the £10 note on the mantelpiece of the fireplace. They were down before me, and I left it there, and told O'Brien's wife to go up as there was something above for her—and she went up and then told O'Brien to go and vote for Somers.

12700. Was that on the day of the polling?—It was.

12701. Was O'Brien hanging back?—He was until the mistress told him to go out and vote for Mr. Somers. Whether the man knew she had the money or not I could not say.

12702. But the mistress gave him the word?—Yes, sir.

12703. Nobody else?—No, sir.

12704. Why did you not remember that when you were here before?—It was long gone by, and I forgot it.

12705. Did you give any money since?—No, sir; nothing to my recollection.

12706. That is a very vague phrase—to your recollection. Will you swear on your oath that you did not?—To the best of my opinion I did not.

12707. Is it a thing a man could forget giving money to an elector? You remember these two transactions at the end of ten years?—I did not remember of it until I met a man in the hall and asked him.

12708. Do you remember at which of Mr. Somers' elections that was? Was he beaten or did he get in, according to your recollection?—I think he was beaten according to the best of my opinion.

12709. Do you remember any talk that time about some of the Liberal party going against him? Do you remember thirty or forty Liberals going against him?—I could not say. Some of the Liberals did go against him.

12710. Perhaps, as your memory is refreshed, you could remember something about the mobs at the last election. Was any money going in your house for drink for the mobs?—No, sir. I got no money except what the people drunk and paid for.

12711. Had the country people plenty of money that day?—I do not know.

12712. How much did you take that day? Did you take £20?—No, nor £10, nor £5, to the best of my recollection.

12713. Mr. *Commissioner Byrne.* — Do you remember the first time Mr. Macdonogh stood as candidate?—I do, sir.

12714. Was it the election before that you gave away the £25?—I think it was at Wynne's election. I think it is about ten or twelve years ago since that election.

12715. Mr. *Commissioner Bruce.*—It was at the election at which Pat O'Brien was so badly treated and beaten, and his wife was hurt?—No, sir; it was at the election before that.

12716. At whose election was Pat O'Brien beaten so badly?—I really cannot say.

12717. Was he the Pat O'Brien who got the money?—Yes, sir; he is the man who sells the furniture in the back streets.

12718. Now, did you give anyone else any money at any other time?—No, sir.

12719. Which Pat O'Brien was it you gave the money to?—It was on the chimney-place I left it.

12720. Was it Pat O'Brien, the furniture broker, whose wife is now dead?—Yes, sir, his wife is now dead.

(Witness then withdrew.)

William Beatty sworn and examined.

12721. The *Chief Commissioner.*—Do you hold any position in the *Irish Times* office?—I do, sir.

12722. What is it?—Clerk.

12723. Are you bookkeeper also?—No, sir, I am not.

12724. Where do you reside in Dublin?—At present I reside in Brunswick-street.

12725. You know, of course, Mr. Hignell, the manager?—I do.

12726. You know Captain Ethelred Knox?—Yes.

12727. Now, at the time of the election Captain Ethelred Knox was cashier in the *Irish Times*?—He is not cashier, he is manager.

12728. Who is cashier, or was at the time of the election?—We all are cashiers, and he accounts for the money. We all receive money at the counter.

12729. Who accounts for the money?—He does; but his position is manager, and not cashier.

12730. Ultimately did the money pass through his hands—who, for example, had the bank book?—He generally gave cheques.

12731. Was it he paid the cheques?—Yes, and he gave cheques occasionally.

12732. On what bank?—I could not say, I assure you.

12733. You do not know the bank?—I do not indeed.

12734. Were you here at the election?—No, I have never been in Sligo before.

12735. At the time of the election did you live in Brunswick-street, or in Amiens-street?—No, in Great Charles-street with my uncle.

12736. What is his name?—Mr. Armstrong.

12737. His Christian name?—William.

12738. Now, at the time of the election did you see any Sligo people in Dublin?—Yes, I saw Mr. M'Morrow.

12739. An elector?—I do not know what he was.

12740. In whose house was he?—In my uncle's.

12741. How long did he remain there?—I could not exactly say the length of time, but he was there for months.

12742. Was he there during the polling?—During the polling after the election?

12743. Yes. Give the date when he came up?—I could not say exactly the date.

12744. Was it in November?—As far as I recollect I think it was.

12745. I suppose M'Morrow had never been in your uncle's house before?—No, he had never been in it before.

12746. What introduction did he bring to the house?—I was spoken to by Mr. Hignell to get him lodgings as his life was in danger here in Sligo.

12747. When did Mr. Hignell speak to you?—Well, I did not put down a note at the time he spoke to me about him. He asked me could I get him lodgings in a respectable place, and I told him I could.

12748. Was that before the election?—No, sir; I think it was after the election.

12749. Had your uncle been in the habit of letting lodgings before?—Yes; and had a vacancy at that time.

12750. What position in life was M'Morrow in?—I could not say. I lived in the house while he was there, and his bill was paid by Major Knox, I think, to the amount of £15—£15 or £16, I cannot say which.

12751. Was it paid directly or through Hignell?—Oh no. Of course the bill was furnished, and it was paid directly afterwards.

12752. Up to what time did he stay there?—I do not know. I left Charles-street. I did not remain there very long; and I saw him several times afterwards, but I had no communication with him.

12753. You say he was there several months; what was the latest time he was there?—He was up to Christmas.

12754. Now, did you see any other Sligo people?—No; I was not acquainted with any person in Sligo.

12755. What exactly did Hignell say to you?—He told me M'Morrow had come to stop in the city for some time, as his life was in danger in Sligo on account of his voting for Major Knox, and asked me to get him the lodging; and I dare say if he was there now Major Knox would pay the same bill for him.

12756. Do you know Mr. Hughes of Queen-street?—No, I do not. I know a gentleman of that name in the *Irish Times;* but I do not know any other.

12757. He is the canvasser?—Yes, sir, of legal advertisements.

12758. Is he come down here?—No. I was taken by surprise in having to come here to-day, because I was ordered to appear here on Monday, and I was taken by surprise when I was told to come here to-day.

12759. I ask you did you see any other Sligo electors in Dublin?—No, not that I am aware of.

12760. Do you know Brennan?—Yes; Tom Brennan.

12761. Yes. Did he go to the office?—Yes; he used to come in for a paper.

12762. Do you mean to convey to the Court that he only came in to invest a penny in the paper?—Yes; he used to come in like any other man.

12763. Used he to be shown to Hignell?—No; I never saw him shown to Hignell.

12764. Used he to be shown upstairs?—No; I never saw him shown upstairs.

12765. Mr. *Commissioner Byrne.*—Was M'Morrow's bill furnished to Major Knox previously?—As far as I remember it was. I had nothing to do with it. It was my uncle's business to look after that. I do not know anything about it. I could not tell you when the bill was paid, for I took no note of it.

12766. Major Knox is, of course, aware of M'Morrow being with you?—Yes.

12767. You mentioned that Captain Ethelred Knox is the manager of the *Irish Times*?—Yes, he was, at least.

12768. When did he cease to be?—He has not been there since the latter end of August.

12769. Have you any reason for saying he has ceased to be except for his absence?—No. He has been ailing for the last eighteen months. He has been four or five times out of the *Irish Times.* Twice he has been away for two months.

12770. Is his brother, Captain Alberic Knox, acting for him at present?—Yes, taking his place until he comes back.

12771. The *Chief Commissioner.*—Did you hear of any other Sligo electors being in Dublin in the same way as M'Morrow?—No.

12772. Did you ever hear of the M'Mullens?—I heard of the M'Mullens.

12773. First of all you said you heard of no others, and now you say you heard of the M'Mullens?—I know it now that you have mentioned their name.

12774. Was it at Christmas you saw the M'Mullens?—I really cannot say.

12775. Who pointed M'Mullen out to you?—I think M'Morrow came in one day to the office for a paper, and he mentioned that that was a friend of his from Sligo. I think he was speaking to a friend from Sligo at the time. That is the only time I saw him, and I never spoke to him in my life.

12776. Did you see anybody else?—No; these are the only three I have seen—Brennan, M'Mullen, and M'Morrow. I saw no others.

12777. Did you know they were going away to England?—No.

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12778. Did you ever hear that until the evidence was given here?—I never knew where they were or are at present. I saw M'Morrow when I was coming up here.

12779. Mr. *Commissioner Bruce.*—Do you know a man called Kavanagh, who lives in Dominick-street?—Yes; I think I do. I do not think I ever spoke to him.

(The witness then withdrew.)

The Court adjourned until ten o'clock on Monday morning.

Eleventh Day.
October 18.

ELEVENTH DAY.

Monday, October 18, 1869.

The Commissioners sat at ten o'clock.

12780. *Michael M'Goldrick*, who had been examined on a former day, appeared on the witness table, and said—I was the man that was examined here the other day, when I swore that I never got a shilling for my vote at the last election. I see my name put down for £20 in the papers.

12781. The *Chief Commissioner.*—Do you wish now to state that you never got a shilling for your vote at the last elections?—I swear positively I didn't. I never asked it. Mr. Keighron knows my principles as well as anyone, and he knows I didn't.

12782. You wish to tell me that you never got a shilling?—Yes.

12783. And you now make that statement on oath?—I do.

Alexander Jackson.

Alexander Jackson sworn and examined.

12784. The *Chief Commissioner.*—Are you an elector?—Not at present.

12785. When did you last vote?—At Sergeant Armstrong's election.

12786. Did you get any money after that election?—I did.

12787. How much did you get?—Thirty pounds.

12788. Who gave it to you?—Mr. Petrie.

12789. Did you ever get any money before?—Never.

12790. Did you ever get any money since?—Never—not a penny.

12791. Did you ever vote for anyone but Sergeant Armstrong?—I didn't.

12792. Mr. *Commissioner Byrne.*—Did Mr. Petrie canvass you to vote for Sergeant Armstrong?—He did.

12793. Was it Mr. Petrie you promised to vote for Sergeant Armstrong?—Yes. I promised both Mr. Petrie and Sergeant Armstrong.

12794. Did you promise Mr. Petrie first?—I can't say.

John M'Guirk.

John M'Guirk sworn and examined.

12795. The *Chief Commissioner.*—Are you an elector?—I am.

12796. Whom did you vote for at the last election?—I didn't record my vote at all.

12797. Why not? Were you one of the men that went to Mrs. Hall's?—I was. I went to Mrs. Hall's for safety, and I went there with the determination to vote for Major Knox, but when—I was in the act of going to vote out at the time—I heard of the death of Captain King, it intimidated me from voting.

12798. Did you get any promise of money to go to Mrs. Hall's?—I didn't.

12799. Did you vote for Mr. Macdonogh at the previous election?—I did.

12800. Did you get any money after that election?—I didn't.

12801. Did you vote twice for Mr. Macdonogh?—I didn't. His first election, Mr. Macdonogh had a walk over; he came on again and canvassed me. I promised to vote for him. I did vote for him.

12802. Did you ever get money before or since that election?—Never.

12803. What business are you?—A hairdresser.

12804. Did you get any annoyance after you voted?—I did. I felt I wasn't secure in my house. At the former election of Mr. Macdonogh's election I was very badly treated by the mob, but for the assistance of four or five gentlemen and Mr. Sedley who rescued and secured me. The mob tore my clothes.

12805. You are a Roman Catholic, I believe?—I am.

12806. Was anything said to you in your parish church about the election?—Well, it's rather a delicate question.

12807. You are bound to tell the whole truth?—Well, as it is a religious question, I'd feel delicate about bringing religion into this court.

12808. I will bring you to the matter at once. Were you in your parish church on Christmas Day?—Yes. I went to early mass. I am sorry to be obliged to say it; but I will tell you all about it. I went with Mrs. M'Guirk to seven o'clock mass in the morning. I laid down my donation, two and six pence, and went up to the gallery. I was five or six or eight minutes there, to the best of my recollection.

12809. With your wife?—Yes, when a boy came up and tapped me on the shoulder.

12810. Did you know who the boy was?—I didn't. He told me Father Morris wanted me. I took up my handkerchief from the ground where I was kneeling, and on doing so I came down. Father Morris had my money in his hand when I came down. He wasn't there when I went upstairs to the gallery. He asked me, "Did you hear mass?" I said I didn't. He said, "You'll have to kneel here," and he pointed me to the place.

12811. What place was it? Was it on the ground floor?—It was opposite the altar.

12812. What did you say when he did that?—I said I certainly will not kneel there, that I had done nothing disgraceful or dishonourable. He then handed me my money back, and out I went.

12813. Did you, in consequence of what Father Morris said, hear mass that morning?—I wouldn't return at all to the chapel after an act of the kind.

12814. Were not you at divine service that morning?—I wasn't. I am a decent man, and I never did anything which could bring disgrace or dishonour to my family or my character.

12815. Did anything else occur in the church that morning?—Not a ha'porth. I am sorry to be obliged to record even that.

12816. Do you know Laurence Burke?—I do.

12817. Did anything happen to him on that Christmas Day?—Nothing but what I tell you on my own part.

12818. Did Father Morris say why you would have to leave the gallery?—He didn't say a word, but what I have told you.

12819. Did you understand on what account that conduct was pursued towards you?—Well, I felt it was in consequence of voting for the Conservative member.

12820. Did you always vote for the Conservative candidates?—I always voted for them. I do a very large Conservative trade, and on that account I do support them on any coming election. I always stand to my friends and supporters in that way.

12821. Mr. *Commissioner Bruce.*—Did Father Morris canvass you?—He did.

12822. When did he canvass you?—Very early at the election. He canvassed me at Captain Flanagan's election.

12823. I am speaking of that election—how long before the polling day did he canvass you?—About three weeks, in or about that—it was a short time before the polling day.

12824. Tell us what took place when he canvassed you?—He came in as Captain Flanagan's friend, and introduced me to Captain Flanagan. There was a large mob outside the door; I wasn't long in the house, I was after coming from Mr. Cooper's house. Father Morris canvassed me very respectably and very quietly. He said, "Will you vote for Captain Flanagan?" "I will not," said I. I said I would vote for the Conservative member. He said he was sorry I would not vote for Captain Flanagan. I said I would not swap my friends and supporters for anyone.

12825. Mr. *Commissioner Byrne.*—Had you voted at any previous elections?—I did.

12826. Did you vote for Mr. Macdonogh at his first election?—I did not.

12827. Did you vote at Sadler's election?—I did.

12828. For whom did you vote then?—I voted for Sadler.

12829. Did you get any money at that election?—I did not.

12830. Who canvassed you for Sadler?—Attorney Gethins was then alive, and he canvassed me. I wasn't very experienced in politics; I had no Conservative trade at the time; I was a very humble person, and when I was canvassed, I hadn't a second thought about it—I said I would vote for Sadler.

12831. When you voted for Mr. Macdonogh, had you any reason to believe that you would lose your Conservative friends if you did not?—I swear I would. If I voted to-morrow against them, the Conservative friends and supporters I have would leave me.

12832. Are you aware now of there being exclusive dealing?—A great deal of exclusive dealing.

12833. In consequence of voting?—Oh, yes, wonderful. Tongue cannot describe the exclusive dealing.

12834. Is that exclusive dealing resorted to on the Conservative side more than on the Liberal side?—I think one is as bad as the other.

12835. And it was through apprehension of that system, that you voted?—Oh, certainly it was.

12836. You stated that your clothes were torn for voting for Mr. Macdonogh?—Yes. I left my house to vote for him, and on turning into Gaol-street, a lot of men gathered about me, and tore my clothes; and were it not for Mr. Sedley, and some other gentlemen, I would be severely hurt. I can't tell the number of weeks I was laid up—I think it was six weeks—in consequence of the crushing I got.

12837. You were confined to your bed for six weeks?—I was, off and on.

12838. Was your house wrecked?—Three or four panes of glass were smashed.

12839. Did Father Morris, or any Catholic clergyman, use any very strong language to you on the Christmas morning he sent for you to the gallery?—Nothing more than what I stated. I took the money back, and out I went. That is all that occurred.

12840. Mr. *Commissioner Bruce.*—The place where Father Morris directed you to kneel, is that a place where people kneel as a penance?—I can't tell. I never heard of it before.

12841. Where exactly is it?—It is between the gallery and the stairs. It is a kind of place where people kneel who come in late.

12842. Is it a place where the respectable portion of the congregation kneel?—It is not.

12843. Mr. *Commissioner Byrne.*—Is the place for the better portion of Catholics to sit in, the gallery?—Yes. The humbler classes generally sit in one gallery, and the respectable shopkeepers in the other. One portion pays copper, and the other portion silver.

12844. What did you pay on Christmas morning?—I paid silver, half a crown. I am not a very big gun in this place, but I always kneel in the gallery.

12845. Mr. *Commissioner Bruce.*—Did Father Morris not give you any reason for this?—Nothing, but what I tell you—he told me to kneel in this place. It gives me great pain to mention it at all. Father Morris is a good and pious clergyman, he is a splendid, good, and charitable gentleman; I considered it very strange that I should be asked to kneel in this place.

12846. Mr. *Commissioner Byrne.*—Did Father Morris take any active part in the last election?—I don't know. I didn't mix myself up in it.

12847. Did you always vote for the Conservative candidates?—I did.

12848. You say you went to Mrs. Hall's for protection?—I did.

12849. How long did you remain there?—I remained there from Wednesday to Friday night.

12850. How much did she charge you for remaining there?—When I went there I asked her what she'd charge me for the time I'd remain with her. She said five shillings a day as long as I'd stop. A week after I made an application for her bill.

12851. The *Chief Commissioner.*—And you paid her?—I did.

12852. Mr. *Commissioner Byrne.*—Do you expect that money to be paid back to you?—Never.

12853. Mr. *Commissioner Bruce.*—Were there any threats used to you from the mobs?—No; I apprehended that if I remained in the house I would be threatened; and that, if I did go to record my vote, I was in as great danger on the last as I was on the former occasion.

Patrick Jenkins sworn and examined.

Patrick Jenkins.

12854. The *Chief Commissioner.*—Are you an elector?—I am not.

12855. Were you an elector for the borough?—Never.

12856. Were you never an elector?—Never.

12857. Did you get any money at the last election at which Sergeant Armstrong was elected?—I didn't.

12858. Did you get any money at any election?—I got money at Mr. Macdonogh's election, after it was over.

12859. How much did you get?—I got £3.

12860. For what did you get it?—I got it from Mr. Sedley, as a messenger.

12861. Who gave you the £3?—Mr. Charles Sedley.

12862. He gave it to you in your position as a messenger?—That's all.

12863. Have you any relative a voter?—No.

12864. Was £3 all the money you ever got at any election?—I did; I got money from Major Knox.

12865. How much did you get from the Major?—I got £8.

12866. What was that for?—It was for business I did at the revision.

12867. What business did you do?—I served 197 summonses.

ELEVENTH DAY.

October 18.

Patrick Jenkins.

12868. Who got you the £8?—It is a letter I wrote myself, saying that I exerted myself at the election; I got a few voters to sign it.

12869. Who were the voters you got to sign it?—I can't tell you.

12870. You could?—I can't indeed. That's the way I got the £8.

12871. You can remember whom you asked to sign the letter?—I got the letter wrote.

12872. Who wrote it?—I wrote it myself.

12873. Who signed it?—I think I got Mr. Burke to sign it.

12874. Is that Laurence Burke?—No; John Burke.

12875. Who else signed it?—I am sure Hillas Smith signed it. I think I got Mr. Grivett to sign it. I got as many as I could to sign it.

12876. How many altogether signed it?—I think about ten or twelve, I can't tell you exactly.

12877. Tell us the names of a few more that signed it?—A man named Doyle signed it.

12878. What is his Christian name?—Thomas Doyle.

12879. Who else signed it?—I can't tell you now, it is so long ago.

12880. How did you get the £8?—This is a memorial I wrote, and got it signed by those persons, saying that I exerted myself at the revision, and that I served 197 summonses.

12881. When did you get the £8?—It was some time after the revision, I got an envelope and cheque sent to me with £8.

12882. Whose name was signed to the cheque?—I can't tell you that.

12883. In what bank did you get the money?—I got it in the Ulster bank.

12884. But you cannot tell whose name was to the cheque?—I can't.

12885. You can read and write, and serve summonses; and as process server you are very sharp; try and tell us whose name was to the cheque—was it Knox?—I can't tell whether it was Major Knox's name was to it or not.

12886. But it was Knox that was to it?—It might be the Major's name that was to it; for along with the cheque there was a short letter telling me that he thanked me for my exertions at the revision.

12887. Mr. *Commissioner Bruce.*—Was this before the election?—It was at the last revision.

12888. Was it before the last election?—It was.

12889. Did you think you were paid for your exertions?—I don't think I was paid, for I served 197 summonses.

12890. You thought you might get half-a-crown a piece for serving them?—I ought to get more.

12891. Mr. *Commissioner Byrne.*—Do you know Tom Brennan?—I do.

12892. Did he employ you as one of the mob?—Never.

12893. Were you ill-treated by the mob?—Never.

12894. Were you ever in any mob?—Never.

Samuel Williams.

Samuel Williams sworn and examined.

12895. The *Chief Commissioner.*—Are you an elector?—I am.

12896. Whom did you vote for at the last election?—For Major Knox.

12897. What are you by business or occupation?—A shopkeeper.

12898. Whom did you vote for at the previous election?—I voted for Mr. Macdonogh.

12899. Did you get any money after any election?—After Mr. Macdonogh's election I did.

12900. How much did you get?—Twenty pounds, and five pounds.

12901. Who gave it to you?—John Burke gave me the £20. He said it came from Mr. Williams.

12902. Who gave you the £5?—Mr. Williams himself.

12903. What was said when you got the money?—It wasn't in cash he gave me the money, it was in drapery goods. There was £2 16*s.* 3*d.*, I was guarantee for Mrs. Irwin, my mother-in-law. When I saw that he sent me the £20, I went down to buy some things. I told him I was going to pay Mrs. Irwin's account. She ran a long account for £80. I paid him, and I got a coat. Her account came to £5.

12904. Did you process Williams for the money?—I did; for the £25 he had for me.

12905. You wanted, I believe, to get £50?—He told me there was £25 for me.

12906. Did you know anything of that before the election?—I didn't.

12907. Was it after you processed him that he gave you the money?—It was before it that he gave it to me.

12908. Why then did you process him for the £25?—It was in March he promised that to me.

12909. Another £25?—Yes.

12910. That was £50 altogether?—Yes.

12911. You expected to get £50?—I didn't expect a shilling.

12912. You thought you had a right to that money you processed Williams for?—I thought I had as good a right to it as he had to keep it. He said he had £25 more for me.

12913. Did he say who gave it to him?—He did not.

12914. After what election was this?—After the first election of Mr. Macdonogh.

12915. Were you paid any money after Mr. Macdonogh's second election by Mr. Sedley?—I was.

12916. How much?—£15.

12917. Go back now to the process—did you swear that Williams promised you £25?—I did.

12918. And that he said he had more for you?—Yes.

12919. Did Williams deny that?—He said he knew nothing about it in any shape or form.

12920. That was £25 you got at one election, and £15 at another?—Yes.

12921. Have you always voted for the Conservative candidate?—Yes, I always went with my landlord, Mr. Wynne.

12922. Did you ever get any money before the first election of Mr. Macdonogh?—Never.

12923. You knew you were getting these two sums of £25 and £15 because you voted for Mr. Macdonogh?—I never knew exactly what it was for. I suspected it was in compensation for my vote.

12924. Were you ever told what it was for?—Never.

12925. Do you remember the night before the polling-day of Mr. Macdonogh's election?—I do.

12926. What hour of the day was it that you voted at his second election?—It was about ten o'clock.

12927. Did you suspect that there would be money going at that election?—I never thought of it.

12928. Did you hear of money going?—I heard of Mr. Sedley having money, but I never knew of it for six or eight months after the election.

12929. Had you any promise of money at the last election?—I hadn't.

12930. Or a hint that it was going?—No.

12931. Did you go to Mr. Abbott's meeting?—I did—such are my principles.

12932. Would you vote for Mr. Abbott if he were a candidate?—I would go vote for him to-morrow.

12933. Was there any word going that he was a rich English gentleman?—I heard nothing of it at the meeting.

12934. Did you hear of it anywhere?—I heard of it. They are all very rich when they are coming, even if they were beggars. That's the way I expressed myself when I heard of it.

12935. Mr. *Commissioner Byrne.*—Did Mr. Williams

canvass you the first time you voted for Mr. Macdonogh?—He didn't come to my house.

12936. Did Mr. Sedley canvass you at his second election?—He didn't.

12937. Did you know there was money going at the time of the election?—I never knew there was a shilling going, directly or indirectly.

12938. If you were offered money for having voted for Major Knox would you have any objection to receive it?—I don't believe I'd be safe in taking it.

12939. What do you mean by "safe"?—I would be in dread of the law.

12940. Do you think you would take it if it were offered to you?—I don't think I would take it.

12941. You know you took money after two elections from Mr. Macdonogh—why would you refuse to take it for having voted for Major Knox?—I don't expect it will be offered to me.

12942. But if it were offered to you, and that you had no dread of the law, would you have any objection to take it?—I don't think I would. I heard no talk about it.

12943. Mr. *Commissioner Bruce.*—Did you hear any talk of it at Mr. Macdonogh's election?—Very little; there was some little rumour about it.

12944. That money was going?—There was a little rumour about it.

12945. And you expected money in consequence?—I didn't.

12946. Did you hear of anybody else that got money?—I didn't. It was said that we would have to go with the landlord, and that there wouldn't be any money going.

12947. You got money after Mr. Macdonogh's first election?—I did.

12948. Didn't you then expect it after his second election?—I didn't.

12949. Wasn't there a rumour that money was going after his second election?—There wasn't, until a man named Fair said he got £15. I then asked Mr. Sedley if he had any money for me, and he gave it to me.

12950. How long after Mr. Macdonogh's first election did you get the money from Burke?—If I knew what time the election was I could tell you—it was in March I think I got it.

12951. Did Burke send you to Williams?—Burke came to my house and gave me £20. He told me that Mr. Williams wanted me, and said the money was from Mr. Williams. I then went up to Mr. Williams.

12952. What did Mr. Williams say to you?—He asked me if Burke gave me £20. I said he did.

12953. He gave you £5 more in goods?—Yes. I was going to pay my mother-in-law's account, and he said, "don't mind it, I have more for you."

12954. What did you say to that?—I said I didn't expect it. I then paid my mother in-law's account, and the price of the coat.

12955. Had you a doubt on your mind that the £20 was for your vote?—I suspected that it was.

12956. Didn't you believe it was?—He didn't say what it was for.

12957. Didn't you believe it was for your vote?—I believe it was.

12958. Was it then Mr. Williams told you he got £25 more for you?—Yes.

12959. Have you heard of any other tenants of Mr. Wynne having got money for voting for Mr. Macdonogh?—Mr. Sedley read out the list for you.

12960. I am not speaking of anything Mr. Sedley mentioned in his evidence here. I am speaking of what you heard previous to this inquiry?—I heard nothing more than the list Mr. Sedley read out here.

12961. Had you heard of people on his list getting money for voting for Mr. Macdonogh before Mr. Sedley read them out here?—I heard of a few of them.

12962. Who did you hear got money for having voted for Mr. Macdonogh?—I heard that Joseph Fair got it.

12963. Where is he now?—He is out of the country.

12964. Anyone else?—I heard a man named M'Daniel got money.

12965. How much did he get?—I can't say.

12966. What is M'Daniel's Christian name?—Peter M'Daniel.

12967. Is he in town now?—No, he is in America, I hear.

12968. Who else of Mr. Wynne's tenants did you hear got money?—I heard that a man named Mulligan got it. I didn't pass much remark who got it.

12969. What is Mulligan's Christian name?—Henry.

12970. What other tenant got it, that you heard of?—I heard that a man named Graham got it.

12971. What Graham is that?—Robert Graham; he is dead.

12972. Did you hear him say that he got money?—I can't say that I did; but I'd expect by the way he voted at the election, that he did get money. I think I heard him say he got some money.

12973. Did he say from whom he got it?—He didn't.

12974. Name any other tenant you recollect hearing that he got money?—I don't know of any more but a a man named Crozier.

12975. Mr. *Commissioner Byrne.*—Were you canvassed by anybody on Sergeant Armstrong's side?—I was.

12976. Who canvassed you?—Sergeant Armstrong himself, and some other gentlemen. I don't recollect who they were.

12977. Was it after you were canvassed for the Sergeant that you promised your vote for Mr. Macdonogh?—It wasn't.

12978. Had you any conversation, before you promised your vote for Mr. Macdonogh, with Mr. Sedley?—Never.

12979. Having got money after Mr. Macdonogh's first election, did you expect to get money after his second election?—I didn't.

12980. Mr. *Commissioner Bruce.*—Did you vote for Mr. Wynne at his election?—I did.

12981. Did you vote for him at both of his elections?—I hadn't a vote at his first election, but I voted at his last election for him.

12982. Did you hear of any money going at that election?—I didn't.

Laurence Burke sworn and examined.

Laurence Burke.

12983. The *Chief Commissioner.*—What business are you in Sligo?—I am a hatter and draper.

12984. Were you in the parish church on Christmas Day after the last election?—I wouldn't like to answer you, if it was pleasing to you.

12985. You must tell what occurred—you must tell the truth?—Well I was.

12986. Are you married?—I am not.

12987. What mass did you go to on that day?—I went to first mass.

12988. What hour was that at?—I was there at seven o'clock.

12989. What part of the church are you in the habit of sitting in?—In the south gallery.

12990. Did you go to take your seat and hear mass that morning in the place you were in the habit of going to?—No. I was told to go to another place.

12991. Who told you to go to another place?—The man that attends the chapel. I was just going up to the gallery, I was on the stairs when he told me.

12992. Had you given any money as your donation at the time?—I had.

12993. State what occurred when you were going up stairs?—I was ordered to go to such a place.

ELEVENTH DAY.
October 18.

Laurence Burke.

12994. What is the name of the person who so ordered you?—John Smith.

12995. Who is he?—He constantly attends at the church. I was going up stairs to the gallery, and he told me I was ordered to go to a place under the stairs, on the ground floor. I said I shouldn't go there until I'd see the reverend gentleman. I came out to see Father Morris, he told me that I must see the bishop. I said I did nothing that I knew of. I turned in again to the church and knelt in the place pointed out to me.

12996. Did you kneel in the place pointed out to you, and hear mass there that morning?—Mass was going on at the time.

12997. Was any member of your family with you?—No.

12998. Did you yourself see any other of your clergymen on the subject but Father Morris?—I didn't.

12999. What did Father Morris say to you about the bishop?—That I would have to see the bishop—I am not certain whether he said that it was by the bishop's orders, or that I would have to see the bishop. I thought it was bad treatment, I said: but, not wishing to lose mass, I wouldn't go away without hearing it.

13000. Do you know of any other voters that were treated in a similar way?—No, not to my knowledge.

13001. How did you vote at the last election?—I didn't vote at all.

13002. Were you at any time in the parish church when the Bishop spoke of the election?—I wasn't.

13003. Did you hear Father Morris or any of the clergymen speak of the election?—Not to my knowledge.

13004. Did anything similar to what you have described occur to you either before or since?—Never.

13005. Since that Christmas Day have you attended your parish church on Sundays and holidays?—Sometimes I did; sometimes I went to the other chapel.

13006. Mr. *Commissioner Byrne.*—Father Morris said you should see the Bishop?—Something to that effect.

13007. What did you say to that?—I said I should hear mass; and I then came away.

13008. Did you afterwards see the Bishop?—I didn't.

13009. Did the Bishop make any observations to you for not having voted?—No; he never spoke to me at all about it.

13010. Did Father Morris say anything to you with regard to the election—did he canvass you before the election?—He didn't.

13011. Did you hear any observations made in your parish church by any of the clergymen in reference to the election, either in the parish church or in the Friary?—I didn't.

13012. Were you maltreated by the mob?—My property was, but not my person.

13013. Did you get any compensation?—I got £100 compensation.

13014. That was for damage done to your house?—To all—to house, goods, and all.

13015. Did your family receive any damage?—No.

13016. Mr. *Commissioner Bruce.*—Did Father Morris tell you why you were to go to this particular place in the chapel?—He didn't.

13017. Did you understand why you were to go there?—I thought it was for the election business.

13018. For not voting?—Yes.

13019. Who canvassed you for Captain Flanagan?—Himself in person, and some of the clergymen. I am not certain whether Father Morris was with him or not at the time.

13020. Did anyone canvass you for Major Knox?—No.

13021. Why did not you, then, vote for Captain Flanagan?—I was indifferent about voting for many years. I didn't care whether I voted or not.

13022. You had Conservative friends?—I hadn't.

13023. Mr. *Commissioner Byrne.*—Did you ever get any money for voting?—At Sergeant Armstrong's election there was £20 given to me.

13024. Were you apprehensive of losing customers if you voted for Captain Flanagan at the last election?—No; I never thought of it.

13025. Mr. *Commissioner Bruce.*—Why did not you vote the last time—were you waiting for money?—I wasn't. It was drink that suggested this question of money.

13026. Who made you drink?—I was sent for by another person, and we went to a house.

13027. Mr. *Commissioner Byrne.*—What house was it you went to?—To Magrath's.

13028. Mr. *Commissioner Bruce.*—Were you drunk during the election?—Not to my knowledge.

13029. Why did not you vote, then?—I wouldn't come out at all; none of us three came out.

13030. Who were the others?—James Devanny and Michael Hunt.

13031. Did you vote with Devanny and Hunt at Sergeant Armstrong's election?—I voted with Devanny for the Sergeant.

13032. Did anyone canvass you on the day of polling?—No.

13033. The *Chief Commissioner.*—Do you expect any money for not having voted at the last election?—I don't.

William Hughes.

William Hughes sworn and examined.

13034. The *Chief Commissioner.*—Where do you reside?—At No. 23, Queen-street, Dublin.

13035. What is your occupation?—I am agent, canvasser, and assistant collector for the *Irish Times.*

13036. Did any Sligo people come to your house at the last election?—There was a man, whose name I afterwards learned was Peter Harrison, called at my house at a quarter after eight o'clock in the morning; he brought a memorandum on a piece of paper, in an envelope, directed to me. I was preparing for breakfast at the time, and my eldest daughter brought in the note to me, saying there was a man in the hall who wanted an answer. She said it was a countryman.

13037. What was the memorandum about? In whose handwriting was it?—I couldn't say in whose handwriting it was. It had no name to it; it was headed "Sligo." I am not certain whether it was dated or not; but the wording of it was to the effect—"Mr. Hughes.—You will much oblige friends here if you could get bearer comfortable lodging accommodation for one or two days."

13038. There was no name to it?—There wasn't, as well as I can recollect.

13039. Have you apartments in your house?—I have; but they were all let to permanent tenants. I don't let furnished lodgings. I went out to the hall and saw the man. He was a very old and respectable man; but he appeared rather nervous and excited. I asked him into the parlour. He said he came up from Sligo. I said, "I am very sorry I can't accommodate you, but I will go out and see if I can make out comfortable lodgings for you." He said, "I am sorry for giving you so much trouble; it is a particular friend that sent me up to you."

13040. Did you know he was a voter from Sligo—I didn't know it at the time; on the second day I think it was, he told me he was a voter from Sligo.

13041. What did you do?—He told me he was travelling all night, that he came up by the night train. I asked him to take breakfast with me. He took it, and I went out and looked for lodgings for him in the neighbourhood, in the most respectable places.

13042. Where did you get accommodation for him?—I made several applications for lodgings for him. Some of the parties I applied to said that they wouldn't

set their apartments for less than a month, others said they wouldn't set them for less than a week. I said the person I want them for only would want them for a couple of days. Failing to get lodgings, I came back to my own house, and spoke to my wife. I asked him wouldn't it be better for him to go to a hotel. He said he had an objection to go to a hotel, that he was afraid of getting a damp bed; he gave some other excuse for not going to a hotel. My wife and I talked over the matter, and we did accommodate him under the impression that he would only remain a day or two with us.

13043. Did you believe he was a Sligo voter?—Not then. At the time I had not the most remote idea as to whether he was a voter or not. He told me himself of it afterwards.

13044. You knew of the election going on at the time?—I did.

13045. And I am sure you took an interest in Major Knox's candidature?—I did certainly.

13046. I am sure you were anxious for Major Knox's return?—I would be anxious certainly for his success and his return, because I believed him to be a good employer, and a man that would have given general satisfaction.

13047. Did not you know Harrison's name when he came to you?—I didn't until after breakfast.

13048. Had you not received any previous intimation about his coming to you?—I hadn't.

13049. Did you inform anybody at the *Irish Times* office that you had Harrison stopping with you?—Not one.

13050. Why did not you?—Because I didn't think it necessary.

13051. Did not you know who sent up the man to you?—I didn't.

13052. Do you know Mr. Hignell?—I do, well.

13053. Did you speak to him on the subject?—I didn't. I don't think he was in town at the time.

13054. Do you know M'Dowell the confectioner?—I don't.

12055. Do you know Kavanagh?—I know him by appearance for a number of years.

13056. Did you know of the M'Mullens being sent up to Kavanagh, to be out of the way of voting?—I didn't.

13057. Have you that piece of paper that Harrison brought you?—I have not.

13058. What did you do with it?—I left it in the back parlour of my house, and some of the children may have torn it up.

13059. Did you look for it?—I didn't. I am positive it was destroyed.

13060. How long was Harrison with you?—When I saw the voting at Sligo from the papers, he said he was afraid his place would be destroyed.

13061. How long was he with you?—Seven or eight days.

13062. Did you give him any money to go back to Sligo?—Not a penny.

13063. He gave you no money?—Not a sixpence, or a shilling, or a pound; nor would I take it from him.

13064. Did you never tell anyone in the *Irish Times* office that Harrison was in your house?—I never opened my lips about it. I never told anyone in Dublin of it.

13065. I suppose Harrison was in the kitchen the greater part of the day, while he was with you?—He wasn't. He had liberty to go into the parlour, into the kitchen, and anywhere he liked. I did my best to treat him as a friend.

13066. Did you write any letters to Sligo about him?—Never.

13067. Did you know of any other Sligo men being in Dublin about the same time?—I heard of them.

13068. Of their being in Dublin?—I don't know that. I thought you were alluding to men that were at the Carrick petition. Afterwards I met several persons who said they were in Dublin. Mr. Williams and several others told me that they were in Dublin.

13069. At the time of the election?—No.

15070. Do you know the M'Mullens by appearance?—I don't.

13071. You are constantly at the *Irish Times* office, I suppose?—I am not. I am out from ten to five in the day. I call at the office every morning before ten o'clock, and I then go out about my business, to the court and other places.

13072. Did you see Tom Brennan in Carrick?—I did.

13073. Did you see him in Dublin?—I did.

13074. When did you see him in Dublin?—Since I was examined at Carrick.

13075. Did you know him before the trial at Carrick?—I didn't.

13076. Did you ever hear of anyone calling at your house to see Harrison while he was there?—Never.

13077. Did your wife never tell you that anyone called to see him?—Never.

13078. Are you positive that no one ever did call to see him?—I am, for I would have heard of it if any one did call.

13079. While Harrison was in the house, was the matter kept quiet, as far as you know?—As far as I know, I never spoke to anyone about it.

13080. Used you caution the members of your family not to speak of it?—I used not.

13081. Did you know on the second day he was with you that he was a voter from Sligo?—He told me he was, that he never voted at either side, and that he wouldn't vote. He said the consequence of his leaving for Sligo, was that he was in dread of bad treatment. I thought it right therefore to protect the man as far as I could.

13082. Have you seen the evidence given here, that £9 was sent to M'Dowell?—I didn't read all the evidence.

13083. Do you know anything of the sending of money to M'Dowell?—I know nothing of it.

13084. You got no money from anyone to give him?—I didn't.

13085. Major Knox, or Captain Ethelred Knox, gave you no money to give him?—No. In fact, I wouldn't take the liberty of speaking to Major Knox, or to Captain Ethelred Knox, on the subject.

13086. Where is Captain Ethelred Knox now?—He has been off and on for the last year and a half in ill health, I regret to say.

13087. Mr. *Commissioner Byrne.*—When did you last see Brennan?—About three weeks, or a month ago.

13088. Where did you then see him?—He was talking to some person in Sackville-street.

13089. Have you seen him often since the trial at Carrick?—I did.

13090. Is he in Dublin still?—I don't know.

13091. Did you miss him from Dublin the last three weeks or a month?—He didn't give me the slightest trouble.

13092. Did you see his handwriting since?—I never paid the slightest attention to his handwriting.

13093. Had you any conversation with Mr. Hignell about Harrison's coming up from Sligo?—I hadn't. Harrison came up to me by surprise. I didn't know he was coming.

13094. The *Chief Commissioner.*—Do you know people in Sligo?—I do, since I was a lad.

13095. Whom do you know here?—I know the Hynes's family. I know Mr. Kidd, and Mr. Clarke.

13096. Do you know Mr. Acheson?—I don't. I never saw him.

13097. Do you know Mr. Williams?—I only know the person I saw examined. The first time I saw him was at Carrick.

13098. How did they discover you to send Harrison to you?—That's the only way I can account for it—I don't know who sent him to me.

13099. Mr. *Commissioner Byrne.*—What do you mean by saying "that's the only way"?—A solicitor, Mr. Bradshaw, of Morehampton-road, saw my name in the paper. I keep a registry office. He had one or

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William Hughes.

two advertisements in the paper, and he asked my address. He registered with me.

13100. He does not register with you according to the Directory?—By the files of the court he did; he may have registered since that was printed.

13101. Here it is—John Bradshaw, 50, Morehampton-road, Donnybrook?—Yes. He asked me if I would grant him a city address, and I did so.

13102. Is Mr. Bradshaw a Sligo gentleman?—He is not.

13103. How does that bring you in connexion with Sligo?—I don't know, I think he is a Dublin gentleman; he has property, I believe, in Carrick-on-Suir.

13104. But that is in Tipperary or Waterford?—Yes.

13105. How does that bring you in connexion with Sligo?—I am not sure that it does. There are a great many who know that I do business with the *Irish Times* office.

13106. Was Mr. Bradshaw connected with it?—He was not.

13107. Mr. *Commissioner Bruce.*—Do you mean to say you never asked who wrote the letter Harrison brought you?—I did not.

13108. Why did you not ask who wrote it?—It did not occur to me at the moment.

13109. What was your reason for not inquiring who wrote it?—I had no reason for not doing so.

13110. If a man from Cork came with a letter addressed to you, with no name to it, would you take him in for a week?—I have a brother in Cork.

13111. Suppose the man came from Limerick, is it your habit to take in a man who comes with a letter with no name to it, and not ask who the particular friend is who sent him to you—surely you don't expect us to believe that story?—He entered into conversation with me about the proceedings going on in Sligo. He told me how he had to leave for not voting, and said he always thought Major Knox to be a liberal and kind gentleman. I thought I was acting a friendly part in protecting him.

13112. Was this your reason—that, knowing that Major Knox was a candidate for the representation of the borough of Sligo, you thought it would be satisfactory to him for you to receive a voter, and protect him?—My only reason was to protect him, when I allowed him to remain in my house.

13113. A man whom you knew to be a Sligo voter?—I did not know it at the time.

13114. Whom you knew to leave Sligo to avoid voting?—I did not know it until the next day at dinner, that he was a voter.

13115. Mr. *Commissioner Byrne.*—Did you tell us that you had no conversation with anyone connected with the *Irish Times* office about this man Harrison, up to this moment?—I had, after the petition, with Mr. Hignell.

13116. What did you tell Mr. Hignell—what passed between you and him?—I told Mr. Hignell that I had a man up from Sligo, named Harrison, stopping with me.

13117. Had you any conversation with Major Knox on the subject, either before or after the petition?—I had no conversation with Major Knox about it until I was served with the subpœna. I asked his permission to come down here, and he said "certainly, by all means."

13118. Returning to the conversation you had with Mr. Hignell, state what passed between you?—I told him that Harrison was stopping with me. Mr. Hignell looked at me and laughed, and said, "Did he pay you for stopping." I was surprised and annoyed. I said, "No, he didn't; I didn't want payment."

13119. Was that conversation at the Carrick trial?—I am not sure whether it was before or after it.

13120. Had you any other conversation with Mr. Hignell on the subject, except that?—I had not.

13121. Do you say you had no previous intimation or knowledge that Harrison was coming to your place?—I hadn't.

13122. What did you say to Mr. Hignell when he asked you if you were paid any money by Harrison?—I was certainly annoyed and surprised at the question. I said he didn't pay me any money; in fact, the man hadn't any money with him, for he passed an apology when about leaving my house, that he couldn't make any of my children some present. I said it wasn't necessary to do so.

13123. Did you understand from Mr. Hignell's manner that you would be paid for accommodating Harrison in your place?—I didn't, on the contrary.

13124. What did Mr. Hignell say?—He asked me if Harrison paid me. I said no.

13125. What did Mr. Hignell then say?—He said nothing.

13126. Did you follow up the subject?—I didn't; I let it drop.

13127. Do you expect payment?—I don't, nor do I want it. I was acting in a friendly way as I thought. If an enemy sent up a friend of his in the same way, I would do the same; if I had accommodation I would give it to protect him from injury.

13128. The *Chief Commissioner.*—Where was it that Mr. Hignell asked you if Harrison paid you any money?—It was in the *Irish Times* office; it was convenient to one of the desks.

13129. Did he say it seriously, or was it said in a joking way?—I believed he was joking.

13130. And you felt annoyed at his question, because what you did for Harrison, you did from regard for Major Knox?—I did it from friendly motives. I got neither payment nor anything else; nor would I take it if it was offered to me. I was only sorry the man met with such annoyance.

Mr. Harper Campbell.

Mr. *Harper Campbell* re-examined.

13131. Mr. *Commissioner Bruce.*—The persons you mentioned as having been paid money—the £1,480—have all been examined, except the man that is dead. Mr. Conroy swore he got £115; Mr. Phillips swore he got £180; Mr. Foley swore he got £180; Mr. Keighron swore he got £180; you yourself stated that you kept £100; Mr. Kidd swore he got £90; Mr. Petrie swore he got £130, and Mr. Magrath swore he got £65—that would make altogether but £1,040, which shows a considerable deficiency?—It does, it shows a considerable deficiency.

13132. It makes but £1,040, and shows a deficiency of £440?—I think so.

13133. Can you give us an idea as to whether you paid money to any other persons?—I think I did not, except to Mr. Poe, who is dead. I can't recollect what amount anyone got from me, but Mr. Kidd and Mr. Magrath; they got the money by cheque.

13134. Could it be that they got more than the sums mentioned?—I am sure Mr. Kidd got no more than £90, and that Mr. Magrath didn't get more than £65.

13135. Did you take receipts from the parties to whom you gave the several sums of money?—I can't be sure that I did from some of them. I had vouchers which I sent up to Mr. Byrne, and I asked him to see if they corresponded with the amount lodged. I mentioned the matter to Mr. Byrne in court the day he was examined, and he said he thought he handed them over to Sergeant Armstrong. On speaking with the Sergeant on the subject, he said he got the vouchers, and that all was right, and that he burned them afterwards.

13136. You did not give any money to Bryan Chrystal?—No; I didn't know him in the transaction one way or the other.

13137. Have you any recollection if Mr. Poe was paid by cheque?—He was not.

13138. How much money did he get?—I can't tell you. I have been trying to trace it out in every way,

and couldn't. The deficiency was obvious, and I was anxious to clear it up, if I possibly could. I sent the vouchers to Mr. Byrne to see if they corresponded with the amount lodged, and he said he believed it was all correct. Sergeant Armstrong said it was correct to the sixpence.

13139. It is only with a desire to trace the money that I asked you the questions?—I perfectly understand the reason.

13140. The *Chief Commissioner.*—The number of electors returned as having got money, from those who distributed it, was stated to be 55 or 56—Sergeant Armstrong stated that there were 97 paid; would that account for the deficiency?—He said he looked over the list, and it struck him that it was a great number.

13141. We have got only 55 or 56 electors that were paid, can you assist us in supplementing that list?—I can't assist you in any way further.

13142. We have traced £1,040 to electors, we cannot find any others to whom any money was given—can you, for instance, tell us to who Mr. Poe gave money?—I cannot.

13143. If you looked at your bank account, do you think you could account for the deficiency?—I have done so. I have endeavoured to trace it, and couldn't.

13144. Mr. *Commissioner Bruce.*—Would your day book, do you think, show it?—The day-book only shows that £1,480 was lodged to my credit in Dublin, and that it was chequed out in large sums; one was for £175. It was all paid away in two or three days.

13145. Your day-book would not show to whom it was paid away?—It wouldn't. It wasn't entered to whom it was paid away.

13146. But you have not a doubt, I suppose, that the £1,480 was distributed among voters?—I had only to do with four voters. It must have been given to these persons one way or the other.

13147. Are you quite certain that it could not be given to anyone else?—I am not.

13148. The *Chief Commissioner.*—If on communication with Mr. Byrne or Sergeant Armstrong, anything turns up on the subject, will you give it to us?—Certainly.

13149. Mr. *Commissioner Byrne.*—Did you make a return to Sergeant Armstrong of the number of persons who got money?—I had nothing to do with that. The night Mr. Byrne and Mr. Tracy were here, the list was totted up. The way I had anything to do with the matter was to prevent Mr. Byrne from having any trouble about it.

13150. Did you give the money to the gentleman you mentioned, in a lump sum, or did you give it from time to time?—Some of them got it at separate times.

13151. Did Mr. Kidd get it more than once?—No; Mr. Kidd got it only once. Mr. Foley got it twice—£100 on one occasion, and the balance on another.

13152. Do you remember anyone getting it twice, but Mr. Foley?—I can't tell.

13153. Did Mr. Phillips get it twice?—I can't say.

13154. You are not sure of the total amount you gave to any of them, but Mr. Kidd?—I think Mr. Magrath only got £65.

13155. Was that sum also paid by cheque?—It was.

13156. You are not sure that Mr. Magrath did not get more than £65?—I can't be positive.

13157. Where did you bank?—In the Ulster bank.

13158. The £1,480 was lodged to your credit in Dublin?—Yes; I think it was £1,483 3*s.* 6*d.*

13159. Do you know how much was lodged in the Ulster bank?—£1,483 was lodged in Dublin to my credit. They sent down a letter of advice to the bank here. That £1,483 appears in the books in Sligo, but it is mixed up with other accounts of mine.

13160. Would the books of the bank afford any clue as to how that £1,483 was distributed?—Not in the least.

13161. Would your own books do so?—No, not in the least.

George Atcheson sworn and examined.

George Atcheson.

13162. The *Chief Commissioner.*—Do you know Peter Harrison that was examined here?—I do.

13163. Was it you accompanied him to Collooney?—Yes; he asked me to go as far as Collooney with him, as, he said, he had been threatened, and was afraid to leave the town by the railway station—that he would be beaten if he voted for Major Knox.

13164. How did you find out Hughes—for Hughes himself is puzzled about it?—I didn't find him out at all. I hadn't the pleasure of his acquaintance; but I believe there was an envelope sent to me with his address on it.

13165. Do you know who sent it to you?—I couldn't say by whom it was sent. I gave it to Harrison.

13166. Who brought you the envelope?—I don't know; it was left in the place directed to me.

13167. Did you tell anybody that Harrison was going away?—I did; I told some parties of it.

13168. Whom did you tell?—It was generally understood in the place that he was going away.

13169. It was not understood, you know, on the other side?—I think I told some person on Major Knox's side.

13170. Whom did you tell?—I don't know the gentleman's name.

13171. Where did you tell it?—In Mr. Leech's house.

13172. In the little room?—It was in a large room, up stairs.

13173. Whom did you tell that you "got at" Harrison—try and recollect?—I don't know the name of the party.

13174. Who were in the room when you told it?—Myself and that person.

13175. Was it Captain Ethelred Knox you told?—I can't say whether it was he or not.

13176. Do you consider that a satisfactory answer?—I do; because I am not sure whether it was he or not.

13177. Do you know Captain Ethelred Knox?—I know him now.

13178. Was he the person you told that Harrison was got at?—I am not certain.

13179. It may have been he?—It may.

13180. Do you think it was?—It might have been.

13181. Do you know Captain Ethelred Knox's appearance?—I do.

13182. Describe him?—He is a rather a small sized gentleman, he is about the size of the Clerk of the Peace.

13183. Does he wear a moustache?—I believe he does.

13184. Do not you know he does?—I don't. I only saw him once or twice. I saw him here on the day of polling, and that's the way I know him.

13185. You saw the person by himself in the room in Mr. Leech's, to whom you told that Harrison was going away to Collooney, to defeat the ends of justice?—I did.

13186. Was the person you told it to a small-sized person?—I think he was.

13187. Was he like Captain Ethelred Knox in appearance?—I didn't take particular notice of him at the time—it might be him.

13188. Who told you to go to that person's room to tell that Harrison was going away?—I said to the servant at Leech's that I wanted to see some of Major Knox's friends; he showed me up stairs, and I went to the place he told me.

13189. What did you tell the person you met there?—I gave him Harrison's name, and said he wished to get some money, and that I didn't know that Harrison was to go to any particular place in Dublin.

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13191. You wanted to know where Harrison was to go to in Dublin?—I wanted him to make any arrangement he wished in the matter.

13192. As to where Harrison was to go?—Yes.

13193. What did he say?—He said yes, that it would be all right.

13194. How much was Harrison to get?—There was no sum mentioned specially.

13195. Between you and this person in the room in Leech's?—Not at that time. It was understood that Harrison was to get some money.

13196. How much was it understood he was to get?—Thirty pounds.

13197. When was it understood—because I could not understand that you meant thirty, forty, or fifty by your saying it was all right—when was it understood that £30 was to be the price of Harrison's going away?—I believe I put down Harrison's name on a piece of paper, and put the figure 30 or 40 opposite to it. I said afterwards that £30 would be as much as he ought to get.

13198. To whom did you say that?—To Captain Ethelred Knox.

13199. Where did you say it to him?—In Mr. Knox's house on the Mall.

13200. You put Harrison's name on the list?—No, but by itself on a piece of paper.

13201. How much did you put opposite to it?—Thirty or forty pounds.

13202. To whom did you give that piece of paper?—I gave it to the person I saw in Leech's.

13203. Was that Captain Ethelred Knox?—I don't know. I am not certain.

13204. Who else could it be? Do you know Mr. Hignell?—I don't.

13205. Was he a young or an old man to whom you gave it?—I believe he was a young man—he wasn't so much as forty years of age, I think.

13206. Did you give the piece of paper with Harrison's name on it, and with either the figure 30 or 40 opposite to it, to Captain Ethelred Knox?—I gave it to the person I saw in Mr. Leech's, the day after Harrison went away. I went to the house on the Mall, and I told him that Harrison had left town, and that I called on him for some money, I was out of pocket in consequence. I said I gave him £2 for his railway fare, and that I paid ten shillings in expenses to Collooney.

13207. Did he give you any money?—He first said he would see about it; he afterwards left £30 for me.

13208. How much were your expenses?—About fifteen shillings in cash, and Harrison's railway fare to Dublin.

13209. Where did he give you the £30?—He left it at Mr. Williams's one day for me while I was out; he left it on the parlour table rolled up in a piece of paper.

13210. How long after the election was that?—I think it was before the polling day.

13211. Was it after the nomination day?—It might be.

13212. In what sort of notes was the £30?—It was in three ten pound notes.

13213. On what bank were they?—I can't say whether it was the Bank of Ireland or the Provincial Bank.

13214. It was the day before the polling he left the £30 for you at Mr. Williams's?—I don't know that it was the day before the polling, but it was before the polling day—it was between Harrison leaving town and the poll.

13215. Had you before this told Captain Ethelred Knox how much you wanted altogether?—I did.

13216. Did he leave it all for you?—He did, he left it for me in a parcel.

13217. How much was in the parcel?—Three ten pound notes, two pounds, and two or three shillings in copper.

13218. The exact amount of your expenses on the day of Harrison's going away?—Yes.

13219. Did you tell Harrison you had money for him, or that you would get it for him?—I said if he wanted money—I knew he wouldn't go away without the promise of some money—I would try and get it for him.

13220. I wish you would try and recollect what day it was the parcel was left at Williams's for you—I will try and refresh your memory, the polling day was on Thursday the 19th, what day did Harrison go away?—It might be five or six days before that.

13221. How soon after he went away was it that you got the money for him?—Two or three days after he went away.

13222. Did you see the envelope, or whatever direction there was on it, with Harrison?—I did.

13223. And was it that he was to go to Dublin?—Yes.

13224. I presume you remember the address on the envelope?—Now that I heard of it I do. Before that I wouldn't swear to it, for I didn't take any particular notice of it.

13225. Did you ever hear of Hughes until this inquiry?—I didn't.

13226. When you spoke to the person you say you aren't sure was Captain Ethelred Knox, did you understand that he was to make arrangements in Dublin by which Harrison was to be kept and treated properly?—Yes, some party was to do it.

13227. On that occasion did you convey to that person that Harrison expected money?—I did.

13228. How much did you convey that he expected?—I put on a slip of paper Harrison's name, and opposite it £30 or £40.

13229. If the person to whom you conveyed that wasn't Captain Ethelred Knox, why did you go to Captain Ethelred Knox to ask for money; if he wasn't Captain Ethelred Knox what made you go to him about money?—I went to the Mall house, I saw him there and I told him about it.

13230. What did you tell him?—I told him I got Harrison away, and that I came to arrange about the expenses and some cash I gave him for it.

13231. Did Captain Ethelred Knox know anything about Harrison having gone away at the time?—He did.

13232. Did he refer to any list then?—I am not sure.

13233. Did you see a list of voters with him?—I didn't.

13234. What did you say to him?—I went in, there were some other persons seeing him at the time, I waited until he was disengaged. I then told him that I was after paying Harrison's expenses to Dublin, and that he expected money for going away.

13235. What did Captain Ethelred Knox say?—He said he would see about it. In the course of the day he left the money for me. I was in Mr. Williams's employment at the time.

13236. Who handed it to you?—He went into the parlour and said he left a parcel for me. I was out at the time he called, but he waited until I came in. He said he wanted to speak to me. He told me he had some commands for me. I went into the parlour and found there the parcel rolled up in paper.

13237. Was there any scrap of writing in the parcel or did anything pass between you and him on the subject?—No, except that I gave him a detailed list of the cash I was out of pocket—of the railway fare and other expenses.

13238. Did you give him a list on the day you spoke to him yourself?—I did.

13239. Was it in your own handwriting?—It was.

13240. Tell us, could you read or write out a copy of that list—how it was headed and all about it?—I said, railway fare, so much.

13241. Write out a copy of the heading of it?—I had no heading at all to it.

13242. Write it out exactly as it was?—I will.

13243. Don't heed it now; write exactly what it was?—[Witness wrote.] It was just something like that.

13244. Do you mean to say that you put down the £30?—I don't know whether I put down £30 in the

list or not. I am not certain. I don't think I did. I did not think it necessary to put down the £30.

13245. Just read it out yourself?—Cash 15*s.*, that was given to Harrison; and I put down 2*s.* 6*d.* for my own expenses to Collooney; 25*s.* for railway fare ——

13246. Making a total of £2 2*s.* 6*d.*?—Yes; as well as my memory serves me that was the amount to the farthing.

13247. You do not remember whether you put down the £30?—No, I rather think the £30 was a verbal affair, but the other being for money I was out of pocket, I gave him the particulars of it.

13248. And you got it to the penny?—I got it to the penny.

13249. Did any other money pass through your hands for the election?—No, not for the election.

13250. Did any money pass through your hands at any previous election?—Not at any previous election.

13251. At any previous election?—Not at any previous election, either county or borough.

13252. Were you ever concerned in a transaction of this kind before—getting away a voter on the understanding that he was to get money for going away?—I was not—not for any election.

13253. How much have you allowed Harrison out of this since?—About £20.

13254. In cash?—Partly cash and partly goods.

13255. Why have you not given him the balance—was it the petition that stopped it?—It was not. I gave him some before the petition, and I gave him some since. He did not ask me for the balance.

13256. Were you subpœnaed to Carrick?—I was not.

13257. Did you know of any one else being got out in the same way that Harrison was?—I did not, unless what I heard since the commencement of the inquiry from the reports in the papers of the trial at Carrick, and so on. That's all I know.

13258. Mr. *Commissioner Byrne.*—When you called to see Captain Ethelred Knox you say there was some person transacting business with him—was it Mr. Stokes?—It was not.

13259. Who was it?—He was a stranger. I saw a gentleman walking before me up the Mall; I did not know exactly the house Captain Knox lived in, and I went on a piece farther, and asked, I think, some old gentleman I saw standing at the church gate where Captain Knox lived. He said he could not tell me, and I turned back, and made further inquiry down some of the houses, and I ascertained the house; and this man was inside when I went there, and I remained in the hall till he had done, and he went out.

13260. Was it on that occasion of your calling on Captain Ethelred Knox that he gave you the money—the £30?—It was not. He did not give the money there at all. I told you that he left the money in Williams's for me—that he came to Williams's with the money to me.

13261. Then had you two interviews with Captain Knox?—I had.

13262. Are you sure it was not at the first of these interviews that you told him about your managing to get Harrison away?—Oh, I am positively certain that it was at either of these two interviews that I spoke of it. I am positively certain, because Harrison was gone when I went to his house on the Mall.

13263. Had you known Captain Ethelred Knox's appearance?—I do now.

13264. And you are not sure whether or not Captain Ethelred Knox was the gentleman you had the first interview with? The first interview?—I am not certain.

13265. You are not certain now, although you know his appearance?—Although I know his appearance now I am not certain.

13266. On your oath don't you believe that it was Captain Ethelred?—I really would not swear it was. I am not certain.

13267. Not quite certain?—But I am quite certain that it was he that I saw at the house on the Mall, and I am quite certain that it was he that was in Mr. Williams's house.

13268. The *Chief Commissioner.*—And gave you the money?—And left the money for me. I am quite certain of that, because I saw him afterwards. I was poll clerk at the election along with Mr. Conry here in court, taking the votes; and he came up and was asked by Mr. Conry whether he was the Ethelred Knox that was registered to vote out of certain premises now on the list of voters for the borough of Sligo, and he said, "Yes." I was then confident that it was the same gentleman.

13269. Mr. *Commissioner Byrne.*—You say you are not quite certain whether it was Captain Ethelred you first saw?—I am not certain.

13270. What is your opinion?—Well, I could form no opinion on the subject.

13271. Now do you swear that?—I do.

13272. That you can form no opinion?—I could not say whether it was he or not. I saw him for the first time, and I did not take particular notice at that time.

13273. The *Chief Commissioner.*—It was the first time that ever you saw that person whoever he was—was it?—Well, I believe it was. He was a stranger to me. I did not know his name at that time.

13274. Mr. *Commissioner Byrne.*—Were you aware of Captain Knox having given money to Stokes in the same way that he gave money to you?—I was not. I was not aware of his having given money to any person here, except to myself. From what I heard of the reports——

13275. Mr. *Commissioner Bruce.*—Do you know Mr. Lawder?—I do. I saw him here.

13276. You are quite certain it was not he?—I am quite certain it was not Mr. Lawder I saw.

13277. You know Major Knox?—I know Major Knox.

13278. You are quite certain it was not he?—I am quite certain it was not Major Knox.

13279. It was a gentleman?—It was a gentleman.

13280. That is, not a person like Brien?—No, it was not.

13281. Did Harrison come to you first, telling you he was going away?—He said he wanted to go away.

13282. He came to you first?—Oh, yes; I never was in Harrison's house I believe in my life.

13283. He was in Mr. Williams's employment?—Yes, he came in to Mr. Williams, and said he wanted to get away.

13284. Had you any idea of his going away before that?—Well, I thought he might have stopped, and perhaps voted at the election. I had no idea of his going away.

13285. You had no idea of his going away?—No, I had not any idea of his going away, until he told me he wanted to get away, because I thought he would have voted at the election.

13286. Did he then talk to you about the money?—Yes.

13287. Tell us exactly what he said then?—He said he would expect to be paid for going; I knew perfectly well that Harrison would not go without trying to get money.

13288. Did he give you the idea that he was going because he was frightened, or that he would stop, in fact, if he was not going to get money?—Oh, he gave me to understand that he was threatened, and wished to leave, and that he would leave.

13289. But that he wanted to get money?—And that he wanted to get money for it.

13290. Did he say that if he did not get money he would vote?—No, he did not.

13291. From his manner, what is your impression as to whether he was going away whether he got money or not?—Oh, I don't think he would go without trying to get money if he was going—I don't think he would without trying to get some money.

13292. But he had confidence in you?—Yes.

13293. And did not insist on any particular sum?—No, he did not.

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George Atcheson.

13294. What time of the day was it when you first went to Leech's?—I should say—I could not tell exactly; it was, perhaps, three or four o'clock.

13295. So that it was dark, I suppose?—Oh, it was not dark then; it was before dark.

13296. It was before dark?—Well, it was before it was dark, at all events.

13297. There were no candles in the room?—Oh, no; no candle in the room; it was as light as it is now nearly.

13298. What room in Leech's was it that you were shown into?—I think it was the front room.

13299. On the front floor?—On the front floor.

13300. And then you told us this person said it was all right; but you did not mention money payments—did you—at that interview?—I said I put on a piece of paper the name of Harrison, and £30 or £40.

13301. At the first interview?—At that interview; if you refer to the notes, you will find that I said so.

13302. I dare say you are accurate; I thought you said you came back again in the night?—No; it was in a day or two afterwards that I said I went to Knox's house on the Mall.

13303. Quite right; I shall come to that presently. You wrote down Harrison's name and £30?—And thirty or forty pounds.

13304. And then you went away?—Then I went away.

13305. A gentleman having said it was all right; did he read it in your presence?—He looked at it in that way.

13306. And said it was all right?—Yes.

13307. He did not say to you to call at the Mall?—Oh, he did not say that to me; he did not make any appointment to call at any place.

13308. He said nothing at all in fact?—No.

13309. And then Harrison went away?—Harrison went away.

13310. And you went to Captain Knox?—And I went to Captain Knox.

13311. Mr. *Commissioner Byrne.*—Did you see any mob traversing the town at the time of the last election?—I did.

13312. Would you describe what appearance that mob presented, did it appear to be organized?—Well, I could not tell you. Some persons appeared to be more prominent than others, as leaders in it. I saw several mobs passing through the streets at the time. I did not see any mobs on the day of polling for I was not out; I was in this court from seven in the morning until after five at night; but going home I got a blow of a stone myself after leaving this court. I was struck in the back of the neck with a stone, or on the shoulders.

13313. Was your house damaged?—I don't live in town; but in Mr. Williams's house panes of glass were broken.

13314. Was any violence shown towards any of your family?—There was not, further than what I have described. I have no family but my wife, and she was not in town at the time of the election. I was struck myself with a stone after leaving the court house, and that was all. I was afraid to go through the town at the time. I was afraid to go home the night before the election, until Mr. Tighe, the Mayor, came down with me to the barrack and gave me an escort of four police to go out part of the way home with me, and they went about a mile from the town.

13315. Did you consider that escort necessary for your safety?—Well, I believed it was. I was making up the poll books, and writing the names in them on the night before till about ten o'clock, and there was such shouting and rioting in the street that when the Mayor came down to Mr. Williams's to see if I had them ready, he said he would give me an escort of police to take me home. He brought me over to the barrack and sent four police with me as far as the streets of the town went on my way.

13316. Were the mob armed with bludgeons and stones?—Well they had stones and sticks. I could not tell you their weapons

13317. Did you see them using stones or sticks?—I saw stones thrown.

13318. Was their demeanour violent and excited?—Not in the part of the town where I was at that time it was not very violent. They were going through shouting and booing at parties that they were not favourable to, or that they did not like—booing opposite to their houses, and they continued turbulent and threatening, and where they met any supporter of Captain Flanagan they cheered opposite to his place.

13319. Was there any particular class of Major Knox's supporters that the violence seemed to be directed against?—Well there was, it was more to the Roman Catholic supporters of Major Knox than to the other side.

13320. Were the Conservative supporters of Major Knox left comparatively uninsulted?—Some were and some were not. I believe glass was broken in Mr. Balfour's, and some in Mr. Lyons', and in Mr. Gilmore's, and Mr. Williams's places. In Mr. Williams's place glass was broken for two or three nights in succession.

13321. Is there anything else connected with mob violence that it occurs to you to mention?—Well, nothing more than what I have mentioned.

13322. The *Chief Commissioner.*—At the first interview that you had with the gentleman whom you cannot positively identify at all events, did you tell him your name?—I did not. Yes, I believe I said my name was Atcheson. Yes, I believe I did.

13323. I am trying to find out what passed?—Yes, I told him.

13324. Have you any doubt that you did?—Yes, I have no doubt I told him my name was Atcheson, and I told him where I lived.

13325. I presume you mentioned Mr. Williams's name?—Yes, I said I lived with Mr. Williams, so that his knowing from me that I lived in Mr. Williams's, would be a sufficient guarantee that I was favourable.

13326. That you were on the right side. Did he give you any name?—He did not.

13327. On the occasion that you went again and asked for the money?—Yes; I understand.

13328. For this £2 2*s.* 7*d.* and the £30; did the gentleman appear to know you?—Well, I told him that I—I don't know that he did. He did not perhaps recognise me.

13329. Did he address you as Mr. Atcheson?—No, he did not. I told him I had got Harrison away, and that I went with him as far as Collooney, and that I called on him to leave a list of expenses. This was the money that I thought I should get. I did not go to him for the purpose of getting it then, but to say that I——

13330. When Captain Ethelred Knox, as you say, came to the place of business of Mr. Williams whom did he ask for?—He asked for me.

13331. From whom did he want to know were you there?—I think some person in the shop—some young man in the shop said I was out.

13332. That was what he told you?—Yes.

13333. Or was it what the Captain himself told you?—Oh no; I was out for a few minutes, and he asked for me.

13334. I want to know now—I suppose that is now known in Mr. Williams's establishment as the occasion on which you got the money?—I don't know that it is.

13335. I mean that it is known at this moment?—It may be since I came into court.

13336. I dare say it is known very well now?—Yes.

13337. I want to know can you name any of the young gentlemen in the office who were there that day?—Well, I suppose all the young men in the employment of Mr. Williams were there then. He came in and asked for me. They said I was out, and he waited till I came in. He was not more than two or three minutes in before me; and he spoke to me.

13338. How long was he there altogether?—I suppose he could not be five minutes there altogether.

13339. The business was done rapidly?—Well, it

was not a very large transaction to take up a great deal of time.

13340. I ask you, Mr. Atcheson, when you go back, to ascertain if there was anyone present that remembers the occurrence, in order to save the trouble of summoning all the young men in Mr. Williams's shop?—I will give you any names of any of Mr. Williams's young men.

13341. When Captain Ethelred Knox came to the office or place of business you know he asked for you—he asked is Mr. Atcheson at home?—He asked for Mr. Atcheson. I believe that's what it was.

13342. And they said he was out. I want to know who said you were out?—I could not tell you; but if a person goes in and asks for me they would say I was out; and he waited till I came in.

13343. These were election times, and these things are remembered a little better than at ordinary times?—I don't know.

13344. I will ask you to try if there is anyone in the shop that remembers the occurrence?—Well, I will ask.

13345. The *Chief Commissioner.*—We do not wish to put Mr. Williams or any other gentleman in town to inconvenience in carrying on his business.

13346. Mr. *Commissioner Bruce.*—Did you mention your name to Captain Knox when you went to him at the Mall?—Yes, I think I did. Yes, I said my name was Atcheson—I told him who I was.

13347. What made you first think of going to Captain Knox?—I went to leave the list with him of the amount of money that I wished to get for Harrison.

13348. What made you think of Captain Knox?—Because it was on Major Knox's side that I expected to get the money for him.

13349. What made you think of the Captain?—I did not mean the Captain no more than any other gentleman that I saw at Knox's house at the time. If I saw Utred Knox I would have spoken to him in the same way, or any other person.

13350. When you went into the house whom did you ask to see?—I asked to see Mr. Knox.

13351. Whom did you mean by "Mr. Knox"?—Any of the two or three gentlemen—Mr. Utred or Mr. Ethelred, or any of the gentlemen that I saw.

13352. Why did not you go to Mr. Leech's, where you had been before?—Well, I did not wish to go to Mr. Leech's house very often. I did not want to be going into it. I wanted to ask for Mr. Knox, and I did call at Leech's, and they told me they had not come down from the other house at the Mall at the time I called at Leech's.

13353. Before going to Ethelred Knox's?—Before going to Ethelred Knox's on the Mall.

13354. Captain Ethelred Knox was living at his brother's?—He was living at his brother's.

13355. You know Mr. Utred Knox?—I do.

13356. Are you sure the gentleman you saw the first time was not he?—Oh, I am certain it was not. I knew Mr. Utred Knox previously; on account of his being Clerk of the Peace I knew him.

(The witness withdrew.)

Mr. *Edward Pollock*, sworn and examined.

Mr. Edward Pollock.

13357. The *Chief Commissioner.*—You are a solicitor residing in Sligo?—I am.

13358. Do you know Major Knox?—I do, very well.

13359. Were you acting as his solicitor in transactions about the purchase of house property in the borough?—I was for a great portion of it.

13360. Have you a list of the voters who were in the houses he purchased or rented, as tenants?—I haven't.

13361. Can you give us any information on the subject—Major Knox said you could?—I don't think I can.

13362. Do you know how many of them were held with a lease?—There were only two or three, I think. One of the tenants who held by lease was Hillas Smith, of Victoria-bridge; he sold three houses; and there was a sale in the Bankrupt Court by Mr. Little. These are all I know about.

13363. That is only three?—That's only three. There were a good many more, but I had nothing to do with them. Mr. Harloe Phibbs had to do with them.

13364. Had you been concerned in the sale of this property?—I had not, Mr. Phibbs managed that.

13365. I must ask you about a voter named Patrick Neilan—did you give him any money?—I did. I gave him £20.

13366. How long was it before the election that you gave it to him?—It was a year or better, I think.

13367. He said the 15th February, '68, was the end of the transaction?—That was likely to be it.

13368. Did you know, when you gave him the £20, that he was a voter?—I didn't.

13369. How did it happen that you gave him the £20?—I remember—I didn't know who he was at the time—apparently a poor man came to me with a note from Major Knox. I asked him what he wanted. On reading the note, it explained to me that Major Knox had received a petition for help from him, and that an ejectment for rent was brought against him by his landlord. Major Knox asked me to inquire what sum would be sufficient to relieve the man. I did so, and I thought that £12 would do it; but I afterwards found that there was more rent due. The result of my inquiry that I wrote to Major Knox saying that £20 would be necessary, and that I had paid it to Neilan. I am not now aware whether Major Knox sent me then to recoup me, or did so afterwards.

13370. You took his security for the money?—I did. Neilan was unable to pay back anything. I know that of my own knowledge.

13371. Did you ask him to pay it back?—I didn't.

13372. Did you pay him the £20 before Major Knox sent you the amount?—I forget now whether I gave it to Neilan first, but I know I was repaid it by Major Knox.

13373. Was that transaction one of pure charity?—I thought so at the time. I had no reason to doubt it, because it was an act of popularity. There were rumours at the time that, if there was a vacancy, Major Knox might come in and stand. I thought that this might be an act of popularity.

13374. Did you think that Neilan then was a voter?—I didn't think anything about it, except that he might be a voter.

13375. I want the other transaction about Patrick Flynn?—Yes. I was examined about that in Carrick. Flynn's case was this, I was solicitor for Stewart and Kincaid's office, for several landlords, and amongst others, for the Palmerston property. An ejectment was brought against Pat Flynn for non-payment of rent; I think it must have been a year's rent or the ejectment would not lie—I forget the amount stated on the back. At all events Flynn came to me on the entering day of the sessions—the day before the chairman presides—and asked me could I interfere to have the ejectment not pressed against him. I knew the man a long time and I told him it was not in my power to do it; that I was not entrusted with that charge from the office; that I would be obliged to enter it. They send me a list of those to be entered, and I had no authority not to enter it. He came and said he thought he could get some money. I heard it stated at Carrick that Thomas Brennan was mentioned. I do not remember whether Thomas Brennan at the time was here or not; but just about the court here beside me one or two persons came to me and asked me to overhold the ejectment, and that the money would be

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Mr. Edward Pollock.

paid. It appears, afterwards, from knowledge I subsequently acquired that Brennan and Flynn got the money in a bill on one of the banks here. That of my knowledge I did not know. I called out, I think, to Utred Knox to overhold the ejectment—to let it pass over. This was, I think, the entering day. The third day of the sessions is the day on which the ejectments are tried here. It transpired afterwards—I don't know how it was—that it was not nilled, or taken out of the book till October.

13376. That is the fact?—That is the fact from what I have inquired since; but when I called out to Utred Knox at the moment to overhold it, in order to see if I could get the money when the barrister was sitting, it was a matter of indifference on our part, and I had no object if the money was paid. When I settled my account at the end of the year I had charges against them professionally, and they against me; but there was nothing in the world in it connected with the election.

13377. Did you know Thomas Brennan was the man that paid the money?—I did not.

13378. How did the money come to you?—I don't know who handed it to me—whether it was Flynn or not. I heard Brennan swear at Carrick that it was he. There was a little crowd about here; and we are in a fuss on these entering days; and I did not care, provided I got the money, who gave it to me.

13379. Did you conduct the borough revision?—I was one of those that conducted it. A good many of us were engaged on it, it being a critical time.

13380. Can you say how much that borough revision cost altogether?—I don't know at all. I was not the conducting agent.

13381. You stated that you used to conduct both until you found you could not?—I found I could not; there was too much to do. The county I have latterly done, with the exception of the last election.

13382. Who, then, conducted as conducting agent?—Mr. Harloe Phibbs.

13383. The last time?—The last time.

13384. Did you know the persons paid for working the borough revision?—Not one except Jenkins, the summons server, but he is no voter.

13385. Can you give us any information about the rioting at the last election?—Well, only pretty much what I have heard and seen here. Judge Keogh examined me particularly about it at Carrick. The town was very violent, with broken houses and mobs, and that sort of thing; but as I mentioned to him, I don't think any respectable man at either side here took any part in it. I think the object on both sides would have been to put down the mob violence. On the voting day here it was a terrible shock to the feelings of every well-conducted man to find that poor gentleman, Captain King, shot outside there; it put us all into a state of agitation that I could not describe.

13386. Mr. *Commissioner Byrne.*—Neilan is a man in very poor circumstances?—So I am told. I never saw him except at Carrick.

13387. Was he in better circumstances when you made him that advance of £12?—No; I understood from his petition that he was wretchedly poor. He was since ejected; the ejectment was pending against him, and he was not able to pay up when it came round.

13388. In fact I suppose you have no expectation of the money being paid back?—Oh, I think not.

13389. Why did it occur to you to be the security?—I rather think I was told in a letter from Dublin; I think so.

13390. That is, in the letter you had from Major Knox?—Yes; that's my impression. Perhaps it would not have occurred to me to do it myself at the time.

13391. What has become of that letter?—Oh, I have not it. I destroyed it; but it was exactly to the purport that I tell you—to make inquiries and find out whether it was an exaggerated case of distress or not.

13392. And suggesting, as well as you remember, that you should be the security?—That's my recollection. I cannot say positively, but it is my recollection. I argue that. I don't think I would have done it myself.

13393. Mr. Pollock, how long have you been resident in Sligo?—Oh, a long time. I have been in the county I suppose twenty-five years, and in town—living in Sligo—ten or twelve years or more, I dare say.

13394. I suppose you have had a good deal of experience in election matters in the borough?—Yes, I have been at a considerable number.

13395. From the knowledge you have of the borough is there a class of voters who expect money to be distributed amongst them?—By general repute there is most unquestionably.

13396. Do you concur in that general belief?—I do.

13397. From your knowledge of the borough?—I do decidedly.

13398. Had you known money to be going in the borough after Sadler's election?—Only by repute. I never knew of a shilling. I would not mix myself in a transaction of the sort. I never knew of a shilling going in any way to my own knowledge, never.

13399. Major Knox, I presume, discussed the lists of voters of the borough with you and Mr. Harloe Phibbs?—I don't know that he ever did it with me particularly; I rather think he did not, for I was not conducting the borough election. I kept, from other reasons, pretty much away from it.

13400. Do you remember any other consultation that you had in reference to the borough—any statement in the presence of Major Knox, that there was a class of voters that would require money?—I don't remember that I did; but my belief is that it was discussed before him—I have no doubt that it was.

13401. That money should be forthcoming?—That there was a class here expecting it. I have no possible doubt in my own mind about it, independent of any evidence I heard here; just from repute and that sort of thing. I never asked for a farthing myself.

13402. Was it stated in your presence, and the presence of Major Knox that there should be money forthcoming from Major Knox to give to some voters, or he would fail to get their support?—Not in my presence.

13403. Are you aware of any money having been distributed by Major Knox amongst voters?—Not a farthing.

13404. Besides this case of the Neilans?—Not a farthing, except the one I have mentioned myself.

13405. Mr. *Commissioner Bruce.*—Had Neilan two interviews with you?—He had. You know he returned—I made my report, and he returned to see what answer came from Dublin. I think that was the only time that I saw him again when he came back—when I gave him the money.

13406. At the first interview did he say he would not take less than £20?—No; he did not say he would not take less exactly, but he implied that he would not take less. When I said £12, he refused—said that would not relieve his necessities—would not keep the house over him. The ejectment, you know, was for more than that.

13407. It was rather an extraordinary thing if he refused to take the £12?—Well, indeed, it was. It surprised the Judge very much, for I think he said so on the table, if I remember.

13408. Did it not surprise you at the time?—Oh, I thought he was endeavouring to get as much as he could.

13409 Yes, but if he came as a beggar?—It did surprise me.

13410. His not being content to take £12—a large sum?—It did surprise me, of course.

13411. Coupling that with his manner, did you not then understand that the man was making a bargain?—I did not.

13412. I am not speaking now as to anything you heard from Major Knox; but did his manner not strike

you at the time, reflecting on it as being that of a man who was giving something, or intending to give something as a consideration for the money he was to get?—No; I don't think it did. I really and truly believed the man was in miserable circumstances. I inquired about him afterwards and heard he was, and that by this ejectment his family would be thrown out on the street; and he was making the most importunate claims that he could. He told me two or three times that £12 would be of no use to him.

13413. Did he say it in that way or imply to you that he would not take £12?—Oh, no; he said it in that way.

13414. I see?—He said it in that way—that it would be of no use to him.

13415. Trying to get more?—Trying to get more; in fact, urging my feelings of compassion as much as he possibly could.

13416. Then the £20 was settled upon before he left on the first occasion—that is, that you would communicate to Major Knox?—It was settled and I promised to write to the Major, and say what sum would relieve him.

13417. Mr. *Commissioner Byrne.*—Was any application made to you for money since the election, by any of the voters who supported Major Knox?—Not one. Faith they knew very well I had nothing to say to it, if money was going. Not one of them ever came near me. Mr. Heron, would you allow me to make one observation? There was a piece of evidence utterly disregarded at Carrick by Justice Keogh—namely, about that £10 note.

13418. The *Chief Commissioner.*—I don't ask you anything about it.

13419. Mr. *Commissioner Bruce.*—You could give us the names, or the description of the three houses if necessary, by reference to your books, and the sums paid, and all about Major Knox's purchase of them?—I have not the deeds; I gave each man his own deed.

13420. But you have entries in your books that would show?—No, not as to the amount paid. I can ask Mr. Smith for his deed which will tell you it; and the other was purchased by my partners, Nunn and Jones, of Dawson-street, in the Bankruptcy Court. I don't know the exact sum. Major Knox became the purchaser.

13421. The *Chief Commissioner.*—They were small sums?—Oh they were small sums; any of them that I had any connexion with.

13422. Can you tell us who were the tenants in the houses at the time they were purchased?—I don't know who they are. They were a long time vacant.

13423. They were all vacant?—They were vacant houses, with the exception of Little's, in High-street; and the Major had to fit them up.

13424. Who occupied Little's house?—Himself, until he became unfortunate and failed in business. He was a most respectable man in the town in his trade.

13425. Was it after the purchase of his house that he became unfortunate?—No, it was before it. He was sold out in the Bankruptcy Court.

13426. Then that house was without a tenant at the time Major Knox purchased it?—Except so far as he permissively occupied it under the Court—was allowed to remain.

13427. Could you procure for us the names of the persons allowed into these houses as occupiers?—I think I can from Mr. Phibbs. I don't myself know any of them.

13428. We will examine Mr. Phibbs?—He will tell you about them; I don't know.

13429. Did the rioting continue for any length of time after the election?—It did for some time, subsiding gradually. We had an enormous amount of money claimed off the borough for malicious injuries.

13430. The *Chief Commissioner.*—We can get the amount from the Secretary of the Grand Jury?—I know it being one of their officers myself.

13431. Mr. *Commissioner Byrne.*—When it became known amongst the Conservative voters that some other candidate should come forward than Major Knox, did you hear it stated that nobody need come forward unless a rich man?—No, I did not.

13432. Or anything at all to that effect?—Oh no. But my own opinion is, that a man coming here without money would have no chance.

13433. Did you introduce Mr. Abbott to the electors?—I never saw him until I was introduced myself. I moved a resolution at the meeting, I believe, but I never saw the gentleman at all. He looked very unlike a——

13434. Do you know the circumstances of the purchase by Mr. Abbott from the Major of these houses?—Nothing in the world of it.

13435. Is there any further information that you can give us on the subject of this inquiry?—Well, indeed, no. I was very anxious; but Mr. Heron said, kindly, that he did not want me to bother my head about it. I have put on record my contradiction of the evidence. Major Knox never gave me a halfpenny.

13436. The *Chief Commissioner.*—I do not require, Mr. Pollock, to ask you a question on the subject.

13437. Mr. *Commissioner Bruce.*—Did you hear anything about mobs on Captain Flanagan's side getting drink in the public-houses?—No, I did not; except that I saw they evidently had got drink.

13438. That we can believe?—I saw that with my own eyes; but I did not know what houses were open to them.

13439. Was there no watch kept upon these mobs by persons on behalf of Major Knox?—Not that I am aware of. I dare say they were well watched though.

13440. Mr. *Commissioner Byrne.*—From anything that occurred, and anything that you heard, and know of your own knowledge, was there any impression on your mind that mobs for Captain Flanagan, at the last election, were hired and paid?—No, I have not the smallest idea. I rather think they were not. It was generally understood that the sinews of war were not very strong on Captain Flanagan's side; and from the number of people I saw coming in from the country—I have a very large acquaintance with the place from Quarter Sessions practice, and I saw men from Geeva and different places come in—I think it was more the enthusiasm of the cause than anything else.

13441. The *Chief Commissioner.*—And then, when they did come into town ——?—They had some refreshments of course.

13442. Mr. *Commissioner Bruce.*—Are there any public-houses in the town known as Captain Flanagan's public-houses?—Not that I am aware of. I live quite in a different part of the town, and I never was out when I could help it. It is up in Pound-street, and that direction. I live up in the Mall, and I am very glad to keep quiet.

(The witness withdrew.)

Andrew Crozier sworn and examined.

13443. The *Chief Commissioner.*—How did you vote at the last election?—For Major Knox.

13444. How did you vote at the election before?—For Mr. Macdonogh.

13445. Did you get any money after Macdonogh's election?—Yes, I got £15.

13446. From whom?—Mr. Sedley.

13447. Did you ever get any other money after an election?—Never; I never voted except on the two occasions.

13448. What is your business and occupation?—I keep a bakery and a grocer's shop.

13449. Had you any idea, before you voted for Macdonogh, that you would get any money?—Not the least.

13450. How did it happen that your name was down on Mr. Sedley's list?—I don't know how it happened.

13451. Had you been known before that to be a Conservative?—Well, they always thought I was one, I suppose.

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13452. What is your house rated at?—I think it was rated up to £9 at the time. It is rated higher now. I have two houses now.

13453. You knew you were getting this £15 on account of having voted for Macdonogh?—Well, a man named Phayre came to me, and told me that Mr. Sedley wanted me, I think, four or five months afterwards; and I did not know what he wanted with me till I went down to his office.

13454. Well, but you knew, when you got the money, that it was on account of your vote?—Well, I was beginning to think that.

13455. What made a respectable man like you take money for your vote?—Very few men would throw it away when they would get it, and I took it when I got it.

13456. And you thought you were not doing anything wrong and dishonorable?—No; I thought I was not doing anything wrong at the time.

13457. Do you mean to say that if you got another £15 after the election you would refuse it; will you take it?—Well, I don't know whether I will take it now or not.

13458. You will wait and see whether you will get the offer. Did you hear any word about money going at the last election?—Oh, it is generally spoken that there was money going.

13459. Do you know who had the money?—Not a ha'porth.

13460. Did you hear that your name was taken down on any list?—No.

13461. Who canvassed you?—Major Knox.

13462. Who else?—I forget what gentleman was with him.

13463. Are you a Sligo man?—No, I am not.

13464. Were you ever in Leech's house?—Never. Oh yes, I was often in it.

13465. During the election?—No.

13466. You said you heard word about money going, or that money would be going?—Oh, people going back and forward—talking and coming into my shop.

13467. Who talked about money going?—Well, I could not say what their names were.

13468. Did you hear how much was going for a vote?—No, not till I heard this inquiry.

13469. I mean, did you ever hear anything to the effect of a Roman Catholic getting £50 for voting or going away?—No, not till I heard it at the petition at Carrick, and read it in the paper.

13470. And that Conservative voters were getting £20; did you ever hear that?—No. I heard nothing about it till I read it in the paper.

13471. Were you at the meeting for Mr. Abbott?—Yes, I got a circular, and I went to it.

13472. Did you understand that Mr. Abbott was a rich man?—I did not care whether he was rich or poor.

13473. Did you think he had a chance of Sligo if he was not a rich man?—Well, I think he would have a poor chance.

13474. Was anyone going with you to go together at the last election?—No, not one.

13475. Mr. *Commissioner Bruce.*—What business are you in?—A baker and grocer.

13476. Did you lose any custom after Macdonogh's election?—No, I did not.

13477. Did anybody offer you any money to vote for Sergeant Armstrong?—There was a man named Gilmore who told me he would get money for me if I would vote for him.

13478. What is his Christian name?—James Gilmore.

13479. How much did he say he would get?—Well, I don't remember how much; it was so many sacks of flour.

13480. Did he really mean that you were to get sacks of flour?—Yes.

13481. How many sacks of flour did he mention?—Well, I think something about twenty; I don't remember the price of them at the time.

13482. How much is a sack of flour worth?—It varies in price.

13483. Give us some idea; how much is it now?—You get good flour now for £2 2*s.* 6*d.*; £2 3*s.* it is up to.

13484. That is about £40?—I think something about that.

13485. Well, what did you say to Gilmore?—I told him I would not vote.

13486. For Armstrong?—No.

13487. You are a Protestant?—Yes.

13488. Did you hear of anybody else that got an offer of money to vote for Sergeant Armstrong?—No, I did not.

13489. Could you tell us any names of persons who said there was money going, or would be money going after this election?—No, I could not tell you of any names.

13490. Try now?—I could not tell you any names. People coming in and out of my shop that I did not know by name but only by eye-sight, said that Major Knox had lots of money and that people would be made up by him.

13491. That was generally said?—Yes.

13492. Mr. *Commissioner Byrne.*—Did you vote on more than two occasions?—No. I had not a vote at the time Macdonogh came first.

(The witness withdrew.)

William Smith.

William Smith sworn and examined.

13493. The *Chief Commissioner.*—How long have you been an elector?—A great number of years.

13494. Did you vote at the last election for Major Knox?—I did.

13495. Did you vote at the election before it for Mr. Macdonogh?—I did.

13496. Did you get any money after Macdonogh's election?—I did.

12497. How much—was it £15 from Mr. Sedley?—Yes it was.

13498. Had you voted for Macdonogh at his first contest?—Yes.

13499. Did you get any money after that?—I did.

13500. How much?—I recollect it was £16.

13501. From whom?—From a man named John Burke.

13502. Was there any balance of account between you?—Well, there must have been.

13503. So that you only got £16?—He came to the house to me—I was in the kitchen—and put it into my hand.

13504. You knew what it was for—because you voted for Macdonogh?—Well, I considered that it was. It was a good while after, I had no understanding with Burke about it.

13505. Who had canvassed you to vote for Macdonogh?—Himself.

13506. Had you voted at Mr. Wynne's election?—I had.

13507. For Mr. Wynne, I suppose—the Right Honorable?—For the Right Honorable.

13508. Did you always vote for him against Somers?—I always voted for him except on one occasion that Somers was starting, and he solicited me to vote for Somers.

13509. Did you vote for Somers?—I did.

13510. Did you gain anything by voting for Somers?—No, I never got a halfpenny before Macdonogh's time at any election.

13511. Whom did you vote for at Colonel Townley's election—was it for Somers or for Townley?—I think it was Somers and Townley.

13512. But whom did you vote for—Somers or Townley?—I know I voted for Townley once.

13513. Do you remember John Sadler's election?—I recollect the time, but my memory is very short now; I have been ill nearly eighteen months.

13514. After Townley's election did you get any money?—No.

13515. Because we have it in evidence that a lot of people got £10 each—did you get £10?—I got no money at all. I never got money at an election until after Macdonogh's.

13516. Were you always considered to belong to the Conservative party here?—I was.

13517. Now, at this last election between Knox and Flanagan did you hear of any money going?—Oh yes. No one in Sligo could be without hearing that there was money going.

13518. Did you hear that anyone had money on the other side?—Well, I don't know anything of it of my own knowledge.

13519. No, not that you actually saw; but did you hear who had money on the other side?—Not to know it.

13520. But did you hear who was said by the people to have the money ready for the voters on the other side?—Well, except passing talk.

13521. What was the passing talk;—I had no conversation with anyone to know it myself.

13522. What was the passing talk about money going on the other side—who was named as having the money?—I heard that Harper Campbell had money.

13523. Was that at the last election;—No.

13524. That was Sergeant Armstrong's election?—I think it was Sergeant Armstrong's election.

13525. Did you hear that anyone had money at the last election between Knox and Flanagan?—I heard that Mr. Lyons had money.

13526. How much?—I could not say. There were so many names mentioned as having money and not having money.

13527. Did you try to get any money yourself at this last election?—No, I did not.

13528. Did you apply after the election?—I never applied at all at any election.

13529. Did you expect that you would be compensated?—No, I did not.

13530. Did you expect any money?—I was not able to go at all through the town. It was as much as I could do to come up here now.

13531. Mr. *Commissioner Byrne.*—Have you a son that has a vote?—No, he has not. He registered at the registry the other day here.

13532. He never voted?—Oh, never voted in his life.

(The witness withdrew.)

John Smith sworn and examined.

13533. The *Chief Commissioner.*—Where do you live?—A few doors from the barrack corner.

13534. Do you attend at the parish chapel?—I do.

13535. On Sundays?—Yes.

13536. What exactly do you do there—describe your duties?—My duty is to mind the table.

13537. That's where the money is?—Yes, to give the names of respectable gentlemen who pay silver to the collectors.

13538. How are the people shown to their seats?—Well, for the last couple of months tickets have been issued for the different galleries.

13539. Were you in that employment at the time of the last election between Major Knox and Captain Flanagan?—I was.

13540. Who exactly employs you and pays you for the services you perform?—The acting parish priest.

13541. Who is that now?—Father Morris.

13542. Do you know Laurence Burke and John M'Guirk?—I do.

13543. Do you remember last Christmas day?—I do.

13544. Had you received any directions from anyone in reference to Laurence Burke and John M'Guirk?—Yes, I got directions from the parish priest to tell M'Guirk that he wished to speak a word with him.

13545. Go on?—That was all. I went up stairs and I met M'Guirk on the landing—not in the seats—and I told him Father Morris wished to speak a word to him. I turned on my foot and he came down after me; and that was all.

13546. Did you know what you were sent for?—Well, no.

13547. I don't mean did you know positively; but had you heard before any directions about Laurence Burke and John M'Guirk, or any other elector?—I never got any directions, nor heard of anything more than——

13548. Go on?—That M'Guirk voted for—or at least, he was to vote for Major Knox.

13549. What did you hear about these two men?—Well nothing more than just a flying report through the whole town of all those that were to vote and that were not to vote.

13550. Did you hear the conversation between Father Morris and Laurence Burke?—No, I went back to my business again and did not hear what passed between Father Morris and Laurence Burke; but I know Laurence Burke waited for mass.

13551. Now, go on about John M'Guirk?—That's all I have to say about M'Guirk; only two words passed between M'Guirk and me. What passed between Father Morris and M'Guirk I can't say; it was not my business.

13552. It was to John M'Guirk you brought the message in the gallery?—Yes.

13553. Did you yourself speak to Laurence Burke—listen now: he says that you told him not to go up—that means not to go up to the gallery—and that you said he was to go to the place under the stairs?—I don't mind saying a word at all to Burke.

13554. Will you swear that you did not?—I will swear that I cannot positively swear that I mentioned a word to Burke. Burke did not go upstairs.

13555. I know he did not; who told him not to go up?—I can't exactly say.

13556. Had not Burke a right to go up, according to the usage of the church, if he had paid his money?—Of course he had.

13557. He had paid his money?—He had.

13558. For what place?—He had paid his money for the usual ——

13559. I mean the name of the place?—The gallery.

13560. The south gallery?—Well, it is immaterial which gallery he went to.

13561. Why did'nt Burke go up?—Well, I can't say. A good many others that go there and pay did'nt go upstairs.

13562. Do you know now why John M'Guirk went away and did not hear mass on Christmas Day?—Well, I could not tell. I did not hear the conversation that happened.

13563. Do you mean to tell me you can't give me information on that subject?—I assure you I can't give you the slightest idea as to what happened between himself and Father Morris.

13564. Did you think it an extraordinary thing that M'Guirk, having paid his money for the gallery, should be called by you down, and then leave his parish church without hearing mass on Christmas Day?—Well, that rests with the reverend gentleman and M'Guirk. I had not anything to say to him only to tell him that the reverend gentleman wanted to speak a word to him.

13565. Did you not believe that these transactions,

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as regarded the two men Laurence Burke and John M'Guirk, had reference to the election?—Well, I believe they had.

13566. Why do you believe they had?—Because they had votes.

13567. Go on, now. How would that, unless you give us some information about their having votes, affect their not going up to the gallery or leaving their parish church without hearing mass on Christmas Day—go on and explain?—Well, I could not. I can't form any idea of it.

13568. By whose authority did they go away, or not go up to the gallery?—I think my opinion is neither of them might have gone away. Whatever words passed between them and Father Morris I think they were not altogether removed from the chapel—that they might have heard mass.

13569. Where?—Anywhere they wished. There was no hindrance to their going anywhere, no more than that I told M'Guirk Father Morris wished to speak one word to him. I did not wait to have him down before me, but returned, and he came down.

13570. Did you know then what you were going for?—Well, I am not supposed to know anything. I could not tell any man's mind.

13571. Did you know what you were going for?—I went up for M'Guirk.

13572. Why?—I could not tell the reason.

13573. Now, you are not answering in a manner satisfactory to me?—Well, sir, I would be more than delighted if I could give you full satisfaction. I could not tell any man's mind.

13574. If we are of opinion that you are trifling with the Court you shall certainly be committed; I just give you that caution?—I will tell you anything I know, sir.

13575. Did you hear anything to this effect—that any member of the congregation who voted for Major Knox would be separated from the rest and put in the porch of the chapel—did you ever hear those words before?—Well, their names were not mentioned.

13576. No?—I heard the words, but there were no names mentioned.

13577. Who said those words, on your oath?—Well, I believe his lordship said something to that effect.

13578. Was that before the election?—No. I could not exactly say before or after.

13579. Was it in the parish church that his lordship, the bishop—I presume you mean the bishop—said those words,—were they used more than once?—Well, upon my word, I could not exactly tell you; I am so much engaged at the door that I could not distinctly hear the words from the pulpit. I assure you there are often announcements from the centre of it that I never hear.

13580. I am sure of that?—Because I am a long way from the pulpit.

13581. I am sure of that. Did you carry any message to any other elector in the church besides John M'Guirk?—No, not a word. I did not interfere with Burke at all to the best of my opinion. All the message I gave was: I went up stairs and told M'Guirk that the reverend gentleman wished to speak one word to him.

13582. Now attend to this. Did Father Morris give you any direction on the subject?—Never, only to tell them to come down; that he wished to speak to them. He never mentioned a word to anybody.

13583. At what mass was it that his lordship used the words you have now mentioned?—Well, after mass, when his lordship goes to preach the sermon if he has any announcement to make.

13584. Was it after last mass?—I believe so; whatever he said it was after last mass. I never knew him to say anything at first or second; there might be twenty things spoken.

13585. Never mind what might have passed. Will you swear that you did not tell Laurence Burke that he could not go into the gallery, but must stay in the porch; will you swear you did not tell him that?—I will swear that I never exchanged a word with Laurence Burke that morning.

13586. Mr. *Commissioner Byrne.*—Do you remember whether Burke came to chapel after M'Guirk?—I can swear that he waited,—the very last person that morning for mass. He was the very last person; but where I had my attention was—it was about the foot of the stairs that he remained for a length of time after mass was over.

13587. Was your attention particularly drawn to him?—Well, not particularly, but he was under my eye. He was at the foot of the stairs and could not pass out unknown to me. I know the mass was long over before he removed.

13588. You remember distinctly that he came into the chapel after M'Guirk had been ordered down from the gallery?—Yes, he did. It was after what happened to M'Guirk that Mr. Burke came in.

13589. Now, was there room in the gallery for Burke?—There was plenty of liberty.

13590. Plenty of room?—There was a very large congregation, but he did not go farther over than the first seat from the organ box. It was just at the first seat that he knelt.

13591. Do you remember distinctly that Burke was one of the last that came into the chapel?—There were one or two between M'Guirk and Burke, and he was the last of the two.

13592. What makes you remember that he was the last of the two?—Well, because he knelt at the foot of the stairs. M'Guirk was the first and went up stairs.

13593. Will you swear that you had no word with Burke that Christmas morning?—Well, I don't remember that I ever exchanged a word with Burke that morning more than to hand him back the five shillings that he left on the table.

13594. You handed him back the five shillings that he left on the table?—I did.

13595. Why did you hand him back that five shillings?—Well, I can't exactly say what was the reason I handed it back. I was directed by the collectors. There were five or six collectors there, and they gave it to me to hand to Burke, and I gave it to him.

13596. The collectors gave it to you to hand back?—Yes.

13597. Who were those collectors?—Well, there were, I think, three or four.

13598. Name them?—I think Mr. Donegan was in it and Mr. Tighe.

13599. What's his Christian name?—His son, I can't exactly recollect. I don't know his Christian name.

13600. What other people were there as collectors?—Well, I don't know. I don't mind if there were any others. There may have been two or three standing round; but I took no interest in the collection. These two particularly I noticed.

13601. Was not the giving of that 5*s.* to Burke an intimation to him that he was not to go up to the gallery—you are on your oath?—I am, sir. I would be anxious to give you every satisfaction I possibly could; but I assure you I cannot form any idea what was the reason that he got the money.

13602. That he got the money?—Yes.

13603. But having got it, was that not an intimation to him that he was not to go up to the gallery?—Well, it might be.

13604. Have you any doubt that it was—you are bound to tell?—I am bound to give you the greatest satisfaction I can.

13605. Could he go up to the gallery having got that 5*s.* back?—He could. He went there often since.

12606. He could physically; but on that Christmas morning was not it an intimation to him not to go up to that gallery?—Well, I am of opinion there would be no force at all used with him.

13607. I am not at at all inferring that force would be used; you are not answering us candidly and honestly?—Well, I am anxious to do so.

13608. What was the meaning of giving the man that 5*s.*? Do you mean to say that after giving him that 5*s.* it would have been a matter of course his going up to the gallery?—Oh, it was after mass I gave him the 5*s.*, when he was going home.

13609. You swear that?—I do. It was outside the gate I gave him the money.

13610. Gave him or them?—Gave Burke. After the mass was over I gave him the 5*s.*

13611. Who told you to give him back the 5*s.*?—These two collectors, particularly.

13612. Was it in consequence of your having said anything to him when he came into the chapel?—But I did not say anything to him.

13613. Or of the collectors saying anything to him?—No, nor the collectors, in my opinion, did not say anything to him either.

13614. Did he go up to the gallery?—He made no attempt to go up.

13615. Then he did not go up?—He did not.

13616. Or make an attempt to do so?—Not to the best of my knowledge. I don't think he made the slightest attempt to go up to the gallery. The congregation were all assembled on the stairs of the gallery, and the galleries were thronged.

13617. Is it usual for the Catholic parishioners to give silver unless they go up to the gallery?—Well, a certain class of people give silver at all times, no matter on what occasion. He is in the habit of giving silver any time he goes there.

13618. Yes; and he always goes to the gallery?—Well, he does sometimes.

13619. Do not the class of people who give silver when they come to the Roman Catholic church go up to the gallery?—They do; and many a time they give silver and don't go up to the gallery, but to the ground floor.

13620. Mr. *Commissioner Bruce.*—Was there any talk that morning about Burke or M'Guirk being turned out of the gallery at mass?—I did not hear a word of any talk about it. There may have been, but it did not come to my ears, and I could not give any evidence about it. I did not hear anything particular.

13621. Did you hear anything at all?—Not a word I heard, more than that M'Guirk left the chapel and Mr. Burke remained for mass. That was all I heard.

13622. You heard that said?—That was all.

13623. Did anybody appear surprised at M'Guirk having left the chapel?—Well, I think not.

13624. Was it not unusual?—It was a common thing through the town after that, for he reported that he was removed.

13625. That he was removed?—He did. I heard it said down the street that M'Guirk was removed—that he was put out of the chapel.

13626. Did you not hear the thing talked of afterwards?—Oh, there was a rumour of it through the town.

13627. What was the rumour?—That he was removed from the chapel; and if Father Morris said anything to him—whatever he said I did not hear it—that he did not, in fact, wait for the answer of Father Morris, but went away himself.

13628. What was the rumour as to what Father Morris told him?—I could not say that; but that he left the chapel and did not wait for the answer of Father Morris.

13629. Was there any rumour about anybody else having left the chapel?—No.

13630. Do you believe that anybody else did leave the chapel?—No, I don't believe ever there was. There never was a sentence more about anybody else from that morning out.

13631. The *Chief Commissioner.*—Mrs. M'Guirk left with him?—There might have been a woman perhaps. You could not stop a woman's tongue; they generally used——

13632. The woman's tongue was not going in the chapel?—Troth it's often going.

13633. Listen to me, sir; your evidence is most unsatisfactory?—Well, sir.

13634. Mrs. M'Guirk was there at the time?—I did not see her, but I heard she was there.

13635. Do you know Mrs. M'Guirk?—I did.

13636. Do you say that she was not there when you gave the message on the gallery?—I did not see her at that time.

13637. Mr. *Commissioner Bruce.*—Were you at the foot of the stairs?—I was.

13638. That was your place?—That was my place.

13639. Did you see Burke leaving at the foot of the stairs?—I saw him only at the foot of the stairs, and he remained there until mass was over.

13640. The *Chief Commissioner.*—Do you know Martin Boyle?—That's the sergeant—I do.

13641. Were you there when anything happened to him?—No.

13642. You are there every Sunday?—I am.

13643. Were you there on the 29th of November?—I was. I am in it every Sunday.

13644. Did you hear anything said to Martin Boyle?—No, I never heard a word.

13645. Was your attention directed to that occurrence at all?—No, not a word. I never heard a word about any but the two just in question.

(The witness withdrew.)

John George Davis sworn and examined.

John George Davis.

13646. The *Chief Commissioner.*—Are you in Mr. Williams's employment?—I am his partner, sir.

13647. Do you know Captain Ethelred Knox?—Yes.

13648. Did you know him before the election?—I did for a few days, for a short time.

13649. I presume you were introduced to him?—I think it is very likely I was.

13650. Do you remember his calling at your place of business and inquiring for Mr. Atcheson?—I do, sir, quite well.

13651. State what occurred?—He came in and said, "Good morning," and shook hands. I was engaged at the time. He asked me was Mr. Atcheson in, and I said he was not, and he said, "I have a little parcel for him."

13652. A parcel for him?—Yes, or something to that effect. I said, "If you will be kind enough to wait for a few minutes he will not be long out." I went on attending to my business, and Mr. Atcheson came in afterwards and went to the top of the shop with Captain Knox, and went into a little parlour with him, and came out in two or three minutes and bade him good-bye. I saw no more.

13653. When he said he had a parcel for Mr. Atcheson did you suspect it was about the election?—I did.

13654. That the parcel meant money?—I did, and I was determined I would have nothing to do with it, and I would not take charge of it.

13655. You knew Peter Harrison had gone away?—I did.

13656. And also that Mr. Atcheson had gone with him to Coolany?—I did.

13657. When you refused to take charge of it did you intimate to Captain Ethelred Knox your reluctance to be concerned in such transactions?—I did not.

13658. I do not mean in words, but did you intimate to him that you would have nothing to do with it?—I really did not by gesture or manner convey to him anything more than I have said to you. I was attending a lady at the counter, and I stopped attending her for a moment, and he said, "I have a parcel for Mr. Atcheson, will you take charge of it?" and I said, "If you will be kind enough to wait for a few moments he will be in himself."

13659. And had you heard that Harrison was to get money for going away?—I understood it was

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arranged he was to get money, but with whom that arrangement was made I do not know.

13660. How did you understand he was to get money for going away?—I understood that Mr. Atcheson was to get the money from the gentleman with whom he had made the arrangements, and I was determined to know nothing further about it, and I made no inquiries. I knew that Harrison was going of course.

13661. Did you know, then, from whom Mr. Atcheson was to get the money?—I did not, sir.

13662. Did you ever know Mr. Hughes of Queen-street?—Never.

13663. I presume you had not then heard of the gentleman?—No. I asked Harrison when he came back with whom he stayed, and he told me.

13664. Did Captain Ethelred Knox at any other time call at your place of business?—Never to my knowledge. I never saw him in the house but on that one occasion.

13665. Do you know of his giving or leaving money for any other person?—No, sir.

13666. Can you give us any information about the corrupt practices said to have prevailed at the last election?—No.

13667. Do you know anybody else who got money to go away and not vote, like Peter Harrison?—Nothing more than Cherry's affair with Shields, but I heard about Mr. Stokes and the M'Mullens, and I heard some rumours about Galbraith, and the Youngs, and Henderson.

13668. At the time did you?—I could not exactly say at that time. I heard they were in training, or were in hand, but I could not say exactly the day.

13669. Were you in Mr. Leech's house during the election?—I might have gone to the shop, but certainly not upstairs.

13670. Did you see Captain Ethelred Knox in any of these houses?—No, sir; I was not out much.

13671. Do you know of any list making the same provision for voters as was made for Peter Harrison that might be got at?—No, sir, no list.

13672. Mr. *Commissioner Byrne.*—When Captain Ethelred Knox came into the shop did Mr. Atcheson appear to accost him or to address him as if he had known him before?—Captain Ethelred Knox was standing with his back to the counter when Mr. Atcheson came in at the door. I was attending to a lady a yard or two away, and Mr. Atcheson came in at the door. No words passed that I heard, and he went on towards the top of the shop with Captain Knox following him. I do not know that he appeared to know him. He bowed, or something like that.

13673. Did Mr. Atcheson make any observation to you at that time of having arranged with anyone about Harrison?—I cannot call to mind just now that he did. Certainly not before that. I knew afterwards that he had arranged with him. I mean to say not before he went away with Harrison. Perhaps the day he went with Harrison, he might have told me that Harrison was going with him in the evening.

13674. In connexion with Harrison, has Mr. Atcheson ever mentioned anyone at all as being mixed up in that transaction, except Captain E. Knox?—Never to me, sir. I in fact gathered from Atcheson that he got the money from him, and went to Coolany, and that Harrison went away to Dublin, and came back. I never heard until this morning when I saw him here, that Captain Knox paid him his expenses.

13675. Before that, were you under the impression that the only one mixed up in the transaction was Captain Ethelred Knox?—Mr. Atcheson told me that he had seen Captain Knox in a house upon the Mall, and he told me also that he saw a person at Mr. Leech's whom he did not know, and afterwards when I saw Captain E. Knox, I knew him myself, but I did not know that Mr. Atcheson knew him at the time. I was informed of his identity on the polling day.

13676. But when Mr. Atcheson saw a person at the Mall whose appearance he did not know——?—He did not see a man whose appearance he did not know at the Mall, but at Mr. Leech's.

13677. But was it immediately afterwards he mentioned he did not know his appearance?—I think so, but I could not say.

13678. You think he said so, and he mentioned that before he saw Captain Knox at the Mall?—I think so, but I could not be positive of that.

(The witness then withdrew.)

Harloe Phibbs.

Harloe Phibbs sworn and examined.

13679. The *Chief Commissioner.*—Were you engaged in the purchase of the houses for Major Knox?—No.

13680. Well, who was then?—I understand that Mr. Pollock was engaged for the purchase of the houses, and Mr. Sedley. I was engaged in taking some houses as yearly tenancies, but not as purchaser.

13681. Have you a list of the houses?—I have, sir. I will refer you to it.

13682. And give each case of an elector?—I will give you each case. I made it out from a pencil memorandum. There was a house taken at the rectory—it goes by another name, but I put it down as the rectory—and it was taken by Major Knox from Mr. Wynne, as a tenancy from year to year under an agreement, which I prepared. George Reid was occupier.

13683. And when did he become occupier, or was he the occupier?—He was on the registry of 1868, and it was I think in the May or June of 1867, or July, 1867, he became occupier. He was a year in occupation in July, 1868.

13684. What rent did he pay?—I think his rent was £5 a year, either £5 or £6. I think it was £5 a year.

13685. Go on then?—The next house was taken from the Misses Dudgeon by Major Knox, and it is in John-street, as a yearly tenancy, and I think the rent was £16 a year, the head rent.

13686. Then what interest did the Major get in it?—Nothing, he took it as a tenant, and then sublet it.

13687. And what rent did he pay?—£16 a year, and then the occupying tenant—it was not with me he settled it—paid £12 a year, I think, that is £4 a year less.

13688. Of course you know the object of this inquiry?—I do, sir.

13689. The occupying tenant was to pay £4 a year less than the Major?—Yes.

13690. And in reference to the other house?—I think the rent paid by the Major was £10 a year. The house was very much out of repair, and when put into proper repair, it was the intention to put two or three persons into it.

13691. But at all events, the first transaction was that the rent of the Major was £10 a year, and what was the rent of Reid the occupying tenant?—£5.

13692. Go on?—The next house was a house taken in Stephen-street, from a Mrs. Simmons. At the time it was taken, it was intended that the Major himself should reside there, but he altered the arrangements, and instead of residing there, he went to a house in the Mall, and then he let it to a Mr. Edward Horman, together with a Mr. Jeremiah Rogers, at a rent of £20 a year.

13693. What rent were you paying for it?—£36 by the year.

13694. Very well, what is the next?—The next house is the Mall house. It was taken for the Major himself, by Mr. Utred Knox. I do not know the rent. I think they were paying £27 a year. They took that direct from the landlord, and occupied it themselves. They occupied that instead of the house in Stephen-street, which was to be occupied by the Major.

13695. Well, what was the next?—The next house was in Albert-street. There were two houses there, one of them waste, and the other occupied by a Mr. John Hegarty. That house and the waste house were purchased I understand by the Major, subject to a head rent. They were the property of a Mr. Madden, who let them to the Major at a head rent.

13696. What were they purchased for?—I think for £200. It was a lease for lives renewable for ever, and it was converted into a fee-farm grant.

13697. What was the head rent?—I think the head rent was £20 a year; but I have not the papers for it. These houses were let, one at £20, and the other at £25 a year. There was an interest there; that was the former letting of the houses. There is one I think let at the present moment at £20, and the other appears to be waste; but I believe it is let, I heard it was let to a tenant.

13698. Are there any more?—There are, sir.

13699. Mr. *Commissioner Bruce.*—I beg your pardon—one of the houses in Albert-street you say was purchased at £200?—The two houses were purchased at £200—over £200 was the purchase money. The head rent payable to the head landlord, the Messrs. Armstrong, was I think £20 a year for the two, and the letting value of the houses was £20 for the one, and £25 for the other—Hegarty was on the registry of 1868; he was the tenant, and he voted against Major Knox.

13700. That is the one in Albert-street?—Yes.

13701. The *Chief Commissioner.*—Go on please?—Yes; then there was the small paddock called the fair green, a field that was taken by Major Knox from Mr. Wynne, at I think something about £5 a year—£4 10*s.* or £5. It was let then to a tenant named Thomas Cunlisk, at I think an advance of probably £1 a year. I think his house was about £6 a year. Thomas Cunlisk voted against Major Knox. The next was another field taken by Major Knox from Mr. Wynne at Ballinode, and the rent of that was £10 a year, and that then was let to a conacre tenant, at a rent of something about the same money; and the last tenant that was there was a man named John M'Grath, and I do not know his exact letting rent for this field. He occupied it for six months, and gave it up then—he did not vote at all.

13702. He did not vote at all?—No, sir; he did not vote at all. The next was a field taken by Major Knox from Mr. St. George Jones Martin, at Knappa; that field was taken at £17 a year, and it was let to a tenant at that rent, and that tenant was not on the registry at the time.

13703. What was his name?—Henry Clancy; he was not long enough in occupation of the field to be on the registry.

13704. Well, go on please?—Well then in Main-street there are three houses, and they were taken by Major Knox from Mr. H. Smith on lease, and I think the rent payable there for the three houses is something like £36 a year, and I think they were let to tenants at an amount that would cover about that rent. I do not know anything about it except what I heard.

13705. Who are they?—Thomas M'Kim, Richard M'Kim, and Mr. Malley; none of these were on the registry of 1868.

13706. They were not long enough in occupation?—No, sir. The next is Albert-street house, which I come back to again, and that house was let, and is, to a Mr. John Farrell and his three sons. There are four tenants in that house.

13707. And can there be four votes from that house?—There cannot, sir; all their rent is £20 a year, and that is under agreement.

13708. What is the rent payable by Major Knox?—I think if you were to apportion the rent it would be £10. They were held under a lease for lives renewable for ever, and I received the rents, but it was converted into a fee-farm grant, and I do not know the rent now, but it is not more than £10.

13709. Is that the whole?—That is all the houses I know anything of.

13710. Were there any other houses that any solicitor was concerned in for Major Knox except yourself?—That house in Albert-street I was not concerned in at all; except to let it. I was not concerned in the purchase of that house, and I understood since, the Major had made some arrangements for purchasing some other houses, but that I know nothing of.

13711. Does the Major still retain property in those houses?—I cannot tell that, sir; he retains property in the rectory house, and in the house in John-street.

13712. Has there been any arrangement by which these have been transferred to some one else?—There has been some arrangement about a transfer to Mr. Abbot.

13713. You know nothing about that?—No, sir; the only thing I know is his houses in Union-street have been transferred to Mr. Abbot. They were held under a lease, and I was told they were transferred to Mr. Abbot, I think by Major Knox himself.

13714. Mr. *Commissioner Bruce.*—Are there three houses?—There are three houses in Union-street.

13715. The *Chief Commissioner.*—Now do you remember the transaction of Mr. Wilson bringing the money to Gray?—I do, sir, perfectly well.

13716. Did Mr. Wilson tell you he had any money?—I will tell you all I know about that. I met Mr. Flynn in Sligo, whom I did know. I did not know Gray except that I knew his appearance, but I did not know Gray was his name. Flynn came to me and told me—I was then I think after returning from Dublin at the time—that the Pound-street boys were badly treated, and they wanted some money for drink, but I said I did not know anything about the money matters, but that I would ask the question. However, in course of conversation afterwards I spoke to Mr. Wilson, and mentioned the matter to him, and I think on that occasion he told me he had a few pounds for mob purposes, in fact I believe it was intended for drink. I then said that Flynn had spoken to me, that he had a long list in his hand that I did not look over, and that there were a number of persons in the Pound who wanted to get something for drink, and who considered themselves badly treated; and he said if I thought well of it he would give them £5. "There is a man named Gray," said I, "who is the principal man; I do not know Gray by appearance, but I will see about it." As I was leaving the shop I took up a card, and said, "Will you know that card again?" and the shopman said "Yes," and I met Flynn afterwards, and said I could get £5 for drink and no more, and Flynn grumbled, and said there was a long list, but I did not read the list and I said, "This will get you £5." "I do not want money for myself said Flynn, nor would I take it, nor is there any man on the list who is a voter." Said I, "If there were I would not give you the money." I said, "Send to Mr. Wilson for the money; there is a card." He went to Mr. Wilson, and I understood he got the money.

13717. Did you ever mark another card like that?—No, sir; and never will again.

13718. There was a great deal said about the card being marked?—There was no mark whatever.

13719. There was a hole in the card?—No, a little mark in the margin where I took a piece off, and said, "Will you know that again?" and he said, "I will."

13720. You conduct, Mr. Phibbs, the Conservative Registration inquiry?—I do, sir.

13721. How much did the registration before the election cost? I mean on your side?—That is the last one.

13722. Yes, before the election?—Oh I could not form an opinion, sir. The money did not pass through my hands.

13723. Through whose hands did the money pass?—There was money sent to the late Mr. Robinson, and as to the sums that were sent to him I know nothing of.

13724. But you were managing, and you had the

staff of professional men under you?—I had, sir. I did not act as manager. I acted in conjunction with the other persons. I have had the conduct of the borough registry for some years in my hands.

13725. Can you describe the state of the town during the election as regards the conduct of the mob?—I can. It was certainly extensively excited and very riotous, and there was a great deal of injury done to property—house property.

13726. I presume you have seen many other contested elections?—I have seen a great number.

13727. Was this as bad, or worse than any you have previously seen?—I was present at one that I think only equalled it, and that was the contested election between Mr. Martin and Mr. Wynne, a great number of years ago. I saw a number of men armed with staves.

13728. Speak of anything you have seen?—I was on the day of the polling within two hundred yards of the court-house, and I saw men's houses wrecked within view of the authorities and within view of the police officers who were stationed here; and who could not stir unless by orders. I did apply to some persons, I forget to whom, and my application was minded, and there were two companies of infantry sent up, one to one place and one to another, in charge of a magistrate each. The constabulary could not stir.

13729. Mr. *Commissioner Bruce.*—Whose house was wrecked?—The house of a man named Carragh. I saw the mob running in and out through the windows. The windows were forced open. At night, as I had occasion to be sometimes up late, I always went home under an escort. I felt it was absolutely necessary.

13730. Mr. *Commissioner Byrne.*—Did you conduct the Conservative Registration business in 1867?—I did.

13731. Did you know then that Patrick Neilan was a voter?—Oh, I am sure I did.

13732. Did you make any lists of the voters for Major Knox?—Not more than the register—but probably I might have put on the register an observation to each name as I went along.

13733. Do you remember when you first furnished it to Major Knox?—Indeed I have no recollection of that. It was very early. I think earlier than 1867. I think so, but I have no precise recollection of it.

13734. How could you distinguish the names on the registry?—I think I could distinguish the names by putting down the religion, Protestants and Catholics.

13735. And having put down the religion what further marks did you put down?—Well there are some Protestants that I knew never voted for the Conservative party and I marked them.

13736. How did you mark them? What mark did you put?—I think I might have put some pencil observation.

13737. Did you put a mark to say that they had never voted with the Conservatives, or that they were men open to bribery?—Oh no; these men were not open to bribery in any way. I would not attribute that to them. They were respectable gentlemen in this town.

13738. Well, did you put any mark against any of the names of the Roman Catholic voters that you thought were open to bribery?—Indeed I did not, sir, do anything of the kind.

13739. Did you mark off any of them as to be canvassed by Major Knox?—I was with Major Knox in his canvass, and I canvassed everybody in Sligo. At the last canvass I was not among the number of new men likely to be on the registry—the men between the £4 and the £8 valuation. All the men of the £8 valuation I knew by appearance. The others, who were the men between the £8 and the £4, I did not know, and I was not able to give him sufficient information about these, as to what their religion was.

13740. But did you make inquiries as to who the persons were who were likely to come on the registry as under the £8?—Oh, surely I did.

13741. Did you make out a list of any of these persons?—No, sir. We served notices in a great number, and I know by the number of notices served by the opposite party and comparing that list with my list.

13742. Are you able to tell us when Rooney's name appeared?—Michael Rooney?

13743. Yes?—Oh, he was always on.

13744. The *Chief Commissioner.*—He has land in the neighbourhood?—He has conacre land here.

13745. Mr. *Commissioner Byrne.*—Was he always on?—I think so, always; on I think for the last five or six years, and if he was put off, it was by some accident.

13746. And of course his name must have appeared upon any list you furnished to Major Knox?—Yes, of course; it is a printed list.

13747. Did I understand you to say that the earliest of these lists you furnished to Major Knox was in July, 1867?—No; I furnished a list and I could not bring it to my mind when I furnished it, but probably he had a list before him when I made some observations respecting the names. I do not recollect furnishing a list, but I recollect speaking to him about it.

13748. Was the making out of the lists and the getting information as to the voters originated shortly after Major Knox became a candidate for the borough?—No, sir. It was always my business to make out the lists and see the persons who were coming on the registry, and make my objection to them if necessary.

13749. Just so. And I presume you communicated early with Major Knox, or as he became a candidate for the borough?—I have no distinct recollection, but I should say so.

13750. Furnished him with a list and gave him every information?—I gave him every information I possibly could.

13751. Neilan's name was on the registry before this?—It was on the registry before 1867, but I do not know precisely. I know it was on the registry for 1867, and I know it was on the registry for 1868.

13752. Do you happen to know the Christian name of Mr. Abbott?—William, I believe.

13753. What is his address?—He is at present in Paris, I hear; that is the last I heard of him.

13754. What was his address before you heard he was in Paris?—The only address I ever knew was when he stopped in London, and I visited him for three or four days. He was then stopping at the Grosvenor hotel.

13755. What is his place of residence?—That I could not tell you, sir.

13756. Have you ever had any communication with Mr. Abbott by writing?—Never.

13757. You have had no correspondence with him?—I do not think I ever received or wrote a letter to him. I have no recollection that I ever did.

13758. Mr. *Commissioner Bruce.*—You were conducting agent for Mr. Macdonogh?—I was, sir.

13759. Were you at both his elections?—I was.

13760. Do you recollect the election of 1860?—I do.

13761. Colonel Tennison and Mr. Somers were both candidates?—Yes, sir.

13762. And Colonel Tennison retired?—Yes.

13763. And Mr. Somers polled one vote I believe—that has been stated by Mr. Macdonogh?—I think he polled more than one. I think he polled three or four.

13764. Would you tell me why he polled such a small number?—I could not tell you because I was in the opposite camp.

13765. You must have formed surely some conclusion. You must have known why he polled such a ridiculously small number?—I do not know. I knew Mr. Somers for a long time. I had been previously connected with Mr. Somers at former elections, and I

never charged him sixpence for it up to the time Mr. Wynne came here. But I knew Mr. Somers to be a very clever electioneering gentleman, and I am sure he must have had some reason for that.

13766. The *Chief Commissioner.*—Very likely for petitioning purposes?—Very likely.

13767. Mr. *Commissioner Bruce.*—What is the rumour which prevailed?—The first I knew of it was the placard of Colonel Tennison's withdrawal, and we were really at sea at the time, what I heard of this afterwards was that the cause of Colonel Tennison's leaving was in consequence of a demand that was made by some Roman Catholic voters.

13768. For money?—For money. In fact the sum was £650. At a late hour of the evening it appears the parties had a meeting, and the result of that meeting was that Mr. Harkan, a barrister who is known to us all, waited upon Mr. Randle Peyton, the conducting agent, and private solicitor for Colonel Tennison. They then went and called upon Mr. Charles O'Donel, who occupied apartments in Castle-street. He was Colonel Tennison's friend and adviser, and the result of the interview with him was the withdrawal of Colonel Tennison altogether.

13769. In consequence as you understood of bribery?—In consequence of a demand that had been made upon him for a certain sum of money, which he would not give. Mr. Randle Peyton would not allow it.

13770. Did report point to any persons as those who had made that demand? Of course we are merely speaking of report, and I do not expect you to know of your own knowledge?—No, sir, I cannot say, because I think it was spoken of as if a list was furnished with the names on the list, and that list was taken by Mr. Harkan, I think, to Mr. Peyton, who brought it to Mr. O'Donel in company with Mr. Harkan.

13771. What names were on that list?—I do not know.

13772. We have heard a great deal of some £850 expended illegally by Mr. Macdonogh at that election. Did you know anything of it at that time?—Not a sixpence of it, sir. I never in all my life, directly or indirectly, offered, gave, or caused to be given sixpence to any man for his vote or to abstain from voting. At the Carrick petition I was summoned as a witness, and in the bill of particulars there was an allegation against me for thirty-seven cases of bribery and other corruption.

13773. The *Chief Commissioner.*—We do not think it necessary to ask you any questions about that?—I read in the reports in the newspapers that my name was mentioned here by, I think, Mr. Hugh Conlan—Mr. Ormsby's and mine. It was stated that a man named Dolan had told me that eleven persons were to leave at the last election who were Roman Catholics, that they were to get £40 each, and that Mr. Ormsby and I had stated that they could not get £40, for we could not trust them. Such a thing never happened, and I never heard of such a thing until I saw it in print.

13774. Did any money pass through your hands at the election of 1860?—Not a sixpence except my conducting fee. I got my conducting fee all right.

13775. Were you his agent in 1865?—I was, sir.

13776. Could you give us the poll books for 1865? You have copies of the poll books for the last time?—Yes.

13777. Could you give us the poll books for 1865?—No, sir. I will make search and if I have got them you shall have them. I am inclined to think that the poll books went to Dublin. I will make search for them and if I have them you shall have them.

13778. In 1865 no money passed? I will ask you formally, did any money pass through your hands except for your fee?—Not a sixpence.

13779. And you did not know of any money passing?—Not a sixpence, nor was I present at any conversation or at any meeting when it might have been spoken of.

13780. Have you got in your possession any lists marked by yourself previous to the election of 1865 or the last election?—I do not know that I have. I will see if I have, but I am sure that I have not one; if I have I will give you them. I will give you any list that I have.

13781. Now, at the last election between Captain Flanagan and Major Knox, did you hear anything about money being going on Major Knox's side? I will ask you in the first instance, did you know that sums had been illegally distributed at previous elections by Mr. Macdonogh?—I did not know except by hearsay. Until I went to Carrick I knew nothing about the distribution of the money by Major Knox. I heard of it then for the first time, and until Mr. Macdonagh was examined, and in the progress of this investigation, I knew nothing about the money. I had always suspicions about the money going, but as to the parties who got it I did not know.

13782. Had you any suspicion of that kind about Major Knox's election?—Not until I went to Carrick. Immediately before going to Carrick I heard it rumoured.

13783. But at the time of the election?—None at the time of the election.

13784. Had you heard any reports of money going on Captain Flanagan's side?—There were rumours on both sides, but I never could get any persons to tell me what they knew.

13785. You heard in fact nothing that would assist us in this investigation?—Nothing that would assist in this investigation.

13786. Mr. *Commissioner Byrne.* — From your knowledge of the borough would you say now that for years past there has been a class of voters who would expect money to be distributed amongst them afterwards?—Well, I dare say there was such a class.

13787. Have you any doubt of it?—Indeed I have very little doubt that there is some on both sides that expect it always.

13788. That expect it always?—I have very little doubt about it.

13789. Mr. *Commissioner Bruce.*—Is that opinion formed independent of anything you have heard during the investigation?—I think what I have heard during the investigation strengthens me in that opinion.

13790. I have no doubt it adds to it, but if you had been asked as the first witness here the question that you have been asked by Mr. Commissioner Byrne, would you have given him the same answer?—Well, I should say I would.

13791. Now, you state, I think, that you were agent for Mr. Somers?—Well, I was agent for him acting under another agent.

13792. But acting for him?—Yes, sir.

13793. Was that in both the elections of 1857 and 1859?—In 1859, I think, was Mr. Wynne's election.

13794. They were both Wynne's elections?—I was on both occasions opposed to Mr. Somers. I was concerned for Mr. Somers previously.

13795. Have you any reason to believe that money was spent illegally for Mr. Somers in that election?—Oh, indeed I have not. I think the poor man had not the money to spend, and if the money was spent it was spent for him, but I knew nothing about it. I think £100 of Mr. Somers would go as far as £1,000 of any other man's.

13796. The *Chief Commissioner.*—He was very skilful?—No. He was very popular.

13797. I thought you meant in the management of money, because there was a good deal of money wasted?—Yes, sir.

13798. Mr. *Commissioner Bruce.*—You were acting directly for Major Knox?—Everything I could do.

13799. And, of course, taking the management of everything that was going on?—Yes, in a good deal of things.

13800. Could you form any opinion as to whether the mobs of Captain Flanagan were organized for the purposes of intimidation?—The mobs must have been,

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for this reason, that the Sligo mob would never have committed the damage that was done compared with mobs brought in from the country; frieze-coated fellows. I saw a witness examined here a day or two ago, a man named Ward. Well, I was going home to my own house one day during the election and this man was at the head of a mob coming into town from Knockrea side.

13801. With a mob?—Yes.

13802. Directing them and leading them?—He was at the head of them, and they hooted any person in the interest of Major Knox that passed.

13803. Then these countrymen must have had the houses pointed out to them that they were to wreck?—Of course they must have had. I happened to be out one night with one of the Sligo magistrates, and I saw the house of one man literally gutted. He sold hats, &c., and there was a lot of the hats and hat-boxes strewn about Market-street, and kicked about the street.

13804. Did you take any steps to have information as to whether these mobs were supplied with drink at certain houses?—I did not, sir, take any steps to ascertain that, but I only heard that they were supplied with drink.

13805. Tell us where?—The house of Ward was one of the houses. The house of a man named Marian was another. I can't tell all.

13806. But what you heard?—There was another house at the top of the street, I think Jordan's.

13807. Any others that you can recollect?—I cannot recollect about any other houses.

13808. Now, do you recollect who told you?—No, I do not, sir. It was just in the hurry of the moment at the time. There was always a large mob at the head of Knox's-street, just near one of these houses, and near the house of a man named Gethins, whose house was wrecked.

13809. The *Chief Commissioner.*—Why do you say the Sligo mob would not have committed these outrages upon the houses?—Well, I think the Sligo mob, taken as a mob, are rather quiet men.

13810. And I suppose if there were two Sligo mobs they would take care not to hurt each other?—I do not know about that, but I never met an insult from a Sligo mob.

13811. Mr. *Commissioner Byrne.*—Mr. Kidd expressed an opinion that the violence of the mob would not have been very great but for the inefficiency of the police and military?—From your observation do you think that observation of Mr. Kidd was well founded? Oh, I do not know.

13812. Did you see any want of protection on the part of police or the military?—I think the organization with which the military were placed, and the way in which they were placed were very defective. They were not placed as at former elections. At former elections I could walk up and down to the Court-house, and from the Bishop's house down to Castle-street, and could do so without trouble, for this reason—there was a body of dragoons drawn across the street there and another here, and there was no person allowed to pass up and down excepting only the persons who had business. None of this mob or riotous persons would have been allowed to pass, and that was spoken of and asked for, and it was refused. It was not done.

13813. The *Chief Commissioner.*—When you say spoken of do you mean by those acting on Major Knox's side?—Yes.

13814. To whom was the application made?—I do not know, but I know it was spoken of.

13815. Was the mob allowed to come up and down in front of the Court-house here?—It was as much as we could do to bring the voters across from the other side of the street here. There was one voter and I was obliged to go down with a troop of drogoons, some infantry and some police to the quay for him. We went down to his house. He is a ship captain.

13816. Was it in this Court-house we are in now that the polling went on?—Yes, sir.

13817. How many booths were there?—Three, I think, one of which was in the next court, and one in the grand jury room.

13818. How many men who voted on Major Knox's side had you to get an escort for?—I am not sure. Perhaps it is the county election I am speaking of in the matter of the booths.

13819. But you were attending to the polling on the day of the borough election?—Yes.

13820. How many men had you to get an escort for, who could not appear without an escort—I mean of constabulary or military?—Oh, there were several. There is one I went myself specially to. Mr. Robinson and his brother were in Garden Hall, and we went with an escort and brought him in a carriage.

13821. What escort had you?—I think we had the dragoons, some dozen of dragoons, and a lot of police. I do not think we had any infantry.

13822. You have described about the previous elections the horse being formed across the street; at this last election was there any drawing of lines at any street to prevent the mob going backwards and forwards?—No, sir. They had free access to go where they liked. The dragoons were kept walking up and down, but had the mob been kept back as it was in former elections, I do not believe Captain King's life would have been lost.

13823. You described going down with the cavalry and constabulary for Mr. Robinson; when you went down did the mob follow you down?—No, sir, not on that occasion. But when we went down for this other voter there was a mob followed us down, and not alone that, but there was a mob below of upwards of 200 men. We brought an elector back with us. I think we came up Wine-street, and we met another large mob there. There was a boatright and we took him and brought him home, and when we were going over the bridge just directly opposite the Ulster Bank, a fellow threw a brick at us, and it fortunately did not strike any of us. Mr. Whelan was the resident magistrate in charge, and he sent in two or three men to take him out and make him a prisoner, and lock him up.

13824. But at any time going with these escorts had you a sufficient number of men to form a line across the street and prevent the mob following?—I had, sir.

13825. And that was not done?—It was not done.

13826. Mr. *Commissioner Bruce.*—Is mob violence common in Sligo at elections?—It is, sir.

13827. Was there much at Mr. Somer's election?—There was a good deal, but I do not think anything at all like the last. There was some.

13828. Do you know a man named Dunoray?—Donleavy.

13829. I mean a man whose house was broken into?—There was no man of that name whose house was broken into.

13830. Was Balfour the name of the house in Market-street where the hat-boxes were?—No, Burke's. He lives next door to Mr. Balfour's.

13831. You know Captain Ethelred Knox, I suppose?—I do, sir.

13832. Was he taking an active part in this last election?—He was here, but what part he took I am not aware of. I do not know any transactions about him.

13833. The *Chief Commissioner.*—Were you ever in the room he is described to have occupied in Leech's house?—I was in Major Knox's room at Leech's.

13834. But Captain Knox had a room there?—If he had I did not know of it. There were two rooms there—the only rooms I ever saw. I never saw any other rooms, and if he had I did not know anything about it.

13835. Mr. *Commissioner Bruce.*—Do you know anything about the conditions or the arrangements between Major Knox and Mr. Abbot for the sale of these houses?—No, sir; I did not conduct any arrangements or conditions between them.

13836. But you did not hear it from Major Knox?—What I heard was that Major Knox had sold his

interest in these houses. There was another house, a house in Market-street, that is not on my list, and I only recollect it now. That house was a waste house, and it was purchased originally by Major Knox in the Bankrupt Court. It belonged to a man named Little, a shopkeeper in this town, and the house was sold in the Bankrupt Court and Major Knox purchased it, and I think he has assigned that house to Mr. Abbot; but what the consideration is I do not know.

13837. Do you know whether these assignments were made previously to the meeting at which Mr. Abbot was introduced to the electors?—No, I do not, sir. I had nothing to do with the assignments. The only thing was these agreements I spoke of, but I had to prepare a lot of them.

13838. Mr. *Commissioner Byrne.*—Now, is there anything else connected with bribery or intimidation which occurs to you to communicate to us?—Nothing, I do not recollect anything.

13839. If there should be anything hereafter that strikes you, mind I shall be very happy to hear it?—I shall mention it, but I do not recollect anything.

13840. Mr. *Commissioner Bruce.*—Do you recollect who was conducting agent of Mr. Somers at the election where he polled one vote?—I think it was Mr. Graham, who is since no more. As long as he was able to do business he was his conducting agent for years past.

13841. Were you aware that Captain Ethelred Knox took a part in the business of the election?—Oh, he was to this extent that he and Major Knox were cousins. He came to do anything he could for him; but what he did at the election I do not know of.

13842. Did you know of his having large sums of money in his possession?—Indeed I did not; nor did I think or believe it until I heard it sworn.

13843. Were you aware that he had any communication with Mr. Stokes or Mr. Atcheson?—No, nor did I know that Mr. Atcheson's name was used until I heard it to-day in court. I heard it to-day in court.

13844. There was a very large number of the voters at the last election who were unpolled, an unusually large number. Are you able to state how many of these voters did not record their votes?—I got a paper this morning which will give the information you require. Samuel Benson was one of those who did not record his vote. That man belongs to some of the lay preachers, Mr. Trench's denomination, and he does not take any part for either party. James Caldwell is another. He was in the country, or was on his way from America. Henry Dale is the man we sent for to the quay and we dare not attempt to bring him out.

13845. The *Chief Commissioner.*—Do you mean to say in consequence of the mob?—Yes, and the man got frightened and would not come out. Mr. Pollixfen sent some one down for him and he would not come out; he was afraid.

13846. Was there a great mob outside the house?—Yes.

13847. Had you a car?—Yes.

13848. And infantry and police?—Yes.

13849. Had you a car for him?—No, sir. He would have had to walk in the centre. John G. Davis is down here, but he voted I see. Mr. Fox is here. I do not think he voted. He is an agent for Lord Palmerston's estate. Mr. Gordon is the manager of the provincial Bank, and would not vote. I see two gentlemen named Hall, William and John, but these gentlemen live in London and were not here. I see then Dr. James Johnston; I thought he voted and wondered why he did not do it. I see Tom Middleton. Well, he is a very old man, and he did not like to interfere with either party. I see four gentlemen from Limerick—the Russells. They did not vote. Mr. Russell was busy with his own arrangements. Then the Rev. Mr. Sheppard did not vote. Mr. Trench is the next gentleman. He too is put down as reverend, but he is not. Mr. Wilds is an officer of pensioners.

13850. As regards any of the other names who did not vote, do you know why they did not vote?—The names of the Roman Catholics?

13851. Mr. *Commissioner Bruce.*—Those that are printed in the large type?—Well, I could not tell, sir.

13852. The *Chief Commissioner.*—Had any of these, to your knowledge, pledged themselves to vote for Major Knox, and were they prevented by threats?—Well, I will just read them over and see. There is one, or two, or three I know here who did not vote, and I heard they were afraid.

13853. Well, just mention their names?—Well, there is one I did all I could to get out, and that is Mark Antony M'Donagh.

13854. He told you he was afraid?—He did, sir. He did not come out. Well, there is another. John M'Guirk told me he was afraid. Their fear was after the sad accident in the morning of Captain King being shot.

13855. He said so himself?—He told me so. I knew these two, but I do not know what caused the others. The last gentleman who appears on the list never takes any part in politics—Dr. Powell.

13856. Mr. *Commissioner Bruce.*—From your knowledge of the constituency is that an accurate list of the Roman Catholics who did not vote?—I should check them with the rate book before I could answer that.

13857. Well, if necessary, we will be able to do that?—I would not say this is accurate, because I see in some of these places persons put down for not having voted who I know did vote. I know Mr. Ormsby voted, and his name is there too.

(The witness withdrew. He handed in a copy of the *Sligo Champion* of the 1st September, 1868, from which he had been reading the names of the voters referred to in his examination.)

13858. The witness, Mr. *Sedley*, said—I have been told that Mr. Phibbs spoke of me as having been concerned for Major Knox in regard to some houses. I will give you any information in my power on the subject.

13859. The *Chief Commissioner.*—Very well.

(The witness again withdrew.)

Robert Stokes re-examined.

Robert Stokes.

13860. The *Chief Commissioner.*—How long was it before the election that you first spoke to Captain Ethelred Knox about money being wanted by you—about how long?—I think it was four or five days.

13861. What led you first to speak to Captain Knox? Had you applied to anyone else for money?—Never, sir.

13862. Had you applied to anyone else on your own side—on the Conservative side—for money?—I had not.

13863. Then why did you apply to Captain Knox?—Captain Ethelred Knox was introduced to me, and from our conversation he intimated that he would supply the funds.

13864. Who introduced you to Captain Knox?—I think it was the Major introduced me as his friend.

13865. Where were you introduced?—I think at my own door.

13866. Where was it that Captain Ethelred Knox intimated to you, I do not mean by words, but intimated to you that he would supply money?—When he left my own house.

13867. Was it on the occasion of the first interview?—It was the first money he gave me—not the first interview.

13868. When did he first apprize you he would supply money? You remember, you say, being introduced, or do you remember being introduced by Major

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Knox?—I cannot say there was a formal introduction, but I knew him as his friend, and I had heard of his name. I do not say there even was what I would call, or what you would call, a formal introduction in any way.

13869. Where was it first, then, was it at your own place or in Leech's house that Captain Ethelred first informed you he had money?—It was in my own place he first gave me money.

13870. What exactly did he say? Did he intimate that more would be ready?—I cannot say he said that, but he left that impression, and whatever I wanted I applied for.

13871. Mr. Barber was examined here—what money did you give him?— Fifty pounds.

13872. In what shape?—A fifty pound note.

13873. On what bank?—The Bank of Ireland.

13874. Where did you give it to Mr. Barber?—In my own house.

13875. Who gave you that £50 Bank of Ireland note?—Captain Ethelred Knox.

13876. And do you remember his giving that as a separate sum of £50?—To the best of my memory he did.

13877. Where was it he gave you that?—If I do not mistake he gave it to me in Leech's house.

13878. Did Captain Ethelred Knox know from you when he gave you that, that it was for Gallagher the livery stable keeper?—He did.

13879. Now you told us that you have not paid the M'Mullens?—Yes, sir.

13880. And you told us that Captain Ethelred Knox informed you you were not to pay the M'Mullens?—He did, sir.

13881. When did he tell you that—how long after the election?—Perhaps it was a week or ten days.

13882. A week or ten days?—Yes, I am not accurate as to the time.

13883. Now if you were not to pay the M'Mullens Captain Ethelred Knox must have known you would have some balance of money in your hands. When he told you not to pay the M'Mullens—just tell exactly where that conversation was and how it came about?—He came down from Dublin and asked me for the balance of the money and I would not give it to him.

13884. Came down from Dublin?—Yes, sir.

13885. Why would you not give it to him?—I could not keep my word with those I promised if I returned the money.

13886. Did he know the balance you had in your hands?—I told him.

13887. How much?—About £100 or more or less.

13888. Where was it he asked you for the balance?—In my own house.

13889. What exactly did he say to you?—As well as I can recollect he told me it was a good deal better to give it up, that there might be a petition and there might be other things going, and it would be better for me to be rid of it, and I thought so myself, but then I looked upon it that my word was at stake with these parties, and if I gave it up I would not get it back again. So I ran the risk in order to keep my word.

13890. What then led to speaking about the M'Mullens?—In telling him.

13891. Did you tell him you had this £100 for the M'Mullens?—He knew for he gave it to me for them.

13892. Did he intimate from what quarter the M'Mullens were to be paid?—He did not.

13893. Had you and he a little difference about whether you were to keep the money or not?—He seemed a little cross but there was no difference.

13894. But he wished to possess the money?—He did, sir.

13895. Had you at the time the very notes he had given you?—I had not, sir.

13896. They were mixed with your own accounts?—Yes, sir.

13897. Did you hear of anyone else being down collecting up the money that was in the hands of trustees like yourself?—None applied to me.

13898. I did not say they did because you dealt with Captain Ethelred Knox; but did anybody else come down to collect the money that was in the hands of trustees?—I can't say.

13899. But according to what you heard—did you hear of any other gentleman coming down from Dublin to collect the money in the hands of trustees?—I cannot say that, I cannot tell.

13900. But do you know who came down from Dublin at that time with Captain Ethelred Knox? What gentleman was with him?—Mr. Grubb was present at it.

13901. Who is Mr. Grubb?—I do not know more than that he was with him.

13902. Did Mr. Grubb say anything at that interview?—I think that he advised me to give it up—that it would be better for me and safer for me.

13903. Do you know Mr. Grubb's Christian name?—I do not, sir.

13904. Was he a Sligo man or a Dublin man?—A Dublin man.

13905. Did Mr. Grubb call upon anyone else to your knowledge or as you heard at the time?—Not to my knowledge.

13906. I do not mean that you were present at all?—No, or that I could say.

13907. Did you hear at that time of anyone else having money similar to yourself in hands?—That I cannot account for.

13908. I do not want you to account for it, but was there anyone similarly situated in the matter to yourself?—I do not.

13909. Why did Mr. Grubb come with Captain Ethelred Knox?—I could not answer that question why he came.

13910. Was he here at the time of the election?—He was.

13911. What was he doing?—An assistant I suppose.

13912. Assisting Captain Ethelred. Did you ever see him in Ethelred's room?—Never.

13913. Did Mr. Grubb ever call upon you?—Often.

13914. Did you give him the list, or tell him about the men you had secured?—To the best of my memory I did.

13915. Who were they?—The two M'Mullens, the four Ryans, Gallagher, and Henderson. I do not say I told him all, but I told him about the M'Mullens.

13916. You told him about the M'Mullens?—Yes, sir.

13917. Could he have been the man who gave the address to Mr. Kavanagh?—I do not think he was; I am not certain upon it.

13918. Mr. Hignell is positive he did not give that address?—I will not say now who is right and who is wrong. If he be right some other man must have given that address to get the M'Mullens away.

13919. Did Captain Ethelred Knox intimate to you on that occasion that he asked you for the balance in your hands, that he was calling upon any other people?—No, sir.

13920. How long was he in Sligo on that occasion?—Perhaps four or five hours, or six hours.

13921. Did he go back to Dublin the same day he came?—I believe he did.

13922. Is there any way you could fix that date which you say is ten days after the election?—I could not swear.

13923. There is no way of your fixing it now?—There is none.

13924. Did you see that Mr. Grubb since?—I saw him at the cattle show in Dublin, accidentally, in the yard.

13925. Were you speaking about the election?—We were at a stall.

13926. Did you speak about the money in your hands?—I might have done so, but I entirely forget what occurred.

13927. Which cattle show do you mean?—Was it last summer, or was it the horse show?—The general

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cattle show, not this summer, but the summer after the election.

13928. The election was in November, 1868, and there has been only one general cattle show in Dublin since, and that was in April. Was it after the petition?—I am at a loss for that. I do not know whether before or after the petition.

13929. Was Mr. Grubb at Carrick?—He was, sir.

13930. Were you speaking to him there?—I was.

13931. What were you talking to him there about?—I met him in the Court-house.

13932. Was he one of the gentlemen that made the observation about your evidence?—I do not think he was.

13933. Where was Mr. Grubb at the time of the election when you saw him, and spoke to him about these people?—I think it was in my own house.

13934. Used he to call upon you?—He used.

13935. Did he ever bring a letter to you from Major Ethelred Knox?—I do not recollect that he did.

13936. Who used to bring messages to you from him?—There was no one between him and I.

13937. Did you call upon him every day?—Every day I had any success to mention.

13938. Mr. *Commissioner Byrne.*—What is Mr. Grubb?—I do not know, sir.

13939. Do you know where he lives?—I do not.

13940. The *Chief Commissioner.*—Did anyone ever write to you about this money in your hands?—No one.

13941. Mr. *Commissioner Byrne.*—Was there anybody else except Mr. Grubb who was aware of Captain Ethelred Knox's transactions?—No, sir, not that I recollect.

13942. You told us something about a brief of your evidence at the trial at Carrick, that you say could not be produced—do you mention distinctly what that transaction was, and who made the observation?—Which transaction?

The *Chief Commissioner.*—Stand down for the present.

(The witness withdrew.)

Charles Sedley.

Charles Sedley re-examined. He made the following statement:—

13943. The only thing I remember in relation to property purchased by Major Knox was this. Mr. O'Connor of the Mall, and his son, were made bankrupts, and they had some interest in land near Sligo, and I think it was a tenancy from year to year. They were made bankrupts in November, 1868, and their interest in the property was sold after the election in Sligo, and Mr. John O'Connor, son of the elder bankrupt, bought it.

13944. The *Chief Commissioner.*—I do not trouble you with any purchase after the election?—The only other matter I know of was an arrangement with a Mr. Leech. I believe the arrangement was previous to the election, but I was not acting for Major Knox previous to the arrangement. On the contrary, I had to bring some pressure to bear upon him to carry out the arrangement. A petition was presented in the Landed Estates Court, and I was only concerned for Mr. Leech in connexion with it.

13945. We have nothing to do with this, but it was mentioned that it was a mystery why you left town. Did you hear that observation made?—I did not, sir. I was concerned in a very heavy will case for the friends of Captain M'Manus, who left large property near Ballysodare. I was under an order of the Court of Chancery, to deliver up leases and documents connected with that will case, and it was of importance for me to know the contents of them, and as I was determined not to let the election interfere with my private business, I left town and took memoranda of these leases in the will suit, and they turned to be of the greatest importance, and if they had gone into Mr. Brett's hands without my seeing them, it would have been a great loss.

Mr. Samuel H. Sloane.

Mr. *Samuel H. Sloane* sworn and examined.

13946. The *Chief Commissioner.*—What is your occupation?—I am connected with the press, and have been for years.

13947. Have you been connected with the *Irish Times*?—Yes.

13948. In what capacity?—As sub-editor; I am not now connected with the *Irish Times.*

13949. Were you at the time of the election?—I was.

13950. During the election did you know of any Sligo men being in Dublin?—Oh yes, I did. I saw them.

13951. Name them?—There was a Mr. Petit I saw in Dublin.

13952. Anyone else?—And I saw the man called Brennan.

13953. Do you know anything of the M'Mullens?—I heard of them, but I do not know anything personally of them.

13954. You heard they were in Dublin?—I did.

13955. From whom?—From a conversation between Mr. Hignell and Mr. Kavanagh.

13956. What was that conversation?—Well, it had some reference to lodgings not being suitable in Mr. Kavanagh's house, and that he had changed them elsewhere.

13957. Did you know then they were voters?—I did not, but I understood they were.

13958. That is what I mean?—Yes.

13959. Did you hear about these men being removed to Clitheroe in England?—No, not till it came out at this inquiry.

13960. Now, what others did you know anything about—did you know anything about Harrison being in Dublin?—I did not.

13961. What other Sligo men did you see?—There was a Mr. Cherry that I think I saw in Dublin.

13962. At the time of the election?—Before the election.

13963. Had you any conversation with him on election business?—I had not.

13964. Or he in your presence?—No; he was conversing with Major Knox, but I did not hear the conversation.

13965. Any other Sligo voter?—Well, I am not aware of any other that I recollect.

13966. Do you know of any of the payments made to any of the Sligo voters in Dublin?—Yes, I believe that payments were made.

13967. Tell what you know—what you believe?—Well, I heard that Mr. Hignell was in the habit of regularly paying those who were in Dublin and in England.

13968. Who told you that?—Well, it was from Mr. Hignell himself I heard it in the course of conversation.

13969. Did you understand from Mr. Hignell how many he was in the habit of paying for?—No, I did not; but I understood there was a number, because he had to go to different parts of the city, as I understood, where these people were stopping.

13970. Did you so understand from Mr. Hignell himself?—Yes, I did.

13971. About how many did you understand from him—I mean infer from what he told you—he was in the habit of paying for in this way?—Well, I really

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did not form an opinion as to the number, but I thought there might be five or six. I formed no opinion upon that.

13972. Did Hignell inform you that he himself was making weekly payments for those men?—I understood from him at certain times, that he was going to pay these people, or settle their accounts in the lodgings in which they were.

13973. About how long was that going on—I presume the way this came to your knowledge was when he would be leaving the office, you would understand from him the business he was going out upon?—Quite so. He was coming very often in contact with me in the evenings after I came into the office, and I heard it from him.

13974. You were sub-editor?—Yes.

13975. What hour of the day was it your duty to go into the office at?—About half-past five I generally came to the office, and I did not leave until an early, or rather a late hour, in the morning—generally four o'clock.

13976. Getting out the paper?—Yes.

13977. It was your duty to see it out?—Yes.

13978. Now, at what time did Mr. Hignell then leave the office according to his business?—I think he went to bed about nine o'clock.

13979. Then you, of course, would see him constantly between five and nine o'clock?—Oh, yes, and sometimes later.

13980. Used he have to leave the office, and go away, as you understood, to make these payments?—I understood he went away for that purpose on some occasions.

13981. About how long was that going on—how many weeks or months from the time of the election?—Oh, I should say it was going on to my knowledge about a couple of months, or, perhaps, more.

13982. Did you understand from Mr. Hignell at any time, how much was paid?—No, I did not. I never understood that.

13983. Did you hear from him at all the names of the people, or was it known in the office from conversation?—Well, I think it was not known in the office generally, except by himself, and, perhaps, a few others.

13984. Did you hear, or learn the names of the people?—I did not, beyond what I have told you.

13985. Do you know nothing at all about the sending of the M'Mullens to England?—Nothing whatever.

13986. Were you ever in M'Dowell's house?—I think I have been once in it.

13987. Did you not know that they were there?—Oh no.

13988. That one of them was there for seven months nearly?—I understood they were in Henry-street, but I did not know where.

13989. How did you understand?—Because I heard a convesation between Mr. Kavanagh and Mr. Hignell, and I understood from that conversation that it was in Henry-street they were. I did not know exactly the place.

13990. Were you ever in Mr. Kavanagh's house?—Never.

13991. Do you know Mr. Hughes' of Queen-street?—Yes.

13992. Did you know Harrison was in that house?—I heard it. I did not know it personally.

13993. Did you hear Harrison's name at that time?—Yes, I did; I heard his name mentioned.

13994. By whom?—Well, some person in the office.

13995. Was it mentioned by Hignell?—Well I am not absolutely certain, but I should say it was.

13996. Had you anything to say to the management of these voters?—Oh nothing whatever.

13997. Do you know anything of the £9 proved by M'Dowell to have been sent to him in Henry-street?—Nothing whatever.

13998. Do you know anything as regards any individual sum paid to any Sligo voters—or the short way to put it is—can you give us information or suggest the name of a single individual that you believe can give us information on the subject?—I believe Brennan was regularly paid.

13999. That is Tom Brennan. How much did you understand he was paid?—Well I believe he sometimes got £2 and sometimes £3, perhaps more, according to the statements I heard.

14000. Whose statements?—Mr. Hignell frequently stated he was getting a great deal too much money—something to that effect.

14001. A great deal too much money?—Yes.

14002. Was he constantly about the office?—Very constantly.

14003. Was he pestering for money?—Subsequent to the election—not so much that I am aware of as before it.

14004. It is subsequent to the election that I refer to. I am not asking about what he was doing in Sligo at all?—Oh yes, and I heard him complain that he did not get sufficient money and get it sufficiently often.

14005. Complain to whom?—He stated the matter to myself.

14006. Did you ever hear him complain to Mr. Hignell?—No, I never have. On one occasion he came upstairs at a late hour of the night having had a car out all day, and he had not money to pay for it, and he was going about the office in the ordinary way, rather unpleasantly, and I spoke to Mr. Hignell—in fact awoke him out of bed—and he sent out payment for the car—eight shillings, I believe.

14007. Eight shillings?—Yes, which I handed to Brennan.

14008. Do you mean eight shillings for a car for one day's car hire in Dublin?—So it was charged, for the man was at the door and would not leave the place until he was paid.

14009. What was Brennan doing driving about in Dublin, incurring a bill of eight shillings on an outside car?—I really could not tell. I don't know.

14010. Mr. *Commissioner Byrne.*—When these payments were being made by Mr. Hignell who had charge of the cash in the office?—Captain Ethelred Knox I understood had always the cash in the office.

14011. Would it have been the course of the office for Mr. Hignell to apply to Captain Ethelred Knox for cash for disbursement?—Yes, quite so.

14012. Were you aware of Mr. Hignell having applied to Captain Ethelred Knox for money for this purpose?—Well, not to an absolute certainty. I understood that that was the course, but nothing beyond that.

14013. You understood that?—Yes, I understood that always.

14014. Were there any grounds for coming to that conclusion or having that impression on your mind?—It was through Captain Ethelred Knox all the salaries were paid to the different officers in the house, and to those connected with the machinery department. He paid all bills, and went to the bank, and drew the money, and lodged the money. I understood it would be through him the money would come. That is my ground.

14015. The *Chief Commissioner.*—Had you any quarrel with Major Knox?—Myself, sir.

14016. Yes?—Oh, yes, very frequently, it's of common occurrence, sir, there.

14017. I don't mean that—when did you leave the office?—On the 11th of July.

14018. Last?—Yes; I was there from January, 1866.

14019. Till the 11th of July 1869?—Yes.

14020. And the whole of that time were you sub-editor?—The whole of that time.

14021. Was that the first time you were sub-editor?—Well, I was editor before. I was never sub-editor. It was on a provincial paper, though, the *Nenagh Guardian.*

14022. Did you leave the *Irish Times* in consequence of any quarrel?—Yes.

14023. Was it a quarrel with Major Knox personally?—Oh, it was with Major Knox personally.

14024. Do you recollect the time of the conversation between Mr. Hignell and Mr. Kavanagh that you have mentioned?—Well, it was some time previous to the election, but I could not say when.

14025. Some time previous to the election—are you certain of that?—The conversation about the M'Mullens?

14026. About the M'Mullens — when Kavanagh spoke about his lodgings being unsuitable for them?—It was some time about that, but I am not quite sure. I think it was subsequently.

14027. About the time of the election?—Something about that.

14028. Could you recollect the particulars of that conversation—where did it take place?—It took place in a house named Revel's—a public-house—not far from the *Irish Times*, in the same street.

14029. Is that a corner house?—It is a corner house.

14030. I suppose they were drinking?—They were.

14031. And you were drinking with them?—Yes.

14032. Try and give us any particulars about that conversation?—Well, I really did not pay more attention than just listening to the facts mentioned, but I heard this——

14033. Mr. Kavanagh mentioned that his lodgings were unsuitable?—That those people, I think, had come to his house, and that he was either full then or that his lodgings were unsuitable for them, or they were not suitable to him, and that he sent them to Henry-street.

14034. Did Mr. Hignell make any observation to that?—I believe he did.

14035. What was it?—He said it would be well to take care of them, or something to that effect.

14036. Did you infer from Mr. Hignell's manner that he was aware that the M'Mullens had come to Dublin?—Oh, I believe, certainly he was.

14037. Aware of the fact?—Oh, certainly.

14038. Before this conversation?—I don't know, sir.

14039. I mean whether when Kavanagh mentioned this circumstance to Hignell Hignell for the first time heard that the M'Mullens had come to Dublin?—It appeared to me he understood it—that was the inference I would draw at the time, perhaps.

14040. Could you give us the names of any person in the *Irish Times* office who were aware of these payments being made by Mr. Hignell to those various persons?—Oh, Major Knox was aware of the payments being made to Brennan.

14041. What other persons were aware of it?—Well, I think I can't speak absolutely about anyone else, but I know that he was aware of it.

14042. How do you know?—Because he told me himself.

14043. Major Knox?—Major Knox himself told me that Brennan—I paid 6*s*. on a similar occasion to the one that I have mentioned, when the man came upstairs at night, thinking it would be reimbursed or given back to me, as had been done before. When I asked for the 6*s*. afterwards there was some objection, and I spoke to Major Knox himself, and he told Mr. Hignell in my presence, in the front office, that he could reimburse this 6*s*. to me out of Brennan's next payment.

14044. Was Brennan in the employment of the office at that time?—No.

14045. Mr. Hignell and yourself and Major Knox were present at that conversation?—Yes.

14046. Anybody else?—Well, there were others just about us in the office. It was outside the door of the front office in the lower part of the commercial department.

14047. Do you recollect when that conversation took place?—I am afraid I could not fix the day. It was after the election a good while.

14048. Was it after the petition, do you know?—Yes; I really think it was.

14049. Is that the only circumstance from which you infer that Major Knox was aware of the payments being made to Brennan?—Yes; that is the only direct statement that I heard him make on the subject.

14050. Do you recollect the names of any other persons whom you believe to have been aware of the payments?—I should say Captain Ethelred Knox was aware of them all.

14051. But I mean other persons in the office?—There was a night clerk there that I understand made up the accounts of the different payments made to the different parties.

14052. What is his name?—Thomas.

14053. Is he in the *Irish Times* now?—I am not aware.

14054. Have you seen him lately?—I have not seen him lately.

14055. Mr. *Commissioner Bruce.*—Do you know where he lives?—No, sir; I do not.

14056. Anybody else besides Thomas?—No.

14057. That you have any reason to believe knows—I don't want mere guess work—I want you to restrict yourself to absolute knowledge?—No, I don't think I could mention any other.

14058. Do you know a person called Grubb in the *Irish Times'* office?—No.

14059. Was there no such person there in your time?—Not that I was aware of. I knew several other Sligo young men that were in the *Irish Times* office. There was Mr. Petit, son of the man I saw here. He is still in the office. There was M'Gouldrick.

14060. Is he a son of the man called M'Gouldrick who lives here?—I believe so; yes, he is.

14061. Any other names who were Sligo people?—There was Mr. Wilson who is still there I understand.

14062. Is he a young man?—He is an old man.

14063. Do you know the Christian names of these three that you have mentioned?—I do not know the Christian names of one of them. There was another called Harper. He is not now in the *Irish Times*.

14064. Do you know where he is?—He has got some civil service appointment in the Inland Revenue or Post Office, or something.

15065. Do you know his Christian name?—I think it is John; I am not sure.

14066. Mr. *Commissioner Byrne.*—Mr. Sloane, you are bound to tell us the whole truth, and I only remind you of that in order that if there be anything you are aware of in reference to Major Knox's connexion with the Sligo contest you may tell us?—Oh, certainly I would.

14067. Is there anything now in connexion with Major Knox's Sligo contest that you are aware of that would assist us in this inquiry?—Well, I really don't see that I know any particular further than I have stated; unless you may put to me any question that, perhaps, might raise them in my mind; that might draw up something to my mind. I don't recollect at the present time.

14068. The *Chief Commissioner.*—Are you aware, for example, or can you give us any information about any sums of money going down to Sligo?—Well, I heard from Mr. Hignell on one occasion that he took a certain sum of money down to Sligo.

14069. How much?—I think £100.

14070. When did Hignell tell you that?—It was a considerable time previous to the election. He came down here specially.

14071. What was that money for?—I could not tell.

14072. Was that for the regatta?—It may have been.

14073. Or for the revision?—I don't know.

14074. Did Hignell ever tell you he took down any other money?—Well, I think I have heard it once or twice from him.

14075. Did you hear it after the election?—Not after the election.

14076. What other sums did you hear that he took

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October 18.
Mr. Samuel H. Sloane.

down?—I did not hear of any special sum after, except the one I have mentioned. I think it was two £50 notes.

14077. For whom were the two fifties?—I really do not know.

14078. In the course of business, if Mr. Hignell got that money in the *Irish Times* office would it appear in any account given or in the books?—I think it would not. It would not appear, I think, under that head, because——

14079. Would it appear as given by Captain Ethelred Knox, the manager, to Mr. Hignell?—I think it would not.

14080. Why?—Because, in the book containing the salaries where each person employed in the office signs his name, I have seen several sums after Mr. Hignell's name. He simply signs his name, and then I saw several sums, £2, £1 18*s.*, and so forth following each other down, while the simple signature of the others was all that was there; and what these sums were for was not specified in the book.

14081. I am just asking you from what I know of bookkeeping in an office like the *Times*, whether whatever sum the manager gave to anyone for any purpose he would of course put down the name of the person to whom he gave the sum?—I am only speaking about the salaries paid to the officers of the establishment. I have no knowledge whatever of other books.

14082. Were these sums to Mr. Hignell, these sums of £1 18*s.*, &c.?—Oh yes. For instance, my name and some other names following it, and then, perhaps, Mr. Hignell's with a number of items entered underneath his name.

14083. Which could not be for his salary?—Oh no; I believe not.

14084. That is you believe according to the course of business?—No.

14085. Was that a usual occurrence before the election time in the *Irish Times* office?—I think I saw it both before and after the election.

14086. How long before the election?—I saw it some months I think before it.

14087. Do you remember when this commenced?—I do not. I could not positively specify the time.

14088. And do you say all the other entries in that book which you saw, would be proper entries of salaries?—I think so, or for wages.

14089. Had Mr. Hignell the disbursement of any of what is commonly called the office petty cash?—Well, I think he did do something of the kind.

14090. Might they have been for this?—I could not say.

14091. You know what I mean. In a great office like the *Irish Times*—the petty cash?—They might be for a purpose of that kind, sir.

14092. For what?—They might be for paying correspondents that supplied information specially to the paper. That just strikes me now, Mr. Hignell looked after these things generally.

14093. Hignell told you of the two fifties?—I mean by the £100 the two fifties.

14094. Do you know of anyone else having brought or was said to have brought down money to Sligo?—No, I am not aware. I don't know of anyone else.

14095. Can you give any information as to any of the houses at which these voters were supposed by you to be staying from Hignell stating that he was going to pay them?—Well, I heard there was one—Mr. Hughes. I heard some voters were there. I don't know of any others except those that were mentioned in Henry-street.

14096. Mr. *Commissioner Byrne.*—May I ask you were the notes that you received in payment of your salary of the Bank of Ireland or of any other bank?—Different at different times, sometimes they were Bank of Ireland notes, sometimes others, and sometimes gold. There is a matter I have been just thinking of. I saw frequently in this Commission inquiry about where Captain Ethelred Knox is. It is right to mention that I was told last night by Mr. Barnardo, of Mary-street, that he met him on Tuesday last in London, in company with a reporter on the *Standard*, Mr. Hartford, who used to be on the Dublin press.

14097. Who told you that?—Mr. Barnardo of Mary-street. I think the son of the furrier.

14098. What is his Christian name?—I don't know.

14099. In company with whom did you say?—Mr. Hartford, formerly a reporter on the Dublin press and now on the *London Standard*.

14100. What's his Christian name?—Robert.

14101. Is he a Kilkenny man?—He is a Dublin man.

14102. Mr. *Commissioner Bruce.*—When did you meet Mr. Barnardo?—On Friday night.

14103. Friday night last?—Friday night last.

14104. The *Chief Commissioner.*—How did Mr. Barnardo happen to know this—who did he say told him?—Mr. Barnardo when we met said he had seen a friend of mine—knowing I was in the *Irish Times* office—that he was very much surprised to see him at the Alhambra, or some other place, with Mr. Hartford.

14105. Did he name the Alhambra as the place?—He did. He met him there once. He met Captain Ethelred Knox there once.

14106. In company with Mr. Hartford?—Yes.

14107. On what day?—On Wednesday.

14108. Wednesday last?—Yes. He saw him also on Tuesday besides, he said, at some other place.

14109. A place of public amusement like the Alhambra?—I think so.

14110. Did Mr. Barnardo tell you he himself saw him?—He did.

14111. Is that the Mr. Barnardo who keeps the shop in Mary-street?—Yes.

14112. I think he also keeps a shop in Dame-street?—Well, I think he is the son. He is a young man.

14113. Does his father keep both shops?—I am not aware of any other.

14114. Mr. *Commissioner Bruce.*—This was on Friday last that you say you met Mr. Barnardo?—Yes.

14115. Was it in the street?—In the street.

14116. Was it a merely incidental conversation?—Just merely the observation that he saw a friend of mine in London before he came over.

14117. Did neither of you know at the time that Captain Ethelred Knox's presence was required here?—I knew it, because I had been reading it in the papers. I knew it at that time, and before that, but I don't think the other knew anything about it when he made the observation.

14118. Did you tell him then that Captain Knox was wanting here?—I did.

14119. Did he say he had been speaking to Captain Knox?—He did not say that. He said he met him and seemed to be surprised to see him.

14120. Did you ask him whether he knew where Captain Knox was now?—I did.

14121. What answer did you get?—Well, he told me the name of the hotel—I am afraid I forget it now—where he believed he was stopping.

14122. Try and recollect it?—I will recollect it in a minute.

14123. The *Chief Commissioner.*—Was it the Charing-cross?—No.

14124. Westminster Palace?—No.

14125. The Langham?—That's the one.

14126. Would you know the Langham yourself?—I would not. I was never in it.

14127. Mr. *Commissioner Bruce.*—Did Mr. Barnardo say how he found out where Captain Knox was stopping?—I asked him.

14128. But did he give you any explanation of how he found it out?—He did not—no explanation whatever. He said he believed he was there. He mentioned some other place where he said he met him also on Tuesday, and whether they had a conversation or not I don't know; but he believed it was at that hotel he was stopping.

14129. Was he a friend of Captain Knox, this Mr.

Mr. Samuel H. Sloane.

Barnardo?—Well, he does business in the *Irish Times* office.

14130. The *Chief Commissioner.*—That is, he has a business connexion with the office?—Yes, I saw Mr. Barnardo there often myself.

14131. Mr. *Commissioner Bruce.*—Was anything said by Mr. Barnardo as to the time Captain Knox was likely to remain in London?—Nothing whatever.

14132. Was anything at all said with regard to his movements?—Nothing but what I told you. There is another place he said he met him on Tuesday, but I forget where it was.

14133. The *Chief Commissioner.*—A place of public amusement?—Yes.

14134. Was it any of the theatres?—No, none of the theatres. It was some place like the Alhambra, I suspect.

14135. Is there any other information, Mr. Sloane, that you can give us?—No, sir, there is nothing more that I think I can give you. I just wish to state before I go down that I neither directly nor indirectly, as has been insinuated in Dublin, asked to be summoned on this inquiry.

14136. Mr. *Commissioner Bruce.*—Who insinuated it?—I heard it was insinuated in a conversation between Mr. Hignell and some other parties at that same public house that I have already mentioned.

14137. Between what other parties and Mr. Hignell?—I don't know at present, but I believe there was a number of persons there.

14138. The *Chief Commissioner.*—Did Mr. Hignell insinuate that?—I heard it stated by another person.

14139. Who told you that Mr. Hignell said so?—Mr. John Hill.

14140. Who is he?—He is a reporter—the reporter of the *Evening Mail;* and he said that he understood from the conversation that such was insinuated.

14141. Mr. *Commissioner Byrne.*—Your being summoned, Mr. Sloane, is entirely from your name transpiring in the evidence of one of the witnesses?—I did not know that.

14142. The *Chief Commissioner.*—Your name has been mentioned here in the sworn evidence, and I think you had better not leave town to-morrow, unless pressed by business?—I have not been well for some time, and I came down under great difficulties. However I dare say I shall be well enough here.

(The witness retired.)

The court was adjourned till eleven o'clock the following morning.

TWELFTH DAY.

TUESDAY, OCTOBER 19, 1869.

The Commissioners sat at eleven o'clock.

14143. *William Young*, who had been examined on a previous day, appeared on the witness table, and said—Would you allow me to state a matter that I forgot to mention the last day I was here?

14144. The *Chief Commissioner.*—Certainly; make any statement in reference to your evidence that you wish.

14145. *Witness.*—Mr. Williams, the magistrate, came to me and asked me would I interfere with Watt Henderson. I said I didn't know of any way that I could manage him but one, and that was to give me the money for him; and I said if he didn't vote for the party I would give back the money.

14146. Did Mr. Williams refuse to have anything to say to bribing him?—Well, he didn't give me any money at all; he gave me no money.

14147. You told Mr. Williams that the only way of managing Henderson was to give money to him?—Yes, that was what I thought.

14148. Had Mr. Williams refused to have anything to do with giving Henderson money?—It was in the *Express* paper that I myself asked money from Mr. Williams. I never asked him for a penny. Mr. Williams spoke to me in my own house to prevail on Henderson to vote for Major Knox. I said I knew but the one way to manage him.

14149. And that was to lodge the money?—Exactly.

14150. You said you would hold the money for him, and that in case Henderson didn't vote you would give it back?—Yes, I said I was badly treated in this thing about landlord and tenant. I had a house for £14 a year, and John Lyons wrote to my landlord to say that he would give £100 over my head for it. I said that as my landlord was an honorable man, I would offer him £50 to let me as I was. He took it, and let me as I was. I can't recollect anything more at present. Watt Henderson would be the best man to bring up here—he could tell the discourse as it took place.

John Young.

John Young next appeared on the table.

14151. The *Chief Commissioner.*—Have you any evidence to give yourself?—Watt Henderson told me that he was dealing with Mr. Williams about getting the money for him, that Mr. Williams had £20, and that he would give it to him after the election. I said Mr. Williams would treat him as he did another party and give but £10. I said I thought that Stokes and Gethins would be safe people to have the money, and this very money he gave to Stokes.

14152. Have you heard of any other voters who you believe got money?—No. My father told me he had a conversation with Mr. Williams, and that Mr. Williams said there were five or six Roman Catholics who were going away.

14153. Can you give the names of any of them?—Peter Harrison was one of them.

14154. Do you know the names of any of the others?—I don't.

Sergeant Martin Boyle.

Sergeant Martin Boyle sworn and examined.

14155. The *Chief Commissioner.*—What position do you hold?—I am sergeant of the permanent staff of the Sligo Rifles.

14156. How long have you been sergeant?—Nearly fifteen years—I will be fifteen years next May, and twenty-five years in the service of the regular army.

14157. In what regiment were you?—In the 97th.

14158. Are you an elector of the borough of Sligo?—I am.

14159. How long have you been an elector?—Since the last Reform Bill.

14160. Did you ever vote at any previous election?—Never.

14161. Whom did you vote for at the last election?—For Major Knox.

14162. Are you a Roman Catholic?—I am.

14163. Did you vote for Major Knox honestly and conscientiously, because you believed him to be the best candidate?—I did.

14164. Was there any influence brought to bear on you to make you vote for him?—None whatever.

14165. Before the election did you hear his lordship,

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the Bishop, address the people on the subject of the election?—I did.

14166. What day was it you heard him?—On Sunday, the 15th November, four days before the election.

14167. Were you in the parish church on that Sunday?—The staff attend that church.

14168. State to the Court what you heard his lordship say?—Should any of the Roman Catholic party vote for the Tory candidate, they would be considered as rotten branches and lopped off; and if a defeat should arise, the crushing weight of the defeat should come down on those who voted for Major Knox, or for the ascendancy candidate.

14169. Did you hear anything said by the Bishop about any place into which the Roman Catholic voters should be put?—The Roman Catholic voters who voted for Major Knox were to be separated from the rest of the congregation and put in the porch—that is, under the stairs.

14170. Did you hear the Bishop say that?—I did.

14171. Are you a married man?—I am.

14172. Was your wife with you at the parish church on that Sunday?—She wasn't; she goes to the Friary generally.

14173. Did you yourself afterwards receive any message in reference to this matter—were you told to go anywhere?—In consequence of having voted for Major Knox I obtained written leave from my commanding officer to attend the Friary church until further orders. On the first Sunday I attended it I was turned out. This is a copy of the report I sent to my commanding officer of the circumstances. [Copy of report handed in.]

14174. Before you obtained the order to go to the Friary church had it been one of the regulations of the staff that the Roman Catholic members of it should attend service at the parish church?—Decidedly.

14175. Is that by orders?—Yes, by the orders of the commanding officer, Captain Stronge.

14176. Is he the Adjutant?—He is.

14177. How many on the staff?—Sometimes there are more and sometimes less.

14178. When did you get the order for permission to attend mass at the Friary?—On the 24th November—you will observe it by that paper.

14179. Did you attend or go to mass on the 29th, to the Friary?—I did.

14180. Before we go to that, did you attend mass the first Sunday after the election?—I did. I am obliged to attend mass every Sunday.

14181. Where did you attend mass on that Sunday?—At the parish church.

14182. Did anything occur on that day while you were at mass?—Yes; that was the day on which the Roman Catholic supporters of Major Knox were sentenced to the place under the stairs.

14183. Was it the Sunday after the election that that took place?—It was, the first Sunday after the election.

14184. What you describe as what the bishop has said after the election?—The first statement was made on the 15th November—the Sunday before the election; the second part was said on the Sunday after the election.

14185. You got permission on the 24th to attend the Friary?—I did.

14186. Did you go to mass on the 29th, the following Sunday, to the Friary?—I did.

14187. About what hour was it when you went there?—About eleven o'clock, I should say.

14188. State what occurred while you were at the Friary?—On Sunday, the 29th, I was in the Friary at my devotions, kneeling with a prayer book open in my hand—I was about a quarter of an hour there, when the Rev. Mr. Hibbits came up towards me, and said, in a very angry tone, apparently, "Where is this man?" A man that sat in front of me immediately pointed me out, and said "Here he is." The Friar then ordered me in a very peremptory tone to get up, and leave the place, and go outside. I got up accordingly, and made no reply; in fact I hadn't the power of replying to him, I was so thunderstruck at being turned out of a place of worship. It was a very wet day, I didn't remain outside, but went home. When divine service in the Protestant church was over, I reported the matter to the Sergeant-major, but he wouldn't deal with the case, and sent me to Captain Stronge. I went to Captain Stronge, and furnished him with a report of the circumstrnces, of which you have the copy.

14189. Did you hear mass on that Sunday?—I didn't. Mass was not begun at the time—they were about commencing mass.

14190. What sort was the weather that day?—It was very wet.

14191. Then, I suppose you didn't remain outside, but went home?—I didn't remain outside, I went home. It was the day before the county election, and there were a great many of the constabulary in town at the time. I suppose I would not be allowed into the church at all but that I was so much dressed like a constable.

14192. How was it known that you were inside?—I don't know. I suppose some one gave information that I was inside, Rev. Mr. Hibbits then came and ordered me out.

14193. Were any of your family with you on that occasion?—No, for when I was going out from my house I suspected that matters weren't altogether smooth on the surface; and I said to Mrs. Boyle if all is right you can go to next mass. I came home, and I said to her that I was turned out of the church.

14194. Didn't your family attend mass that day?—I can't say, I don't think they did.

14195. Did anything of the same kind afterwards occur?—No, because I went to Captain Stronge and requested of him permission to remain away, and say my prayers at home.

14196. Did you attend divine service after that?—Not for five or six months.

14197. Did any of your family?—I think they did, occasionally.

14198. Besides that, was there any injury done to your house?—My house was broken when I came to it.

14199. On what day was that?—On the morning of the polling day, or about midnight.

14200. Describe the damage done to your house?—The whole front of my house was broken, the door was knocked down, and the parlour windows were broken in.

14201. It was only with stones that the windows were broken?—That's all. There was damage done to the front bedroom. I was in Mrs. Hall's at the time when the mob came and attacked my place; but my wife and daughter had to climb over a wall, and had to take refuge in the Lungy field from twelve till four o'clock in the morning.

14202. This is the order you got from Captain Stronge?—That is the written leave I got from him, and it is signed by the Sergeant-major.

14203. Were you in Mrs. Hall's house?—I was.

14204. How long were you there?—I was there from Tuesday at four o'clock until the night after the polling.

14205. Did you pay her fifteen shillings for your board and lodging?—I did.

14206. Did you pay that out of your own pocket?—I did.

14207. Do you expect to be repaid that money?—I don't.

14208. Do you know of any voters being turned out of the Roman Catholic churches, but yourself?—I heard of a man named O'Conner, on the Mall, but I didn't see it. I heard he was turned out of the Friary church on the same Sunday that I was.

14209. What is O'Connor's Christian name?—Pat.

14210. Do you know of any other Roman Catholic who is an elector, being turned out?—I heard that Clancy's money was handed back to him, and that he walked away.

14211. What Clancy is that?—He was examined here.

14212. Mr. *Commissioner Bruce.*—Is it Pat or Charles Clancy?—Pat.

14213. The *Chief Commissioner.*—Anyone else that you remember?—No others that I know of.

14214. Had you paid the usual money for your place in the chapel?—I did.

14215. Was that money returned to you?—It wasn't. I didn't wait to demand it, or ask for it.

14216. What do you usually give for your seat in the church?—Sometimes I give silver, either a sixpence or a threepenny piece.

14217. You say you were twenty-five years in the Queen's service?—Yes, twenty-one regular years, and four years under age; and nearly fifteen years on the staff.

14218. What medal is that I see?—It is for long service and good conduct.

14219. Mr. *Commissioner Byrne.*—Was that the first occasion—the 15th November, on which the bishop said if any of the Roman Catholic voters should vote for Major Knox or the Tory candidate, they would be considered as rotten branches and lopped off?—It was.

14220. What was said on the following Sunday, the 22nd?—A place was pointed out for them to go there, and they were told that they weren't to associate with the rest of the congregation.

14221. Who pointed out the place?—I don't know. I didn't go there. Being a military man, I wouldn't give them the chance of degrading me so far as to stand in the porch for them.

14222. Mr. *Commissioner Bruce.*—Were you canvassed for Captain Flanagan by anyone?—I was.

14223. By whom?—By the Rev. Mr. Morris and Captain Flanagan himself.

14224. Did the Rev. Mr. Morris use any threats—I mean ecclesiastical threats—when he canvassed you, as to what would be done to you in case you didn't vote for Captain Flanagan?—No. He introduced Captain Flanagan as a military friend, and he asked me if I'd vote for him. I said I had promised Major Knox to vote for him, and that I intended to carry out my promise.

14225. Tell me who were the officiating priests on the Sunday before, and on the Sunday after the election, when these two declarations were made?—It is so long ago now that I can't remember. I disremember who it was—it is nearly twelve months ago now.

14226. Had you any conversation with the Rev. Mr. Morris or with any other clergyman, since you were turned out of the Friary, on the subject of your vote?—I had not; but my commanding officer called at the Presbytery to demand an explanation as to why I was turned out.

14227. Had you yourself any conversation with any of the clergymen on the subject?—I had not. I would beg to say that in the paper I saw in your hand yesterday—the *Champion*—the names of the Roman Catholic electors who voted for Major Knox were published in large print.

14228. Do you know, or did you hear, of any other Roman Catholic who voted for Major Knox, and who did kneel outside the chapel in consequence, either at the parish church or the Friary?—I can't say.

Mr. *John Dignan M'Dermott* sworn and examined.

14229. The *Chief Commissioner.*—I believe you were here at the last election between Major Knox and Captain Flanagan?—I was.

14230. What position did you then occupy?—I was conducting agent for Captain Flanagan.

14231. When were you retained?—I was retained by letter from Captain Flanagan some weeks before the election—the exact date I don't now know.

14232. Before the election?—Yes, and before he commenced his canvass. He said he wished me to come.

14233. Can you give us an idea of what the expenses of the election on the Liberal side were?—I couldn't give you the remotest idea. I had nothing to do with the election expenses.

14234. Who was appointed the expense agent?—Mr. John P. Treston, solicitor, was appointed agent for expenses.

14235. Do you remember making out a list of the electors?—No. I never did.

14236. Did you make out a list for your own assistance?—I didn't. There was a list of the electors kept by Mr. O'Loghlen; but I myself never made out any list. Mr. O'Loghlen was brother-in-law to Captain Flanagan, and he took an interest in the matter. I was only made acquainted with it so far as classifying the electors into Protestant, and Catholic, and doubtful.

14237. That would be a very singular list—Protestant, Catholic, and doubtful?—Yes. The original intention was to see what the number of Catholics was—it was assumed that they would all vote for Captain Flanagan, but it was found that, notwithstanding their religion, some of them wouldn't vote at all.

14238. Did you not take any part in any discussion about the expenses of the election?—None, whatever. I merely retained two solicitors, Mr. James M'Niffe, and Mr. William Harkin. I took no further part in it.

14239. Are you aware what the expenses of the last election on the Liberal side were?—I am not.

14240. Who can give us any information about it?—If anyone can, it should be either his private agent, Mr. Lynch, or Mr. Michael O'Loghlen.

14241. Which Mr. Lynch do you mean?—Mr. Stanislaus Lynch. I can't say whether he is aware of it either; I only answer the question as best I can.

14242. Was Mr. Lynch here the entire time?—He used to come here occasionally, and leave again. He wasn't here the entire time—I am almost certain he wasn't.

14243. Did you keep any list of the electors?—I did not.

14244. Did you see any list of the electors?—There was a printed list of the electors—there was a lot of these lists scattered on the table, but I never got one for myself.

14245. Did you make out any list for your own information?—I never did.

14246. Did you anticipate before the polling that you would have a majority?—For some time before the polling I didn't think that Captain Flanagan would have a majority when I heard of the defections of Roman Catholics from the Liberal ranks.

14247. You understood that there were some Roman Catholics who would either leave town or vote for Major Knox?—Precisely.

14248. How long before the election was it that you understood this?—I think it was some time within a week before the polling that I became almost certain of it; and, in a conversation with Captain Flanagan on the subject, I think he was not sanguine of success himself; but he felt that he was pledged to go on, and he would go on.

14249. Would you say that on the Sunday before the election your belief was that Captain Flanagan would be beaten?—It was some time within a week before the election; decidedly the impression on my mind was three or four days before the polling that he would be beaten—there were so many accounts of persons leaving the town that I was not sanguine of his success.

14250. Did you see any strange mob in town?—No, I didn't; but as I am, I believe, at liberty to give hearsay evidence, I heard that on the morning of the polling there were seventy or eighty strangers in town, and that they had assembled close to the court-house.

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I didn't see it myself, but I was informed that these persons had revolvers, and that the people of the town, who were without revolvers, beat them from the town, and that they, in consequence, took refuge in the Victoria Hotel yard. As I said, I didn't see this myself, but it was a general rumour in the town, that before the doors were opened strangers armed were about the court-house for the purpose of taking possession of it.

14251. These must be a small mob on Major Knox's side—I mean the revolver men?—I don't know on whose side they were—I didn't see them myself—but I assume they were on that side.

14252. Do you know anything about men being brought into the town from Geevagh?—No. I wasn't aware of anything of the sort until I saw it in the papers.

14253. Did you hear that such a thing was done?—I wasn't aware of it, nor did I hear of it at the time; nor did I know of it until I read it in the papers since the commencement of this inquiry.

14254. You consider that Mr. O'Loghlen and Mr. Lynch are the persons who can inform us as to the expense of Captain Flanagan's election?—No further than I have stated.

14255. You know his election must have cost something?—Of course it did.

14256. And a great deal more than is returned in the election account returned to the Mayor?—It wasn't I made out that accoumt. I never saw it.

14257. Who made it out?—I don't know. I didn't, nor was I consulted about it.

14258. In fact you only conducted the legal part of the election?—Precisely. I made up my mind to do that only.

14259. Mr. *Commissioner Byrne.*—Were the Catholics who were entitled to vote at the last election more numerous than the Protestants?—I think they were from my recollection of the list of voters. I had no list before me, or in my possession, but when we came to Sligo it was considered by every one that there was a majority if the Liberals were true to themselves.

14260. Did you consider that there was not only a majority of Catholic electors, but of Liberals?—I took it generally. I took them as Catholics and Liberals, and it was considered that the election should be won by the Liberals if they stood together and voted all the same way.

14261. Mr. *Commissioner Bruce.*—Do you know a man named Lenehan—his name has been mentioned here during this inquiry?—What rank is he?

14262. The *Chief Commissioner.*—He is described as a farmer from Geevagh, or a man from Geevagh?—I don't know him.

14263. Would you know him if you saw him?—I wouldn't. I never heard of him.

14264. Mr. *Commissioner Bruce.*—Have you heard since the last election from anyone any statement as to money being expended illegally by Captain Flanagan, or by any one on his behalf?—Within the last couple of months I heard a statement made generally that there was money given to non-electors on the Liberal side, but personally I am not aware of it; nor did I hear a word about it during the election.

14265. How long ago is it since you heard that statement?—It is within the last six weeks I heard it. I heard nothing of the sort during the election, or before or after it, except that one general statement.

14266. How much did you hear was given to the non-electors on the Liberal side?—No specific sum was mentioned.

14267. Did you hear that it was a large sum?—I didn't. I didn't hear anything about the amount—what I heard was simply that Captain Flanagan's men got money too.

14268. Who did you hear make that statement?—The matter was mentioned in a private conversation, but I suppose I am bound to mention the name. The person I heard make the statement was Mr. Patrick M'Niffe. He said he heard it stated that money was given on the Liberal side.

14269. Have you mentioned his name already?—No. I mentioned Mr. James M'Niffe's name.

14270. What is Patrick M'Niffe?—He is an attorney.

14271. Was he employed for Captain Flanagan at the election?—He was not.

14272. Was he an active supporter of his?—He voted for Captain Flanagan, he was a supporter of his, no doubt.

14273. Did you hear that any other person made a similar statement?—I did not.

14274. I will not ask you whether you have any belief as to the truth of that statement, but have you any grounds that would lead you to come to the conclusion whether it is true or not?—None whatever.

14275. Can you tell me how many of the Roman Catholic voters you counted as doubtful?—I cannot, for the reason I stated—that I had not got a list of the voters at all; it was entirely in the hands of Mr. Michael O'Loghlen, the brother-in-law of Captain Flanagan.

14276. I suppose you are aware of the fact that very violent mobs occupied the town during the day of polling?—I never witnessed any act of violence during the election. I have no doubt that the people were very much excited on that day, and that there were what are called mobs of people in the town; but I never witnessed any act of violence on their part, beyond the ordinary things to be witnessed at elections—shouting and yelling, and the like.

14277. Did you ever hear the names of any persons as being active in organizing these mobs?—I did not.

14278. Do you know of anyone who could give us any information on that point?—I don't. I can't remember that I heard the names of any persons who were active in organizing mobs, because I had nothing whatever to do with any of them. I kept by myself in my office, and I had no communication with other people.

14279. Can you mention the names of any persons who were active on Captain Flanagan's behalf—you have mentioned Mr. O'Loghlen, Mr. Lynch, Mr. James M'Niffe and Mr. Patrick M'Niffe?—There was a gentleman with Mr. O'Loghlen—Mr. Moloney—who came from Clare, but he was not retained by me. He came at the instance of Mr. O'Loghlen; he was here during the election, and was an active supporter of Captain Flanagan. With regard to the other active supporters of his—there were Mr. Conroy, Mr. Keighron, Mr. Phillips, Mr. Dunnigan—in fact, of the respectable Liberals a good many were active supporters of Captain Flanagan. I can't recollect the names of all the respectable Liberals of the town.

14280. The *Chief Commissioner.*—In reference to tracing who had control of the money for Captain Flanagan, I find in the election expense return that you were paid one hundred guineas fee?—A hundred Irish—£92 6*s.* 1*d.* British.

14281. Who gave you the cheque for that?—It came through the agent for election expenses, from Mr. Treston—it was sent by post by him. In reference to the election expenses I never got a another farthing from Captain Flanagan. I attended at the revision sessions for a fortnight or three weeks, and I wouldn't accept any fee for that.

14282. Mr. *Commissioner Bruce.*—When you accepted Captain Flanagan's retainer, had you any previous knowledge of Sligo elections?—I was here at several elections. I was at two or three of Mr. Somers's elections, and at the last election of Sergeant Armstrong's—I came down here rather of his, I accepted no fee, not a farthing, from Sergeant Armstrong.

14283. Can you give us the dates of Mr. Somers's elections at which you were—he was a candidate in 1857 and 1859?—I was at one of them—the precise dates of these elections I don't now know.

14284. Was Mr. Somers beaten by a large majority at the election you came to help?—The first election at which he was a cadidate, was, I think, in 1847; he succeeded and was elected then.

14285. Were you his conducting agent at that elec-

tion?—I was not; I was then but a young man, only after being admitted an attorney.

14286. Who was Mr. Somers's conducting agent on that occasion?—I think it was a Mr. Graham.

14287. Do you remember the last election of Mr. Wynne's?—I was not at Mr. Wynne's election.

14288. Have you heard that after Sergeant Armstrong's election a large sum of money was expended on voters?—I didn't hear it for a year after the election. During the time I was in Sligo, I was with him constantly, I dined with him and met him with his friends; and I wasn't aware during that time of the illegal expenditure of a single farthing.

14289. Had you heard of it when you got Captain Flanagan's retainer?—I had. I heard after the election—as was stated by Sergeant Armstrong in his evidence here—that in some twelve months after the election applications were made to him for money. I hadn't the slightest knowledge of these until I read it in the papers.

14290. Who was Sergeant Armstrong's conducting agent?—Mr. Tracey.

14291. Did you know that Sligo was a corrupt place at the time of Sergeant Armstrong's election?—I suspected that there were persons in it that were corrupt.

14292. Did Captain Flanagan know that there were corrupt persons in the borough at the last election?—Captain Flanagan knew very well all about Sligo. I remember saying to him that he was not to do anything illegal, that he was to rely on the popular feeling in his behalf, and that the question which then agitated the minds of the people would tend to carry him through. I recommended him not to spend sixpence illegally, and I told him that I would be no party to it. I was at frequent elections, and—I am now speaking in the hearing of all parties—I challenge any person to say that I ever acted at any election illegally, or that I didn't always keep within the four corners of the Act of Parliament.

14293. The *Chief Commissioner.*—You are quite right to say that.

14294. Mr. *Commissioner Byrne.*—You mentioned a statement being made that money was given at the last election on Captain Flanagan's side, to non-electors, and you said that it was made by Mr. Patrick M'Niffe?—I did not. I said he told me he heard it was made. I didn't hear him say that money was given on the Liberal side at the last election.

14295. Did you hear that any similar statement was made by anybody else?—I didn't. It was within the last six weeks I heard of it, when I was at the seaside.

14296. Mr. *Commissioner Bruce.*—Did Mr. M'Niffe tell you from whom he heard it?—He did not. I don't remember that he mentioned any name. I took it from him that it was more a rumour than anything else. How he heard or learned it, I don't know; but he was the only person I heard it from.

14297. You know nothing of any applications being made to Captain Flanagan by publicans for money for refreshments given to the mobs?—I don't. No bill was ever sent to me; I am not aware of any of the financial matters connected with the election.

Major Knox re-examined.

14298. The *Chief Commissioner.*—Was your attention called to Mr. Galbraith's evidence?—It was. I read it in the papers.

14299. Do you recollect seeing him on the occasion he spoke about?—I can't say what occasion it was that I saw him, but I have a recollection, decidedly, of his calling on me at Mr. Leech's—I have no doubt of it. I was very little at Mr. Leech's. I was out canvassing all day, or out somewhere during the day—I was at the hotel very often, where we had a kind of committee room; and I was dining out in the evenings generally.

14300. What occurred on that occasion?—I haven't the slightest recollection. Mr. Galbraith, if I understand his evidence rightly, from having read what he said, stated that on that occasion he told me that one of the Youngs was tampered with. I understand he stated that in his evidence, I can't say whether he said that or not, because constantly, every day in fact, people called with statements of that kind, and I shouldn't in the least wonder if he did say it.

14301. Was Mr. Stokes in the house on that occasion?—He was not. My recollection is, I may be wrong, but my recollection is, that great numbers of my supporters called there the same time, sometimes as many as eight, ten, and even twenty called on me at once; but that Mr. Galbraith called without anybody. I recollect perfectly his calling, and I think I asked him his name. I don't know what he called. I don't know that he made any statement about the Youngs, but if he said he did, I am sure he did.

14302. Was he a warm supporter of yours, and active as a Conservative?—He was. At one period there was an enormous number of rumours of persons being tampered with, and of men leaving.

14303. From what you recollect, and having read Mr. Galbraith's evidence, can you now say that he intimated to you that one of the Youngs wanted money?—Certainly not, most distinctly not, in fact I should recollect it if he did, as I had a letter of introduction to the Youngs from Mr. Magee, a son-in-law of Mr. Young, and I looked upon the man as quite above anything like bribery.

14304. Who gave you the letter of introduction to the Youngs?—A Mr. Magee, a relation of his, I think he is his son-in-law, I don't know how it was I met Mr. Magee, but however it was, I brought a letter from him to them.

14305. I will read for you what I believe to be a pretty accurate report of his evidence. I asked him, "When you went to Major Knox, did you convey to him that the Youngs wanted to be bribed?" and he said, "I believe I did"?—But I understood Mr. Galbraith afterwards to say that he didn't convey that to me.

14306. Quite right, Major Knox—he said, "I used some expression to him," that is to Major Knox, "I conveyed to him that they wanted money, and I believe he understood me"?—If he said to me that the Youngs were tampered with, I shouldn't take that as meaning that they wanted money for I looked on them as men quite above that.

14307. Do you remember Mr. Lawder being present at that conversation between you and Mr. Galbraith?—Mr. Lawder was never but twice at Mr. Leech's, once in the morning, and once that he dined with me. I used always meet him at the Victoria hotel, the county committee rooms were there, and I used them. Mr. Lawder was also the county agent.

14308. From the evidence of Young, Galbraith, and Stokes, it appears that he got ultimately £40?—So I saw.

14309. And that Galbraith had the half notes, in his evidence at the Carrick trial he stated that, and we must believe it to be true?—Clearly.

14310. In reference to the money that was given to Young, can you now give us any clue as to how the money passed from Stokes to Young?—I have no idea at all.

14311. Did you know that Mr. Galbraith was mixed up in it?—I never had any communication with any one as to giving money to electors, directly or indirectly, and I need not say that if I had intended to bribe, which I never did, I should never have given the money in that way. I know too much about elections, and every one was aware that I announced from the first that I wouldn't have anything to do with bribery. I didn't intend to bribe, and I knew nothing of his getting the money.

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14312. Giving half notes was a clumsy proceeding, certainly?—I never heard of such a proceeding. We, when at Carrick, produced Mr. Galbraith, and he was examined. We also produced Mr. Stokes. My cousin, Captain Ethelred Knox, I particularly brought down, I directed Judge Keogh's attention to him, and endeavoured to have him examined. I certainly would not have done that if there was anything behind that I knew of, and that I was afraid would come out.

14313. Mr. Galbraith said he was asked at Carrick if he had told you that the Youngs wanted money, and that he said he did?—I have no idea of the kind. I had no communication with him at Carrick.

14314. Did you see or hear the evidence that Mr. Davis gave here?—I did not.

14315. Or the evidence which Mr. Atcheson gave yesterday?—I did not.

14316. Did you hear what they stated?—No, I did not.

14317. They gave very important evidence. You know old Peter Harrison?—I heard of him.

14318. When he was examined he left the table saying that he wasn't bribed at all. Mr. Atcheson, however, was examined yesterday, and he stated that he got £30 for him; that, in fact, he got it to bribe Harrison; and Mr. Davis stated that Captain Ethelred Knox came with a parcel which he knew to be money; that he asked for Mr. Atcheson; that he refused to take the parcel, and that Captain Knox waited until Mr. Atcheson came in. Mr. Atcheson stated he got from Captain Ethelred Knox £32 2*s.* 7*d.*, £30 for Harrison, and £2 2*s.* 7*d.* for expenses incurred in removing Harrison from Sligo to Dublin. Did you ever hear of that case?—Never; but Harrison's wife called on me about three weeks ago—perhaps it is not so much—at my house in Dublin, and asked me for some assistance for Harrison. She distinctly conveyed to me and told me that her husband hadn't got any money and that he was a loser by the election.

14319. Mr. Atcheson told me that he got the money for Harrison?—I don't know Mr. Atcheson; I do know Mr. Davis.

14320. It was stated here yesterday by a witness that Mr. Barnardo, of Dublin, said he saw Captain Ethelred Knox in the Alhambra, in London, last Wednesday?—So I heard.

14321. Had you any letter or telegram from him lately?—I had no communication with him since the first or second week in September. I have not heard from him at all since then, and I may say I am nearly convinced that there is no truth in the statement. He had been in London. I have written to him and addressed the letter to the Poste restaurante, Marseilles, but I have not yet received a reply from him.

14322. Have you any reason for knowing that he would call for your letter?—His arrangements were to embark at Marseilles for Suez. He had his choice of embarking at Marseilles or Portsmouth. He has a free pass to Suez from the Viceroy.

14323. He is to be at the opening of the Suez canal?—Yes.

14324. When is that to be?—On the 7th or 17th November, I am not sure which.

14325. I saw that some accident happened; the opening may therefore be delayed?—Yes.

14326. When you had the communication from him in September did he inform you where he was going to?—To Paris.

14327. To stay there until he went to Suez?—I understood he was to stay there or somewhere near—perhaps at Brussels; he has a friend at Brussels. He was then to go by the P. and O. steamer and sail for Suez.

14328. He got a free passage there?—Yes, I can tell you what the exact date is, as I brought with me the Viceroy's letter.

14329. Mr. *Commissioner Bruce.*—I suppose he has hardly sailed from Marseilles yet?—I hardly think he has. Mr. Russell of the London *Times* is not starting for two or three days from England. He may have gone by an earlier boat, but I don't think he can have sailed from Marseilles yet.

14330. Can you give us any information as to where a letter would find him, supposing him to have gone to Suez?—I should say the hotel at Suez. I believe there is a large hotel at Suez.

14331. It wouldn't be Alexandria or Cairo?—I can't say; but I think that Suez would be the place to find him.

14332. Had he made any arrangements to go anywhere else after the opening of the Suez canal?—He was to go to Indore in Central India.

14333. I suppose his return from that would be very indefinite?—I don't know what his arrangements about returning are, but I suppose it would. His intention when I last saw him was to be present at a grand Durbar at Lord Mayo's; I can't say when that is to be. He is going out to a friend of his and mine.

14334. The *Chief Commissioner.*—Have you been making inquiries since you were examined here as to the different statements about the bribed voters?—I have not.

14335. I mean with regard to the ten men on Mr. Stokes's list?—I haven't been here since, nor have I had an opportunity to do so.

14336. Mr. *Commissioner Bruce.*—Do I understand you to say that, though you probably saw Mr. Galbraith about the Youngs, and though he then may have made the statement about their being tampered with, you positively swear he made no statement from which you could infer that money was to be paid?—Most distinctly; I am quite distinct as to that.

14337. Did you know of the Ryans, or Harrison, or Pat Gallagher being bribed?—Certainly not. As regards the Ryans, my opinion of them was that they were not men of that kind at all; that they were men that wouldn't expect a bribe for their vote. I don't know Gallagher at all. I don't know that I ever saw him.

14338. Do you know the Messrs. Barnardo?—No. Are they furriers?

14339. Yes?—I don't know Mr. Barnardo, but I dare say I have been in his establishment.

14340. Do you know the name of his son?—I have seen him—the young man.

14341. The *Chief Commissioner.*—Is he an engineer?—I don't know what he is; I don't know anything further about him, except that he used call on me for a pass for the opera occasionally. I thought he was a medical student.

14342. Mr. *Commissioner Byrne.*—You said you would let us have the marked register of voters that was produced at Carrick?—There was no marked register produced at Carrick on my part. I haven't it, I sent to the registrar here the only register; but I mentioned that Mr. Wilson gave me a copy of the register.

14343. How long before the election did Mr. Wilson give it to you?—He gave it to me after two revisions—the revisions of 1867 and 1868; he gave me an analysis of them also.

14344. Were they marked as distinguishing the Protestant from the Catholic voters?—I think they were, but I am not certain; whether they were marked as distinguishing the Conservatives and Liberals, or the Catholics and Protestants, I am not sure.

14345. Were any of the names marked doubtful?—The analysis gave the supporters of myself, and probably of the opposite candidate. I think there were a good many marked doubtful, particularly Protestants. A large number of them were marked doubtful.

14346. I understand that early in your candidature you had examined the registry list?—I didn't examine the names in detail, but I examined the analysis.

14347. Very early in your candidature?—Yes, immediately.

14348. Have you searched for these registers?—I have, but I believe they were destroyed at Mr. Leech's.

14349. Mr. *Commissioner Bruce.*—We have heard here that Captain Ethelred Knox managed all the monetary departments of the *Irish Times* office?—Yes, all the money that was received from the different

receivers ultimately came to him; he banked the amount, and drew cheques for the payment of the salaries in the office, paid accounts, &c.

14350. Was there a sum put to his credit every month?—The way it was done was this—all large payments were lodged in a large account, and if he required more money for the office I gave a cheque for it; but I didn't give any money for years, the business is so large. I brought down this bank book (a private bank book), though it has nothing to do with this matter.

14351. What bank did Captain Knox bank in?—I wrote to the manager of the Provincial Bank yesterday to know whether Captain Knox did bank there or not, and I find he did. The manager added a note that Captain Knox "had an account in this office."

14352. During the three months, September, October, and November?—Yes, in 1868; that was his own private account.

14353. The *Chief Commissioner.*—Captain Knox banked his own account in the Provincial bank?—Yes.

14354. Where was the *Irish Times* account banked?—In the Hibernian Bank. I brought down the bank book, and I think I could send you all the cheques. (Bank book handed in.)

14355. Mr. *Commissioner Bruce.*—Was Captain Knox's *Irish Times* account ever checked?—Yes. I always checked it every month, and generally every week.

14356. Do you recollect any sum being drawn by Captain Knox out of the Hibernian Bank, which the accounts do not show, was applied to the *Irish Times* business?—I do not.

14357. It would actually strike you if any such thing occurred?—I am sure it didn't occur.

14358. Had Captain Knox very large sums of money in his private account?—I know he had some means. I don't know what they were. I didn't know much about them until the Carrick petition, when he was asked to be one of the securities for the costs. He went one of the securities. He has, I believe, some charge on the estate, but I don't know much about the matter.

14359. Mr. *Commissioner Byrne.*—He is the younger son?—Yes, of a large family.

14360. The *Chief Commissioner.*—You say Captain Knox offered to give security for £1,000—the costs of the petition?—It was only £500; he was but one of the securities. Mr. Lawder knows all about it.

14361. Mr. Abbott's name has been mentioned here by the electors—have you known him for some time?—I have known him a little for a long time, and I know him well for some months past.

14362. What led to your introducing him to the borough?—After Judge Keogh delivered his judgment at Carrick, the electors, my supporters, held a meeting here, and they forwarded to me a resolution, which they adopted, regretting the occurrence, and saying that if I suggested a successor, they would support him unanimously.

14363. This was in consequence of your being disqualified?—Yes. A great many letters, when the announcement was made, came to me from gentlemen aspiring to Parliamentary honours. I got no communication from Mr. Abbott, but I did from Sir James Cotter, of Cork. I referred them to a friend of position in London, and he strongly recommended Mr. Abbott as a proper person to represent Sligo.

14364. Did you arrange to transfer the houses you purchased, to him?—No. He took one or two houses off my hands, and I understood that if he gets in he would take all of them off my hands. Pending this Commission, I didn't like to expedite matters.

14365. If he is a candidate for the borough, is there any understanding between you and him that he is to take all the houses you purchased off your hands?—If he were elected, I am sure he would—my connection with the borough having now terminated. He is to take everything of the kind off my hands.

14366. What has been your expenditure as regards these houses?—I get the expenditure on them, which, as well as we could make it out, was about £1,000. That is not quite a loss; there may be a £100 or so paid in rent.

14367. You did introduce Mr. Abbott to the borough?—I did. A meeting of my supporters was called by a circular that was issued. Mr. Abbott came down to Sligo. I came down with him, and I introduced him to the borough as a person of position, and—what Sligo chiefly required—a person of great commercial and mercantile standing.

14368. What is his address?—I am not aware what his address in England is; but "the Louvre Hotel, Paris," will always find him.

14369. You mentioned that the understanding between you and him is that he will recoup you all the loses of these houses?—Yes.

14370. Is there any understanding that is to recoup you what you lost by the election?—No actual understanding, but I understand that, if he is elected, he will recoup all the expenses of the election petition. I can't say that I have it any way directly from Mr. Abbott.

14371. That is £3,000?—Not so much—perhaps £2,000 or £1,500 on my side—as you are aware, I had to pay the costs of both my own and the other side. Colonel Taylor told me it was usual for the succeeding candidate to pay the expenses of his predecessor when unseated on petition. I had no direct communication with Mr. Abbott on the subject, but I conveyed what Colonel Taylor told me to a friend of Mr. Abbott's, and he said that Mr. Abbott would do what's right.

14372. Who is the friend of Mr. Abbott that said that?—A Mr. Carlisle. I don't know what he is, except that he is a friend or connexion of Mr. Abbott's—a secretary or something of that sort; he was down here with him.

14373. I am not asking you of your personal knowledge of Mr. Abbott, but is there any arrangement you ever heard of, or that you can give us any information about—that Mr. Abbott is to pay these voters who, without any sanction of yours, were promised money by your supporters at the last election for their votes?—Certainly not. Most distinctly not; quite the contrary. I had very recently a conversation with Mr. Abbott on the subject of this borough, and I told him that it ought to cost him almost nothing, because I had, as I conceived, gone to the expenses that were necessary. He didn't appear to understand it.

14374. Then you had a discussion with him as to the cost of contesting the borough?—He was staying at my shooting lodge, and we had conversations several times.

14375. About the cost?—We didn't go into details, but I said he ought to be elected for very little.

14376. What was the whole expense he was to be at, put down, including the past expense of the petition, the purchase of the houses, and soforth?—There was no understanding on the subject. The losses on the houses were estimated at £500, because they were not remunerative. I believe Mr. Phibb's recollection will accord with it; then the costs of the petition, at least my share of the costs—that was all he was to pay.

14377. As to those houses, we have it that you were paying more to the landlord than you let them to electors for?—In many cases that's so.

14378. I presume you were paying what was understood to be their value?—I paid what former tenants paid.

14379. How was it that you let them to tenants who were voters, at less than the understood value?—It was understood that there might be a loss, when the houses were taken. As I stated already the object in taking them was to make votes. The tenants were removed from small houses into larger ones, and, as we thought we could not ask them to pay the larger rent, they were let in at the smaller rent—that was generally how it was done. For one house, for which we paid £40 a year, the tenant paid but £20 or £22.

14380. We have it in evidence that a number of

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electors on both sides expect to be paid after the election on behalf of the candidate for whom they voted, whether he is the successful candidate or not?—At my election?

14381. No—we have it that electors, men of respectability on both sides, expected to be paid after the election always?—My impression is, that that is not the case. Since the passing of the Reform Bill that trade has been extinguished, an increase of voters from 300 to something like 550 would make it too stupendous a thing altogether. From my knowledge of canvassing the borough I don't believe that that feeling does exist. I am very strongly of that opinion. Whatever the future of Sligo may be, now that my political connexion with is at an end—it is but just to my late constituents to say that I saw more corruption and attempts at corruption in one hour, in another constituency for which I once stood, than I saw for two years in Sligo—that constituency is the borough of Tralee.

14382. In reference to what did you hear Mr. Stokes's name mentioned as being engaged in doing something rash, when did you hear it?—I think it was about a week before the election—the Sunday before the election, when I was determined, it was said, to leave the town.

14383. Was it the Sunday before the poll, or Sunday week?—It was the Sunday before the polling.

14384. There's no doubt about that?—No; I am so clear about it, because there was a rumour circulated about the town that I was leaving it, and that I had given up all chance of the election. I had to write a placard, and have it printed, that it was not so.

14385. In reference to what voters did you hear Mr. Stokes's name mentioned, as having indulged in something rash?—I heard it several times. The way I heard it first was—Sir Arthur Gore wrote to me from his house, to say that he heard it.

14386. Of Mr. Stokes?—That very foolish work was going on. I made some inquiries on that morning, which I think was Sunday; and I heard that Mr. Stokes had offered money to electors. I called on Mr. Stokes on that or the following day—so many things occurred, I forget the dates—and cautioned him; and I wrote, in reply to Sir Arthur Gore, that I had known nothing of the transactions, and that I was greatly annoyed about them.

14387. Would I direct your attention to the names of those you heard Mr. Stokes offered money—in reference to what voters did you hear he made the offer?—I don't think I heard any names mentioned, that I can remember.

14388. I direct your attention to question 5607 in your evidence at Carrick—you there mention the name of a voter named M'Tighe. You are reported to have stated—"I heard of his (Mr. Stokes) making some kind of inducement to a man whose name, I think, was M'Tighe"?—There is no voter of that name.

14389. There is no such voter?—No, there is not.

14390. Could it be M'Goldrick?—No; he is not of that class of man, he is above anything of that sort.

14391. It must be some Mac?—I can't tell you now.

14392. That's a very curious thing?—If I looked at the registry I might see the name. [Looks at the registry.] I don't know whether the name was M'Goldrick or not. I almost think it is M'Goldrick. It is not the M'Goldrick you refer to. There is another M'Goldrick, a tailor. I have some recollection of hearing something about it. I cannot say positively, but I think that's the only name I can call to mind. It is the only one that might have been—but I think there is another M'Goldrick, or some name like M'Goldrick.

14393. Did Sir Arthur Gore mention to you that he had received information from any person?—Oh, not at all. I am sure he did not know. All he wrote to me was that he had heard that day in Ballina that some one had offered money, which was very foolish—that there was money offered; and I think he said he knew it was not in accordance with what I told him, and he advised me to see to it at once. I don't quite recollect the words of the letter, but it was to that effect; and I wrote in reply that I knew nothing of it, and that I was greatly annoyed.

14394. I will refresh your memory about what you said when the thing was recent to you, Major Knox—"I heard from somebody in Sligo that a suggestion was made—that some man—I think M'Carrick was the name to the best of my recollection—made some arrangement, on solicitation, to those men to go away, and I went down to Stokes and spoke to him about it"?—Yes. I did not know the name, but I almost think it is M'Goldrick. Is there another M'Goldrick?

14395. There is?—That's the name. Yes. I think so.

14396. In consequence of anything that occurred, Major Knox, or that you read in the evidence since you were summoned last, do you wish to make any statement to us?

14397. Mr. *Commissioner Bruce.*—Before Major Knox does that I want to ask him a question about Mr. Sloane's evidence?—Yes; I was anxious to ——

14398. A man called Samuel Sloane, formerly the sub-editor of the *Irish Times*, was examined here yesterday, and he said that he was present at a conversation between you and Mr. Hignell, at which he made an application to Mr. Hignell for the repayment of a sum of six shillings which he had paid to Brennan for car hire, Hignell having on a previous occasion paid Brennan eight shillings for car hire; and that you authorized Hignell to pay the money, making use of some such statement as that "it could be stopped out of Brennan's next weekly money," or "paid next week?"—Yes. That statement of Sloane's, similar to every one that he swore to yesterday, was utterly false—utterly false. It is true that Mr. Sloane gave Brennan nine shillings, and it is equally true that I had it stopped from Mr. Sloane's weekly pay. After a considerable time—Mr. Sloane came to me very constantly about it—the money was repaid to Mr. Sloane. As regards Brennan's car-hire there was a good deal of money paid for Brennan's car-hire, as is returned in the return I gave you the other day. I think I told you that £18 was paid for Brennan.

14399. But this was in Dublin?—In Dublin—yes, in Dublin. You know Brennan came up to Dublin with his nose broken and his leg dislocated, and I was forced to have him put into the Meath Hospital, and to pay his expenses there, and a doctor for being with him. This car hire had to be constantly paid for; cab hire for taking him to Dr. MacNamara in Stephen's-green, and having him examined. He was moved out of hospital. It is quite true that I returned £18 as paid—yes; it was as near as I could go to it—yes; but it is not at all true that there was any weekly pay. He got nothing of the kind. His lodging was paid as long as he was really unable to do anything for himself. Then he got recommendations—I gave him recommendations to Sir Arthur Guinness and others to try and get him employment. That was all that was done for him.

14400. I did not understand what you said about the money being stopped from Mr. Sloane?—Mr. Sloane—my recollection is that Mr. Sloane paid that money, or rather he did not pay it; no, but he directed the night clerk to pay it.

14401. I understand?—That was it, which was a thing I was obliged to discountenance, because the night clerk had no right to pay the money. He should have handed over all the money; and I directed them to stop it from Mr. Sloane. Ultimately, it was repaid to Mr. Sloane after a week or two. I think he came several times to me about it, and said it was a mistake, and I did not wish to press it.

14402. He solicited you?—Yes, very frequently. But I heard several statements that I believe Mr. Sloane swore to yesterday that are perfectly untrue.

14403. The *Chief Commissioner.*—State what you

wish to say on that subject?—First, I understand he stated that he left our office in consequence of a quarrel with me. I should not enter into this question, because it is not really in any way connected with this commission, but from the fact of my being a large employer I am placed in an unpleasant position by this man going about Dublin boasting that he would get himself subpœnaed here to blackguard me. That came to my knowledge from various sources.

14404. Mr. *Commissioner Bruce.*—I beg pardon, just on that point. Mention the name of any person who can give information on it?—Well, I believe Mr. Mowatt was one of the sources I heard it from; but he was boasting what he would not do down here. A clerk named Thomas, I am told, whom unfortunately we had to part with, owing to a deficiency in money matters in the office has been also mentioned. It is extremely unpleasant—I am anxious to give every information to the commission in my power—but it is extremely unpleasant that we should be placed in that position, because in a very large establishment we are obliged sometimes to part with an official. And as regards Mr. Sloane leaving my office, I am obliged to state now, as he has gone into the matter, that he left it because he was in a state of perpetual drunkenness; and I could not believe anything he said, and he was not a man that I could continue in my office. I mention that for another reason, because he was sent to Sligo on business; and perhaps as something may be stated as regards that, it is better to mention what the business was. Before the petition at Carrick, one evening my conducting agent was in my house, and it was necessary for me to send subpœnaes down here, and there was nobody to send at that hour of the night but a little boy from Dargan's office, the scrivener; and Mr. Lawder asked me to send down some reliable man—some person of an age more than a boy. So I sent for Mr. Sloane to the office, and in my house gave him his instructions. Mr. Sloane was to start next morning. He did start, and, as I subsequently learned, not sober. He got as far as Enfield, and fell between the train and the carriages, and got smashed up, and was brought to Dublin. These facts were all brought to my knowledge, but as he went on my business I continued his pay to him and continued him in my employment; and he rewarded me afterwards with being perpetually tipsy and ill conducted in every way.

14405. The *Chief Commissioner.*—Is there any other subject?—I think there is nothing else, except that perhaps I ought to make one statement to the commissioners, which is this. At my last examination here I was asked if I knew anything as to any money being given other than what I——

14406. Returned?—Returned, and I said I did not. I did not, and I do not; but I think it right I should add that I of course heard rumours as to money having—some transactions—I do not think it took the form of money. My impression of it was a kind of authority or something of the kind as regards, I dare say, Mr. Stokes; but I did not even know the names. But there were remarks of that kind, it is only right to say that, remarks as regards one or two others too.

14407. You must tell us now, Major Knox?—Well I heard rumours. I did not hear the names of the recipients; but I heard small sums had been given. Different rumours were about. When I investigated most of these rumours, they turned out not to be true. Somebody told me that Utred Knox gave money. I inquired and there was not a word of truth in it. Somebody else told me that Mr. Hignell brought down money from Sligo. That turned out not to be true. By-the-by, on that perhaps I ought to state, that after the revision a letter came to Hignell from Brennan, saying that he required money for the mob; and Mr. Hignell by my directions brought down £50 to Brennan, with instructions that if the money was legitimately to be used for the mob, and if it was required, the money was to be given to Brennan to distribute amongst them; and that if it was not clear that it was legitimately to be used for that purpose and distributed amongst the mob it was to be brought back. Hignell came to Sligo; he saw Brennan, and the result was that he brought back the money. That's the only money that Mr. Hignell I am certain ever brought to this town, or I believe anybody which I ever heard of.

14408. You were going on to say that you investigated other rumours?—I investigated them all. There were rumours of every description circulated. One rumour was that Captain Flanagan brought £500 and distributed it here. That was untrue as I ascertained. There was every species of rumour circulated.

14409. I thought you were going on to say that you found there was some foundation for some of the rumours?—I never knew there was till I heard here what occurred in this court about Stokes and others.

14410. Can you give us no information or clue; I thought you were under the impression that you had discovered something?—No, I have not, beyond what I have seen here; and I have urged Captain Ethelred Knox very strongly to return, but whether he will do so or not I do not know. I am certain that if he did it could be explained that he did not give it intentionally for bribery. He may have thought it was required by men leaving from the state of the town, but I do not think he gave it for bribery.

14411. Of course. You are aware now since Davis and Atcheson have been examined?—But I believe that man was leaving—Harrison, I understood was leaving.

14412. Mr. *Commissioner Byrne.*—Harrison was leaving?—I think so—Yes.

14413. It assumes now a very different aspect where only one person——?—Oh, yes, of course.

14414. These two gentlemen, apparently, cannot be doubted?—No, nor Mr. Galbraith, nor Mr. Stokes. From what I know of Mr. Stokes, he may have been in Carrick, perhaps frightened; but from what I know of them, I don't think any of them would go so far as to criminate a man unless he had——. I know nothing about it, but I do not doubt it.

14415. Have you since the election paid any money to Captain Ethelred Knox which is not accounted for?—Never before nor since, at any time of my life, never, directly or indirectly; nor has a shilling of my money ever gone to him beyond his pay.

14416. Mr. *Commissioner Bruce.*—Of course?—Yes; never.

14417. Does he still retain office in the *Irish Times*, Major Knox, I mean with regard to his anticipated return?—No. Well, I think not. His health has been very bad. For eighteen months he has been threatened with consumption a good deal. His brother is filling it now—yes. Another brother had to fill it some months ago from his being ill, just after Carrick I think it was.

14418. His brother is acting for him, I presume?—His brother is appointed now. He is moving up to Dublin. He is moving his wife up.

14419. The *Chief Commissioner.*—We have it in evidence that Captain Ethelred Knox gave a sum amounting to £307 2*s.* 7*d.*?—Yes.

14420. Between what he gave to Mr. Stokes and what he gave to Mr. Atcheson?—Yes.

14421. Is there no possibility, Major Knox, from what you know, of that sum having been drawn from the *Irish Times* account which you now have in Court?—Oh, I think not—not so large a sum as that, nor I think any sum. I am certain not; I would be very happy to send you all the cheques.

14422. I know I was looking over the books, and from my knowledge of the matter, in does not represent that any sum of the kind was at the time taken?—I am sure not.

14423. That *Irish Times* account appears a business account?—Yes.

14424. Of a great establishment?—I had no reason to think that Captain Ethelred Knox's name would be mentioned here at all; he was very unwillingly at Carrick.

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14425. Unwillingly?—Very; I brought him down very unwillingly; and on another occasion that he had to be examined in court, he very unwillingly attended indeed. And I am quite certain he won't attend here.

14426. You are certain he won't?—I am certain he won't. I am certain that nothing will induce him to go into the witness box—it is only right to say I am certain of that. I have no knowledge—I have written to have urged him to attend.

14427. You mean that he is nervous?—Oh, he is in a dreadful state. One time that he was summoned to the Green-street Commission he stated that his name was Jonathan; and we lost the case, because Mr. Sidney, the opposite counsel commented on the fact that Captain Ethelred Knox did not attend.

14428. Was that a prosecution you had?—A prosecution against a man.

14429. Now tell me—at Carrick were you present at any consultation, when the evidence about the M'Mullens was discussed?—Never. No; I was at several consultations, but I don't think their names ever transpired.

14430. Were you present at any consultation at which the evidence of Mr. Stokes was discussed?—Well, I was, I think. I am almost sure his name was mentioned. I don't know that Mr. Macdonogh was present; but Mr. Robinson, I think was, and Mr. Kaye. Possibly Mr. Macdonogh was, but I am not sure.

14431. We have now two sets of briefs of Mr. Stokes' evidence?—Yes.

14432. And in the first set which was marked "A," his evidence is taken down—"I never gave, or offered any money or other consideration for voting; James M'Mullen left before the polling day by request of Mr. Stokes." Then comes—"Blank paid, travelling expenses of James and William M'Mullen to go to Dublin." Now do you remember that being discussed in your presence?—No, I do not. I don't remember to have gone into the details of the evidence; but I remember the decision come to, as I understood it, by my counsel, was that Mr. Stokes's acts were quite unauthorized by me; that I had warned him not to do anything of the kind; and that it was a question, as I understood, of the law of evidence, and that agency should be disproved. That's all I understood. I did not see the briefs. No; I had not time.

14433. I may mention that the reason I called your attention to it is this: other persons are mentioned, and there is also this phrase in it—that is, the first brief of his evidence—"I did a good deal of such work generally"?—I never heard it.

14434. This brief, as far as we can asertain, ultimately was not used; but another brief is prepared of his evidence, in which the statement about giving money to the M'Mullens is omitted. This evidence of Stokes about the M'Mullens—if he was believed to be your agent, would alone have unseated you?—Yes.

14435. Did you know anything about this omission? I did not at all know.

14436. This, Major Knox, is for the purpose of following out the inquiry?—I forget his evidence at Carrick; whether he stated that he had, or had not given money to the M'Mullens.

14437. He swore most positively that he had not. I will read you his evidence?—I don't think I was in court when he was examined.

14438. I will read his evidence. Judge Keogh says at question 6544:—

"Do you know who gave him the money to go away?—I do not. All I provided was the car for them. Who told you to provide the car for them?—It was my own entire act; I went down and gave the order to Mr. —— for the car. While I went down to do it, they met me and said they wished to do it. And you gave them no money?—No. You did not know who did?"

Then his lordship said—

"I will give you an opportunity of reconsidering the question. Will you tell me now, what inducements were held out to these men, and by whom, to get them to leave the place?—Indeed I could not. You swear you cannot?—I swear positively."

Well now, we all know, according to the evidence here, that that was wilful and corrupt perjury; and I find in the first brief that was prepared of his evidence, a statement that would have unseated you, that is, that he did give them the money?—Provided agency were proved.

14439. Provided agency were proved?—Which it was not—which was disproved distinctly.

14440. I am trying now, as is our duty, to ascertain what made Mr. Stokes, apparently a respectable man, commit perjury at Carrick before the Judge; and I find this matter of the briefs—I find evidence omitted in the brief that was used in court, the true statement being in the first brief of his evidence?—I don't know at all. The evidence was taken down at a house opposite the hotel, I remember, in which I never was for a moment, except to see Mr. Lawder. It was done at night, and I was then generally entertaining a number of people—friends—and I did not know anything about the evidence. I knew that Mr. Stokes had done some things, which, if agency were proved, would probably be very bad; but I did not know what they were.

14441. Do you remember that being discussed in your presence?—Oh, never—certainly not.

14442. About Stokes and the M'Mullens?—No; I don't remember that I ever heard anything about these M'Mullens to make an impression on my mind—it was in the bill of particulars, I understood—until after the petition was over.

14443. You did not pay attention—of course there was?—There were, I think, some hundreds of such things, and these all were served a day or two before the trial. I did not notice them particularly.

14444. It is your opinion at present that it could not have been by accident that that evidence was omitted from the briefs used in court?—Are the two briefs in the same handwriting, might I ask, because——

14445. One set is marked "A." Mr. Lawder, your conducting agent, can give us no information on the subject [the briefs were handed to the witness]?—I don't know them at all.

14446. Mr. *Commissioner Bruce.*—Do you know a person called Grubb, who is, or was, in the *Irish Times* office?—No, he never was. I do know him. He was a friend of Mr. Morrison's, who was down here. He was in his father's office.

14447. It was stated here yesterday that he accompanied Captain Ethelred Knox on the occasion after the election when he came to Sligo?—I am not aware.

14448. Do you know anything at all about that?—I don't know. I know Mr. Grubb. I have seen him.

14449. Do you know anything about Mr. Grubb coming to Sligo at any time after the election for the purpose of collecting funds?—No, I do not at all. I never heard it.

14450. Do you know anything at all about a person called Perkins, who was examined here? He is a traveller for Brown & M'Conkey?—I saw his name mentioned. I never saw the man, but I heard of him before.

14451. What did you hear of him?—All I heard of him was that he came from Killala, where a good many of my family live. I believe he is the same man—Francis Perkins.

14452. John?—Perhaps I am wrong.

14453. Did you see a statement of the evidence of this person as to an offer of £50 and then of £75?—I did. I never heard of it.

14454. Oh, I don't suppose you do. I merely want to know can you give us any information at all about any possible connexion between Perkins and any of your supporters?—No. I don't know. I am sure there was none. He may have chatted on the subject, knowing my family. Mr. Perkins is a very respectable man, and was Clerk of the Union for years in Killala

14455. Mr. Perkins?—He was—yes. He is very much respected and all his family. Some of them are very wealthy people there.

14456. The *Chief Commissioner.*—Major Knox, can you now see any reason to doubt the truth of the statements made by Mr. Stokes, Mr. Atcheson, and Mr. Davis as to Captain Ethelred Knox giving this sum of £300?—Well, I know nothing about it one way or the other beyond what I read. I know them to be respectable men—all these men except Atcheson whom I never knew.

14457. Mr. *Commissioner Byrne.*—We do not ask you to form an opinion on that evidence at all?—I do not know. I have not the least——

14458. As to that evidence your mind is a blank at present?—Perfectly—yes.

14459. The *Chief Commissioner.*—Is there anything else that you wish to give us information about, or to make any statement about on your own behalf or that of your friends who have been named?—Really I don't remember anything. I don't think there is anything else. I don't think I am aware of anything that has not been mentioned.

14460. If there be, at any time in the course of the day when it is your convenience?—Yes, will you require me down here again?

14461. I think not?—I am anxious to go away, I have not been very well.

14462. I may mention that we shall write to the manager of the Provincial Bank for Captain Ethelred Knox's bank account?—Yes, I did not ask that. I did not think I was justified in doing so. I never would have got it.

14463. Of course he did not leave his private bank book after him when he went?—No. I asked his brother. None of us know much about his private affairs.

(The witness withdrew.)

Bernard Healley sworn and examined.

Bernard Healley.

14464. The *Chief Commissioner.*—Are you an elector?—Yes.

14465. Who did you vote for at the last election?—For Captain Flanagan.

14466. Who did you vote for at the election before that?—For Sergeant Armstrong.

14467. Did you get any money after that election?—I did.

14468. How much?—Twenty pounds.

14469. From whom?—In Mr. Harper Campbell's office.

14470. Did you ever get any money before for voting?—Never.

14471. What business are you?—Cattle dealer and trader.

14472. On whose recommendation did you vote?—On no one's recommendation at all.

14473. Did you expect to get any money when you voted for Armstrong?—No.

14474. Did you know you were getting money on account of your vote?—I did not.

14475. Did you think it an honorable thing for a man like you to do?—I may remark I heard it circulated that they were getting money from Harper Campbell and that my name was down, so I went to Harper Campbell's office and got the money—£20.

14476. After you got the £20 did you not know that it was from Sergeant Armstrong you were taking it?—I did not know that I should refuse it and I did not refuse it.

14477. Had you any promise when you voted for the Captain?—Oh, not the least.

14478. Are you a Roman Catholic?—I am.

14479. Mr. *Commissioner Byrne.*—How long after Easter was it you got the money?—Sometime in April—I could not exactly say.

[The witness was directed to withdraw.]

Samuel Hans Sloan presented himself and said—

Samuel Hans Sloan.

14480. I wish the Court to allow me to be examined further in reference to Major Knox's evidence.

14481. The *Chief Commissioner.*—Yes, but in anything you are going to say confine yourself to facts within your own knowledge, and do not make any comment upon any evidence. Now go on?—Yes, sir. The evidence of Major Knox regarding that 6*s.* transaction is incorrect. The facts are these: as I mentioned already on a previous occasion I got 8*s.* from Mr. Hignell to pay Brennan, and I gave the 8*s.* and Brennan went away with a carman, and the next night when he applied for the 6*s.* I did not like to awake Mr. Hignell at the late hour, and I got the money from the clerk and paid him. This money was stopped out of my week's salary, and when I applied for it to Major Knox in the lower office he said to Hignell that he might pay it out of Brennan's weekly wages. But I never received the 6*s.*—Hignell never paid it to me nor anyone else.

14482. Is there any matter of fact you wish to make a statement about?—Major Knox has sworn that I was perpetually drunk, and I wish to give that the strongest contradiction. I was never drunk in his employment. I was three years and six months in his employment—I believe the longest period that any sub-editor was in his employment. I could not have discharged the duties in the *Irish Times* office for that period and been perpetually drunk from five o'clock in the evening until four in the morning. In regard to the matter he has sworn about my going to Sligo, on that morning I was in his house until two o'clock. I then went to the office and did my duties there, and then went to the train. I did not fall, as he has said, but I was thrown out on entering the train; and I think it is very unfair of Major Knox to say what he has said, as there is an action pending.

14483. Do you mean you have a case against the company?—I have, sir, as to that.

[The witness was directed to arrange with the secretary as to his expenses, and informed that he would not be required again.]

Thomas Donegan sworn and examined.

Thomas Donegan.

14484. The *Chief Commissioner.*—Were you a collector at the parish church on the occasion when money was returned?—Well, not exactly as collector, sir; but on occasions such as Christmas and Easter it is usual for a number of the Catholic gentlemen of the town to attend, and I was there not exactly as a collector. I know the circumstance you refer to.

14485. Just state what occurred in your presence?—I saw M'Guirk come in amongst others and pay his contribution and walk up the gallery stairs. A short time afterwards this paid official, Smith, followed him, and I saw M'Guirk go down afterwards, and I did not see him again. I saw Laurence Bourke and Smith also speak to him, and he went out and spoke to others outside.

14486. Smith denied that he spoke to Bourke. You

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Thomas Donegan.

will tell us all that occurred. Did you see Smith speak to Laurence Bourke when he entered?—Well, I really cannot recollect that.

14487. Who had charge of the money?—Well, there are generally two collectors writing out the names and the amount of the contributions given.

14488. Were you assisting him?—No, not in that way. I was there as a number of other gentlemen were.

14489. Did you understand that Bourke was put out on account of his vote?—I did not understand he he was put out at all.

14490. Did you understand he was ordered to go to a particular place on account of his vote?—I did.

14491. Ordered to kneel in the porch?—I did—exactly.

14492. On account of his voting for Major Knox?—I did not think he voted at all.

14493. On account of his not having voted?—Yes.

14494. Before you went to the church that day did you understand it was to be done?—I had no idea whatever about it. There was no arrangement about it.

14495. Were you present on any occasion when the bishop spoke about that matter?—I was.

14496. That was on Sunday the 22nd?—It was immediately after the election.

14497. What did you hear his lordship say?—Well, my recollection of the matter is that some of the parishioners had spoken to Dr. Gillooly that they would be dissatisfied to mix with those parties who voted for Major Knox, who, I think he said, sustained the Conservative cause, and therefore he did not wish they would mix with the congregation—that they should remain in the porch.

14498. Is the porch the usual place for the parishioners to hear mass?—Well, I generally stop there I know—that is, the stairs leading up to the chapel. I always stop in that place myself.

14499. Just repeat exactly what the bishop said?—I have given you the substance, and I really cannot remember his words clearer than that—that is, that some of the parishioners had spoken to him that they would feel very dissatisfied to mix with those parties who had not sustained the Liberal cause, and that consequently he would wish that they should remain in the porch and hear mass, and all that sort of thing, in the porch.

14500. Were you present at the abbey at all when anything occurred to Martin Boyle the sergeant?—No, sir.

14501. Did you hear what the bishop said the Sunday before the election?—Well, very likely I was there, but I do not remember exactly. I know he referred to election matters.

14502. Did you see the money taken off the plate, and returned to Bourke?—My impression is that Father Morris took the money and handed it to M'Guirk before mass; and I think that Smith took the money, and returned it to Laurence Bourke after mass.

14503. Why was the money returned? Was it because it was supposed to be part of the proceeds of bribery?—Exactly. They would not have Major Knox's money mixed up with the other money. That was the feeling of the bishop.

14504. Mr. *Commissioner Byrne.*—You said at first you understood that the bishop had been spoken to by some of the parishioners. Were you referring to any statement you had heard from some party?—I think I stated that these were Dr. Gillooly's own words.

14505. Yes, you said so afterwards, but at first you said you understood that some of the people had spoken to the bishop?—I mean that I heard it from the bishop the words he used in his sermon. I had no means of knowing it but that.

14506. Did the bishop on that occasion assign as his reason, the complaints of the parishioners?—That is my impression.

14507. Your impression, but you will not positively swear?—No; I think I am quite certain that Dr. Gillooly said that.

14508. You were at mass on the 15th November?—I generally do attend mass.

14509. Do you remember the bishop on that occasion making any statement, that if Roman Catholic voters voted for the Tory party they should be knocked off as rotten branches?—Well, I remember the words "rotten branches" now, but whether it was in the sermon subsequent to the election, or prior, I cannot say.

14510. But you remember the expression?—I remember the words "rotten branches" being used. I saw a letter afterwards from Dr. Gillooly in a Dublin paper, and that might be in my memory.

14511. But were the words "rotten branches" used in reference to the direction that the persons who voted for the Tory party should sit in the porch?—I think they referred to election matters—certainly.

14512. Mr. *Commissioner Bruce.*—You said that you yourself stop in the porch always—that you hear mass in the porch?—Yes; I do not go into the body.

14513. Or into the galleries?—To the galleries generally. Just the very place where M'Guirk was spoken to by Smith.

14514. Did you not understand that it was intended as a degradation to Bourke, his being directed to kneel there?—Decidedly I did. It is not at all unusual for parties going into chapel to kneel in the other place, but as far as Bourke is concerned I understand it was a degradation.

14515. Did you hear of any other persons except Bourke and M'Guirk being so treated?—These are the only two. I do not believe the thing occurred before.

14516. They had attended chapel before, and have since?—Oh, yes.

14517. Regularly the donation is larger, but is there anything specially significant on a Christmas?—Oh yes, the money goes to the bishop. It is much larger at Easter and Christmas than at any other time.

14518. The *Chief Commissioner.*—Those are the fees that go to the bishop in the bishop's parish?—Yes.

14519. Mr. *Commissioner Bruce.*—But does the money paid on ordinary Sundays not go to the bishop also?—No; it goes to pay the expenses of the chapel, and it is lodged in with one of the laity.

[The witness was informed that he might withdraw.]

14520. Witness I wish to add—my name has been mentioned by the witness Devanny. He said that some man named Lenehan, or something like that, offered him some money, and that he was referred to me, to trust in me. I never knew such a man as Lenehan, and I know nothing whatever about bribery at the last election. He told Devanny to refer to me and it would be all right. I was anxious to state I know nothing whatever about the matter, and I never knew such a man in my life.

14521. Mr. *Commissioner Byrne.*—Nor about any bribery?—No.

(The witness then withdrew.)

Thomas Reid Wilson.

Thomas Reid Wilson sworn and examined.

14522. The *Chief Commissioner.*—You are an elector I believe?—Yes, sir.

14523. And how long have you been an elector?—I suppose I have been an elector about 15 years.

14524. Have you been assisting the Conservative Registration Society?—Yes, sir.

14525. Since what year?—Since 1855, I think, sir.

14526. Had you the management of the funds of the society?—No, sir; I had nothing whatever to say to them.

14527. What was your position in it?—Merely to attend the registry, and prepare the notices and serve them

14528. And you did not know about the expenses of the society?—No, sir; nothing.

14529. Now did you know Captain Ethelred Knox?—I knew him a few days before the borough election, but not previous to that.

14530. Who introduced you to him?—Well, I could not say who introduced me to him. I met him in the town during the course of the canvass.

14531. Do you know the room he is stated to have had in Mr. Leech's house?—No, sir; I never was in it. I thought he stopped on the Mall with his brother.

14532. So he did, but he is stated to have had a room in Mr. Leech's?—I do not know.

14533. Do you know Stokes?—Yes.

14534. Did you ever see him and the Captain together?—No, sir; I never saw them together. I saw Mr. Stokes every day before and during the election.

14535. Never mind before, but now? Did you get any money for the mob?—I did.

14536. How much?—Five pounds first from Mr. Utred Knox, and £10 subsequently from Major Knox for them.

14537. What time was that?—About the revision time I think.

14538. Was that all the money you spent on any mob on Major Knox's side?—It was, sir—all the money I spent on any mob.

14539. Did you get any other money having reference to the election?—No, sir; not one six-pence.

14540. Or having reference to the revision?—No, sir; unless my own salary.

14541. Did you advance Tiernan a sum of money?—I did.

14542. How much?—Four pounds.

14543. That was in June, 1868?—Yes, sir.

14544. Now you knew Tiernan to be then a voter?—Yes, sir; he was.

14545. You knew him to be a voter?—I did, sir.

14546. Had you ever lent him any money before?—I had, sir.

14547. Did you take his I. O. U.?—I did.

14548. Has he paid you since?—Never.

14549. And you do not expect to be paid?—If he was worth it I would make him pay me.

14550. Did you think at the time you lent him the money he was able to repay you?—No, sir.

14551. Why did you lend him the money?—Because he would not have registered if his rates had not been paid.

14552. Did you do that to support the Conservative side?—I did, sir.

14553. Do you expect anyone to repay you that money?—I would have been repaid if the secretary had not been in bad health—he was in bad health at the time.

14554. Who was the secretary?—Mr. Robinson.

14555. Did you apply to him for it?—No; he was in a very delicate state of health.

14556. Did you expect that to be repaid out of the funds of the society?—I did.

14557. What I mean by that is you did not advance that money as a mere gratuity to this man?—No, sir.

14558. But you expected it to be repaid out of the funds of the society?—I did.

14559. Did you pay any other person's rates?—I paid the rates of a man named Burrowes.

14560. How much?—I have his I. O. U. [produced I. O. U. dated 30th June, 1868, of Burrowes for £1 14*s.* 6*d.*]

14561. Tell me names of any other persons whose rates were paid?—I paid the rates of a man named Robinson—I could not find his I. O. U.

14562. How much, and what is his Christian name?—John Robinson. He is an elderly man, and I think he was examined here before you. I could not say exactly the amount. I think it was something about 30*s.*

14563. Anyone else?—No.

14564. And you only paid these three?—Only these three.

14565. Do you know anyone else besides yourself who paid the rates of the voters, or who marked them to pay?—No, sir, I do not.

14566. Do you believe anyone else was paid?—I believe there were some paid by Mr. M'Niffe on the other side.

14567. What M'Niffe?—Patrick M'Niffe.

14568. I am aware that such things are done; but I want to know how much was paid on your side, and on the other side?—I have told you what I paid. I do not know any others.

14569. These men were understood to be Conservative voters?—Tiernan generally voted with us but he was not called a Conservative voter. He was always placed on the Liberal side.

14570. A doubtful man?—Doubtful.

14571. Mr. *Commissioner Bruce.*—Did he promise to vote for you if he was paid this £4?—No, sir. I never asked him.

14572. But the two others, Burrowes and Robinson?—No, I never asked. I expected they would vote with us, but I never asked.

14573. Mr. *Commissioner Byrne.*—Did you make a copy of the register of 1867 for Major Knox?—I think I made out a list.

14574. Did you give the marked list to Major Knox?—I sent it to him.

14575. Did you do the same with regard to the registry of 1868?—I did, sir.

14576. And had you besides that consultations with him in reference to men who were doubtful?—No.

14577. Had you any conversation with him?—I had. I was in his lodgings frequently.

14578. Discussing about the voters?—Yes, discussing what voters were likely to vote. The new Reform Act had just come in, and there were a great number of voters added to the list, and no one knew how they would vote, that is those between four and eight pounds.

14579. Did you make it your business to communicate to Major Knox whatever information you could give him?—Decidedly, sir, but I had very little means of arriving at it, because I did not know a great number of the names.

14580. Mr. *Commissioner Bruce.*—Had you anything to do with the Registration Society at the time of Sergeant Armstrong's election?—Yes, sir; I was connected with it since 1855.

14581. The *Chief Commissioner.*—Now, you sent the list of 1867 to Major Knox?—Yes.

14582. Was that produced in Carrick?—Not that I am aware of. Mr. Coffey had a list in his hand, and he asked me if I sent a list, but he did not put it into my hand, and I cannot say whether it was the list I sent or not.

14583. Was that divided into Protestant and Roman Catholic voters?—Yes, sir.

14584. At particular columns?—I would write a list of Catholics and Protestants.

14585. Was that on the printed list of the clerk of the peace?—No, sir; it was on a written list.

14586. Written out in your own handwriting?—Yes, sir.

14587. You stated, I see, at Carrick that you burned some letters from Major Knox before the election?—Yes, sir.

14588. Why did you burn the letters?—Whenever I answer a business letter I always burn it unless it is a receipt or an acknowledgment of the payment of money. I could not keep such an accumulation of letters as I receive.

14589. Can you give us any information as to the mob violence that took place during the election?—I was pelted myself at the head of Knox-street on the day preceding the election, and I was obliged to apply to Mr. Coulson the very night he got the cut in the temple. I asked him for protection to see me home not more than about 200 yards from this court-house.

TWELFTH DAY.
October 19.
Thomas Reid Wilson.

14590. And did you believe you could not safely reach your home without an escort?—I did.

14591. Are you aware of any voters having been deterred from recording their votes by the violence of the mob?—No person, sir. I could not say.

14592. Did the mobs appear to be organized?—Well, I did not see that organization, sir. They seemed absolutely ubiquitous. They seemed to be here and there and everywhere almost at the same time.

14593. Did their employment manifest any pre-concert?—Oh, certainly.

14594. How, now—could you give us any idea?—Either that or they must have been so large that they were about everywhere; because if there were two or three friends of Major Knox's in this street there would be a crowd surrounding the house they were in, and if Major Knox himself was at the Mall there would be a crowd at the Mall on the same evening.

14595. Were the mobs very numerous?—There were several mobs through the town—not one large mob. There was a vast number of mobs.

14596. Did they appear to have any leader?—Well, I could not say. It was as much as ones life would be worth then to look out of a window if the mobs were passing.

14597. Did you stay in owing to the violence of the mob unless it was necessary to go out?—Yes; unless it was necessary.

14598. And then you went out with an escort?—No; I only got an escort one night from the hotel.

14599. You know Mr. Stokes well?—Yes, sir.

14600. And Mr. Cherry?—Yes, sir.

14601. And Mr. Atcheson?—I do not know him very well, but I know him.

14602. Did you know Peter Harrison had been got to leave town before the election?—I heard he was gone.

14603. Did you know Mr. Atcheson had gone on a car with him?—I never heard that until I heard it here.

14604. Were you the Secretary of the Conservative Registration Society?—No, sir. Mr. Robinson was the secretary. I was merely acting for the revision, and as soon as the revision was over I was done.

14605. Well, what name had you there?—I had no particular name.

14606. Did you know that Stokes was getting voters to leave town?—I heard he was tampering with voters before the election.

14607. Who told you that?—I believe it was generally reported, but I could not mention any name.

14608. Did you know the names of those men whom he said he succeeded in bribing?—Except the M'Mullens I did not know any other name.

14609. Did you mean he had succeeded with the M'Mullens?—Yes.

14610. Who told you that?—I do not know. It was generally spoken.

14611. That the M'Mullens were out of the way?—That the M'Mullens were gone.

14612. Was "gone" the phrase used?—I think so.

14613. Did you know that at Carrick?—Yes, I did.

14614. And that Stokes had accomplished that?—Well, I think I did.

14615. Did you hear Stokes examined at Carrick?—No, sir, I did not.

14616. Now, did you hear that Stokes had got away any other voters?—No.

14617. Were you before the election engaged in going over the lists with anyone on Major Knox's side; I mean four or five days before the election?—No.

14618. Were you not consulted to give information, you that knew so much of the town?—I gave the information on the original list I sent to Major Knox. I could not give any information with regard to the voters between £4 and £8, for I did not know them, and I think 102 had been added to the lists by the reduction of the franchise.

14619. Did you speak to Captain Ethelred Knox before the election?—No, sir, not until I met him at Carrick.

14620. Now, you say you heard that Stokes was tampering with voters before the election; and you say you heard that in conversation amongst your friends on the Conservative side?—It was spoken of on every side.

14621. Have you any idea at all who was supplying him with money?—Not the slightest.

14622. Had you any idea at all as to who had brought down any money?—No, sir. I did not know that there was any money brought down.

14623. Did you not know perfectly well that Stokes would not promise money unless he had some back?—I thought it would be unlike him.

14624. At the time you believed he had some back?—Yes, sir.

14625. Otherwise you knew very well Stokes would not give a promise of money?—I do not think he would.

14626. Had you any idea at all as to what back he had?—No, sir, not the least.

14627. Were you yourself engaged in anything of the kind?—No, I was not. There were four charges brought against me in the bill of particulars, and I refuted them all at Carrick.

14628. Had you anything to say to the distribution of money on any former occasion?—No, sir, never.

14629. Never distributed any?—Never one sixpence, except what I tell you.

14630. Do you know of any other money being distributed at either Mr. Macdonogh's first election or the second election, than what is already detailed as to the £850 and £485?—I did not know of that until I heard it here.

14631. You did not?—No, sir; it came upon me by surprise.

14632. Mr. *Commissioner Byrne.*—Can you give us any information, either upon hearsay or of your own knowledge, as to the giving of money or intimidation on Captain Flanagan's side?—There was one man you had up before you who I heard got money—he and his son—Patrick Barry at the river side. I heard he got money for supporting Captain Flanagan.

14633. *The Chief Commissioner.*—From whom?—I do not know from whom. I merely heard it.

14634. Mr. *Commissioner Bruce.*—Who did you hear it from?—It was generally rumoured.

14635. Mr. *Commissioner Byrne.*—Could you tell what was the name of the person who mentioned this?—I could not tell you, sir. In fact, there is such a lot of rumours at election times, that one could not positively remember them all; and there were rumours of money on both sides at the last election.

14636. Was there any other voter in reference to whom there was a rumour like that?—You had them all before you—you had Blair.

14637. Anyone else?—Well, there were the two men whom I was accused of bribing, and they were both before you—Reed and O'Brien, and they denied that I said anything to them. I had it over and over again thrown into my teeth that I bribed them.

14638. Were they also reported to have got money at Captain Flanagan's side?—No, sir, but from me.

14639. And when you mentioned Patrick Barry and his son were you referring to a rumour that they had got money on Captain Flanagan's side?—Yes.

14640. Well, was there anyone else?—I heard that Robert Hazlett on the Mall got money from Captain Flanagan before he voted.

14641. Any others?—No, sir, I did not hear of any others.

14642. Is there any information you can give us in reference to intimidation on any side, or practised by persons acting for Captain Flanagan?—Well, I would not like to say anything except what I personally know. I could not say anything from hearsay about it.

14643. You are bound on your oath to answer any question we put to you. From rumour or hearsay can you give us any information in reference to intimidation?—Well, I heard that clerical intimidation

from the altar from Sabbath to Sabbath caused a great deal of the riot.

14644. Anything further besides the clerical intimidation?—No, sir, I did not hear anything.

14645. Did you hear it rumoured that these addresses from the altar very much excited the people?—I did, sir.

14646. Mr. *Commissioner Bruce.*—Did you hear the names of any of the clergymen mentioned?—No, sir. I do not know the names of the Sligo clergymen, except Dr. Gilloolly and Father Morris. These are the only two.

14647. Could you recollect from whom you heard these things?—I could not swear. I heard you ask some questions about the meeting from Mr. Abbott. I printed the circulars in my office, and I brought you up a copy of the circular to show it to you.

[Circular handed in and read by the Chief Commissioner, as follows:—]

"Sligo, 19th April, 1869.

"DEAR SIR—You are requested to attend a meeting of the friends and supporters of Major Knox, on Wednesday, the 21st inst., at half-past three o'clock in the afternoon, at Allingham's Hotel, to consider the present position of affairs in our borough, and secure its future representation.

"I am, dear Sir,

"Your obedient servant,

"R. D. ROBINSON.

"100 copies. 19th April, 1869."

14648. The *Chief Commissioner.*—Who instructed you to print the circular?—Major Knox; and Mr. Robinson gave me leave to put his name to it. He was then in bad health.

14649. In whose handwriting is the words "100 copies"?—That is the foreman's. It is the direction to the printer. That should be 300 copies.

14650. Mr. *Commissioner Bruce.*—You have had much experience of the views of the Conservative voters in this borough?—Yes.

14651. Is it your belief that they generally expect money after an election?—No, sir; there are a few off-shoots that expect money, but I think the general body of them are as pure a constituency as any in the world.

14652. What do you mean by a few off-shoots?—There are a few members of it.

14653. Could you give me any idea of the number?—Probably about ten.

14654. You do not think the number should be higher than that?—I would not put the number higher than that.

14655. The *Chief Commissioner.*—Mr. Sedley paid twenty-six?—I was perfectly astonished when I heard that.

14656. When did you hear it?—I did not hear it until I saw the list in print.

14657. Mr. *Commissioner Bruce.*—Do you know anything about the views of the Liberal voters?—No, sir, I do not.

14658. Do you consider, as an active member of the Conservative party that any large proportion of them are accessible to bribes?—No, they are generally very strong against it. I would not say there was a greater number than what I have said accessible to bribery.

14659. The *Chief Commissioner.*—According to Sergeant Armstrong's evidence, there were ninety-seven off-shoots after his election?—I understand from his evidence that he did not think to be applied for that until afterwards.

14660. But they took the money?—Yes.

14661. What he means is men who after an election will take money?—Well, it is a great trial to a man, if you place money in his way, to refuse to take it.

14662. But as a man of the world, do not you think there is a great many more than ten on either side?—I do not think there is more than ten on either side, who would not vote for either party without money. If they got money they would take it.

14663. They require to be strengthened by their own party?—I think they would take it if they got it, but I do not think they would actually require it to vote with their party.

14664. Mr. *Commissioner Byrne.*—Are you still employed at the revision business?—Yes, sir. In fact I was elected secretary about a week or ten days ago; since the death of Mr. Robinson.

14665. And you receive a salary?—Yes.

(The witness withdrew.)

James Grevatt sworn and examined.

James Grevatt.

14666. The *Chief Commissioner.*—Are you a voter of the borough?—Yes, sir.

14667. Who did you vote for at the last election?—For Major Knox.

14668. Who did you vote for at the previous election?—For Mr. Macdonogh.

14669. Did you get any money after that election?—Yes.

14670. How much?—Twenty-five pounds.

14671. Who paid you?—John Burke.

14672. That was after Mr. Macdonogh's first election?—Yes.

14673. Who canvassed you at that election?—Mr. Macdonogh.

14674. What business are you in?—Cabinetmaker.

14675. Did you expect any money when you voted?—No, sir, I did not.

14676. How did you know you were on the list for money?—I did not know that.

14677. Somebody must have told you or you never would have got the money?—Well, I got an intimation of it at the time.

14678. I am sure you did, otherwise you could not have got it. Who told you you were on the list for money?—A man of the name of Burke.

14679. Did you ever get any money before that?—Never, sir, by anyone.

14680. Did you ever get any money since?—I did, sir.

14681. From whom?—At Mr. Macdonogh's second election.

14682. From Mr. Sedley—Yes.

14683. How much?—Fifteen pounds.

14684. Do you know why you only got £15 the second time?—I do not, sir; I never expected it.

14685. Would you take money after any election for the man for whom you voted?—I suppose if I took it twice I would take it again. I cannot say. I might.

14686. You do not think you would refuse?—I do not know; under circumstances I might.

14687. Do you think it any harm to take money after an election from the candidate for whom you voted?—Well, I must say I never did think it harm.

14688. You do not think it harm now?—Oh, this inquiry has changed my mind.

14689. Did you go to Mr. Abbot's meeting?—No, sir, I did not.

14690. Why did you not go to Mr. Abbot's meeting?—I had no great desire to go to a political meeting.

14691. You voted for Major Knox at the last election?—I did, sir.

14692. Now, did you expect any money would be going after Major Knox's election in the same way?—I did not.

14693. But did you not expect it to be going?—It never entered my mind.

14694. Do you know Stokes?—I do.

14695. Did he speak to you at all about this?—Never.

14696. Who was with the Major when he canvassed you?—I think it was Mr. Phibbs.

TWELFTH DAY.
October 19.

James Grevatt.

14697. Well, we know these gentlemen did not speak to you about money. Did anybody speak to you about money?—Not one of them.

14698. Mr. *Commissioner Byrne.*—Did you get £25 in cash or did he stop anything?—There was some £12 10*s.* due to Mr. Williams at the time.

14699. Was that stopped out of the £25?—It was.

14700. Was there any other sum stopped out of it?—Not that I recollect.

14701. Did you get the whole £15 from Mr. Sedley in cash?—If I do not mistake I got £7 10*s.* and £5 a few days afterwards.

14702. You got from Mr. Sedley?—No, from John Burke.

14703. Did you get the whole £15 from Mr. Sedley in cash?—I did, sir.

14704. The *Chief Commissioner.*—Did you look upon it as bribery, taking the £25 and the £15?—I did not.

(The witness withdrew.)

Daniel Clarke.

Daniel Clarke sworn and examined.

14705. The *Chief Commissioner.*—Do you know Mr. Perkins who was examined here?—Yes.

14706. Is he any relation or connexion of yours?—He is a brother-in-law of mine.

14707. Do you hold any official position in Sligo?—Yes.

14708. What are you?—Clerk of the Union.

14709. Do you remember Mr. Perkins being in Sligo in October during the revision?—Well, I do recollect that he was.

14710. Was he ever with you in your office?—Yes, he has been frequently.

14711. Frequently in your office?—Yes.

14712. Do you remember going over the returns with him you were making for parliamentary purposes?—No, nor do I believe anything of the sort ever occurred.

14713. Had you any conversation with him about the revision?—It is very probable I had, but I do not recollect any of it.

14714. Was he often in your office at that time?—I cannot say he was in my office at that particular time; in fact, I rather think he was not.

14715. Was he ever in a similar position anywhere else; that is, as Clerk of Union?—He had a brother who was Clerk of the Union if I recollect right.

14716. Where was that?—At Killala.

14717. We have it, but I forget the exact dates, that he was there, according to his book, off and on in Sligo from the 11th to the 20th October. Do you remember his being in your office during these days?—No, I do not.

14718. Was he interesting himself in the revision at all?—No, he took not the slightest interest in it.

14719. Do you remember his being in your office?—Well, I cannot recollect that he was in my office during the time of the revision. In fact I have not a very distinct recollection of his presence here at all at the time, but the matter is forced upon my mind by his evidence. I recollect his wife, my sister, being at our house at the time; but I have no distinct recollection of the office.

14720. Used he to be travelling through the country during that time?—Yes; I rather think he left every morning, and came back as far as possible the same night when he was travelling on a railway line, so that he could get back.

14721. Is Mr. Perkins in any way connected with politics in Sligo?—I never knew him to be a politician anywhere. In fact, he eschews politics.

14722. Mr. *Commissioner Bruce.*—Did you ever hear before this inquiry of your brother-in-law having offered £50 to any voter?—No, I was quite astonished when I heard, but not from him, of the matter. I was quite astonished when I saw Dunleavy's evidence in the paper.

(The witness withdrew.)

Matthew Feeny.

Matthew Feeny, sworn and examined.

14723. The *Chief Commissioner.*—Are you an elector?—Yes, sir.

14724. Who did you vote for at the last election?—I did not vote at all.

14725. Why did you not vote at the last election?—I determined in my mind I would not interfere. I was holding the public situation of relieving officer.

14726. Were you examined in Carrick?—No, sir.

14727. When were you appointed relieving officer?—Better than sixteen years ago.

14728. Did you vote at the election before?—I did.

14729. For whom?—For Sergeant Armstrong.

14730. Were you relieving officer then?—Yes.

14731. Did you get any money after that?—No. I never got any money in my life at any election.

14732. Did you vote before Sergeant Armstrong's election?—I did, sir.

14733. For whom?—For Mr. Somers all through life.

14734. All through?—Yes, sir. I voted for him against Mr. Wynne, who is the chairman of the board of guardians, and against Mr. Townley, Mr. Sadler, and Mr. Ball.

14735. I need not ask you if you got money from Mr. Somers?—No. I paid towards assisting him.

14736. Had you any reason to believe you would lose your situation if you voted at the last election?—Well, no; I had not.

14737. I want to know this. You voted before all through for Mr. Somers, and you voted for the Sergeant, and that is strong evidence of your belonging to the Liberal party?—Yes. I did not vote at the last election—at twelve o'clock I heard that the election was lost to Flanagan. I heard by the account of the neighbours that twelve or fifteen Roman Catholic voters voted against him, and I knew at that hour it was impossible to turn the balance.

14738. And would you have voted for Captain Flanagan?—Yes, so that a vote would return him I would, although I never spoke to the gentleman in my life, nor he to me.

14739. Mr. *Commissioner Bruce.*—Were any of your windows broken?—Oh, not at the late election. I did not during the two last elections leave my own place. The day after the polling I saw several houses broken.

(The witness withdrew.)

John Robinson.

John Robinson, sworn and examined.

14740. The *Chief Commissioner.*—Who did you vote for at the last election?—For Major Knox. I am a Conservative these forty-six years, a Liberal Conservative, and I always go with the Conservative side.

14741. Did you vote for Mr. Macdonogh the election before?—I did.

14742. Did you get any money for that vote?—About three months afterwards I met Mr. Sedley in Mr. Leech's shop, and I went in accidentally. He was standing at the counter with Leech, and on coming home he met me in or about Doherty's shop, and said, "Come down to my office." I went down, and he

gave me fifteen sovereigns, and said, "There is a present," or something to that effect. When I got the fifteen sovereigns I came out. There was a hubboo about money expected, and I took the fifteen sovereigns and I showed it; and when I was asked "What news," I said, "There is my news." I showed it to different people, and they all knew I got the money.

14743. You would not have got the money if you had not voted for Mr. Macdonogh?—God knows I could not swear that.

14744. Did you ever get any money before?—I got £5 from Mr. Wynne's election.

14745. Who gave it to you?—Mr. Morrison who is now dead.

14746. Was that the election at which Mr. Wynne beat Mr. Somers?—No; it was Mr. Wynne and Mr. John Martin's election.

14747. Who got in that time?—It was Mr. John Martin. There were open houses that time.

14748. Did you ever get any other money besides that £5 and the £15?—Well, I cannot recollect.

14749. Did you vote at Mr. Sadler's election?—No

14750. Why?—The reason was I did not want to interfere with it.

14751. Did you vote at Colonel Townley's election?—No. I told him I could not for I had promised.

14752. Mr. *Commissioner Byrne.*—Did you get any money from Mr. Monds?—Never.

14753. Did you get any money at Mr. Macdonogh's first election?—I cannot recollect. I do not think I did. No one ever came near me for my vote.

14754. The *Chief Commissioner.*—Have you been offered money now for having voted at the last election?—No, but if anybody gives me money, God knows I will take it with pleasure. I am willing to earn it, but if they give it to me into my hand I will take it good humouredly.

(The witness withdrew.)

John Robinson.

Robert Lindsay sworn and examined.

Robert Lindsay.

14755. The *Chief Commissioner.*—Who did you vote for at the last election?—For Major Knox.

14756. Did you vote for Mr. Macdonogh at the previous election?—I did.

14757. For that did Mr. Sedley give you any money?—Ten pounds.

14758. Why did he give you only £10?—I could not tell.

14759. What are you by occupation?—I am a farmer, sir.

14760. Are you a Sligo man?—I live in the borough.

14761. Who is your landlord?—The Right Hon. John Wynne.

14762. Do you know anybody else on the estate who got money for voting for Mr. Macdonogh?—I did not know what they got until I saw it in the paper about the inquiry.

14763. Did you not know there was money going?—I did not know.

14764. Did you ever get any money before?—Not in my life, and I am voting these twenty years on the Conservative side and never left it. I voted two or three times for Mr. Somers and for Mr. Wynne against Mr. Somers.

14765. Do you expect any money for the last election?—Indeed, I do not—not a cent. I got £10 and I am very sorry I handled it. If I had something that would be worth while I would be glad.

14766. Mr. *Commissioner Bruce.*—Did you hear any talk of money going at the last election?—There was a rumour going of money going on both sides; but I had no knowledge of it.

14767. Did you make up your mind that if that money was going you would not take it?—Well, I think if I was offered money after the election I would take it.

14768. The *Chief Commissioner.*—What is the least sum you would take?—Well, the most I would get I would take.

14769. What is the most you would take?—I never made a bargain.

14770. You said you would take money. You would not take 1*s.* or 6*d.* Is £10 the lowest?—The same as Mr. Sedley gave me—£10.

14771. Did you complain that it was not enough?—No, sir, I did not.

14772. Do you know anything more about money?—Not a penny. I voted at that election for Mr. Macdonogh and I did not expect one penny.

(The witness withdrew.)

Samuel Gillmor sworn and examined.

Samuel Gillmor.

14773. The *Chief Commissioner.*—What is your occupation?—A farmer.

14774. Who is your landlord?—Mr. Cooper.

14775. Did you vote at the last election for Major Knox?—I did.

14776. Did you vote at the previous election for Mr. Macdonogh?—I did.

14777. Did Mr. Sedley give you any money?—Well, he did.

14778. How much?—Twenty pounds.

14779. Did you ever get any money before the £20 for having voted?—Well, I suppose I did, but it's a good while ago—a long time ago. It is out of my memory now.

14780. Who gave you the money before—first of all, how much did you get?—I really could not tell.

14781. About how much?—I don't recollect. I think I got £30 once.

14782. Who gave you the £30?—It was sent out of town to me, to my own house.

14783. After whose election was that sent—was it for voting for Mr. Wynne?—No.

14784. Was it for voting for John Sadler?—I do not exactly recollect who he was.

14785. Or Colonel Townley?—But I think Sadler was implicated in it.

14786. Did you vote for Mr. Somers or against him?—I did not vote on either side.

14787. You did not vote at all?—No.

14788. The time you got the £30?—Yes.

14789. Who gave you the £30?—I met a young man here in Sligo—Henry O'Connor, a merchant—as I was coming in from the country to keep myself safe, because I lived far in the country, and I was in dread of the mob coming by night for me, and he stopped me on the road. "Now, Mr. Gillmor," said he, "where are you going?" "I am going into the tally-room," said I. "What will I give you," said he, "if you don't go in at all?" "I don't know," said I. "If you vote on our side," said he, "I will get you £50." "No, I would not vote against my own side," said I, "if you gave me £400." "Well, I'll tell you what I will do with you," said he. "I will send out £30, and don't vote at all, and go out of the way." "Well," said I, "a very little thing would make me do that." I did not care whether I voted or not, so I went away up as far as Knock-na-rae and stayed there.

14790. Did you go to the top of the hill?—Well, I did not go to the top of the hill, but I went convenient to it. I amused myself there till the voting was all over, and came to my own house after that, and no more about it.

14791. How long after that did you get the £30?—It was at the time; I would not go without it.

TWELFTH DAY.

October 19.

Samuel Gillmor.

14792. Who gave you the £30?—I understood it came from Henry O'Connor, but he is dead.

14793. Who brought it to your house?—I am not certain who he was—it's a good while ago.

14794. Who did you understand brought it to your house?—Some of the mob that belonged to the town, and when they came I took it and walked away and no more about it.

14795. You got that £30 for not voting?—For not voting.

14796. Against the Liberal side—O'Connor was on the Liberal side?—He was on the Liberal side.

14797. Do you remember now was he for Colonel Townley or for Sadler?—Well, really I can't tell.

14798. Did you ever get any other money beside that £30?—I got £5 lately.

14799. Who gave you the £5?—I could not say who gave it to me.

14800. Where did you get it?—I got it here in the Court-house.

14801. How long ago?—In the Clerk of the Peace's office.

14802. Who gave it to you?—The Clerk of the Peace as far as I understood. I did not know whether he was or not, but he gave it to me.

14803. When was that?—Michael Doherty—I suppose he is not far from us—came out to my house and said, "Mr. Gillmor, there is a gentleman in Sligo that wants to see you." "Who is he?" said I. "Oh, a gentleman, come on as quick as you can." "Well, I am going in any way, Michael," so in I came. I came down here below to the corner. Michael Doherty saw him passing by. "There's the gentleman," said he, "follow him up and ask him does he want you." So up I went and he came to the court-house here—to his office. "Sir," said I, "are you wanting me?' "What's your name," said he. "My name is Gillmor," said I. "Oh, yes," said he. "I do. Here's £5 for you. Will you give an acknowledgment." "Certainly," said I, "I will." So I took it and walked away, and I would not know the man the next day, because he was a stranger.

14804. Did you give him the acknowledgment?—I gave it.

14805. What was it?—An I O U. He drew it himself and I put my name to it.

14806. You put your name—Samuel Gillmor?—Yes, Samuel Gillmor.

14807. How long ago was that, Mr. Gillmor?—To be exact about it I can't tell.

14808. How long after the election was it?—It was before the election.

14809. What was the £5 for?—Well, really I could not exactly say what it was for, but he gave it to me. He did not mind me what it was for.

14810. Had you any idea in your own mind what it was for?—Well, indeed, for fear of making a mistake I could not say no more than that I thought it might be from Major Knox. He came out to my place to canvass me—he and Mr. Phibbs. They came out one night to canvass me, and I gave him my word that I would go with him; that he might not make himself the least uneasy about me, and that was a good while before the election.

14811. Would you know the Clerk of the Peace if you saw him again——?—Not one of me would know him. I understand he is not here now. They said he was Mr. Knox at that time, but I am told he is not the man now.

14812. Had you applied for this money before?—Sir?

14813. Had you applied for this money?—Why, I wrote to him—I think it was about last spring two years—for the loan of £5 or £6.

14814. Whom was it you wrote to?—To Major Knox. I got no answer from him for a good while, until this man, Michael Doherty, came out to me, and told me; and it was this man who was in the Clerk of the Peace's office that gave it to me; so whether it came from Major Knox or not I can't say, but this gentleman gave it to me.

14815. Did you ever get any other money?—Not to my recollection.

14816. But you might?—Oh, I voted, I suppose, these forty years.

14817. But you took £30 for not voting?—Well, I was very easy about it. I would as soon I did not get the £30, and to go in and vote for Mr.——

14818. What did Michael Doherty say to you?—He told me to come in, that there was a gentleman in the town that wanted to see me.

14819. Had you ever applied to the gentleman that you call the Clerk of the Peace for money?—Never.

14820. Had you ever applied to anyone but Major Knox?—No. I understood according to what Michael Doherty told me that he was the Clerk of the Peace.

14821. You swear you never got any other money?—Not since these two elections.

14822. Or before?—Or before, only the £30.

14823. Mr. *Commissioner Byrne.*—Did you post that letter to Major Knox yourself in the post office?—I may say I did. It was Michael Crane that put it into the office.

14824. You gave it to Michael Crane to put in the office?—Yes; I stood by while he was putting it in.

14825. You stood by?—I did.

15826. The *Chief Commissioner.*—Sit down and wait. We have sent for Doherty?—I told him the other day that when I was called I would have to mention his name.

15827. And that you would tell the truth like an honest man?—I would tell the truth if it was to save his life or any other man's.

(The witness withdrew.)

Michael Currid.

Michael Currid sworn and examined.

14828. The *Chief Commissioner.*—Did you vote at the last election?—I did.

14829. Whom did you vote for?—Captain Flanagan.

14830. Did you vote for Sergeant Armstrong at the previous election?—I did.

14831. Did you get any money after that?—I believe I did.

14832. What do you mean by saying "you believe you did"—have you any doubt of it?—I understood that Michael Foley left £15 to a friend of mine to give to me.

14833. Who was the friend of yours?—Mr. Brennan in Market-street.

14834. Did he give you the money?—I owed him an account and he kept it. I did not ask it from him—the £15.

14835. Your account was never demanded from you after that?—Never.

14836. Was your account about £15?—It was less, I think.

14837. Did you ever get any other money but that?—Never.

14838. At the time you voted for Sergeant Armstrong did you vote according to principle?—Certainly, I did.

14839. Did you expect any money?—Not for my vote.

14840. Did you expect any money would be going after the election?—Well, I could not say whether or no.

14841. Did you think it likely there would be?—I never heard.

14842. Did you not think it likely?—At the time I voted I did not hear.

14843. Did you think it likely that money would be going?—Certainly. I dare say I thought there would be money going.

Michael Currid.

14844. Why did you think there would be money going—was it because it was always going after elections?—Well, that was the first time that ever I voted, and I could not say before that.

14845. Did you understand from what you knew of Sligo that it was likely there would be money going after the election?—Sometimes there was, and sometimes there was not.

14846. Did you expect that any money would be going after Captain Flanagan's election?—No.

14847. Why?—I could not say why, because there never was any talk about it. I never heard any talk about money being going.

14848. Mr. *Commissioner Bruce.*—There was talk about it in Sergeant Armstrong's time then?—Not till after the election—long after it. For nine months, I think, I did not hear of it.

14849. You told us you thought there would be money going at the election?—After the election.

14850. No, but at the election. You told us you thought it would be going at the election?—Well, if I said that I thought wrong.

14851. Did you say it—say whether you did or not?—I say I did not know anything about it, or hear anything about it at the time of the election.

14852. Did you expect any?—No, not for my vote.

14853. Did you expect you would get some money afterwards for your vote, or not?—Well, after——

14854. Now, I mean at the time of the election?—No.

14855. Did you hear anything about drink going at the last election?—Captain Flanagan's election?

14856. Yes?—No.

14857. You did not hear it?—Nor see it. I never got a glass of beer or anything else.

14858. Did you see anyone or hear of anyone getting any?—Unless what I, or anyone else, would pay for out of our own pockets.

14859. Were there a good many mobs?—Mobs?

14860. Yes?—Everyone has a mob, I think.

14861. Were there a good many country people in town?—I could not say.

14862. Have you been long in Sligo yourself?—I was born in Sligo.

14863. And do not you know the Sligo faces?—Yes.

14864. Did you see many people in town that were not Sligo faces; now, just think?—There were plenty of people every day that are not Sligo people in town.

14865. But were there more than the usual number among the mob that day?—Well, I dare say there were plenty.

14866. With frieze coats?—Certainly. Every day there are plenty of people with frieze coats.

14867. Come, you know perfectly well what I mean; were there many people making up the mobs that did not belong to Sligo that day?—Well, I dare say there were more in town that day than there would be on other days.

14868. Did you see many drunk?—No.

14869. Did you see any of them drunk?—No, I could not say.

(The witness withdrew.)

James Cunningham was called.

14870. A person in court stated that he had been sick for the last twelve months, and was not able to attend. However James Cunningham himself got upon the table immediately afterwards, and took his seat in the box. The person who had spoken said it was Peter Cunningham he meant.

James Cunningham was then sworn and examined.

James Cunningham.

14871. The *Chief Commissioner.*—Did you vote at the last election?—No.

14872. Did you vote at the previous election?—Yes.

14873. Whom did you vote for?—Mr. Macdonogh.

14874. What is your occupation?—A grocer.

14875. Did you get any money after Mr. Macdonogh's election?—About eight or nine months, I think, after it, I got £15.

14876. From whom?—Mr. Sedley.

14877. Did you get any money at Mr. Macdonogh's previous election?—Not on my own account.

14878. But on anybody else's account?—Twenty pounds was left with me by Mr. John Lyons for a man named Owen Conlan.

14879. Did you give it to him?—Yes. He was to vote for Mr. Macdonogh, and I gave him the money according as I was directed.

14880. Was that before the election?—After it.

14881. Did Owen Conlan owe you an account?—No.

14882. Why were you selected as the trustee for Owen Conlan?—Well, Mr. Lyons and I were acquainted, and he left the money with me.

14883. Why did not you vote at the last election?—I was not on the registry.

14884. Mr. *Commissioner Bruce.*—Did anyone pay you to keep off?—No.

14885. The *Chief Commissioner.*—Did you ever get any other money but that £15, and £20 for the other voters?—Never.

14886. Why did you take the £15—did not you know it was for your vote?—Well, I took it as it was given to me.

14887. Would you take it now?—Well, I don't know what I might do now.

(The witness withdrew.)

Major Knox re-examined.

Major Knox.

14888. The *Chief Commissioner.*—Samuel Gillmor has been examined here, and he said that he wrote to you asking for money, and that afterwards he was brought by Michael Doherty to a gentleman whom he describes as the Clerk of the Peace, who we all know was Mr. Utred Knox. Did Gillmor ever write to you for money?—I don't remember his writing to me; but I remember hearing that he got money from Mr. Utred Knox. Oh, yes, I remember that—quite—at Carrick; but I don't think I ever remember his writing to me.

14889. Was it Utred Knox that stated it at Carrick—Samuel Gillmor was not examined?—No; but my recollection is that he stated it at Carrick.

14890. It is now said by Gillmor that he never applied to Utred Knox, but that he wrote to you and was brought by Michael Doherty to the Clerk of the Peace?—Well, I think he is quite inaccurate. My recollection of that is, I don't think I ever heard of his name as getting money till Utred Knox volunteered it at Carrick. I don't think he ever wrote at all.

14891. Volunteered?—Volunteered. I think that will be seen on the evidence. I don't think I ever saw that Mr. Gillmor that I know of.

TWELFTH DAY.

October 19.

Samuel Gillmor.

Samuel Gillmor was recalled.

14892. Major *Knox.*—I do not think I ever saw you except once when I canvassed you. Did you ever see me except when I canvassed you?

14893. The *Chief Commissioner.* — He says you called out with Mr. Harloe Phibbs?—I think I remember that quite.

14894. That is all?—It's just possible he might have written to me and that I sent some letter as I did some letters to Sligo to Mr. Pollock, but I don't remember it.

14895. Utred Knox says he went out for you with the money?—I never gave him any money. There may be one or two on my list, but I never heard Gillmor's name.

(The witness withdrew.)

Edward MacIlhenry.

Edward MacIlhenry sworn and examined.

14896. The *Chief Commissioner.*—Did you vote at the last election?—I did.

14897. Whom did you vote for? — Captain Flanagan.

14898. Did you vote at the previous election for Sergeant Armstrong?—I did.

14899. After that was any money offered to you?—No, not for that I suppose, for there was no money offered to me at any time; but in the course of nine months afterwards, I was sent for by a messenger to go to Bryan Chrystal. I signed a paper there and got £20. It was never promised to me by anyone.

14900. Had you ever got any money before?—Never.

14901. Did you know that that money was in consequence of the election?—I suspected that it was.

14902. What did Chrystal say to you?—He said nothing only gave me the money, and I signed the paper.

14903. How did you know that you were to go to Chrystal's?—I was sent for by a little boy.

14904. Had you heard that the money had come down to town?—I did not previously.

14905. Who told you?—I did not hear.

14906. Had you made any application for money?—Never.

14907. What business are you in?—I am a shoemaker.

14908. Do you think it a right thing to take money?—Well, I took it. It is one of the acts that I am very sorry for, for I am twenty-five years voting in Sligo, and never took a halfpenny before, nor never looked for it, and if I wished to make politics a trade, I suppose I would have made something of it in that time.

14909. Did you expect that any money would be going after this election?—No; I voted for Captain Flanagan without ever being asked.

14910. I suppose you were in politics a Liberal?—Always. I have been so for these twenty-five years.

14911. Mr. *Commissioner Byrne.*—Did you get the whole of the £20 in cash?—I did.

14912. Mr. *Commissioner Bruce.*—Did you hear anything about mob money going at the last election?—No.

14913. Do you believe any was going?—It might be for all I know. I did not mix myself up in anything of the kind.

14914. You did not hear anything of it?—Never.

14915. What part of the town do you belong to?—Castle-street.

(The witness withdrew.)

Martin Davy.

Martin Davy sworn and examined.

14916. The *Chief Commissioner.*—Did you vote at the last election?—I did.

14917. Whom did you vote for?—Captain Flanagan.

14918. Did you vote for Sergeant Armstrong?—I did.

14919. After that election did you get any money?—I did.

14920. How much?—£15.

14921. Who gave it to you?—Bryan Chrystal.

14922. What business are you in?—A farmer.

14923. Who is your landlord?—I am my landlord myself.

14924. How much land have you?—Seven acres and a half.

14925. How did you know the money was at Chrystal's for you?—Begor, when it was in it, everyone knew it.

14926. But who told you—somebody must have told you?—Why, in fact, twenty told me.

14927. Twenty electors?—I don't know.

14928. Did you know of anyone else being paid at Chrystal's beside yourself?—No; I know my father——

14929. How much was he paid?—£15.

14930. Mr. *Commissioner Bruce.*—Is your father alive?—He is; he was examined here.

14931. The *Chief Commissioner.*—Did you ever get any other money at an election?—No.

14932. Were you active for Captain Flanagan last time?—I voted for him.

14933. Were you active—did you bring in any of the country boys—that is what I mean?—Me, sir; I voted for him, and that is all that I did.

14934. Did any of the country boys from your place come in?—Well, there are no boys in it to come in, for I am not half a mile from the town.

14935. Did you expect any money for your vote?—Me, sir?

14936. Yes?—No, sir, nor never did.

14937. Would you take it now if it was given?—Well, indeed I would take money any time I got it.

(The witness withdrew.)

Patrick Collery.

Patrick Collery sworn and examined.

14938. The *Chief Commissioner.*—Did you vote at the last election?—I did.

14939. Whom did you vote for?—Captain Flanagan.

14940. Did you vote at the election before that?—Yes.

14941. Whom did you vote for?—Sergeant Armstrong.

14942. Did you get any money after that?—I got £15.

14943. Who paid you?—Mr. Phillips.

14944. What business are you in?—Public business and bakery and small entertainment.

14945. Now, at the last election were there any country people in your house on the day of polling?—No, nothing more than in general. I do largely in the way of entertainment to the public, but there was nothing more than on market days and such days, the public passing in and out. I do very largely, and there is not another man in the trade in the town that does more than I except one house.

14946. What part of the town are you living in?—I live in Pound-street.

14947. Was there a mob in Pound-street on the day of the polling?—Well, there were people passing up and down the street as is usual at elections in Sligo.

14948. Did you know any of them—I suppose you know the county of Sligo well?—I do, very well indeed.

14949. Do you know the Geeva people?—Well, I have a knowledge of the Geeva people very well.

14950. They deal with you and put up with you when they come in?—They do.

14951. Did you see many Geeva people that day?—Not that day. At the county election I saw Geeva boys, but none at the borough.

14952. Had you any orders for the county or borough election?—No, I had no orders for either the county or borough elections, except what voters boarded with me the night before the polling—men that came in. I entertained no men but voters at the county elections, and I never received an order at any election except what voters I entertained the night before the polling—men who came in.

14953. That's quite right. If they came in a distance they required lodging and food?—I had that for them for the county, but none for the borough.

14954. Was there a mob in town?—There were a good deal of people in town.

14955. Where did these people get meat and drink for the twenty-four hours they were in the street?—I am not aware. I think any of them that were in town went home again hungry—that's my conviction. I had entertainment, and did very largely with the public, but I did not sell two shillings' worth of bread, nor entertainment to countrymen that day. I am on my oath, and I know the country very well. I saw them parading the street, and they got neither food nor money to my knowledge; and I am sure if they had money they would have called, because I deal as leniently with the public that way as anyone.

14956. If the mob had got money you think your house would have got a large share of their custom?—If they got money I think I would have got their patronage, so far as paying me for their board; for what they would eat.

14957. You appear to be a very intelligent man, and you know the country and you know the town. Had you ever at any previous election got orders?—Never in my life.

14958. Do you know what I mean by orders?—I do, perfectly well.

14959. That is a writing to this effect—"Give £2 worth of bread or whiskey to bearer"?—I never received a shilling in my life upon an order.

14960. Do you know any house in town where these orders were given at the last election?—No, I do not, on my oath. I never left my own house and my own business, and I never heard to my knowledge of a house having got a shilling's worth; but I may say this much of some boys that came in from the country, that knowing them to be hungry, I got tea ready for ten or twelve of them when they had no way of taking them home. I never received a shilling since for it.

14961. Was that the evening of the polling?—Well, I should think it was.

14962. Was that the night the houses were wrecked?—Yes, the night the houses were wrecked—some of them were wrecked.

14963. How many boys did you give tea to?—Four or five, or six.

14964. What part of the country were they from?—From the parish of Sooey.

14965. Whose property is that?—I could not say.

14966. Were they all from the same place?—I could not distinctly state what place they were from.

14967. What hour was it when you gave them the tea?—Well, they came in in the morning and said they had no money, and I gave them breakfast.

14968. Did you give them dinner?—No.

14969. What did you give them for tea?—Just bread and tea alone—nothing but bread.

14970. Did they get no whiskey?—Not a drop.

14971. Were you told by anyone not to give them any drink?—I never was.

14972. Do you mean to say that these boys from the parish of Sooey would not take whiskey?—If they got it of course they would, but I was not going to give them whiskey when they had no money. I gave them breakfast.

14973. How far is the parish of Sooey from Sligo?—Six or seven miles—about six miles, I suppose.

14974. Did these boys say who told them to come in?—They came into town to see the election going on.

14975. At what hour of the morning did you give them breakfast?—It was after ten o'clock.

14976. Was it after you heard that Captain King was shot?—Oh yes, it was.

14977. Long after?—Long after.

14978. Was that all the refreshment given to strangers in your house that day?—Oh there was more given to different people coming from different parts of the country—coming on business and otherwise. We took no particular notice of them coming in and paying for refreshments.

14979. Some people from different parts of the country?—Yes.

14980. About how much would you say your house took that day?—did you take £20?—Oh no, nor £5, nor £4. We supplied a good amount of tea, and would not charge people more than sixpence for bread and tea alone.

14981. Did you supply a great number of breakfasts that morning?—No, not that morning. I came in and recorded my vote and returned home again, and then turned back to see how it was going on at the Court-house, afterwards.

14982. Why did you supply the Sooey boys?—I was acquainted with them, and they went in and said they had no money and asked would I trust them for their breakfasts. I said I would not see them short of their breakfasts.

14983. Did you give any other breakfast or tea on credit that day?—No, on my oath, I am not aware that I did.

14984. Did you give breakfast to one hundred people that day?—No, nor to fifty.

14985. Did you give any dinners in the house that day?—No, not that I am aware of, except that during my absence any person would come in and order tea as usual.

14986. I mean to any number of persons?—Oh no, by no means, except our general business. We keep stables and cook for and attend to such men as pass with horses and carts.

14987. Mr. *Commissioner Byrne.*—Did the Sooey boys appear to be disappointed at not having got money in town?—No, they did not—not a bit. They did not even come together—they only came in twos, and said they had no money and asked would I let them have some tea till the next day they came to town again. I said I would.

14988. Mr. *Commissioner Bruce.*—Did you tell them you thought they were great fools to come in seven miles without having a farthing in their pockets?—Well no, your honour, I did not.

14989. Did you think so?—I did indeed.

14990. Perhaps you expected someone would pay for their dinner?—I did not expect any person would pay for it. In election times they would be a little elevated and don't consider an idle day much loss.

(The witness withdrew, and the Court then adjourned till eleven o'clock the following morning.)

THIRTEENTH DAY.

October 20.

THIRTEENTH DAY.

WEDNESDAY, OCTOBER 20, 1869.

The Commissioners sat at eleven o'clock.

The Right Rev. Dr. *Gillooly* sworn and examined.

The Right Rev. Dr. Gillooly.

14991. The *Chief Commissioner.*—You are the Bishop of Elphin, my lord?—Yes.

14992. The borough of Sligo is entirely in your lordship's diocese?—Yes.

14993. You remember the last election?—I do.

14994. Has your lordship's attention been directed to the evidence given about certain directions—that those who voted against the popular candidate, or those who had not voted, should be put in a particular portion of the parish church?—I read something on the subject; I heard something on it.

14995. Would your lordship state what you know of the matter—first, as regards the directions which you yourself gave, and then as regards the directions the acting parish priest in your parish gave on the subject?—With regard to my own directions, I gave no directions whatever on the subject. I merely expressed a wish and an advice, which was addressed to the parties concerned. It was, I think, on the second Sunday after Captain Flanagan's election, and, as everyone is aware, there was very great excitement caused by it—I may say the whole of the Catholic population of the town felt very indignant with the course adopted by a certain number of their body. That indignation manifested itself on several occasions in the borough, and I had reason to fear that it might manifest itself, if not in the church, at least in the immediate vicinity of it on the day I alluded to the subject. I was to preach myself on that day at the last mass; and, as I was going to the church, a young man came up to me and said that he and several others had arranged to attack those parties if they came to the church. I reprimanded him, and forbade him most strictly not to carry out that idea, if any such he had. I told him I would take the most stringent measures to prevent such a thing, and to punish it if it did occur. Then he promised that he would not do so, and he went away. When I went to the church I told the circumstance to one of the priests, who was in the sacristy at the time—I don't know which of them it was—and he told me that he himself had to interfere to prevent the wife of one of the Catholic electors who had voted for Major Knox being interfered with in the church, and that he had to leave the sacristy for that purpose. I then saw the necessity of alluding to the subject myself, but until I heard these things, and until I was made aware of the feeling and of the intention to give annoyance, I did not intend to speak on the subject. I thought it my duty then, in order to prevent disorder in the house of God, to allude to it, and I did so, I think, before I commenced the sermon on the gospel of the day, to the strong and just feeling that existed in the town of dissatisfaction with those who had violated their duty; but I said that that feeling should be kept out of the church, and I said, perhaps, as it was not easy to control it, "Let those persons who come to the church go to that part near the porch," indicating the part of the church that I meant. My sole object in that was to prevent any collision occurring between them and the others. I was afraid lest they should place themselves too prominently in the church, as I was disposed to think that some of them were inclined to do, in order to provoke the feeling of the people, and lest, under the circumstances, some annoyance might be offered to them in the church. I said let them remain in that part of the church. I never said, and I never intended to say, that they should not place themselves in another part of the church. I am very cautious in any regulations I make, and I am sure I did not say the contrary of what I intended to say. I never intended to say, and I am perfectly certain I never did say, that they should be excluded from every part of the church. The porch is a sort of private entrance to the church, and some of the most respectable persons and merchants in the town hear mass there. My sole object in directing them to that place was that they should be out of the way, and not provoke a collision with the congregation. I never said anything that could bear another meaning. I believe what I said was misunderstood not only by those who made affidavits for the purposes of the election petition, but by other persons also. I heard one or two say that I meant a prohibition. I never did. I never so expressed myself, but, from my directing or advising them to go to one place, some people, by an illogical conclusion of their own, understood that I wished to exclude them from any other place. I never meant that, nor expressed it in words: and in point of fact they were never excluded from any part of the parish church, and I never gave that direction to any of my priests. If I had intended to separate them from the congregation, I would have talked over the subject with the priests, and given them instructions to that effect, which I never did. These persons were never removed; I never approved of their removal from my own church, or from any other church. I heard that on one occasion, Christmas morning, my administrator in the town, the Rev. Mr. Morris, sent for one of them, M'Guirk, who was placed in one of the passages. On Christmas morning there is always a very great crowd at the mass; persons come in from the country to the parish church, who are not in the habit of coming there; and M'Guirk was in a conspicuous place and was in the way. Father Morris, to prevent any possible annoyance, sent for M'Guirk and asked him to go to some other place out of the way; he did not command him, as he told me; he merely requested him and another man named Burke who, I understand, on the same occasion wanted to place himself in a prominent position, to place themselves in a quiet place where they would not be so prominent. It appears that some person was requested to retire from the friary. I was perfectly ignorant of that before it happened. I gave no instructions whatever about it, and if I had been consulted on the matter, I would not have allowed it to be done.

14996. We have it from Sergeant Boyle that he was turned out of the church?—He wasn't turned out of our church, but out of the friary church. I didn't know of it; I was perfectly ignorant of it; and if I were consulted about it, I would have disapproved of it. I am sure it was under some mistaken impression that they acted in the friary.

14997. Then, what occurred in reference to the sergeant, had it not your lordship's approbation?—It never had; I disapproved of it; in every instance where persons were removed from the church that I heard of, I disapproved of it. Even though the clergyman might have strictly a right to do it in certain circumstances, I disapproved of it as a wrong thing to be done. I thought it would be an imprudent thing to do in these cases; and in talking over the matter I must have expressed that opinion several times.

14998. We have it in evidence that the money was returned on Christmas-day to Burke and M'Guirk, was your lordship aware of that?—I think there was something mentioned about it in my presence; I think the question was asked, ought the money to be accepted from these parties? I gave no opinion or instructions about it, but the feeling was that it ought not. It was felt that persons who had got money so badly, and had acted so badly for the sake of money, should not have their offerings accepted on this occasion. I heard that some of these persons had boasted that, if they paid

their money, it would be taken from them as well as from others. I may mention that, in the direction of my diocese I am oftentimes consulted by priests with regard to certain men who are misconducting themselves, and setting a bad example in the parish. Some of these ignorant people think that, however badly they misconduct themselves, the priests will pass over their misdeeds, if he accepts their dues. I have invariably advised the priest who consulted me not to accept dues from these parties, and I shall continue to do so, because I think it right to prove to them practically that it is not their money we want but their souls.

14999. When you heard what occurred at the abbey in reference to Sergeant Boyle, did you express to the clergy of that church your disapprobation of it?—Not directly. I have no jurisdiction over the management of their church; they have control over their own church and the congregation of it; but I manifested my opinion and my wishes on the matter to persons who I am aware conveyed that opinion to them. I do not think it happened more than once, but I did not consider myself justified in issuing an order on the subject as regards their church. When I first heard the statement made, I believe, by Sergeant Boyle and by others, I was away on duty through the diocese, and I immediately wrote to the newspapers to contradict it. I have the letter cut from the newspaper.

15000. Your lordship might read that letter?—His lordship read the letter as follows:—

"My attention has been called to reports which appeared on Friday last in the Dublin daily newspapers of the proceedings in the Court of Common Pleas respecting the Sligo election petition. It is there stated, apparently on the affidavits of some of Mr. Knox's supporters in Sligo, that in addressing my flock in the parish church of Sligo, both before and after the borough election, I said—'That those Catholics who would vote for (or had voted) for Major Knox should not be allowed to sit in that church with the rest of the congregations that they should be treated as rotten branches, and cut off.' I take the earliest opportunity of contradicting those statements as untrue, and declaring that neither the alleged expressions, nor any others equivalent in meaning were ever used by me in my address to my flock; that on no occasion, public or private, have I announced, ordered, or approved of the removal of those Catholics referred to, from any place they might occupy in my parish church or any other house of worship; and that if such removal occurred which I have not now the opportunity of ascertaining, it was without my knowledge or sanction. I beg you will kindly give this letter insertion, and oblige your faithful servant,

"✠ L. GILLOOLY.

"January 11, 1869."

Every word of that letter I now repeat, because whatever I write or say on the subject is the same as if I were testifying it on my oath. I heard it was stated also that I said "they should be cut off as rotten branches." I never used that expression. I don't mean to say that the person who swore to it swore what he knew to be false, but I never used it. If he were present he must have misunderstood my words. I referred to rotten branches, and I said most probably, although I cannot now remember the words I used, that it would be better that rotten branches should be cut off than that they should be left hanging to the tree, injuring the vitality of it; and that it would be better that the member which was rotten should be cut off, rather than it should infect the body. I then said I feared that some of those persons had cut themselves off by their misconduct, and by persevering in a course of conduct which they knew to be criminal. In any remarks I made I referred only to the Catholic voters of the town. I never applied a single word or observation to anyone else. I expressly declare that I alluded, and merely wished to allude to them; and I never made any personal observation to any candidate or voter. I merely expressed myself as to the principles of the contest, and the duty the electors had to discharge. I put this advice to them as strongly as I could, and I showed them that if they failed in their duty they would not only be incurring moral guilt and sin themselves, but would be doing an injury to themselves and to the church—that they would cause public scandal, and that, in order to reconcile themselves to God, they should make public reparation for that scandal. I avoided all personality as much as I could, and tried to prevent it in anyone over whom I had control. I spoke on several occasions on the subject, but I speak on every other matter of importance in which my flock is concerned—if there is any danger to their souls, or any sin prevailing—drunkenness, for instance, or rioting, or secret societies, or anything else—I do the same. I didn't act exceptionally in that case. As regards the election if there was a violation of duty on the part of some, I don't think I reprimanded their conduct more strongly than I should have done in a case of grievous moral guilt or sin being incurred by persons for whose salvation I am responsible. With me it was entirely a question of principle and of duty, and not a personal question as regards either of the candidates. This was not a question of persons or of individuals, but question of duty, because my anxious desire is to keep out of politics as far as I can. I considered it my duty to interfere then, as it may be again, for, unhappily, we have no bond of union among our people except the clergy, and I did merely what I considered my duty.

15001. Mr. *Commissioner Byrne.*—Sergeant Boyle told us that the reference to the rotten branches was in your lordship's address to your congregation on Sunday, the 15th, was he accurate in that?—I cannot undertake to rectify the date. I think it was the second Sunday after the election. I don't know the exact date, but I think it was the second Sunday after the election. I spoke before the election and since on the subject—one, I think, after the election. I cannot rely on my memory as to dates, but I am certain that I never used the words that those who vote for Major Knox ought or would be cut off as rotten branches.

15002. Sergeant Boyle stated to us that the reference to rotten branches was in the discourse you addressed to your flock on the 15th November; and a witness named Dunnigan stated that he remembered the expressions to be used—can your lordship say from your recollection whether Sergeant Boyle was accurate or not in referring it to your discourse on the 15th?—I can't say; it may have been on the 15th. I cannot rely on my memory as to dates. I have to consult my memoranda on everything as to dates.

15003. Sunday, the 15th of November, was the Sunday before the election?—That I am not certain of. I can't say. I believe it is quite possible, and I am quite ready to agree that it was the Sunday before the election that I used the expressions.

15004. Did your lordship, in any discourse before the election, state that the Catholic voters who voted for Major Knox, or who voted for the Conservative candidate, should make reparation before they could be reconciled to God?—Yes, I did. I say that they could not, without giving public scandal, and being guilty of moral sin, be reconciled to God without making a public reparation—that is merely a first principle of theology—where the crime is public, the reparation must be public of necessity.

15005. Did your lordship by that mean to convey that until the reparation should be made, those persons would be in a state of mortal sin?—No. I didn't state how that reparation should be made, or what it should be: I merely stated that they would be guilty of a public and scandalous offence, and that that offence would, of necessity, require a public reparation before they could be reconciled to God. I spoke of Catholics who, I believed, knew that they were acting against their convictions in voting against Major Knox. I stated it clearly. I said I assumed that every Catholic knew his duty. I spoke only of those who voted against their convictions and what they knew to be their duty, and of none others; because I should never wish any Catholic—not to say any Pro-

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testant—to vote against his honest convictions. If a man was going to do what I considered wrong, and what he believed to be right, I would first try and persuade him that it was wrong; and if he had a false conscience I would not be the person to ask him to go against it—I would not force him to do what he believed not to be honest. I never had an idea of doing so. I spoke only of persons acting against their sense of duty, and doing things which the community believed to be wrong, and by that act doing an injury to the whole community, who have a right to the proper exercise of that vote just as much as the individual himself has. I stated that such a fault required public reparation, on account of the public scandal and injury that would accrue from it.

15006. I will strive and submit an inference that strikes me as arising from the words you said you used, and you will correct me if I am wrong. You stated that, in order to be reconciled to God, these persons should make reparation; and the inference I draw from that is, that until they made reparation, they were not in a state of salvation?—The inference is that, until they made reparation, they would not be reconciled to God—whatever sin they committed, they remained in it until they made reparation.

15007. And would not be in a state of salvation?—I don't say that. I say that whatever sin they committed, they should remain in it until they made sufficient reparation.

15008. I will ask your lordship, as a matter of theology, if reparation were not made before death, would the sinner be in a state of salvation or not?—If the sin were what we call mortal, he would not be in a state of salvation.

15009. Would the sin you are referring to be a mortal sin?—I don't say that. It would depend a good deal upon the state of the conscience of the individual. I have started by saying that any Catholic who understood his duty would not vote against his conscience and his conviction; and that under the circumstances in which they were placed and in which they were then called on to vote they would, in my opinion, be guilty of a grievous offence, if they voted against their convictions.

15010. Would it be a mortal sin under certain circumstances?—It would: I believe it would. I don't say it would be a mortal sin for all. I stated in my address before the election that no Catholic would be at liberty to vote against his conscience, against his sense of duty: and I stated at the same time that some might be under circumstances that would excuse him from voting at all, and that, if they consulted me on the subject, I would be happy to see them, give my opinion, and, in point of fact, approve of men placed in certain circumstances, not voting. A poor man might be in danger of incurring such losses as would bring ruin on himself and his family by voting—such a man I would recommend not to vote. But in no case, I told them, could I approve of any man voting against his conscience and his convictions. That was the doctrine I laid down, which I consider perfectly sound and tenable—it is the spirit of the law of the land as well as of the Gospel.

15011. I understood your lordship to say that you disapproved of the monks directing Sergeant Boyle to retire from the chapel?—Yes; had I been consulted, I would have told them not to do it.

15012. Did it occur to you, when it came to your knowledge and met your disapprobation, to express your opinion to them of the act of the gentlemen of the monastery or friary?—No, it did not. I believed at the time that it wouldn't occur again, and I make it a rule not to interfere with their concerns except when I am bound to do so, and where there is good reason. I make that a general rule as far as I am concerned with religious orders in my diocese.

15013. Did you regard it as a grave error on the part of the monks?—Not a grave moral error, but I thought it was not prudent under the circumstances. I believe that, so far as strict right is concerned, they or I might have a right to do so, but, under the circumstances, I considered it imprudent, for many reasons. I don't say it would have been morally wrong.

15014. Is it not the belief of the Catholic Church that it is necessary for the members of that Church to hear mass on Sunday?—If they voluntarily neglect, or voluntarily omit to hear mass without sufficient reason, it is considered a grievous sin.

15015. But would not it be a grievous sin if they were debarred from hearing mass by direction of their spiritual superiors?—These persons were not debarred, in point of fact; they were always allowed to hear mass in the church; in no case were they prevented from, or asked to neglect the hearing of mass—they were merely asked to hear it in a certain place on one or two occasions. They might have heard it there as well as men equal, and even superior in rank to them, who are in the habit of hearing mass in that place. If we go back to the primitive church we will find that persons guilty of public grievous offences were often times altogether excluded from the mass. Of course we don't observe these penitential rules, but in the early ages of the church they were practised—there was no intention of the kind in these cases.

15016. Supposing that Sergeant Boyle exercised his franchise honestly and fairly, would not it be a grave mistake if, when he left the parish church and went to the friary, he was to be excluded from hearing mass?—He wasn't excluded from the parish church—he never was.

15017. I do not say he was, but was not he excluded from the friary?—He was merely requested to retire to another part of the church where he could discharge his obligations quite as well as where he was. I have never heard of an instance where any elector was excluded from hearing mass.

15018. Did your lordship take an active interest in the last election?—I did.

15019. Do you recollect whether any of the electors called on your lordship, and consulted you about their votes?—Yes, several called on me. I said in one of my sermons that there were cases in which electors would not be called on to exercise the franchise, as, for instance, I said when the exercise of it would entail injury or bring ruin or loss on themselves or their families. I said if there were any persons present who found themselves in these circumstances, let them come to me, and we will talk the matter over. On that invitation some came, others came because they were asked by some of my priests. I said to the clergy, "If you think proper to ask the voters to come and see me, I will be happy to see them," as I always am. Some were asked to come in that way; others came spontaneously—several of them.

15020. There are often indirect observations made that would not be made directly or openly. May I ask, did any of the voters who so called on you refer to money going at the election on either side?—In my interviews with the voters I invariably confined myself to urging them to do their conscientious duty. I believe everyone of them—several who afterwards voted for Major Knox—admitted that they knew they would be doing wrong; that their wish would be to vote, as they said, with their church and their party; and then they referred to circumstances which made it very hard to do so. With regard to money, I think there were two or three of them, as well as I remember, who hinted it to me, but they daren't speak of it openly, for I have always condemned and opposed bribery in every shape and form. When Sergeant Armstrong came here I had an express understanding with him that one shilling should not be employed before or after the election for bribery; and it was on that express condition I promised him my influence. I had the same express understanding with Captain Flanagan, and I had an assurance from him and his agents both before and after the election, that no money had been given, and that not a single illegal act was done. Had I known that bribery was employed, I would cer-

tainly have separated myself from the party who would have been guilty of it. I could infer from some of the parties who came to me that they were offered money.

15021. Does your lordship recollect how the hints about money were expressed?—One man, I think, said, "Men with large families must look to themselves;" and another said, "I am a poor man," or, "I am in debt. I owe so much to the person who is asking me to vote for Major Knox, and if I don't vote for him, the decree against me will be put in force;" and so on.

15022. Do you remember the names of any of the parties who hinted in that way about money?—I think Shields mentioned something to me with regard to a debt he owed Mr. Cherry. Devanny gave me to understand the same.

15023. Mr. *Commissioner Bruce.*—That he owed a debt?—No, that he wanted a consideration for giving his vote—he didn't say it openly: for none of them would dare speak openly on the subject; but it was hinted at in a covert way. I think it was Hunt or Magrath referred to the duty he had to discharge of looking after his children.

15024. The *Chief Commissioner.*—Was that Michael Hunt and John Magrath?—It was one of them referred to it—Hunt, I think—Neilan asked no money, but he represented his poverty, and mentioned that he got money before from Major Knox. I reproved him for having done so, and I told him that he would be bound to restore that money if ever he had the means, that he got under false pretences—under an implied promise that he would vote for Major Knox, which he did not intend to do, and which he could not do conscientiously. Some people hinted that they would be deprived of their business, or that they might as well give up their business if they didn't vote for Major Knox—as they had got money in the bank on the security of persons who would turn against them if they didn't vote for Major Knox.

15025. Mr. *Commissioner Byrne.*—Do you recollect the names of any voters whom you advised not to vote?—I told a man named Gethins not to vote unless it was absolutely necessary. He is a baker.

15026. Mr. *Commissioner Bruce.*—Is that Edward Gethins?—I don't know his name. I felt for his position, it was such as would, I thought, exempt him from voting, and I told him so. He promised that he would remain at home, and, if it were absolutely required, that he would come up and vote in the evening. Brennan didn't look for money, but he was one of those who expressed his sorrow for having anything to do with Major Knox and with bribes. He told me the large sums he gave to parties, and the drink he gave. I put his guilt before him, I told him he was ruining himself by drink, and others also. He expressed his great regret at being at all connected with Major Knox, and said he was determined to break off his connexion with him. He asked me to allow him remain in town until he got some money from Major Knox, which he had expended, to repay his mother. I agreed to that. He said he thought it was no harm to continue as agent for Major Knox's houses, for which he said he was getting £80 a year; and I agreed to that too. He promised to give up all that was sinful—a promise that he did not fulfil.

15027. Mr. *Commissioner Bruce.*—Was this before the election?—It was.

15028. Mr. *Commissioner Byrne.*—Were you aware that the contest would be very close?—It was known from the first that the contest would be very close; it was known from the result of the revision which was not favourable to the Liberal party; but it was also known that if the Liberals voted for the Liberal candidate, he would be easily returned—that I was convinced of, because if there was not a fair chance of success, I would not feel justified in having a contest at all, for these contests are always attended with very great evils.

15029. Did your lordship believe that within a short time of the election, if Catholic voters did what was their duty, Captain Flanagan would be returned?—I was quite certain of it.

15030. The *Chief Commissioner.*—Did your lordship ever ascertain that the £1,483 was given by Sergeant Armstrong to Mr. Harper Campbell to pay voters after the election?—I knew nothing of that transaction. I never heard of it until I heard that the thing was actually done, and that Sergeant Armstrong's agent, Mr. Tracy, had come down to Sligo with the money, and that it was distributed. There was a dinner to Sergeant Armstrong on the following day at the hotel, and when I heard of the distribution of the money, I requested all my priests to absent themselves from the dinner, and to make known my wishes on the subject to any country priests that might come in. I did that in order to mark my very strong condemnation of the proceeding. There was no priest at the dinner but one from the country, who had seen no other priest before going to it, and he expressed his regret afterwards. On the evening of the same day there was a lecture to be given by my architect, and it was sought to postpone it until after the banquet, but I refused to allow it to be postponed.

15031. Was the lecture to be given by Mr. M'Carthy?—No; by Mr. Goldie. I knew nothing whatever of the money being brought down to Sligo. I did not hear of it at the time; but I believe that money was brought down and distributed.

15032. Mr. *Commissioner Bruce.*—Does your lordship recollect a man named Charles Clancy having an interview with you at the last election?—No; that is the son.

15033. I mean the man who did not vote?—I have no recollection of seeing him at all at the last election. I think I had not a word with him on the subject of his vote. His father did at the previous election come to me, and express his regret at having voted for Mr. Macdonogh. I do not think he came to me at all at the last election. He justified himself, I recollect, in voting for Mr. Macdonogh by the pressure that was brought to bear on him—the son I did not see at all.

15034. Does your lordship recollect anything about Michael Hunt coming to you, or to any of your clergy, and making a demand for money—a thousand pounds, or any other sum, as a consideration for him and others voting for Captain Flanagan?—On the day of the election of Captain Flanagan, towards the close of the poll, I remember several persons went to see Magrath and Hunt, and ask them to come down and vote, as they were bound to do. As well as I recollect, I wrote on a piece of paper, asking Magrath and Hunt to come down to the court-house to vote. They had come to see me previously, and I urged them to do their duty. I assumed that they regarded it as a duty, and I sent that message to them just about the last couple of hours of the close of the poll. After that I remember I was in my drawing-room when Father Morris came up to say—I believe that some of Captain Flanagan's friends were in the room at the time—that Moran and Hunt's son were below stairs, and that Hunt's son came with a message that ten votes would be available for Captain Flanagan if £1,000 were sent down. There was an answer sent down that they should go away; the offer was rejected, as, of course, it ought to have been.

15035. I have no doubt of that. Do you recollect was it Father Morris brought you that message?—I think it was he brought it. The way it occurred was this—Moran went up to ask Hunt and Magrath to come down and vote, and he came back with this young man. When I was in my room, the message was brought up, and an answer was sent back that if they voted, it should be without any consideration of the kind.

15036. The person with Moran was the son of Michael Hunt?—I understood that he was.

15037. Do you know his name?—I do not.

15038. Could your lordship give us the names of the ten men who were to vote for Captain Flanagan in case the £1,000 was forthcoming?—I did not hear

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that ten names were mentioned, but the message was that ten votes would be secured if £1,000 were sent down. I do not believe the ten names were given. I heard it stated afterwards that they could hardly bring up ten voters at that time to vote. It might have been very possibly an exaggeration.

15039. Very likely—you have told us that you formed a conclusion that several of the individuals who came to you with regard to the election, were expecting money?—They did not express that, they might have used some expression that led me to believe that they expected money; but I invariably made an observation to the effect—to put it out of their minds. I wished to let them know that if they voted for Captain Flanagan, it should be without money or reward of any kind.

15040. Could your lordship tell us how many of your flock expected—I presume that a considerable number expected it?—I have taken down the names of those who came to me—Devanny, Shields, Magrath, Hunt, Brennan, Kilcullen, Neilan, Gethin, and Gray, junior.

15041. Did Michael Doherty come to you?—I don't remember—he may have. I gave the names of all I recollect to have come. Persons are in the habit of coming to me when they like, and I invariably make it a point to see them. Others besides those I have named may have come; but I do not remember any others at present.

15042. Did you form the conclusion that generally these ten men were expecting money?—My belief and conviction was that no Catholic in the borough intended to vote for Major Knox except for money, or from pressure of another kind brought to bear on him.

15043. Or refrained from voting?—Or refrained from voting—I should not say refrained, perhaps, for there were some men who did not vote, but who would have come up to vote in the evening if it were absolutely necessary. But when it was seen that Major Knox was in the majority, and that a majority on Captain Flanagan's side could not be except by corrupt means, they were not asked to come up. There were six or more voters who, from the circumstances in which they were placed, were justified in staying away. I believe that others did not take money, but there was a pressure brought to bear on them from landlord or agent sources.

15044. Had your lordship any consultation with your clergy with regard to the election?—No formal consultation; we live together, and are constantly together. We understood the action we were to pursue; everyone, I think, perfectly understood that bribery was to be prohibited and prevented in every possible way, that everything illegal in the way of violence, and every illegal means was to be avoided most cautiously. I believe they observed that instruction, and saw that it was carried out to the very end.

15045. We have it in evidence that there was very great violence, that the town was in occupation of a mob or mobs on the polling day at least, if not previously—can your lordship give us any information on the subject—did any person come to your lordship, or to any of your clergy, to your knowledge, asking for money or drink for these mobs?—I am not aware. They certainly never came to me, nor am I aware that any such application was made to the clergy. There were great crowds in the borough for several days, but I don't believe that the crowd assembled on these occasions could be called a mob—it certainly was not a hired mob. There was great excitement at the time, and also great interest was taken in the election. Many persons came into the town from the country in consequence of the interest they took in the election—the county election was going on about the same time. It was well known that extraordinary means were resorted to in the borough, in order to corrupt Catholic electors and induce them to vote for Major Knox, or to make them stay away from voting. I didn't see any personal violence, there was noise, and on some occasions I requested my priests to go out among the people and try to prevent injury or violence; I went out myself through the town on several occasions for that express purpose, in order to prevent anything like disorder in the town. I don't know that I can say anything else about it.

15046. Was any communication made to your lordship shortly before the election to the effect that Captain Flanagan's chances were becoming worse as some of the Catholic voters were going to abstain from voting?—Yes.

15047. Was that communication made to you by any of Captain Flanagan's agents?—It was known that several persons were being tampered with, but it was not known whether successfully or not, until the day of the election. There were apprehensions entertained, because it was known that several parties were seen going to the houses of Catholic electors, and that there was a very complete organization to get over Catholic voters—there were apprehensions on that account. I heard of them both on the day of the election and some days previously.

15048. Was there any application made to your lordship to deliver an address to your flock with regard to the subject?—No; what I did I did from my own sense of duty.

15049. The evidence that Sergeant Boyle gave us was—he stated that he was kneeling in the Friary chapel on a Sunday after the election, when the Rev. Mr. Hibbits came up towards him, and in a loud voice said "Where's this man?" and ordered him to go outside and hear mass there; that the sergeant then went home, and didn't attend mass for five or six months afterwards—did I understand your lordship to say that you disapproved of that act on the part of the clergymen of the Friary?—Most distinctly.

15050. Because there appears no reason to doubt his evidence as far as the externals are concerned—he is a respectable man?—That makes not the slightest difference in my mind. If he was the poorest man in the town, I would make the same remark; his social position I would not mind at all.

15051. You stated some short time ago that you would consider that every Catholic who understood their duty and voted against that duty, would be in a state of grievous sin?—Not that. I said in a general way there is moral guilt. I don't say that in every case it would be a grievous sin. We Catholics make a wide distinction between venial and mortal sin.

15052. I know you do; but in the case of a Catholic who knows his duty and commits this offence, and who, you consider, was not in a state reconcilable to God until he made reparation for the offence he committed, would your lordship give him the rites of the Church before he made that reparation?—Not before he made the reparation I would consider sufficient—he should make reparation in any case. He should make what I would consider sufficient reparation for his offence before I would reconcile him. He should show regret for what he had done, and repair it to the best of his power.

15053. In fact, your lordship's statement to your flock amounted to this—that persons who voted for Major Knox would put themselves in a state in which they were liable to be denied the rites of the Church?—I didn't say that, nor did I mean to convey it. I never meant to deny them the rites of the Church; and, in fact, several of these persons have complied with their religious duties, and have received the sacraments since, without making any public reparation, properly so called, and that has occurred with my approbation and sanction. I never intended to refuse the rites of the Church to them, or to anyone, no matter how sinful; but it is the duty of the confessor who is to deal with the case where the offence is public, to get what he considers sufficient reparation, as far as the person concerned is capable of making it. I never said what that reparation should be, or what form it should assume, or that it should be a public reparation before the congregation. I did not mean to say it.

15054. Did not your lordship use the word "public"?

—I didn't mean that. I don't recollect I did say it. I said that reparation should be made for the offence before being reconciled to God. I said they shouldn't look upon it as a slight thing, and think that, after the election was over, everything should fall back to its previous position, as if nothing had occurred.

15055. Mr. *Commissioner Byrne.*—Your lordship stated that those who voted for Major Knox couldn't be reconciled until sufficient reparation would be made—now what would be considered sufficient reparation?—That would depend very much on circumstances. I didn't refer at all to the rites of the Church; I referred to and spoke of merely reconciliation with God.

15056. Did your lordship mean to convey that the clergy wouldn't in any way reconcile the sinner until reparation was made that would be considered by them sufficient?—The clergy should facilitate that reconciliation in every way; it is their duty to do so; but they should not administer the sacrament of penance if they didn't believe that the sinner was sorry for his offence, and made the reparation they considered due for the offence.

15057. But the sacrament of penance would be withheld until the reparation was made?—Reconciliation with God wouldn't be effected in the case of those persons until they had publicly repaired the fault they committed. That is my belief; I hold the doctrine—that where the offence is public, the reparation should also be public.

15058. Did your lordship mean to convey that the sacrament of penance would be withheld until reparation was made?—Of course I should have that in my mind.

15059. Was that what your words conveyed naturally?—Not that I had it in my mind then. I have it now in my mind. It was through the sacrament I meant that it was effected, when I spoke of reconciliation with God. I hadn't in my mind the form of reparation that should be made in each case. I neither stated, nor did I intend to state, what that form should be.

15060. Your lordship has told us that your view was that no Catholic would be at liberty to vote against his conscience?—Yes.

15061. But when making that address to them, did your lordship convey to your flock that they had a discretion as to whether they would vote for Major Knox or not?—I assumed that no Catholic could have a doubt with regard to his obligations at the time. I wouldn't assume that on any other occasion; but at the last election, where a religious question was concerned, I assumed that every Catholic knew his duty. It was a plain duty, as I am convinced it was, and one the most illiterate could understand.

15062. The *Chief Commissioner.*—When your lordship heard that Sergeant Armstrong had distributed the money—you heard it when he came to the banquet—did you consider that a violation of his promise to you?—I did, distinctly; and I made the observation to some person that, if he were to return to the borough he would find me very much altered in his regard. I considered it a violation of his promise, decidedly.

15063. Your lordship knew then that the money was given for bribery, to voters because they had voted?—I knew that if they hadn't voted, they would not get it; but I did not regard it as bribery, strictly so called, because I believe now as I did at the time, that the money was not promised before the election by Sergeant Armstrong, but by those acting for him. That was my belief, and nothing has since occurred to alter it. I believe that the promise made by Sergeant Armstrong to me was faithfully performed.

15064. Did your lordship consider that the giving of money in that way was demoralizing?—Oh, certainly; and it was chiefly on that account I objected to it—it wasn't the price of the vote that was so objectionable as its effect on the community.

15065. Did you intimate to Sergeant Armstrong that you disapproved of the distribution of that money?—I didn't see him to do so. I didn't know he was in town at the time I heard of it; and until his health was altered I had no opportunity of speaking to him on the subject.

15066. Mr. *Commissioner Byrne.*—But though your lordship do not regard the distribution of that money after the election as bribery, do not you regard it as most demoralizing on the part of the electors, to give it to them?—Yes, and deserving of grave censure; for I consider that a vote should be given without money or payment, and that it should be given for the public good. If a person is bound to vote at all, in my opinion he is bound to vote for the public good.

15067. The *Chief Commissioner.*—Who were present when the message came to your lordship for the £1,000?—The Rev. Mr. Morris was there—Mr. Michael O'Loghlen, and Mr. Stanislaus Lynch were also present—they were both with me in my room at the time.

15068. When Father Morris brought the message from young Hunt?—Yes. The message came up to say that Moran was below stairs. Father Morris went down; and the message about the £1,000 was then brought up by him.

15069. Were James Moran and young Hunt understood by you to be below stairs at the time?—Yes, in my hall at the time.

15070. Mr. *Commissioner Byrne.*—Did your lordship consider the act of voting for Major Knox in itself wrong, totally irrespective of the state of mind of the Catholic voters who voted for him?—I wish to know what you mean.

15071. Suppose the sergeant in the Rifles voted honestly and fairly, and according to the best of his judgment and conscience, would you consider that a sinful act?—If he voted as he thought he was bound to do in conscience, and according to his principles, I wouldn't consider it wrong. If I met a Catholic who was wanting in principle, I would reason with him and endeavour to alter his views, but I wouldn't ask him to vote against his own judgment. I would try to alter his judgment, but I would not ask him to vote against what he considered right.

15072. Am I right in inferring that you used no language on the occasion your lordship referred to rotten branches, dealing with a case like this?—The idea never entered my mind. I alluded to the corruption which was known to have prevailed in the borough many years before, and I expressed my resolve to root it out, and purify the borough, as far as I could. I said that those who intended to vote against their principles were responsible for it, and were doing an injury to public morality, and that I should do everything in my power to prevent it.

15073. But take such a case as this—suppose a voter had promised Major Knox to vote, whether right or wrong—it is quite conceivable that there must be a difference of opinion as to the binding nature of that promise, he might consider he was bound to keep his word—would your lordship consider that such a person was wrong in keeping his word, and in voting for Major Knox?—He might be in some cases, though not in others; if he knew he was doing what he should not do in conscience, he would be wrong.

15074. But supposing he had promised at a time he did not know that?—I remember a case in which one voter told me that, before the Church question arose, he had promised Major Knox to vote for him; and then, if I remember rightly, I told that person that of course he was not bound by that promise—that, when he made it, he supposed the circumstances would be the same at the time of the election as at the time he made the promise, and that the change in the circumstances of course would justify him in withdrawing that promise—which I hold to be perfectly correct. I said nothing to anyone in private, which I should not preach from the pulpit as perfectly sound doctrine. That I beg to assure you of—on the contrary, I spoke less strongly to them in private than I did in public. If the Church question had not arisen before the election, I would think that many persons might

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conscientiously and honestly have voted for Major Knox, because they might suppose he might be as good a member as his opponent, on other questions. The Church question was one which every Catholic understood. Major Knox declared that he was for the maintenance of the Church Establishment, and it was on that point that the obligation arose for Catholics to vote against him.

15075. If such a voter considered he was bound by his promise, would you consider that he was doing a wrong act in voting for Major Knox?—I would not, if he were honestly of that opinion.

15076. Assuming that he was—would your lordship consider he was doing wrong?—There are many cases where guilt arises from one's own conscience. If a person believes he is acting right, though he is actually doing wrong, and acting contrary to his duty, there is not moral but a material guilt in such a person; and I would view him in a very different light from another.

15077. The *Chief Commissioner.*—Is there any other subject in connexion with the recent election, with reference to which your lordship would wish to give us any information, or make any statement?—If I weren't obliged to come forward I would wish to have nothing to do with the inquiry. If you wish to ask me any other questions I will be happy to answer them, but I do not wish to volunteer any evidence, which I know you will get from other sources. It would not be consistent with my position, and certainly not with my feelings, to volunteer any statements.

(The witness then withdrew.)

The Rev. John Morris.

The Rev. *John Morris* sworn and examined.

15078. The *Chief Commissioner.*—Are you the administrator of the bishop's diocese?—Yes.

15079. Do you remember on the day of the polling James Moran and the son of Michael Hunt coming to the bishop's house?—I do.

15080. Did they see you?—They did.

15081. What message did they bring?—I think it was between two and three o'clock at the time, and unless I mistake I do not think they were in the drawing-room at all. That is a mistake of the Bishop's. I think I was in the sitting-room by myself when the servant came in and told me that they wanted to see me. I went out to a little waiting-room quite convenient to the hall-door, where we generally see persons of that kind. I saw Moran, and I asked him if he wanted to speak to me, and he said "yes," and I said, "Come and speak to me in the hall." I did not wish to have anything to say at all to young Hunt. I was dissatisfied with the part taken by these persons on that and previous occasions, and I asked Moran if he wanted to speak to me, and he said "yes." What he said to me was this:—"Is the election going to be lost?" I said, "What do you mean by that?" "I mean," says he, "is the election going to be lost? Those above can poll ten votes on one condition if it be complied with," and I asked what was that condition. He said if a person would go up and deposit £1,000 on the table that they should record the ten votes in favour of Captain Flanagan. I asked "Do you want to convey that as a message to me?" and he said, as far as I can recollect, "yes." And my reply to him was, "If you want to convey that as a message to me you can go back and tell the parties that as far as I am concerned if 5*s.* was to gain the present election I would not satisfy the parties, and if the election be lost let it be known through whom and by what means the election has been lost." That was my reply to him, and I had no more conversation with him, and he walked out—himself and young Hunt.

15082. Were the names mentioned?—I asked where could they get ten votes—I did not believe they could. "It is no matter to you," said he, "they can get the ten votes." I got no names.

15083. Where was young Hunt?—He was in the little room that I spoke of a while ago.

15084. Which of the young Hunts was it?—I do not know his name.

15085. Mr. *Commissioner Bruce.*—Would you know him?—I would know him, but I would not know his name. There are two brothers, and I think they are very like, but I am satisfied he was the son of Michael Hunt.

15086. The *Chief Commissioner.*—Did you know the men in the position of Hunt who were holding back?—No, except that I knew that Hunt and M'Grath, and I heard, I think, John Hart were holding back.

15087. Was James Moran?—James Moran did not hold back, for at the time I saw him he was after recording his vote in favour of Captain Flanagan.

15088. Did you understand Laurence Bourke was one of the party?—I thought so, and Thomas Devanny. I heard another name mentioned, but I did not know he was in connexion with them, but it was stated he was likely one of the party, a man named James Dolan.

15089. Was that the mail-coach guard?—Yes.

15090. Now, did anyone else at the last election bring any similar message to you about money being wanted?—No, sir; none whatever.

15091. According to your recollection did you communicate with Mr. O'Loghlen or Mr. Lynch?—I do not recollect that I did. Very likely a short time after if I saw the bishop I may have told it.

15092. I suppose you then came to the conclusion that the election was lost?—Oh, likely, if the ten votes could be recorded the election could be gained, but in any case I said if it were to gain the election I would not satisfy the persons, but I would let the world know how the election was lost.

15093. You referred to parties acting similarly upon former occasions?—That is merely from report. I know nothing concerning Sergeant Armstrong's election. I took very little part in that election at all. I did not even canvass on that occasion. Very likely I called to see one man some days before the election of Sergeant Armstrong, because of his holding back from his friends. He was a member of the victuallers' body in town, a decent man, and he was the only man holding back, and they were dissatisfied with him, and did not like to come up, and record their votes until they all came together, and he was stated to be a couple of miles out of town in the house of a land steward of Mr. Wynne's, and they were anxious that some person should go and bring him up, in order that they might all go together and record their votes.

15094. I will now direct your attention to what Bourke and M'Guirk stated occurred on Christmas Day last; you were then attending on the parishioners who were giving in their dues?—Yes, I was at one of the doors, and a number of gentlemen at the other door.

15095. Now, what occurred in reference to M'Guirk?—It was a very early hour, I think between six and seven o'clock, and it was very dark at the time, and the gas was lighting in the church; and shortly after M'Guirk went up some person came, I think the paid collector, a man named Smith, and said that M'Guirk was above kneeling in a certain place in the church; and I on this said to him, "Tell M'Guirk I want to speak to him." He came down, and I asked him had he any interview or conversation with the bishop before he went up to that part of the church, and he said, "No;" and I said, "Then under these circum-

stances if you take my advice you will hear mass in this portion of the church, amongst these good people who are hearing mass here." I asked him to do so two or three times in a very suppliant manner, and he did not seem inclined to do it; and when he was going off I returned him his offering.

15096. Why did you return him his offering?—Well, one of the reasons was I heard he said some time previous that when he would come on Christmas morning to pay his offering he would be as welcome as any other. There was a feeling amongst the parishioners that no money should be accepted from those who voted for Major Knox or abstained from voting.

15097. Was that because they were believed to have been bribed?—The common phrase was that none of Knox's money should be mixed with the other offerings.

15098. In reference to Bourke?—I think about twenty minutes afterwards Bourke was coming in on the gallery door, and some person told him to speak to me. He came to the other door where I was standing, and said, "Is there any objection to me hearing mass?" I said, "Not the slightest; but hear mass in that portion of the church where those good people are kneeling." He seemed disinclined to do so, and went out, and came back in a few minutes and heard mass in it; and so pleased were the persons who witnessed this, that if Bourke were to come back the next Sunday to the church and take the most prominent position in it, no person would be angry with him. He acted in such an humble manner as showed he had the spirit of a Christian about him; and he saw that although it was a little beneath him to do that, still that he should act as a Christian on that occasion.

15099. Did you give any of these directions to M'Guirk or Bourke in consequence of what the bishop had said in his sermon about any of these voters?—I was afraid from the feeling that existed in town, and particularly on a morning like that when we have such crowds in the church—we generally have twice the congregation that morning when compared with any other morning in the course of the year, and many of the poor people come there on that morning who, from want of clothes, might not come out in the noonday. The place was very crowded, and I was afraid some person might insult M'Guirk, and cause annoyance in the church; and if a thing of the kind occurred, we did not know what the consequences might be, because we thought it might go abroad that the gallery was coming down, and therefore I thought it right that they should hear mass in that position.

15100. Do you recollect hearing the bishop say anything of those going to the porch?—I was in the vestry on the occasion. He alluded to the porch, and said there was a great amount of dissatisfaction amongst the community, who had expressed a great unwillingness that these parties should mix with them in certain portions of the church—the gallery, or places where they were in the habit of going to; and, lest anything unpleasant might occur, it was to be appointed that I should ask them to hear mass in the place that I pointed out.

15101. Did you know anything about what occurred at the abbey?—No, I know nothing whatsoever about it; and I was very sorry when I heard it at the time.

15102. You then feel that that ought not to have occurred?—I do.

15103. Now, in reference to the election itself, and the conduct of the election, do you know anything about any dinner that day being supplied to any of the country people who were in town?—None whatsoever. I do not believe there was.

15104. You saw a great number of the country people in town?—I did on the day of the election, and I think the reason why so many were in on that occasion was, that I think the public spirit was up all through the county at the time. The Sligo borough and county were about the last elections, and the spirit was very much up. There was one reason which I might assign for the great numbers that came in. It was rumoured for some days previous to the election in town, that a number of young men, the sons of the Conservative farmers in the country, were to come in armed with revolvers. I heard that a number of them were employed and engaged by a certain person, who, it was stated, was to pay them 8*s.* a day.

15105. Who was the person, Mr. Morris, you heard that of?—I heard it stated that he was agriculturist or steward, I think, on Colonel Townley's property.

15106. Go on, now. You heard these rumours all through the town?—I heard that he went about and saw a number of these young men, and engaged them to come into town for the occasion, and that they were to be paid 8*s.* a day. I think, as far as I recollect, the name was Mr. Heron, steward.

15107. Do you know anything of any money being supplied on Captain Flanagan's side for the country people to come into town?—No, not one shilling. I do not know anything of it.

15108. Did any money at all pass through your hands for the election?—Not one shilling, and I hope never will.

15109. Mr. *Commissioner Byrne.*—Sergeant Boyle has told us it was in the bishop's discourse on the Sunday morning the 15th November that there was a reference to rotten branches. Do you remember whether there was in the same discourse any reference to the porch?—I do not recollect on that occasion at all. I do not think I was there on that day. I think my duties took me elsewhere on that day.

15110. Then do you remember anything of the bishop's discourse in reference to rotten branches?—I do not recollect.

15111. Now, when Bourke obeyed the directions he received to go to the porch did you regard it as a mark of humility on his part?—I certainly did.

15112. Because he might naturally have considered the place rather beneath him?—Very likely he might have, but some of the most respectable merchants in town hear mass there very often. I have known some of the highest merchants in town to hear mass there frequently as a matter of convenience rather than go to the gallery.

15113. But having regard to the feelings that were commonly prevalent, you regarded it as a mark of humility?—Yes.

15114. Might I ask you would you have withheld the sacrament of penance from a Catholic voter who voted for Major Knox before he had made what you considered a sufficient reparation for that?—Of course in matters of this kind which you allude to at present we always consult with the bishop and are guided by his directions, and it so happens that nearly all these persons, I think, as the bishop remarked, have received the sacraments.

15115. Well, having regard to the state of feeling in the borough at the time would you have given the sacrament of penance to a person circumstanced as I have mentioned without consulting the bishop?—At that time I would not.

15116. Mr. *Commissioner Bruce.*—You told us that you were afraid that some one might assault M'Guirk, and that there would be a most unpleasant scene?—Certainly, I was apprehensive of that because I believe some little outrage was offered to the wife of one of the voters on the Sunday previous, and lest it should occur again I deemed it more prudent he should go to this part of the church.

15117. Did you tell that to M'Guirk?—I did not.

15118. Have you any reason to doubt that M'Guirk understood it as a command upon your part?—I think he could not understand it as a command because I asked him in the most suppliant manner three times, and said, "If you take my advice go and hear mass there, you will be better off," as Bourke did afterwards.

15119. The *Chief Commissioner.*—The galleries are very large?—They are.

15120. There are two staircases coming down from them?—Yes.

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15121. In case of any disturbance or anything of the kind occurring the matter would be attended with great danger?—Certainly, no doubt in the world of it, because it might go abroad in some other portion of the church that the galleries were coming down, and persons might be killed.

15122. The church at present is too small for the wants of the congregation?—Certainly, on a morning like Christmas particularly.

15123. Mr. *Commissioner Byrne.*—Had your request that Bourke should say his prayers in the porch any reference at all at the time to the contingency that Mr. Heron has referred to, of the gallery coming down—No, I do not mean a rush, except that some persons might thoughtlessly offer insult to one of these persons, and it might create a disturbance as I spoke of.

15124. But was your request that he should kneel in the porch prompted by any apprehension of danger in that direction?—Certainly, not a doubt of it. As I told you a while ago as an insult was offered on a previous occasion to the wife of one of the voters, I say *a fortiori* it would be offered to any of the voters who would come. That was the first time they made their appearance in church since the election.

15125. And was your request to him to kneel in the porch dictated principally by the consideration of the disturbance?—Well, I would also say as a sort of reparation for the part that he acted in abstaining from voting for the Liberal candidate.

15126. Was it not, in fact, intended as a species of church censure upon him for his having voted for Major Knox?—I would say it was more or less.

15127. Have you any doubt that it was intended as a church censure?—No, the dissatisfaction that existed at the time was the principal reason I did it. I knew very well that the community and the congregation would be very much dissatisfied if he were to go and kneel in a prominent part of the church, and my principal reason was this, lest anything unpleasant should occur to cause confusion.

15128. I must again put the question, was it intended to any extent at all as a church censure?—Well, I could not say it was a church censure.

15129. Was it intended as a humiliation to any extent?—It might be in reference to the allusion made by the bishop to a certain portion of the church—the porch. I did not even point to that portion of the church called the porch, but merely to the place where other persons were in the habit of saying mass.

15130. Well, now, I must ask you this again, have you any doubt that the placing M'Guirk in that particular place was intended to some extent as a humiliation upon him for having voted for Major Knox?—He did not vote for Major Knox.

15131. Well, for having abstained from voting?—I say so, more or less.

15132. Mr. *Commissioner Bruce.*—Did you hear anything of what the bishop said about any of his congregation separating themselves?—I was in the vestry of the church at the time.

15133. But did you hear him?—I think so.

15134. Did you understand these words of his lordship to be a direction to his congregation?—My impression was if they were to come to church and hear mass it was supposed they would go to that part of the church to which he alluded.

15135. But I suppose you mean the bishop directed them?—I would not say it was a command.

15136. Did you understand it so?—I understood if they were to come they would hear mass in that portion of the church, from his lordship's words.

15137. The *Chief Commissioner.*—You understood that in giving that direction to the two men you were obeying the bishop?—It was more or less carrying out the observations made by the bishop.

15138. Mr. *Commissioner Bruce.*—You did not understand the bishop to mean it as counsel to them, but as a direction?—I believe that the understanding was if they were to come they would hear mass in that portion of the church.

15139. And you believed that M'Guirk was disobeying that?—Yes, I thought so.

15140. Did any persons come to you previous to the election and say they expected money?—No. No persons ever did it directly.

15141. That is what I mean—not say it directly, but were there any intimations conveyed?—Well, I cannot mention any person, but I believe there was a vague expectation on the part of voters in consequence of former elections that there might be some on this occasion as well as on the past.

15142. And did you think that that prevailed largely?—Well, I would not say largely.

15143. But do you mean to say you can form no opinion about it?—No.

(The witness then withdrew.)

William Palmer.

William Palmer sworn and examined.

15144. The *Chief Commissioner.*—Were you assisting Mr. Lawder at Carrick in getting up the evidence to resist the petition?—I was, sir.

15145. Was it under your superintendence that this suit of briefs were prepared (briefs marked A 1, 2, and 3, handed witness)?—I may say all the briefs were entirely under my supervision.

15146. Do you remember was it you took down Stokes's evidence?—He gave it in himself, sir, in his own handwriting.

15147. We have not been able to get that?—I think it will be down by the one o'clock train. I spoke to Mr. Lawder, and told him if it could be got at all to send it down by that train.

15148. As you understand me, those briefs marked A is copy of what he handed in?—I came down to Sligo here, and took down the entire evidence—the Sligo evidence, and there was a large number of parties who were alleged to be bribed by Stokes. I made out a list for him of the names from the list furnished by the petitioners. I gave that to Stokes himself, and told him in his own house to make out in his own house what were actually the facts in his own handwriting. He did that, and in the course of the evening brought it to me, and that was copied in Carrick.

15149. Is that his handwriting (document handed witness)?—Without seeing all the documents it would be impossible to say.

15150. I want to direct attention to this. The two M'Mullens have been mentioned in the bill of particulars. Stokes is charged with having bribed the M'Mullens. (Bill of particulars handed witness.) There is a copy of the bill of particulars. That was made for your conduct of the case. Now, do you see opposite James M'Mullen, No. 23?—Yes.

15151. To what does the page refer?—No. 23 page 6 is, I think, in the margin.

15152. To what does that refer?—I cannot tell, except the page of the brief I would say.

15153. It is obviously not the page of the big brief?—I do not know, for I do not know who paged this at all. No. 23 would be the number in consecutive order all down.

15154. No. 23 is the number in the bill of particulars, and page 6?—I cannot tell what that refers to at all.

15155. Now turn to page 3, and see the entry as to No. 23, James M'Mullen?—Yes.

15156. Then you come to "Never gave or offered any money, or other consideration, for voting. James M'Mullen left before the polling day by the request of Mr. Stokes." Then comes something like pounds—

"Gave —— pounds, travelling expenses, to James and William M'Mullen to go to Dublin"?—That is what is there.

15157. Now, don't you see that the brief goes on regularly and ends with "I did a good deal of such work generally"?—Yes.

15158. In whose handwriting are those three briefs?—I think this is the handwriting of some of the scrivenery clerks who came down from Dublin, and this (another brief) is in some others. There were altogether four clerks employed. [The witness's evidence related to the briefs marked A.]

15159. Now I will direct your attention to the briefs we have marked B, which are duplicates of the evidence of Robert Stokes and Cherry. Now nothing turns on Cherry's evidence. Why was that second brief of the evidence made?—The only way that could have occurred was this—that Stokes was in attendance listening to what they were proving against him, and he thought proper to add or diminish as to the facts of his evidence.

15160. In reference to the M'Mullens, his evidence which is in the first brief is omitted in the second?—If that is so, it must be by Mr. Stokes' sole directions, and by his authority, and at his request. There was nothing put into it that Stokes did not write himself, or direct personally as to the fact.

15161. Now, in reference to what is stated in the first brief, that evidence, if given by Stokes, and if he was believed to be an agent, about giving money to the M'Mullens to go to Dublin, would have unseated the sitting member?—I am aware of that.

15162. Now I want to know how you can explain why that is omitted from the second draft of his evidence?—Except in the fact that we understood he did not give the money, and that the matter was brought to his recollection on hearing the evidence in support of the petition.

15163. Is it not obvious that that was directed to be omitted from his evidence?—It must have been by himself solely. This may not be complete. Unless I had all the papers, I could scarcely throw light on the whole matter.

15164. You see that that brief containing Stokes' and Cherry's evidence is regularly paged?—Yes, sir. That appears to be regularly paged.

15165. And here is a duplicate of it also regularly paged, each page corresponding as should be in the proper scrivenry to the other page?—(Duplicate handed to witness).—It does appear, sir, to be omitted.

15166. That second brief was evidently copied from a draft?—Plainly, sir. It must have been.

15167. Now I want to know have you any recollection of that draft—that is the draft in which the evidence as to the M'Mullens was scratched out of Stokes' evidence?—I think, sir, that all the evidence that Stokes gave at any time, is entirely in his own writing, without any interference from anyone, and I think that may be forthcoming still, and may be down, without having the evidence and memoranda that Stokes drew up, it would be impossible to answer. If it is left out, it must have been entirely by Stokes' directions and authority, and without any intimation for any purpose at all.

15168. Surely you would not have allowed a witness to go to your scrivener and change his evidence?—Certainly not, sir. That would not have been permitted.

15169. Then the directions as to the alterations in the evidence must have come from some person in authority?—By Stokes himself to me, and by me to the scrivener.

15170. Have you any recollection of that?—It must have come through me—all the evidence came through my hands.

15171. Do you remember any consultation or conversation occurring to this effect, that Stokes' evidence would unseat the sitting member?—I never heard it, sir, or any words to that effect.

15172. Did you know when Stokes was going on the table, he was going to deny having given money to the M'Mullens?—Well, I cannot bring that to my recollection, sir, one way or the other.

15173. Did you know whether or not he was going to say he had given money or not to the M'Mullens?—Well, without reading the previous documents on that point, I could not say at present.

15174. In brief letter A, there is a statement—"Gave —— pounds to the M'Mullens on going to Dublin"?—That is so, sir. I could not say whether Stokes intended to deny the fact when he went up, without having his memorandum and other documents.

15175. What you tell us is that the alterations in the evidence must have occurred through your personal directions to the scrivener?—Yes, in this way. Stokes was listening with the other witnesses to the petition, and matters came to their knowledge which they professed to have no recollection of; and in Carrick, during the progress of the trial, they wrote out the evidence with these additional matters brought to their recollection.

15176. But the M'Mullens were not examined at all, and nothing could have occurred in evidence to refresh Stokes' recollection as to them?—Well, I cannot tell you about that. The matter of the M'Mullens was mentioned in this way—something about the "golden rappers." I think it was mentioned in that way.

15177. Mr. *Commissioner Bruce.*—This is a case of Stokes not recollecting something, but forgetting something which he had previously recollected, and which we now know is the fact?—Well, he said that, and it is down in the second brief. I have no doubt I have the thing in Stokes' handwriting, from which this was made out. I never heard that statement that Mr. Macdonogh stated he would not be produced, for Mr. Macdonogh never spoke to any of the witnesses in Carrick at all.

15178. What Stokes said was that he heard Mr. Macdonogh stated that the brief of his evidence could not be produced in court?—I never heard it, sir, on the contrary, Mr. Macdonogh told me that the facts should be brought out to light, and everything that could show the truth. That was my direction in Carrick.

15179. Did any of the counsel in the case direct you to alter any of the briefs?—Certainly not, sir. I never did it myself, nor did anyone direct me to do it; but if a witness said, "this is my proper evidence," I should submit it.

15180. The *Chief Commissioner.*—Which of the briefs, the A or the B were used in court by counsel?—I could hardly tell, though I think it more likely the A briefs were used, for Mr. Macdonogh, I think, said he would not lift up the large brief, and requested that the evidence should be put in briefs by itself—small briefs?—I think it was the A briefs.

15181. Mr. *Commissioner Bruce.*—You can give us no idea as to whether the A or the B briefs were prepared first?—At present I cannot tell, unless I got these memorandums that were in Stokes' handwriting. I have not seen any document about the petition since this trial at Carrick.

15182. The *Chief Commissioner.*—Well, we will ask you to try and find these drafts from which these briefs were prepared?—You are aware they are not in my possession at all. I have requested Mr. Lawder to forward them by the train which I believe he will.

(The witness then withdrew.)

Dominick Hunt sworn and examined.

Dominick Hunt.

15183. The *Chief Commissioner.*—On the day of the last election, did you go with James Moran to the bishop's?—I did, but I did not know what he wanted me for until I was half way down the street.

15184. Do you mean to say you did not know what you were going for?—No, sir.

15185. Did you ask to speak to Father Morris?—No.

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Dominick Hunt.

15186. Did you know at all what you were going for?—No, sir, until he got me outside. He had me half way down the street before he mentioned it. He said he was going for £1,000, and that he would keep £200 that they owed him for the last election and pay himself for this, and he said he was sorry he voted in the morning, and that he would give me £100 for my trouble.

15187. Had you a vote?—No.

15188. What was your trouble?—I suppose to go along with him.

15189. Go on and say what occurred between you?—That is all. He went in and tried to get the money, and I believe he did not get it.

15190. What did you go for?—I had no business at all.

15191. Did your father know that you were going?—No, sir, nor nobody else, nor did I know myself until I was half way down.

15192. What were you to get £100 for?—Moran said he would give me that.

15193. For what?—For going with him.

15194. On your oath did you understand it was for your father's vote?—No, sir, I did not.

15195. Which way was your father to vote if James Moran got the money?—I do not know, sir. I do not know what he might tell on that subject, but I had no chat with him at all about it.

15196. Mr. *Commissioner Bruce.*—When did you see your father after that?—The next day.

15197. Did you tell him about this?—I told him about two days afterwards, and he was very angry with me. Moran wanted M'Donnell to go with him first and he would not go with him.

(The witness then withdrew.)

Michael Doherty.

Michael Doherty (already sworn) re-examined.

15198. The *Chief Commissioner.*—Do you know Samuel Gillmor?—I do, sir.

15199. Did you give him a message to go to the clerk of the peace?—From what I have heard he swore I have no doubt I did, but up to last week I had no recollection of it until I met Mr. Gillmor accidentally, and talking of the commission he told me he had been sworn. I said, "When under examination I had to mention your name from report, and I hope you do not blame me for it?" "Oh, no," said he, "I have nothing to say to it, except the £10 I got from Major Knox."

15200. The thing is brought to your recollection now?—Yes.

15201. Who told you to give the word to Gillmor?—I have not the slightest recollection of it.

15202. Oh, now?—On my solemn oath I do not know. I have not the smallest idea who bid me.

15203. Who told you to go to Gillmor?—I do not know who told me.

15204. Gillmor says he wrote to the Major, and that you brought him word to go to the clerk of the peace to get £5?—I had no knowledge he wrote to the Major or anything in connexion with it.

15205. Do you think you went out of your own head?—I do not believe I did.

15206. Who do you believe told you to go to him?—From what I heard of his evidence I heard he said that I went to him from Utred Knox.

15207. He did not use the words "Utred Knox" at all?—I thought he did, and he told me himself he did.

15208. He did not know Utred Knox at all?—Oh, I name Utred Knox as the clerk of the peace.

15209. Then do you consider it was Mr. Utred Knox himself sent you?—It must have been.

15210. Who told this man that £5 was ready for him?—I never said a thing of the kind to him.

15211. Did you know he was to get any money?—No. I am certain sure if Mr. Knox was to give him money he would inform me of it. If he gave me the message in the ordinary way I would have delivered the message for him, but I had no other communication with him on the subject.

15212. Mr. *Commissioner Byrne.*—Do you swear there was not the least recollection of the transaction in your mind until Gillmor referred to it?—No; and up to the present I cannot call it to memory.

15213. Were you at Carrick?—I was.

15214. Did you hear it referred to there?—No.

15215. Did you hear Utred Knox examined?—No; I do not recollect that I did. I referred to the evidence at home last night in my own house, and referred to the evidence of Utred Knox, and that is all the knowledge I have of the transaction.

15216. Do you swear you were not present when Utred Knox was examined?—I will not swear, but I have no recollection of it.

15217. Did you take notes of Utred Knox's evidence?—No, sir, but I referred to the printed report.

15218. Did you read the report of the evidence at Carrick in the papers as it was reported?—It is likely I did.

15219. Have you no recollection of Utred Knox being examined as to having given the loan of some money to Samuel Gillmor?—Nothing more than I have read in the evidence. I would tell with pleasure if I knew of it.

(The witness then withdrew.)

James M'Hugh.

James M'Hugh sworn and examined.

15220. The *Chief Commissioner.*—Are you an elector?—Yes.

15221. Who did you vote for at the last election?—For Captain Flanagan.

15222. Did you vote for Sergeant Armstrong before that?—I did.

15223. Did you get money after that election?—I did.

15224. How much?—Fifteen pounds.

15225. From Mr. Phillips?—Yes.

15226. Did you ever get money at any previous election?—Never. I never asked for it.

15227. Did you ever get any money since?—No, sir.

15228. Did anyone offer you any money at the last election on either side?—No, sir, only what was given to me.

15229. What was given to you?—The £15.

15230. Mr. *Commissioner Byrne.*—Had you had any business dealings with Mr. Phillips before you got the £15?—No.

15231. Did you get the whole of the £15 in cash?—I did, in notes.

15232. Had Mr. Phillips canvassed you before the election?—No, sir; Mr. Conroy did.

15233. Did he give you the hard word that you should get money before the election was over?—No, sir, but he said he had no money for me.

15234. Did you ask him had he any money?—I did ask him, but he told me he had not.

15235. Was that at the time he canvassed you?—Long after; I think nearly twelve months. It was a long time afterwards before I heard money was going.

(The witness then withdrew.)

Mark Anthony M'Donogh sworn and examined. Mark Anthony M'Donogh.

15236. The *Chief Commissioner.*—Did you vote at the last election?—I did not, sir.

15237. Why did you not vote?—I would have voted only for the shooting of Captain King. I am very timid.

15238. Did the shooting of Captain King frighten you?—It did, and I did not go out.

15239. Did you remain at your own house?—No.

15240. Where?—At the hotel.

15241. At which hotel?—At Miss Allingham's.

15242. Were any other electors there with you?—I do not know, sir; there were plenty of people there.

15243. How did you vote at the previous election?—I had not a vote, sir.

15244. Was this the first time you had a vote?—Yes, sir.

15245. What is your house rated at?—I really could not tell, sir.

15246. Mr. *Commissioner Bruce.*—Are you a Protestant or a Catholic?—I am a Roman Catholic.

15247. Were any threats used to you before the day of election, that if you did not vote for Captain Flanagan you would catch it?—I do not know, sir. I was stopped in the street the day before coming up to Miss Allingham's.

15248. What day was that?—The day before the election.

15249. Who stopped you?—I think it was a man named M'Loughlin.

15250. What did he say to you?—He raised his cudgel to strike me, and some of the crowd got hold of me and dragged me off. I was rescued from them by Mr. Lestrange and Mr. Lawder, and got into Miss Allingham's.

15251. Did they beat you then?—They dragged me very much. I got free and I could not tell how.

15252. Was your house smashed?—Yes, sir, my windows were smashed.

15253. Did you get compensation?—No, sir, I did not put in for it.

15254. Mr. *Commissioner Byrne.*—What are you by trade?—I keep a fancy shop in Bridge-street.

15255. Are you in politics a Liberal or a Conservative?—It was the Conservatives who gave me my vote and always supported me; and I would always vote for them except for that.

15256. Were you apprehensive they would withdraw their custom from you unless you voted for Major Knox?—I do not know.

15257. Did you receive any money before or after the election?—Oh no.

15258. Was there any promise?—No, sir.

15259. Was the sole motive for voting for Major Knox a consideration for your customers?—Yes, they always gave me my business.

15260. Mr. *Commissioner Bruce.*—Were you at the parish chapel the Sunday before the election?—No, sir, I was not.

15261. Or the Sunday after?—No, sir, I was not.

15262. You go to the friary?—Yes, sir, sometimes.

15263. Were you present when Sergeant Boyle was ordered out?—No, sir.

15264. Did anybody tell you, you were to separate yourself from the rest of the congregation?—No.

15265. Mr. *Commissioner Byrne.*—You know what exclusive dealing is? Was there any exclusive dealing, to your knowledge, or did you hear of it being practised during the election time or afterwards?—Well, I heard there was.

15266. What did you hear of it?—I could not exactly tell.

15267. Did you hear it said that the Conservatives would give their custom only to men who voted for the Conservative candidate?—No.

15268. Was your mind influenced in any degree in your vote by what you heard of exclusive dealing?—No, sir, it was not. I made up my mind to vote for the Conservatives.

15269. Who is your landlord?—Mr. Charles Anderson.

(The witness then withdrew.)

James M'Niffe sworn and examined. JamesM'Niffe

15270. The *Chief Commissioner.*—Were you engaged in any capacity at the last election?—I was an inspector for Captain Flanagan.

15271. Have you had experience of previous elections in Sligo?—I have had.

15272. For many years?—I suppose for the last twenty years.

15273. Do you know anything about the mob that was in town at the last election?—Nothing at all. I only came to town the night before the polling from Dublin.

15274. It was mentioned yesterday that you said there was money going?—I say that is a mistake, sir. It may have been my brother, but it was not I.

15275. You did not say that there was money going on both sides?—Certainly not. I know nothing at all about it: and I did not say it.

15276. Do you know of any place where these people who were composing the mob got refreshments?—Certainly not, no more than you do.

15277. Can you give us any information?—None whatever beyond what I tell you. I acted as an inspector and was paid for it.

15278. Mr. *Commissioner Byrne.*—From your knowledge of the borough for the last twenty years, is it your opinion that after an election there is usually an expectation of money being distributed?—A certain class of voters have expectations and strong ones, and I know there is a certain class who will not vote without being paid.

15279. That expectation is, so to speak, habitual?—That is my experience.

15280. The *Chief Commissioner.*—Did you yourself know anything about the distribution of money after elections?—I never saw one penny I believe, nor was it given to my knowledge.

15281. What do you mean by being an inspector?—In a booth.

15282. Conducting the polling?—No, sir. As the poll was being taken I was inspector for the candidate. There are two booths, and I was in the record booth as inspector for Captain Flanagan. I was occupied in the same capacity at the county election.

15283. Mr. *Commissioner Bruce.*—Have you been long absent from Sligo?—I have been living in Dublin for the last thirty years.

15284. How long were you in Sligo previous to the election?—I was down at the assizes.

15285. Not between the assizes and the election?—Certainly not.

15286. Mr. *Commissioner Byrne.*—Could you say whether there was an impression at all prevalent to any considerable extent amongst the voters that no one but a rich man would have a chance as a candidate for the borough?—Well, it is the general impression that a man requires money coming here. That in every borough is perfectly understood and known.

15287. You speak at all events in reference to this borough—there is that impression in this borough amongst the voters?—That is my impression.

15288. That is your opinion of the impression amongst the voters?—Amongst a certain class, sir; and there is another class of men that no money would bribe.

15289. How many could you say were in that class?

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James M'Niffe

—Speaking roughly, I think it would be a fair average to say forty or fifty. That is merely a guess. I should say that at least. A fair average is between forty and fifty.

15290. That is including those on both sides?—Yes.

15291. Mr. *Commissioner Bruce.*—Have you heard since the election that money was going for mobs on Captain Flanagan's side?—I heard it talked of that there were mobs here, but as regards any payment being made for them I did not know or hear a word about it.

15292. Or refreshments supplied?—Or refreshments supplied. I never mix up in these things at all. I do not meddle in that kind of business.

(The witness then withdrew.)

Morris M'Nulty.

Morris M'Nulty sworn and examined.

15293. The *Chief Commissioner.*—Did you vote at the last election?—I did.

15294. For Captain Flanagan?—Yes.

15295. At the previous election did you vote for Sergeant Armstrong?—I did, sir.

15296. Do you remember Michael Hunt, John Hart, and James Moran, all voting together for the Sergeant?—I think I do.

15297. Do you remember bringing them a message that day?—No.

15298. Did you go to speak to them that day?—I did not.

15299. Did you not speak to any of them that day?—I spoke to John M'Grath.

15300. Where were you before you went to John M'Grath. Were you in the Court-house?—I think I voted in the Court-house here.

15301. I think you did, too. You need not tell us that. Do you expect to tell us that as a serious answer. A respectable man like you ought to give a straightforward answer. Where were you before you went down for M'Guirk?—I was at home.

15302. Who told you to go for M'Grath?—Myself.

15303. Nobody told you?—No.

15304. What did you say to him?—I was a great customer of his, and I thought I would have influence upon him to vote. I left him from £400 a year to £500, and I had no influence with any of the rest except with M'Guirk.

15305. When you went down to M'Grath did you find any other man with him?—I did not see anybody with him.

15306. Nobody?—No.

15307. Did you know that other men were in his house and were afterwards in his house?—I believe they were below in Michael Hunt's.

15308. And that they were all going together?—I did not hear that.

15309. Who told you the other men were in Hunt's?—I saw them in it. I was there myself.

15310. Did you go there to try to get them to vote?—I did not, indeed.

15311. What did you go in there for?—Was it to look at them from curiosity?—Yes.

15312. Are you serious now, you went to look at them from curiosity?—Yes, sir.

15313. Had you a glass of anything with them?—Well, I had a little with them.

15314. How much?—I could not say now.

15315. Who treated you, or did you treat yourself?—I think it was Michael Hunt. They gave me a drop of drink.

15316. Now, out with it all. What did you say to M'Grath?—I only wanted him to vote for Sergeant Armstrong.

15317. Did you intimate that he would get anything?—I did not.

15318. But was he to get anything?—I do not know.

15319. Was anything hinted about £300 or £250 that you had that day. Cannot you tell us the truth about it?—John M'Grath told me he was offered £300 by Mr. Lyons, sen.

15320. What did you say to that?—I could not say anything to it.

15321. Do you mean to say you said nothing when he said that?—I said it was a great deal of money to get.

15322. And that half a loaf——. Go on now?—I did not say anything about half a loaf.

15323. Did you hear the expression used that half a loaf would be better than no bread? Which of you used that?—I did not say it to him, but to Dominick Hunt last Friday.

15324. Why did you say that to him last Friday?—He was speaking about the election, and he said he was offered £20 from Mr. Phillips, and I said take it, for half a loaf was better than no bread.

15325. Did you know that those men were expecting money that day?—I did believe it.

15326. Expecting money from your side?—Yes, to be sure.

15327. Why to be sure?—Why they heard it was going, I believe. They said it was going, and they bet [should] get some.

15328. Did Hunt say that to you?—I had not the conversation with Hunt.

15329. Did M'Grath say it?—Yes.

15330. What did you say?—I could not say, because I had no money to offer him.

15331. Were you the last man who went down to them before they came up to plump for the Sergeant?—No.

15332. Who went down to them?—I could not say.

15333. Then you will not tell us anything more about it?—I could not tell you anything more about it.

15334. What time of the day did you vote yourself?—I think about nine o'clock in the day. Between nine and ten.

15335. Had you anything to do with the distribution of the £1,483?—No, sir.

15336. Did you get any of it?—No, sir; nor asked any of it at any of the elections. I voted twice, and I got no money and asked no money.

15337. And would not take it?—I would not take it, sir.

15338. Mr. *Commissioner Byrne.*—Now are you quite sure that when the £200 or £300 was mentioned to you you said nothing except that it was a large sum?—No, sir.

15339. Did you not say anything else?—That is all, sir, I believe. I think it was £300 or £500 he said—I could not say which.

15340. And did you say anything at all about half that sum, or anything like that?—No.

15341. Did you make any reference to half the £500?—I have no recollection.

15342. But you might have said it?—I might.

15343. The *Chief Commissioner.*—And it is likely you did say it?—I could not say.

15344. Mr. *Commissioner Byrne.*—Had many others gone down to them to try and persuade them before you had gone down?—I did not see any.

15345. Had you heard of some one?—No, sir. I was a good customer of M'Grath's, and I thought I might have some influence with him.

15346. Who sent you down to him?—Myself. I was dealing five years with him.

15347. Did you mention to anyone you were going down there?—No.

15348. When was it you made up your mind to go down?—Just the morning of the polling.

Morris M'Nulty.

15349. And was it late in the day you went down to him?—Between ten and eleven o'clock.

15350. And had you no conversation in the meantime with M'Grath?—No, sir. I wanted him to come and vote for Armstrong.

15351. Did the Sergeant ask you to go down?—No

15352. Or anybody else?—Nobody else.

(The witness then withdrew.)

Patrick O'Connor sworn and examined.

Patrick O'Connor.

15353. The *Chief Commissioner.*—Are you an elector?—Yes.

15354. Did you vote at the last election?—No.

15355. Where were you on the polling day?—In Sligo.

15356. Were you in your own house?—Yes.

15357. Were you molested in any way?—Very little in it. I was not molested by anyone. Nothing worth talking about.

15358. Why did you not vote?—Well I had some business in Dublin, and I was above in Dublin, and I was there for three or four days I do not exactly recollect, but I found out before I was very long in Dublin that there had been some kind of a set upon me. Some parties were coming to me and asking me would I take £50 or £60, so I refused it at first, and then they came to me in a day or two afterwards talking about £100.

15359. Who spoke to you about £50 or about £100 in Dublin?—Well, a gentleman came up to me one evening and asked me would I think of £50 for remaining in the city.

15360. Who was the gentleman?—Well, as he did not close the transaction perhaps it would not be right to mention it.

15361. You may mention his name?—Jeremiah Perry, solicitor.

15362. Who mentioned to you about the £100?—Another gentleman. In a day or two after that another gentleman. I rather rejected it at first, but in a day or two after that another gentleman told me he would make an appointment with me.

15363. Who was that gentleman?—I understand Mr. Lloyd.

15364. Where was it you saw him?—In the Court of Bankruptcy behind the counter.

15365. Is it Mr. Lloyd who is a clerk in the office?—Yes.

15366. What did he say to you?—He said he would make an appointment with me to go down to Major Knox's place.

15367. Where?—In Abbey-street.

15368. Do you mean the *Irish Times* office?—Yes.

15369. Who introduced you to Mr. Lloyd?—I do not recollect that anybody introduced me. I had some business to do in the office.

15370. What is your business. What are you?—A trader and shopkeeper in the town.

15371. Are you a Roman Catholic?—Yes.

15372. And how long have you been on the registry. How long have you been a voter?—I was only a voter just previous to the election. I did not look for the matter at all.

15373. Now did you ever make any agreement about the £100?—Well we came to terms and I began to consider about it and I was promised £80.

15374. Who promised you the £80?—Myself and my father to remain in Dublin during the election. Mr. Lloyd, I think, promised me.

15375. Your father had a vote too, I think?—Yes, sir.

15376. You say an appointment was made with you to go to Abbey-street?—Yes, sir.

15377. Did you go to Abbey-street?—I did.

15378. Who did you see there?—Mr. Lloyd.

15379. Where did you see him?—Up stairs.

15380. Was there anyone else there?—Major Knox was there.

15381. Do you know Captain Ethelred Knox?—I could not say I know Captain Ethelred Knox, but I know Mr. Utred Knox.

15382. You say Mr. Lloyd was there and Major Knox. Now tell us, O'Connor, all that then occurred?—Well we began to come to terms. They offered me £20 and £30 and £40, and to tell you the truth—I will tell you the whole truth—any way it was decided upon £80, and I got £20, and the remainder was to be given afterwards.

15383. Who gave you the £20?—Mr. Lloyd.

15384. Did he give it in the presence of anyone?—In the presence of my father.

15385. Where did he give it to you?—Up stairs in the *Irish Times* office.

15386. Now, what notes did he give you?—Two £10 Bank of Ireland notes.

15387. How long was that before the election?—It was about ten or twelve days or so, I am not sure.

15388. Your father was present?—He was.

15389. Was that after you had seen Major Knox?—Yes, sir. I seen Major Knox previous to that, but he was not in the room at the time.

15390. That the money was given?—No.

15391. Did you make any appointment with Mr. Lloyd previously?—Yes, to meet him there.

15392. Now how did you know Mr. Lloyd at all. Did you ever know him before?—I did not know him at first by name, but I inquired afterwards from people what his name was, and they told me his name was Lloyd.

15393. Would you know him well if you saw him again?—Yes, sir. He is a well-looking man, a gentleman.

15394. When you got the money did you give any I O U or document?—Yes, sir, I gave receipts.

15395. The father and you gave receipts?—Yes, sir, as canvassers.

15396. What was the arrangement made then—were you to vote or not to vote?—To abstain from voting.

15397. Did your father agree to that also?—He did.

15398. Now you say you were to get £40 each?—Yes.

15399. That is £80 for the two?—Yes.

15400. Do you mean to convey to the court that Major Knox understood that?—Major Knox had nothing to do with the transaction. Of course I do not know what he understood.

15401. I mean to say that the transaction was between you, but Mr. Lloyd made the arrangement?—Yes, sir. Major Knox refused to have anything to do with the transaction himself personally, and he referred me to Mr. Lloyd.

15402. Did you ask Major Knox for the money?—I understood by the appointment it was for money they brought me there, but he refused to have any personal connexion with it.

15403. How did Mr. Perry know you were a Sligo voter?—Because he was doing business for myself.

15404. Recollect now who was it introduced you to Mr. Lloyd—how did you happen to know him—were you making any declaration or affidavit or anything?—Yes.

15405. How did Mr. Lloyd know you were a Sligo voter?—That is what I was wondering at myself.

15406. How Mr. Lloyd knew you to be a Sligo voter?—Yes.

15407. Was it Mr. Lloyd first spoke to you about the election—what did Mr. Lloyd say to you about voting at Sligo, or not voting at Sligo?—An attorney's clerk came to me to say that Mr. Lloyd was very anxious about me.

15408. Who was the attorney's clerk?—Mr. Perry's clerk.

THIRTEENTH DAY.

October 20.

Patrick O'Connor.

15409. What is his name?—Michael Rourke.

15410. What for?—He said he was very anxious and looking for me—I believe there was a set made upon me.

15411. Where did Rourke tell you to go and meet Mr. Lloyd?—Well, I think it was not Rourke that made the appointment, but he said that Mr. Lloyd was very anxious to see me, and Mr. Perry then overtook me going down Sackville-street one evening, and he walked up to me, and said to me, what do you think of £50 for staying in town during the election? I hesitated about it, and then I began to think that my business would at least keep me in town. I got a hint from Mr. Lloyd that I would be wanted there about the time of the election. About two days previous to the election there came a telegram for me to go to Dublin.

15412. From whom?—From Jeremiah Perry, saying that I was wanting.

15413. Just state in your own way what occurred; was this before getting the £20?—No, sir, it was after I got it.

15414. Well now who was the clerk you have mentioned?—Rourke.

15415. He was the man who told you that Mr. Lloyd wanted you, and then you went and saw Mr. Lloyd, and where did he bring you to speak about the matter? Did he bring you into any private room in the Bankrupt Court, or where did he make the arrangement with you to see him in the *Irish Times* office?—I cannot exactly recollect small details, but I know he made some sort of an arrangement with me to meet him at the *Irish Times* office.

15416. Since the election have you applied for the payment of the money?—I have, sir.

15417. To whom did you apply?—To Mr. Lloyd.

15418. What did he say to you?—After the commission he said he would pay me.

15419. When did he tell you that—had you written to him?—I have written to him once or twice, and he did not answer my letters, and then I went up to Dublin myself.

15420. And you saw him?—I did.

15421. Did you demand the money from him for yourself and father?—Yes; I told him I wanted some money, as I was hard up.

15422. What did he say to you?—After the commission he said he would give me anything at all that was fair.

15423. When did he say that?—Probably about three or four months ago.

15424. Did you ever go to the *Irish Times* office to try and get payment of the balance?—Well, I understood that Major Knox would not interest himself personally, and I never asked Major Knox for a shilling.

15425. Did you ever apply to anyone else except Mr. Lloyd?—For money—no, sir.

15426. Did anyone write up from Sligo besides yourself to try to get paid?—No, sir.

15427. Is your father dead since?—He has been dead since.

15428. Mr. *Commissioner Byrne.*—Did you see Major Knox at the *Irish Times* office?—I did, sir.

15429. Was it the day you got the £20 or some other day?—On that very occasion. He referred me to Mr. Lloyd, and gave me to understand he could not tamper or mix with such matters.

15430. And when you went into the *Irish Times* office did you see Mr. Lloyd and Major Knox in the room?—I was there before Mr. Lloyd, and I went there by appointment to see what was up.

15431. And did Mr. Lloyd and Major Knox come into the room?—I met them both in a room first, and then I was brought into a waste room.

15432. And when they were both in the room was there any conversation about money or about your vote?—I understood I went there for money, and when I spoke to Major Knox he said he could not interfere, and referred me to Mr. Lloyd.

15433. And Major Knox left the room?—He remained in the room, and Mr. Lloyd brought me into another room, and was coming backwards and forwards making the offers.

15434. And it was after that you got the £20?—It was after that.

15435. Mr. *Commissioner Bruce.*—Was it after you had seen Mr. Lloyd you met Mr. Jeremiah Perry?—It was previous to that; I was getting hints of it off and on.

15436. Who gave you the hints?—Mr. Perry told me, "What would you think of £50 for remaining in the city during the election?"—myself and my father.

15437. What did you say to that?—I do not think I made any allusion to it, but he told me he would see me again about it or something in that way.

15438. Did you ever see Mr. Jeremiah Perry before he offered you the £50?—I had seen him several times. I had business transactions with him and he was doing business for me.

15439. And what time of the day was it you saw Mr. Lloyd at his office when he talked about meeting you at the *Irish Times* office?—That is, when we met at the *Irish Times* office?

15440. No, but the time you met him in the Bankruptcy Office first?—I had been in and out through that office several times.

15441. It was in the morning?—I think about the middle of the day. I have no particular recollection.

15442. And what time of the day was it you went to the *Irish Times* office?—About four o'clock in the evening.

15443. Did Mr. Lloyd tell you why you were to go to the *Irish Times* office?—Why I was to go to it?

15444. Yes?—I do not think he told me so himself. I know I came to understand it in some way; that he made an appointment with me in the *Irish Times* office.

15445. But has Mr. Lloyd any business in the *Irish Times* office that you know of?—I do not know.

15446. Were you surprised at Mr. Lloyd mentioning the *Irish Times* office?—From hints I got off and on for three or four days I came to understand it was to bargain for my vote. I came to understand it by hints and signs and one thing and another.

15447. When you went into the *Irish Times* office who did you ask for?—I think I mentioned to some of the gentlemen inside the counter that I came there by appointment to see Major Knox.

15448. But you know you were not coming to see Major Knox but Mr. Lloyd?—I came there to meet Mr. Lloyd by appointment. I did not know if I was to meet Major Knox or who I was to meet. I came there by appointment, and who I was to meet I do not know.

15449. To meet Mr. Lloyd?—To meet Mr. Lloyd and Major Knox.

15450. Did Mr. Lloyd say you were to meet Major Knox?—I am not sure, sir.

15451. Are you sure whether you asked for Major Knox?—I know I asked for Major Knox.

15452. Well, were you shown up then into Major Knox's room?—Yes, I think so.

15453. Try and recollect?—I was, sir. I went up stairs and I saw him in his room.

15454. What kind of room was it, front or back?—It appeared to be a small room.

15455. Was it looking out into the street?—I do not think it was.

15456. Was Mr. Lloyd in the room when you went in?—He was, sir, along with the Major.

15457. Were they both sitting down, or both standing up before the fire?—They were both sitting down.

15458. At a desk?—At a table.

15459. And were they close to each other?—Very close.

15460. Who did you first speak to when you went into the room?—Well, I met a townsman of my own in the room, and it was to him I first spoke.

15461. Well, who is the townsman?—Captain

Patrick O'Connor.

Edward Wynne, of Sligo, magistrate. He was the first I recognised, being a townsman.

15462. And you spoke to him first?—I did, I think, and shook hands with him.

15463. Well, what did you say to him?—I said nothing to him, except just bid the time of day. He left the room at once.

15464. Who did you speak to then?—I think I saluted Major Knox.

15465. Well, what did he say to you?—He asked me to go down to Sligo and vote for him, and I told him party feeling was too high in Sligo, and I could not think of doing that. I told him I was hard up, and he said he could not interfere; that there was some very stringent law against bribery, or something that way; and he referred to the Act passed by Sergeant Armstrong, that you would get two years in gaol for it; and he gave me a hint then to go on one side with Mr. Lloyd.

15466. I want to know what he said to you?—He said there was a very stringent Act.

15467. How did he convey to you to go to Sligo?—He referred me to Mr. Lloyd.

15468. What words did he use? He did not say "I refer you to Mr. Lloyd?"—He said he left that to Mr. Lloyd—that he would arrange.

15469. Do you mean that he left the money matters to Mr. Lloyd?—That is what I inferred.

15470. And then he went out of the room?—Yes, he went out of the room.

15471. That is, Mr. Lloyd and you went out of the room?—Yes.

15472. Had Mr. Lloyd said anything before he took you out of the room?—He brought me out of the room.

15473. Had he said anything to you when you were conversing with Major Knox?—I cannot recollect that, sir. I cannot recollect words said about last November.

15474. What did he say to you when he first took you to the other room?—He offered me £20, and was gradually going up, and I wanted £100 for abstaining from voting; and when he went as far as £80 we closed.

15475. And you said you would not go down to Sligo?—For abstaining from voting.

15476. But were you to go to Sligo?—I could infer from him that I had business in Dublin during the days of the election; that I would be summoned there; and there came a telegram for me to go up there, and I did not go up, for I did not like to go away, and stayed my ground.

15477. And you did not go to Dublin?—No.

15478. You stayed in Sligo during the voting?—Yes.

15479. Did your father stay?—Yes, sir, my father voted for Captain Flanagan.

15480. And you did not vote at all?—I did not vote.

15481. You said something about canvassing?—We were to get £10 a piece for canvassing, and we signed some kind of a docket.

15482. Did you canvass?—Not at all. I had no notion of canvassing.

15483. Did anybody canvass you for Captain Flanagan?—I think Captain Flanagan canvassed me himself.

15484. Nobody else?—Well, Father Morris.

15485. Did anybody threaten you that if you did not vote for Flanagan you would be the worse for it?—No; threats of that sort would not tell upon me. Nobody threatened me.

15486. After the election did anybody order you to go out of the friary during the mass?—Well, yes.

15487. Tell us about that?—I went in to mass about the time of the first Gospel.

15488. What day was this?—Some time after the election. I cannot fix the date. I got an intimation from a gentleman that Father Goodman wanted me, and I came out into the porch of the church, and he told me to kneel down there. So I very good humouredly rather remonstrated with him, and I went into the body of the church amongst the congregation. I heard mass there, and I came away then. I partly went in then.

15489. Did anybody say anything to you after you did go into the body of the church?—One man of the name of Tighe told me I was approaching into the place that was not allowed to me, and coarsely ordered me out, but that passed off good humouredly.

(The witness then withdrew.)

James Moran (already sworn), examined.

James Moran.

15490. The *Chief Commissioner*.—Did you go to the bishop's house on the day of the polling of the last election?—I did.

15491. Did you see Father Morris there?—I did.

15492. Did you tell him there were some men wanting £1,000?—I did.

15493. Who were the men?—I do not know the men that I met after I voted, but in sometime during the course of the day—we were wanting to do the best we could for the Liberal party—and I went up to M'Grath's and stopped there some time myself and two more, and whilst I was going out there, in M'Grath's yard, or outside the door, I do not know which, young Dominick Hunt said to me that ten voters could be got for £1,000, and I hesitated for some time, and I said, "Come along with me and we will see." He did come with me, down to the Presbytery. I met Father Morris, and I told him, and he just put up his two hands and says, "James, we can have nothing to do with such things."

15494. Did you go to the bishop's in order to try to get if you could the £1,000?—I went to deliver the message.

15495. Did you go to try and get the £1,000?—I suppose it was not me was to get it.

15496. But to try to get it for the men?—I went with the young man to deliver the message, as I have explained to you.

15497. Did you believe you had a chance of getting it when you went to the bishop's?—I believe I had not.

15498. But at the time did you believe it?—I positively knew the money would not be got, but I went.

15499. And do you say it was young Dominick Hunt who first gave you the word about the ten men wanting the £1,000?—I do positively swear it.

Dominick Hunt was recalled.

Dominick Hunt.

15500. The *Chief Commissioner*.—Do you hear what Moran swears?—Yes.

15501. Is that true?—No, sir.

15502. *James Moran* (to Hunt).—Was it not you who called upon me outside of M'Guirk's, and said there was ten votes to be got for £1,000, and I went down the street, and the other two men were along with you, and I brought you up?

Dominick Hunt (to the Commissioners).—It is not the truth. He pulled me out of the hall-way by the collar, and I was half way down the street before he told me what he wanted at all. He told me to go along with him, and I would not be sorry for going—(to Moran).—Who told the two men?

Moran.—I told it to Mr. Donegan and Mr. Cullen.

15503. The *Chief Commissioner* (to Moran).—Did you tell that on the spot to him?—Yes, and they told me to go back and bring the messenger with me.

THIRTEENTH DAY.

October 20.

Dominick Hunt.

Hunt.—They were in the house when I left, to the best of my opinion.

15504. The *Chief Commissioner* (to Moran).—Is Mr. Donegan the gentleman who was examined?—Yes.

15505. And Mr. Cullen?—Yes.

15506. What did you tell them on the subject?—I said that young Mr. Hunt told me that ten votes could be got for £1,000, and they told me to go back and bring him to deliver the message.

15507. Did you bring him?—Yes.

15508. Did you leave young Dominick Hunt before you met Mr. Donegan and Mr. Cullen? You say he told you that?—No; I think I turned back, and they said, "bring him with you."

15509. Why was he to go along with you?—He knew that himself. As these men were supposed to be either in M'Guirk's or in Hunt's he was the best to communicate this to them and not me.

15510. Was he the man that you believed knew the ten men's names?—Well, I believe so; but in the way going, I recollect he told me there would be only eight. I do not recollect what talk we had about the money.

Hunt (to Moran).—You told me half way not to say a word at all, and you would get £1,000 if you could, and give me £100 and keep £200 for your trouble at the last election.

The Rev. John Morris

The Rev. *John Morris* recalled.

15511. The *Chief Commissioner.*—Did you say young Dominick Hunt wanted to speak to you?—No; he did not. The moment I saw Moran I said to him to speak to me. Hunt was standing in the small room at the back of the window, and I had nothing to say with him or he with me.

15512. Was this young man Dominick Hunt in the room when the conversation took place?—It was in the hall it took place.

15513. Why did you decline to have any conversation with Hunt?—I was dissatisfied with the part taken by his father on that occasion and at the previous election.

(The witness again withdrew.)

Hunt was directed to leave the table.

James Moran.

James Moran re-examined.

15514. Mr. *Commissioner Bruce* (to the witness Moran).—Was it in M'Grath's you first heard about the ten voters?—It was not in M'Grath's, but it was after I came out into the yard or outside the door. It was immediately after coming out of M'Grath's.

15515. And it was young Dominick Hunt told you that?—Positively.

15516. Was there anybody by?—No one.

15517. What did you do immediately then?—I immediately told the two men who were with me.

15518. Then there were two men with you?—Yes, there were two men along with me in M'Grath's wanting to get these voters who were absent. I had been acquainted with them from the former election, and they thought I might have some influence.

15519. But when you went out from M'Grath's you left the two friends inside?—No, sir, they were off before me.

15520. You left the house with your two friends?—Yes, with my two friends Donegan and Cullen.

15521. They went on a little before and young Dominick Hunt came with you?—Yes, decidedly.

15522. Did you tell your two friends immediately what Hunt had said?—Yes, on the instant.

15523. What did they say?—They told me to go back and bring Hunt with me.

15524. Where were you to bring Hunt to?—I intended to take them to the tally-rooms, and as we were passing the presbytery I took one into the presbytery, and Father Morris told me to have nothing to do with it.

15525. Did Hunt join your two friends?—Not a word the others spoke to him to my knowledge.

15526. After you left Father Morris did you and young Hunt separate?—We went back home again. We could not get anything, and it was supposed that the election could not be gained at the time.

15527. Did Michael Hunt ever tell you that they were to get money?—I never saw Michael Hunt on the day of the polling at all.

15528. No, but before it?—I do not remember.

15529. Did he ever tell you he was holding out for money?—I do not know if ever he told me any such thing.

15530. Did he ever tell you he refused money because it was not enough?—He never did to my knowledge. He might be joking and talking about money and things, and taking a half glass of whiskey; but more than that I could not swear to.

(The witness then withdrew.)

Mr. Donegan.

Mr. *Donegan* came upon the table and said:—

My name has been mentioned by Moran. M'Grath was in our employment for twenty years, and it was thought I had some power over him, and I went simply to ask him to come and vote. I should mention I took a letter from Dr. Gillooly with me, and that was the reason of my going. I knew nothing about the £1,000 business until afterwards. Moran had not mentioned it then. I met Mr. Cullen going to this place, and I asked him to come with me and see these people, and I asked M'Grath to vote and he would not vote, for he had an old grudge to the Liberals.

15531. The *Chief Commissioner.*—On that day were you and Mr. Cullen told anything about the £1,000?—I do not think I heard it then. Sometime after in the presbytery I must have heard it.

15532. Did you hear there were ten or eight men holding out for the £1,000?—Yes.

15533. Did you know that they were? Did you understand as being engaged in the election for Captain Flanagan that they were?—I did, I think, hear, but could not positively make out the number he mentioned. I did not think such a number could be in it. I understood his brother-in-law, Michael Hunt, was there, but I did not see him.

15534. Mr. *Commissioner Bruce.*—Are you positive, Mr. Donegan, Moran did not tell you, because there is a contradiction of testimony with regard to that point? Moran swears that the three of you left the house, and that Hunt told Moran that there were ten men to be had for £1,000, and that he told you and Mr. Cullen, and that Mr. Cullen said, "Bring the messenger"?—I am positive Moran never mentioned anything about the £1,000.

15535. Could Moran have said to you that there were ten men to be had for money?—I do not believe he did. I asked Moran if he had any influence there to say a word.

15536. Moran went into the house with you?—Oh, certainly not; Mr. Cullen and I went alone in the matter—at least I asked Mr. Cullen to come.

George Thomas sworn and examined.

15537. The *Chief Commissioner.*—What is your occupation?—I am a clerk in the City of Dublin Artillery.

15538. I do not know what you say?—An orderly-room clerk in the City of Dublin Artillery.

15539. Were you ever connected with the *Irish Times*?—I was.

15540. What were you there?—I was a night clerk; at least the evening clerk.

15541. And when did you cease to be in that employment?—Last Thursday fortnight.

15542. Of your own wish I presume?—No, sir.

15543. How long were you in the *Irish Times*?—I think twelve months.

15544. Do you know Thomas Brennan?—I do.

15545. When did you last see him?—About a week before I left the *Irish Times* office.

15546. Where did you see him?—In the office.

15547. Used he to come to the office repeatedly?—Yes.

15548. Of your knowledge did he get any money there?—He did.

15549. How much?—I could not say the amount.

15550. Who used to pay him?—I have given him money, but I could not tell the amount.

15551. By whose direction?—By Mr. Hignell's.

15552. Used Thomas Brennan to get any weekly sum as you understood—any regular payment?—No; not to my knowledge.

15553. How much at a time would you give him?—Only a certain amount at a time, just as I might be told.

15554. How much?—I could not say the amount; I forget.

15555. Did you know of any Sligo voters being in Dublin, or were you informed by anyone in the *Irish Times* office of any Sligo voters being in Dublin?—Yes, I was.

15556. By whom?—By Mr. Hignell.

15557. Did Mr. Hignell direct you to do anything in reference to the Sligo voters?—On one occasion he did.

15558. What did he tell you to do?—Draw out a statement.

15559. Do you mean a statement in writing?—Yes, sir.

15560. A statement in writing of what?—Of the expenses attending the keeping of voters in Dublin for six weeks.

15561. Do you remember the names of these people?—I do, sir.

15562. Who were they?—Brennan first—the two M'Mullens, Gethins, Devanny. I do not recollect any of the others, or if there were more. I am not sure whether there were more or not.

15563. Do you remember the house where it was stated these men were stopping?—No, sir; I do not.

15564. What exactly was the account to be for?—Well, it was a rough statement of the expenses that would accrue for keeping them, from the 1st January until the 14th February.

15565. What was the total amount of that account?—I am not sure exactly now, but it is nearly £300.

15566. Do you mean by the expense, the expense of living?—No, sir.

15567. Now tell what the £300 consisted of?—The expenses of travelling, and the expenses of conducting—I forget the names of the parties—men to Manchester; and keeping them there for a certain time at so much per week, and the expenses of conducting others, I forget the place where they went to; but altogether it amounted to each individual about £50, or more. In some instances more.

15568. For what purpose was this £300 account made up?—I do not know. I was sent for one morning by the manager in the *Irish Times* office.

15569. Where did you get the materials for making out this account?—From Mr. Hignell's dictation.

15570. Did you write down what he told you?—I rote down what he told me.

15571. Now the M'Mullens we know were sent to Manchester and Clithero. Were there any entries in that account who was to be sent to England?—I am not sure now, sir. I could not be sure now, sir, it is so long ago. I know there were others—I am sure there were others.

15572. How many others were sent to England?—I cannot be sure, sir.

15573. Were there three?—No, sir. I cannot recollect now.

15574. Now, I gave you the names of Manchester and Clithero, which have been mentioned in evidence as places to which the electors were sent. Do you remember any of the other English towns?—I do not, sir. I think that is the only place that was mentioned to me, that was Manchester.

15575. Were there down in this the payments to Brennan?—There were, sir.

15576. About how much to Brennan?—I think there was about £50, sir.

15577. Was this the only account of expenditure for these persons from the 1st of January last to the 14th of February?—I am not sure about the date, but I am sure about the time—about six weeks. I cannot say the date exactly, but from the 1st of January to about the 14th of February.

15578. Was that before the petition was tried?—I think so, sir. It was.

15579. What day did you go into the *Irish Times* office?—I could not say now, sir. I have not the slightest idea. Some time in October.

15580. Some day in October twelve month?—Yes, sir, this time twelve months.

15581. It was before the election?—Oh, no. I was not in the office during the election.

15582. Was it after that you went there—after the election?—Yes, sir.

15583. The election was on the 19th November?—Well, it was after that that I joined the *Irish Times* office.

15584. Can you tell any other names of electors that were in that?—I cannot swear. These are the only names I know.

15585. Did Hignell tell you the object of this account?—He did not, sir. He said that Major Knox wished to have it.

15586. How many persons were there altogether who were accounted for in this account—were there more than six?—About six—six or seven. There may have been another.

15587. Do you know Mr. Hughes of Queen-street?—I do, sir.

15588. Do you know of any elector being in his place?—I do not, sir.

15589. Did you at the time?—No, sir.

15590. Did you know where the M'Mullens were?—I did not, sir.

15591. Do you know M'Dowell's, the confectioner's of Henry-street?—No, sir.

15592. Do you know Mr. Kavanagh?—I do by appearance only.

15593. Had you any conversation with him in reference to the Sligo election?—Never, sir.

15594. Now, in this account were the houses at which the voters were mentioned?—No, sir, nothing at all mentioned beyond expenses for the several voters being sent away to different places for a certain time at so much each.

15595. Do you remember now the way that account was written out?—I do, sir.

15596. Write out now, as far as you remember to the best of your recollection, a copy of that account?—I cannot give particulars.

15597. Write out what it was as well as you remember. (The witness made out a tabular form, a large column being left for names, and a small one for figures, which he handed to the Commissioners. He added)—I cannot say the amount, sir It was merely board and lodging at different places.

15598. Do you remember the heading?—Yes, sir, perfectly. I will not say that these are the exact

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words, but they are something tantamount to them, "Statement of expenses incurred by the undermentioned men from January to February, 1869," but I am not positive as to the dates.

15599. And then you remember no more names except Brennan, the two M'Mullens, Edward Gethins, and Devanny?—No, sir.

15600. Was M'Morrogh amongst them?—Yes, his name was amongst them.

15601. Had you ever any other interview with Hignell on a similar subject?—No, never, sir. He has frequently made a remark to me about men who would be about the office.

15602. Used these men to be coming about the office?—No, sir, not any but the one, Brennan. There was another on one occasion only; I do not know his name.

15603. What attracted your attention to him?—I was told to give him money.

15604. What money did you give him?—Half a sovereign.

15605. Which of the men was it?—I do not know. I could not give his name.

15606. Who told you to give him the half sovereign?—Hignell.

15607. When was that?—I could not say.

15608. Was it before the petition?—I think it must have been afterwards.

15609. I mean by that the trial at Carrick?—I think it must have been afterwards. I am not sure.

15610. Do you know where Thomas Brennan is now?—I have not the slightest idea.

15611. Where was it you saw him last?—In the office—the *Irish Times* office.

15612. Was he getting money?—I do not know, sir.

15613. Do you know what employment he is in?—I do not, sir, I know nothing at all about him, for in the office I never made any freedom with him. He used to come in and out.

15614. Do you know anything of any money having been sent to Sligo?—I do not, sir.

15615. Had you yourself anything to say to money transactions for the Sligo election?—No, sir, nothing.

15616. Do you know the man O'Connor who was examined here to-day?—I do not.

15617. Were you here when he was examined?—No, sir.

15618. Do you know Mr. Lloyd?—No, sir.

15619. Mr. *Commissioner Byrne.*—Did any of these payments mentioned in the account pass through your hands?—No, sir, none.

15620. Now at the time you wrote out the account, was there anything the matter with Hignell's right hand, or anything to prevent him writing the account himself?—No, sir, only he was not able to do it himself. He was not competent to do it himself.

15621. Do you mean to say he cannot write?—I mean to say he cannot.

15622. That he cannot write?—That he could not do it himself?

15623. The *Chief Commissioner.*—What do you mean?—That he is not competent to do it.

15624. Mr. *Commissioner Byrne.*—Not competent to write?—Not competent to draw out a statement of accounts such as I wrote for him.

15625. What are his duties in the *Irish Times* office?—They are indefinable, sir.

15626. Do you mean to tell us now he was not competent to draw out the account?—Yes, sir.

15627. Had Hignell anything to say to your leaving the *Irish Times* office?—He had.

15628. How?—I went into the *Irish Times* office on Thursday evening. Of course I will have to state the whole circumstances now. I know they were mentioned by Major Knox yesterday, and I will state the circumstances to you. On Thursday evening fortnight, I went into the *Irish Times'* office to do my duty as usual, and I did it. At eight o'clock Hignell comes down usually with letters, and he hands me over twelve, fifteen, or twenty letters, having opened them previously upstairs, and having marked on the letters so many stamps received on Post Office Order, or so much money. I take the letters from him usually, and enter them, with their amounts, in my book. On Thursday evening I did this, and on Friday morning, when I went in to hand over my cash, Mr. Hignell came down to me, and asked me why the advertisement of Paganini Redivivus was not in the paper. I said I did not know; that I had nothing to do with it. He said, "I gave you this advertisement last night, with 5*s.* in stamps in it." I said, "No, you gave me that the night before last." So he did. I received one the night before last from Paganini, and I had that entered. He said no more, and I said no more. On Friday evening, when I went into the office, the book-keeper called me, and said, I had got into a mess; and I asked him how. And he told me that 5*s.* was to settle before I resumed my business, according to the Major's orders. I went upstairs to see the Major, and he called Hignell down, and Hignell said positively that he gave it to me; and I asked him how could he be certain—that he gave me fifteen or twenty letters. The Major believed Hignell's word before mine, and told me I was not to resume business. The next morning I went before Mr. M'Comas, J.P., and made a declaration that I had never received that letter, and in spite of that I could not get an interview with the Major since, and I left the *Irish Times* office in that way. And more than that, gentlemen, this morning I was appointed to a situation in the Mediterranean, and, I suppose, through this it is done for.

15629. What is that you say about receiving an appointment in the Mediterranean?—An appointment in the telegraph service.

15630. And who procured that appointment for you?—Mr. Ansell, Superintendent for Ireland, sir.

15631. Well, but how do you mean to say you got this appointment?—I had been two years in the telegraph service before, and I applied for this appointment before I left the *Irish Times* office.

15632. The *Chief Commissioner.*—What do you mean by the appointment being done for?—Because Major Knox said yesterday here that I had committed myself.

15633. Mr. *Commissioner Bruce.*—Did you ever see Hignell attempt to draw out an account?—I know, sir, that he cannot draw out an account, I am positive of it.

15634. You do not mean to say he cannot write?—I do not mean to say he cannot write, but I mean to say he cannot draw accounts. I was at the mercy of that man in the office.

15635. The *Chief Commissioner.*—Have you any further information to give in reference to the Sligo election?—No information to give beyond what I have said.

15636. If anything has been said or has been reported to you as affecting your own character you have a perfect right to make any statement on your oath that you please?—Well, sir, the fact of the matter is that I understand Major Knox said yesterday that he dismissed me from the *Irish Times* office for deficiency in my cash. I have explained the circumstance now, and I expect the reporters will report it in every paper in Dublin.

15637. Do you now swear as far as you are concerned you are not guilty of that charge?—I swear that before God.

15638. Do you wish to say anything more in reference to that?—Nothing more than that I swear such a thing never happened me.

15639. Mr. *Commissioner Byrne.*—Before that transaction of the 5*s.* and the dispute about it, had you made any statement to any person that you could give evidence upon the inquiry in reference to Major Knox?—No, sir, never.

15640. So that you do not attribute in any way the quarrel in respect to the 5*s.*, to any statements that were made by you of what you could tell if you were sworn?—Certainly not.

(The witness then withdrew.)

George Campbell sworn and examined.

George Campbell.

15641. The *Chief Commissioner.*—Did you vote at the last election?—I did.

15642. How did you vote?—I voted for Major Knox.

15643. Did you vote at Sergeant Armstrong's election?—I did, sir.

15644. Did you get any money after that?—I did.

15645. How much?—I got £40.

15646. Who gave you the money?—Mr. Harper Campbell, or at least it was in his office I got it.

15647. Had you ever got any money before?—No, sir.

15648. Before or since?—Never before or since.

15649. Was any promise made to you at the last election?—None, sir.

15650. Or any offer made at the other side?—None, sir.

15651. Mr. *Commissioner Byrne.*—Did you get the whole of that £40 in cash?—If I might explain the way I got it was this. I was in some difficulties some time after the election, and a brother of mine came up here. There was an auction in my place, and he bought up some furniture for me to the amount of between £40 and £41, and he paid for it and he handed over the goods to me, and afterwards passed a cash order upon me. Mr. Harper Campbell was always a great friend of mine, and always stood to me in difficulties, and I went to him and asked him, and he sent his young man to pay the cash order.

15652. Was the cash order paid before the money was distributed by Sergeant Armstrong?—I could not tell when it was distributed. I could not tell the date but I think Mr. Campbell has the cash order, and that was the way it occurred. He never promised me any money or anything of the kind. Whether I asked him how he was to vote or whether he asked me I do not know, but he said, "I have always been a good friend of yours, and you will do as I do," and I said I would, and that is how it occurred.

15653. Mr. *Commissioner Bruce.*—Did you expect the money before you got it?—No, sir.

15654. Mr. *Commissioner Byrne.*—Was this transaction of the furniture before or after the election?—It was after the election a considerable time, at least I believe it was, but I could not say positively. It must have been after the election—I could not say positively.

(The witness then withdrew.)

The Rev. Thomas *Hibbit*, sworn and examined.

The Rev. Thomas Hibbit.

15655. The *Chief Commissioner.*—Do you know Sergeant Boyle?—Well, I think I do know him, but I have no acquaintance with him.

15656. Do you remember his being at the church?—Yes, I do.

15657. And the circumstance that has been deposed to in evidence?—Yes.

15658. Will you state it?—I was sitting at the door collecting, and a young man came out from the inside place at the nave of the church and said there was one of those men who voted against Captain Flanagan inside and that the people refused to sit near him—that they were all quite indignant. I went in for the purpose of removing him to another part of the church, and I said, "You cannot be here," and he rose from his seat abruptly and left the church. I never intended to turn him out of the church.

15659. I suppose when you say that you mean to convey you would not do such a thing?—Not at all. It was before mass, and I would not turn any man out of the church until he would hear mass. Of course I knew it would be a great sin to do it.

15660. Had you before heard what the bishop had said on the previous Sunday?—I heard it commonly stated.

15661. What was it you understood his lordship said?—That he mentioned from the pulpit that these people who voted against Captain Flanagan should be placed in a particular part of the church.

15662. Was that the porch of the church?—I could not say what part of the church.

15663. Did you consider yourself bound to obey his lordship as regards the management of your own church?—No, we are perfectly independent.

15664. As regards secular discipline?—Decidedly.

15665. And of course I know you are independent as regards the management of your own church?—Altogether, with the exception of receiving jurisdiction to the confession of the people. We receive that from the bishop, but in everything else we are independent of him.

15666. In your church to your knowledge did anything else occur similar to what occurred between you and Sergeant Boyle?—I do not know that anything occurred. I heard it said by O'Connor that Father Goodman interfered with his going in, but I do not know of it and never heard of it.

15667. Where did you intend to place him?—Amongst the poor people—amongst those who did not pay.

15668. He was in uniform?—He was. I did not know it was he until he was pointed out by the people to me.

15669. He was in the uniform of the Sligo rifles?—I do not know what department he was in at all.

15670. Mr. *Commissioner Byrne.*—Did I understand you to say you cannot receive confessions without permission of the bishop?—Yes.

15671. You naturally would defer to the judgment of the bishop of your church?—Decidedly.

15672. And be guided by him in matters of importance?—In matters at all with respect to the general conduct of the people or anything at all of that kind I would be guided by his advice most assuredly, but we are not obliged to be guided by his advice at all in anything that concerns our own house.

15673. May I ask you this question—would you have administered to Sergeant Boyle the sacrament of penance under the circumstances of his having voted for Major Knox?—Oh, well, that would depend upon his regret—altogether upon his own penitence.

15674. You would not do so?—I would hear his confession most assuredly, but if I were of opinion he was guilty of perjury, I would exercise my own judgment.

15675. So do I understand you to say you would not administer the sacrament of penance unless he made reparation for his guilt to your satisfaction?—Certainly.

15676. Mr. *Commissioner Bruce.*—You used the word perjury?—That was a mistake—I meant bribery.

15677. You do not put the offence of perjury upon the same footing as voting for Major Knox?—I say any Roman Catholic who would receive money for voting for a Conservative candidate against a Liberal candidate must have some motive besides that of public good. He cannot act in accordance with his conscience.

15678. Mr. *Commissioner Byrne.*—Then did you assume that Sergeant Boyle's voting for Major Knox was sin?—No, I never formed an opinion at all upon the man's conduct one way or the other. Merely when this young man called upon me to go down to remove him, I went down for that purpose, without exercising any opinion as to the man's private conduct. It never entered my head at the time.

15679. Was it the observations of the young man that led you to that course or the observations of the people?—It was the observations of the young man, and the indignation that was expressed by the people on the occasion at his presence, and I wanted to put him beyond their range.

15680. Had you heard at the time of the observa-

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The Rev. Thomas Hibbit.

tions the bishop had made?—I do not know that I had. I think it was immediately after the election that this occurred in our church.

15681. Had you not heard before the election he had referred to Catholic voters voting for Major Knox as rotten branches?—I do not think that I had.

15682. But you will not swear that you had not heard this observation?—No, I will not.

15683. Mr. *Commissioner Bruce.*—Sergeant Boyle, sir, swore that you said, "where is this man," and that you made him go outside?—No, I asked, "Where is this man?" He was alone upon the seat, and I said, "You cannot be here." The moment I said so, he arose from his seat and walked out of the church.

15684. Are you positive you did not say the words "go outside," or words from which he would assume that?—I am sure I did no such thing, I had no notion at all of turning him out of the church.

15685. I suppose if some one came and complained to you of the presence of Sergeant Boyle in the church you would have removed him?—Yes. There were three divisions in the church, one for the poor, one for the second class, and one for the higher class immediately near the altar.

15686. And in which was Boyle?—In the middle class.

15687. And I presume it was considered rather a degradation for Sergeant Boyle to have to remove from that?—I have no doubt in the world he must have fancied so himself, but I did not intend to offer the man the slightest insult in the world. It was not my intention.

15688. Supposing Boyle did not vote for Major Knox, I presume you would not have removed him from the place where he was if the congregation had not referred to his presence?—Certainly not. The people were all indignant at his voting for Major Knox.

15689. And you removed him because you considered their indignation was just?—No, I removed him merely to save him from the ire of the people in church.

15690. Do I understand you to say you anticipated violence?—Well no, but these people might not attend to their devotions during the mass.

15691. Then it was consideration for the other people and not for Sergeant Boyle?—Decidedly so, and to take them out of his range.

(The witness then withdrew.)

The Rev. Joseph Goodman.

The Rev. *Joseph Goodman* sworn and examined.

15692. The *Chief Commissioner.*—Do you wish to make a statement?—O'Connor mentioned in the course of his evidence something with regard to me, and the general statement has a great deal of truth in it. I was sitting at the door when a party came out stating that Mr. O'Connor was inside, and there was a great deal of commotion about it with the people—that the people were standing in the place and were indignant. I was afraid there would be a disturbance in the House of God, and I sent one of the parties to request him to come out that I wanted to speak to him. When he came out I said to him, "Mr. O'Connor, you had better kneel here and not expose yourself to anyone in the church." He did so in a very humble manner. I said, "You had better kneel inside and say your prayers." As far as I can recollect that is what occurred.

15693. Mr. *Commissioner Bruce.*—And you stated to O'Connor that it was in consequence of the commotion?—Yes, sir, I apprehended something of the kind. The young man who came out to mention the matter to me appeared to be very much excited.

15694. The *Chief Commissioner.*—And you gave no directions, and as far as you know no directions were given that any of the persons who came to hear Mass should be put in any other place?—I had heard before a general rumour that the bishop had given orders to that effect, and though I did not think it was the proper course to pursue, I thought that discipline could not be interfered with. This was the only case in which it occurred. I partly acted for the sake of preserving the peace and tranquility of the place, and partly for the sake of carrying out the bishop's discipline.

15695. Mr. *Commissioner Byrne.*—What you now depose to occurred after the observations of the bishop in reference to rotten branches?—The first time I heard that was in the bishop's letter. That was the first time I heard that phrase.

15696. Were you present at Mass in the Cathedral Church on the 15th November?—No, I do not belong to that Church. I belong to the Abbey Church.

(The witness then withdrew.)

Anne Cleary.

Anne Cleary sworn and examined.

15697. The *Chief Commissioner.*—Did you get any money after Sergeant Armstrong's election?—Yes, sir.

15698. Who gave you the money?—Michael Foley.

15699. How much did he give you?—£10; and some time afterwards he sent £5 by his clerk, Pat Boyle.

15700. Had your husband voted for Sergeant Armstrong?—Yes, sir.

15701.—Mr. *Commissioner Byrne.*—Did he give it to you in cash?—Yes, sir.

15702. Did you also mention a sum of £5?—Yes, sir, £5 by his clerk.

15703. Mr. *Commissioner Bruce.*—Did your husband ever tell you he expected to get money for voting for the Sergeant?—No, sir.

(The witness then withdrew.)

Thomas M'Morrow.

Thomas M'Morrow sworn and examined.

15704. The *Chief Commissioner.*—How did you vote at the last election?—For Major Knox.

15705. Had you ever voted before?—No, sir, never.

15706. What were your politics?—Conservative.

15707. Always?—Always, as far as the last election is concerned.

15708. But before that?—I did not much think, as I had no vote. I am always for a man I think proper for the country.

15709. Did you go to Dublin?—I did, sir.

15710. When did you go to Dublin first?—Some days after the election.

15711. Were you in Dublin before the election?—No, sir.

15712. How soon after the election did you go?—A week or a few days.

15713. Where did you go to in Dublin?—To Capel-street first, to a place called Cleary's, a temperance place, where I stopped when in town.

15714. Who told you to go there?—It was Brennan. He was in the carriage with me.

15715. Did he bring you up from Sligo?—No, he did not bring me.

15716. He was in the carriage with you?—He was, sir.

15717. Any other Sligo men?—Not one.

15718. Did you and Brennan arrange to go together?—No; we were to go together, and I had no place to stop, and I went there for a night.

15719. Who paid your fare there?—I did myself.

15720. Was it Brennan brought you to the hotel?—It was. I was a stranger there.

15721. Had you ever been in Dublin before?—No, sir.

15722. You remained there one night?—One night.

15723. Did he give you the word to go to any other place?—No, sir.

15724. Where did you go to?—To the *Irish Times*.

15725. Who did you see there?—I saw a boy. I do not know who he is.

15726. Did you get any directions there where you were to go to?—I asked the boy could I see Mr. Hignell.

15727. Who told you to ask for Hignell?—Myself.

15728. You knew him here?—I heard of him here and no more than that.

15729. What did you hear of him?—I saw him and heard he was belonging to the *Irish Times*.

15730. You saw him?—I did.

15731. What arrangements did you make with him?—I asked him to direct me where to get a lodging house.

15732. Where did Hignell make arrangements for you to stay?—He spoke to a young man in the office, and I understood he told me that the young man would find me a lodging house.

15733. Where was the lodging?—In Great Charles-street, in Mr. Armstrong's.

15734. Were you brought there by the young man from the office?—I was, sir. I went with him.

15735. How long did you remain in Charles-street?—Until I came home.

15736. How long was that?—About twelve or thirteen weeks. Until the time of the petition, when I came to Carrick, and then I came home to Sligo.

15737. Who brought you to Carrick?—I came myself, sir. I was subpœnaed by both parties.

15738. During the time you were at Armstrong's, I suppose they paid for your board and lodging?—I never knew it until I heard it sworn by Major Knox.

15739. Did you get any money in Dublin?—No, sir.

15740. What money had you leaving Sligo?—About £5, and I got £1 6*s*. or £1 7*s*. in the Castle of Dublin where I had a contract for the military work here.

15741. While you were in Dublin?—Yes, sir.

15742. Now, when had you promised the Major to vote for him?—In July, sir, before the election.

15743. Did you hear that any money was going?—Well, I heard plenty of rumours of money going. I heard rumours that I had got £300 or £400, but I know no one who got it except through the court.

15744. Had you any hints that you would get any money?—I never made an arrangement, never asked, and never got it.

15745. Are you a Roman Catholic?—I am, sir.

15746. Had you ever interfered at any previous election?—No, sir, I never interfered.

15747. Before this time were you known as one of the Liberal party?—I do not know that I was. I think quite the contrary.

15748. What is your business?—I keep a provision shop, and sell flour and potatoes and butter.

15749. Do you expect to get any money now?—No, sir, nor would I take it. I would sooner Major Knox had not paid my fare. I made arrangements with the man in the house to pay it.

15750. At what rate?—I did not make any rate.

15751. And you did not know what you were to pay him?—I understood he would not charge me an exorbitant sum.

15752. You never made any arrangement with him?—Never as regards the amount.

15753. You have been staying in Sligo since?—Yes.

15754. Were you ever molested on account of having voted?—Well, sir, that is beyond count.

15755. What was done to you or your family?—We were all beat and smashed and tortured.

15756. Did you get any compensation from the county?—I did, sir, £84.

15757. Were you ever spoken to in any church here?—No, sir, I never was molested in any chapel I went to. I always got in. In fact it was in Dublin I was during the excitement. I used to go to chapel in Dublin. I understand that my family did not go until I returned, and when I returned I went to the chapel. I went there without any molestation.

15758. Mr. *Commissioner Bruce*.—Was your house wrecked?—Oh, there was nothing left in it.

15759. What night was that done?—The night of the election.

15760. Do you mean the night of the polling?—A fortnight previous to the election I had to be escorted to my house with a stipendiary magistrate, and I was pelted in my own house and a magistrate with me.

15761. Was that at the polling?—No, sir. Weeks before the polling.

15762. Do you know any of these people?—No, sir. We could well get out of the townspeople if the country people would not interfere. A cousin of my own, a Mr. Morrow, told me he could not live in the country if he did not come in.

15763. Where does he live?—In Drumahain, county of Leitrim.

15764. Did he tell you who sent him in?—He did not.

15765. Did he say he came in with many besides himself?—The whole country came in.

15766. Did he say he got any money?—He said he got drunk somewhere in Pound-street.

15767. That he got drunk without paying for it?—That he got his breakfast or dinner.

15768. Would you recollect the name of the public house if you were told it?—I would not.

15769. It was in Pound-street?—Yes.

15770. And it was a public house?—He did not say.

15771. Were there many threats used to you before the election?—Oh, there was, but we got over them.

(The witness then withdrew.)

Mr. *Palmer* came forward and stated that the documents he expected had not arrived. If the Commissioners wished he would go to Carrick and search for them.

The *Chief Commissioner* said he would not put him to that trouble.

John Gray sworn and examined.

John Gray.

15772. The *Chief Commissioner*.—Are you an elector?—Yes.

15773. Did you vote at the last election?—Yes.

15774. Who did you vote for?—For Major Knox.

15775. Did you vote for Mr. Macdonogh at the previous election?—I never had a vote before.

15776. Was any promise made to you?—Never.

15777. Did any money pass through your hands?—Never, through the whole course of my life up to the present. I never got a half-a-crown of election money, or half-a-crown value for an election.

15778. Were you engaged in any way at the election?—No; I would not accept of an engagement in the way of the election.

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John Gray.

15779. I mean were you engaged as canvasser, or agent, or in any legal way?—No.

15780. Were you in Dublin?—Yes.

15781. Where were you in Dublin?—I was in Temple-street. I was not an elector then.

15782. What were you doing there?—I went up on an excursion myself and my brother.

15783. How long was that before the election?—I think in either July or August.

15784. Did you call at the *Irish Times* office then?—Yes.

15785. Who suggested to you to call at the *Irish Times* office?—No one. There were two or three acquaintances of mine from the town there.

15786. Who did you see there?—I saw two or three young men belonging to the town who had situations there.

15787. How long were you in Temple-street?—I think it was two or three days—I stopped in Taylor's.

15788. Did you see Major Knox in the *Irish Times* office?—Yes.

15789. Was it then you promised him your vote?—No.

15790. When did you promise him?—I promised him previous to that.

15791. What did you call upon him then for?—He gave me an order to build a dog-cart. He had one at home, and he wanted something the same. It was something of a style to take a few dogs to the mountains and a couple of gentlemen. I built him one.

15792. What was the price of it?—Thirty pounds; I could not give any one less to any other gentleman.

15793. Were you in Mrs. Hall's?—Yes.

15794. Were you afraid?—Yes.

15795. Why; was there any intimidation practised towards you?—There was intimidation practised towards anyone they thought would be in favour of Knox in the borough. My place about a fortnight previous to that was broken into. I picked up twenty-nine stones that were thrown into the place, and I was struck and the place smashed; and I got two men bound to the peace for twelve months.

15796. Was there any damage done to you that you got compensation for?—No; the place was smashed on the night of the polling again, and we got no compensation. It was not worth while looking for compensation for smashed windows. It is on the Conservative side we are living, and it is by them we are getting our living. In twelve months round I would not give £1 for the work of the Liberal party; and the Liberal party opposed us at the revision. My father and myself attended eight days and made our claim good. It is out of the Conservative party that we get our living. The Liberal party opposed us at the revision again, but I would go two hundred miles to vote for Major Knox again. I believe him to be a good gentlemen, and a true man.

15797. Mr. *Commissioner Bruce.*—You are a coach builder?—Yes, sir.

15798. And a Roman Catholic?—Yes, sir.

15799. Did you hear anything of the mobs at the last election as to who was the ring leader amongst them?—I could not say, for Captain Flanagan never asked me to vote for him. I know one day there was a lot came down to my place with about 300 in it, but I do not know twenty out of all that was in it.

15800. Do you think they were country people?—Yes; country people. Imported mobs.

15801. Did you hear anything about them getting drunk at any house?—I heard them prowlimg about for nights previous to the election, shouting and cheering, and crying "to hell with Knox."

15802. Do you know any place where they were said to get drunk?—I know there were public houses where they were sent to. I was going about my business some nights previous to the election, and I was attacked with stones by some of these parties who were quite drunk, and there is a mark on my forehead.

15803. Do you know any of these people who were brought into the town?—No; they are strangers to me.

15804. You cannot give us the names of any of the persons who got drunk?—No.

15805. What were the names of the persons who were bound to keep the peace?—Both of them were Anderson.

15806. What were the names of the two Andersons?—William and Alexander.

15807. Were they voters?—No.

15808. Had you any reason to fear that your custom would suffer if you voted for Captain Flanagan?—Well, I know my living was dependent upon the Conservative side. If I wanted a favour or anything they are my best friends. I never got anyone to injure me except one of my own sort. I was run at with a hatchet after the election, and I gave a fellow a month's imprisonment in the county gaol.

15809. Was there any obstruction to your attending mass?—I heard there were obstructions, but I did not go to mass. I would not stand up in a porch to be a public odium to other parties.

15810. The *Chief Commissioner.*—You did not go to mass?—No.

15811. How long have you absented yourself?—I think I was absent about nine months.

15812. You did not go to mass on Christmas day?—No, sir.

15813. Nor Easter?—No.

15814. Nor Easter Sunday?—No, sir; I went in March last, and I was blackguarded at the chapel door, and I think I did not go until this month; my father insisted upon my going. I think those who robbed the borough and broke houses should be put into the porch and not those who voted for Major Knox.

(The witness then withdrew.)

Michael O'Hara proffered himself for examination and was sworn.

Michael O'Hara.

He said—What brings me up is this, that Mr. Petrie said he offered my father no money. I went down to the office with a brother of mine, and said to him, "What about the money?" "Never mind the money," said he, "it is in the safe for your father." "Well," said I, "I will go and register my vote." "Well," said he, "if you go to do so you will not get the money, or at least your father will not get the money." I said, "I do not care; my father does not value your £25, and he would not wish for £100 I went away." Neither would he, for he was not aware how we stood at the same time.

15815. The *Chief Commissioner.*—What election are you now referring to?—To Captain Flanagan's—to the last election.

15816. What did your father do at the last election—did he vote?—He did, sir. He voted for Captain Flanagan?

15817. Had you a vote?—No, sir, I had not. Mr. Petrie was to give my father £25 to go away and not register his vote. My father went away.

15818. Where did he go to?—He went to Ballymote.

15819. Was he to stay there?—He was until the register would be over.

15820. When did he go?—On the day I registered the vote. I went up and registered it myself.

15821. Did you vote at the last election?—No, sir. It was my father's vote I registered.

15822. Where did you do it?—In this court-house, in the court-house next to this. Then, when I registered my father's vote, Mr. Petrie met me afterwards. "So you did that to me," said he. "I did," said I. "You will be sorry for that," said he.

15823. Were you present when Mr. Petrie offered your father that £25?—No, sir. I went home. He would not allow any of us to be present for weeks before the registry. When he would come into the shop he would ask my father was there anyone listening.

15824. How long was your father away?—He went away by the half-past eleven train, and came home by the ten o'clock train.

Edgar Macklin sworn and examined.

Edgar Macklin.

15825. The *Chief Commissioner.*—How did you vote at the last election?—For Major Knox.

15826. How did you vote at the election before?—I had no vote.

15827. What are your house and land valued at?—I have no land.

15828. What is your house valued at?—£7.

15829. How long was it before the election you promised the Major?—Perhaps about a month.

15830. Did you get any promise about your vote or any hint?—For money?

15831. Yes?—Not one, nor would I take it if I was offered it.

15832. Did you go to Dublin at all?—I did not.

15833. How did it happen you only promised the Major about a month before the election?—That was the time he called upon me.

15834. Had you not been canvassed in the summer?—Never, and no one asked me but the Major. Perhaps I would not vote previously, for I had a situation that prevented me voting.

15835. Were you at the meeting about Mr. Abbot?—Yes.

15836. What did you hear about him?—Nothing particular.

15837. Did you hear he was a rich gentleman?—No.

15838. Did you hear he was to stand in the Major's shoes?—Yes.

15839. That phrase I have used?—Yes, words to that effect.

15840. Because the Major was disqualified?—I suppose so.

15841. Did you hear anything about his fulfilling the Major's engagements?—I did not.

15842. Did you know that at previous elections money had been paid after the election?—No.

15843. Did you never hear that Sergeant Armstrong paid money after an election?—No, I never heard it until this commission.

15844. Did you ever hear that Mr. Macdonogh had paid money after his election?—Never until this commission.

15845. And you never suspected there was any corruption going until this Commission?—Never. I think I suspected it.

15846. Mr. *Commissioner Bruce.*—Are you a Roman Catholic?—I am not, sir. I am a Protestant.

15847. Were you examined before Judge Keogh?—I was not, sir. This is the first examination I underwent, and it is James Wallace who is the cause of this examination. He mentioned my name the other day.

15848. And what did James Wallace say about you?—I was not present, sir. I only saw something in the paper about it.

15849. Do you wish to make any further statement?—I have nothing further to say than that.

(The witness then withdrew.)

Samuel Benson sworn and examined.

Samuel Benson.

15850. The *Chief Commissioner.*—You are stated to be one of the gentlemen who did not vote at the last election?—Yes, sir.

15851. In reference to that do you wish to make any statement to the Court or to give any information. We do not require it ourselves?—No, sir. I have nothing to say. I came upon the summons.

(The witness then withdrew.)

Edward Ferguson sworn and examined.

Edward Ferguson.

15852. The *Chief Commissioner.*—Did you vote at the last election?—I did.

15853. Who for?—For Major Knox.

15854. Did you vote at the election for Mr. Macdonogh?—Yes.

15855. For whom?—For Mr. Macdonogh.

15856. Did you vote for him twice?—No, once.

15857. Now, did you know anything about the money Mr. Sedley distributed?—Nothing.

15858. Were you ever in Dublin before this last election—I mean during the summer—I mean the summer before the election?—I was not.

15859. Did you attend Mr. Abbot's meeting?—No.

15860. Were you summoned for that meeting?—No.

15861. Was any offer made to you at the last election?—No, nor at any other election.

15862. Mr. *Commissioner Byrne.*—Did you vote for Mr. Macdonogh the first time he stood or the second time?—The second time. That is the last time he stood.

15863. You went to Mrs. Hall's?—I did.

18864. Why did you go?—I went there for protection.

15865. Why should you be attacked more than anybody else?—I will tell you the reason why I feared it. I do not live immediately within the town. I live outside of it, but within the Parliamentary boundary. I was afraid myself that I might have been taken away out of my house at night. I was not afraid of being ill-treated, for I would not be afraid of my fellow-townsmen, but lest it should be said that I allowed myself to be taken away.

15866. Mr. *Commissioner Bruce.*—Are you a Protestant?—Yes.

(The witness withdrew.)

James Compton sworn.

James Compton.

15867. The *Chief Commissioner.*—Do you wish to make any statement?—Yes. I have not one in the house with me but myself. My sister was absent at the time, and they used to come at night and threaten me. I thought it was best of me to leave the house and go where I would get protection.

15868. Did you go to Mrs. Hall's?—I did. Her husband and me were very intimate.

11869. Did you go there from sincere apprehension of violence?—Yes, sir, I did.

15870. How long did you remain there?—Four days, and I paid her for it.

15871. Mr. *Commissioner Byrne.*—Did you vote?—I did, sir.

15872. You voted for Major Knox?—I did, sir, and I voted for Mr. Macdonogh.

15873. Did you get money for voting for Mr. Macdonogh?—Never, sir, and never expected it, nor from Major Knox. It is on principle I vote.

15874. Did you ever say after this election that you had got money or that you had heard that others had?—Oh, I heard that others had got money.

15875. Who had you heard got money after this last election?—I heard that Mr. Stokes was giving money, but that is all.

15876. But did you hear any names mentioned except Stokes?—No, I did not sir.

15877. Are you a Roman Catholic or a Protestant?—I am a Protestant, sir.

15878. Was there any violence offered to you?—They used to come at night and make a noise at the door. They were blackguards, and not decent persons at all.

(The witness withdrew.)

THIRTEENTH DAY.

October 20.

John M'Goldrick.

John M'Goldrick sworn and examined.

15879. The *Chief Commissioner.*—Who did you vote for at the last election?—For Captain Flanagan.

15880. Did Stokes make you any offer at the last election?—No, sir.

15881. Was any offer made to you on any interest?—Mr. Petrie made an offer to me.

15882. How much did he offer you?—Forty pounds.

15883. Where did he offer it to you?—In my own house.

15884. What did he say to you?—That if I would not vote he would give me £40.

15885. Did you believe he was in earnest?—Well, I thought he was.

15886. Did you tell anyone of that offer?—I told different people.

15887. Were you examined in Carrick?—No.

15888. Did you tell your evidence before the Carrick petition to any one?—I told different people that Mr. Petrie offered me the money.

15889. Did Mr. Moloney take down your evidence?—He did not, sir. I never told him anything about it.

15890. Do you know of any other offer being made?—No, sir, I do not.

15891. Had you ever voted before?—I had, sir.

15892. For whom?—For Sergeant Armstrong.

15893. Did you get any money after that election?—I did.

15894. From whom?—From Mr. Phillips.

15895. How much?—Fifteen pounds.

15896. Why would you not take the £40?—I would not take £100 and vote for him.

15897. Would you take money on your own side if it was going?—I would.

15898. Did you ever get any other money but that £15 for an election?—Never, sir.

15899. Or in reference to any election?—Never.

15900. What are you by occupation?—A chandler, sir.

15901. Mr. *Commissioner Byrne.*—Are you a Roman Catholic or a Protestant?—A Roman Catholic.

15902. Mr. *Commissioner Bruce.*—Did you hear of any men getting drink in the mobs last time?—No.

15903. Did you get any drink yourself?—No.

(The witness then withdrew.)

William Gethins.

William Gethins sworn and examined.

15904. The *Chief Commissioner.*—Who did you vote for at the last election?—For Major Knox.

15905. And who did you vote for at the election before?—Mr. Macdonogh.

15906. Are you aware your name has been mentioned?—I am, sir.

15907. I believe you are one of those mentioned as being said to have got money?—No, sir, I never got money. I have been voting for the borough since the year 1845, and I never got money.

15908. You never got any?—Never got fee or reward for anything of the kind. I neither got dinner, lunch, nor wine from anyone, nor did ever I bribe a voter, or do anything with a voter.

(The witness then withdrew.)

The Court adjourned till the following morning.

FOURTEENTH DAY.

October 21.

FOURTEENTH DAY.

THURSDAY, OCTOBER 21, 1869.

The Commissioners sat at eleven o'clock.

Rev. Thomas Boyle.

Rev. *Thomas Boyle* sworn and examined.

15909. The *Chief Commissioner.*—Do you know anything on the subject of any parishioners, who either voted for Major Knox, or abstained from voting, being removed from the cathedral church?—I don't. I wasn't at the cathedral church at all. I go to a chapel in the country generally.

15910. Do you know anything of the country people coming into town at the time of the election?—I know there was a large crowd in town at that time.

15911. Do you know where they came from?—I don't.

15912. Do you know where they got refreshments when they came into town?—I don't. I haven't the slightest knowledge on the subject.

15913. Can you give us any information on the matter?—I can't. I have nothing to say on the subject.

15914. Do you know of anyone that gave them their dinner and some drink?—I don't.

15915. You mentioned that you usually attend a country parish chapel?—Yes; it is attached to this parish of Sligo.

15916. What is the name of it?—Coolerey.

15917. Mr. *Commissioner Byrne.*—Could you give us any information with regard to the mobs—where they came from?—I can't. I suppose they came from the neighbouring parishes.

15918. Do you know if any of the priests advised or encouraged their parishioners to come into town on the day of the election?—I don't.

15919. You did not encourage any of your parishioners to come in?—I didn't. I left the matter to themselves, to come in or not, as they wished.

15920. Were you in Sligo on the polling day?—I was.

15921. Were you a witness of any acts of violence alleged to have been done by the mob on that day?—I was not.

15922. Were you on the street when Captain King was shot?—I was not.

15923. Was there a mob in the street at that time?—There was a mob at the opposite side of the street, and I was passing from the court-house to Captain Flanagan's tally-room when I heard that Captain King was shot.

15924. Did you see any violence offered to any voters?—I didn't.

15925. Did you see whether the mob you saw was organized or not?—I saw no sign of organization. I was a good deal engaged myself.

15926. Were the people you say you saw at the opposite side of the street armed with sticks and stones?—They weren't armed with stones, and I saw very few sticks.

15927. Mr. *Commissioner Bruce.*—You say you were engaged a good deal yourself; was that about the election?—It was.

15928. How were you engaged?—In going to the tally-room and from that to the court-house.

15929. And in bringing up voters, I suppose?—Yes.

15930. How many of your parishioners were voters?—Only one.

15931. You said that your parishioners were at liberty to come in or not as they pleased?—Of course they were.

15932. Was there any application made by them to you with regard to their coming in?—Not the least, to the best of my recollection.

15933. Was there any message sent from Sligo by anyone for them to come in?—I have no reason to believe that there was.

15934. Mr. *Commissioner Byrne.*—Did any of the voters speak to you about money in connexion with their votes?—No, not directly. But there was one man named Gallanagh, a butcher in the town, and he, some days previous to the election, said he was accustomed to get some money from Mr. Collins, a money lender in the town; but that he could not get it now on account of his going to vote for the Liberal side.

15935. That is on Captain Flanagan's side?—Yes. He said in consequence of his not getting the money from Mr. Collins he couldn't get security to get money elsewhere. I asked him if he meant that as wanting to get something for his vote. He didn't answer, and I put him off very summarily.

15936. Was that the only person that spoke to you about money?—The only one, to the best of my recollection. Of course I couldn't say what his intention was, but I drew my own conclusion from what he said.

15937. Mr. *Commissioner Bruce.*—Did you hear anything since the election about money being spent in treating the country mobs and country people who came into town during the election?—I know of no one who gave money, or was authorized to treat them in any house in town.

15938. Did you hear that such a thing was done?—I did not.

15939. Do you know whose money they were drinking?—I don't. I have no knowledge about it.

15940. Have you heard whose it was?—I have not.

15941. Mr. *Commissioner Byrne.*—Did any of the mobs get refreshment in any school-house?—Not to my knowledge.

15942. Mr. *Commissioner Bruce.*—You never heard of it?—Never.

(The witness withdrew.)

Mr. *Randle Peyton* sworn and examined.

Mr. Randle Peyton.

15943. The *Chief Commissioner.*—Were you the conducting agent for Colonel Tennison at his election?—I was not. I had been his solicitor for years, and I came down here as his private solicitor.

15944. Do you remember his withdrawing from that election?—I recollect the circumstance, but I was not present at it.

15945. Do you recollect what led to his withdrawal?—I do. After the nomination, and when I was arranging some matters at the hotel, about ten o'clock at night a gentleman came to me—Mr. John Harkan, the barrister—and stated that he found there was no chance of carrying our man to the poll unless he supplied a sum of money, between six and seven hundred pounds, he said—for about twenty-five or twenty-six of the voters, the Liberal voters. He said they that evening had determined that they would not come to the poll and vote for Colonel Tennison unless that sum was placed in the hands of a gentleman in town whom he named; he stated that that amount was necessary to bring them to the poll, and that, though they wouldn't vote against, they wouldn't vote for him unless it was forthcoming. He said they wouldn't take any promise whatever unless the money was deposited in the hands of a gentleman in town for them. He then asked me had I so much money, I said I had not, but that if I had I wouldn't apply it in that way without express directions for any purpose. On consideration we agreed that we should communicate with Colonel Tennison's counsel, who had then retired to rest. We found counsel in Mr. Dogherty's lodgings, in bed; and we communicated to him the purport of our interview, when he determined that Colonel Tennison shouldn't incur such a risk, and would withdraw from the contest. I was then permitted to return to Dublin, and I accordingly did return.

15946. That is the entire thing?—It is.

15947. Do you remember if Mr. Harkan mentioned the names of any of the twenty-five or twenty-six voters who wanted to get money for their votes?—I think he didn't. I don't remember any one of the names of these voters.

15948. Were you ever conducting any other election here?—I was assisting in Somers' and Sadleir's election of '53, and I did so at the request of my then partner, Mr. Jones, who was a friend of Mr. Somers's.

15949. Do you know anything of the election in '59?—I don't. I wasn't here at that election. I was in Roscommon then.

15950. The *Chief Commissioner.*—In making your calculations at Colonel Tennison's election, before Mr. Harkan brought the announcement that twenty-five or twenty-six would not vote unless they got money, did you consider that you had a majority on your side?—I made no analysis of the votes, but the majority was calculated at not ten either way—I may say at not five any way.

15951. Was the actual withdrawal of Colonel Tennison on the evening before the poll?—No, not on that night. Colonel Tennison wasn't within reach at the time, and Mr. O'Donel, his counsel, was in bed. It was on the following morning the withdrawal took place, and that withdrawal was afterwards withdrawn.

15952. Mr. *Commissioner Bruce.*—How do you mean?—There was a counter placard to the effect that Colonel Tennison would go to the poll. I give that from hearsay merely.

15953. In point of fact Colonel Tennison did not go to the poll?—He did not, I believe. I wasn't here on the day of polling.

15954. Do you know anything at all of the extraordinary circumstance of Mr. Somers going to the poll, and polling only one or two votes?—I do. I was occupied for several days in concert with a gentleman that represented Lord Palmerston, Mr. Kincaid; and he determined to give all the influence he could procure for Colonel Tennison if Mr. Somers would withdraw from the contest. Mr. Somers had a working support of six or eight voters, under ten certainly; and though he had no prospect of getting more, he wouldn't withdraw unless on terms of arrangement.

15955. So he went to the poll, and polled six or ten votes?—He did not.

15956. So Mr. Macdonogh, at least, said?—Mr. Somers had no prospect of getting a large support, nor had any canvass; but he held on to the six or eight men that formed his working support.

15957. The *Chief Commissioner.*—Did Mr. Somers go to the poll, in your opinion, with the view of petitioning against Mr. Macdonogh?—No; his whole object in going to the poll was, to the best of my belief, to obtain money from Colonel Tennison.

15958. Was there any demand made on Colonel Tennison by Mr. Somers?—I know I brought five hundred sovereigns down from Dublin for Somers without at the time knowing the object of it; but when I came to explain to Colonel Tennison the position he would put himself in, he approved of my advice and sent me back with every shilling of the money.

15959. Was that money to be given to Mr. Somers?—It was, as an instalment.

15960. What sum was to be given to him if he'd withdraw?—I heard he was to get £1,000, but I told Colonel Tennison it would be several thousands.

15961. Did you bring back the five hundred sovereigns to Dublin?—I did.

15962. You said that, if the £1,000 were given, more would have to be given after?—So I convinced Colonel Tennison.

FOURTEENTH DAY.

October 21.

Mr. Randle Peyton.

15963. Mr. *Commissioner Bruce.*—You know the borough from before 1860, I suppose?—I know it from '53. I conducted a petition against Sadlier's return under difficult circumstances.

15964. Can you give us any information as to whether bribery was practised in the election of 1859 when Mr. Somers stood?—I know nothing of that election.

15965. I am not speaking of personal knowledge, but as a person acquainted with the borough, and intimately connected with the election in 1860, you would probably hear something of the 1859 election?—I heard of nothing that I can speak of with confidence, as I was then actively engaged in Roscommon. I didn't hear of anything that would be worthy of reliance.

15966. Do you know anything of the election of 1857?—Nothing. '53,'60, and '68 are the only periods I can speak of.

15967. You know nothing of the election of 1860?—I don't.

15968. What do you know of the election of 1868?—I was retained for the county election, and I came down, at the request of the county agent, some weeks before it came off. On that occasion I had a good deal of opportunity of seeing how matters were going on in the borough. I took a great deal of interest in the success of Major Knox, for I am twenty years, I suppose, solicitor to his family.

15969. Had you any reason to believe that there was any treating going on on Captain Flanagan's side, or that there were any mobs?—I saw very large mobs in the town from the country.

15970. Do you know how they were fed, maintained, or paid?—I can't say.

15971. From your observation can you form any opinion as to whether the country mobs remained in town for two or three days?—I should say so.

15972. Did you see many of them under the influence of drink?—I wasn't in sufficient proximity to them to form a judgment as to that.

15973. Well, they were very violent?—They were. I myself was hooted and pelted with stones in the suburbs of the town by children and women.

15974. How long did that continue?—I can't say. I wasn't continuously in the town for a fortnight, but I saw that the town was greatly excited and disturbed from the nomination to the polling day.

15975. Could you form any opinion as to what part of the country these mobs came from?—The only means I have of forming an opinion on the subject is that, when the presentment for malicious injuries done to property in the borough came before the Grand Jury, and it was discussed whether the levy should go on the barony or the county, one member said he knew that some of the mob came from Geevagh, and he afterwards voted to have the amount levied off the county.

15976. The *Chief Commissioner.*—From your experience of the borough, do you believe that there is a number of voters at every election who require to be paid, or expect payment?—Since Townley's first election the impression on my mind is that that is the rule amongst both classes of voters.

15977. On both sides?—Yes. I have stated my belief. It was known that Colonel Townley came here a wealthy Englishman who had no connexion with the locality, and I have heard that ever since money was expected from candidates.

15978. Mr. *Commissioner Bruce.*—What is the date of Colonel Townley's election?—I can't speak with accuracy of it.

15979. Did Colonel Townley spend much money here?—I know nothing of it, but from hearsay.

15980. The *Chief Commissioner.*—We have it in evidence that he spent the large sum of £10 on each of his supporters?—I was ignorant of it.

15981. How much did you ascertain was spent by John Sadlier?—I have no distinct knowledge of any expenditure, but of two sums of money.

15982. What were they?—One was a sum of £25, that was produced by a voter in court; and the circumstances were detailed by me in my evidence on the petition against Sadlier before a Parliamentary Committee in 1854. I was acting for Somers at the election, and a voter named Slator came into the booth to record his vote. A gentleman in court at present was Deputy Sheriff, and knew Slator. The oath was as usual administered to Slator, but he hesitated to take it, and put his hand in his pocket. The Deputy Sheriff decided that Slator refused to take the oath, but I contended that there was no refusal while he had his hand in his pocket. Slator said, "I can't take the oath as long as I have that," producing £25 on the table. The Deputy Sheriff took possession of the £25, and wouldn't take Slator's vote. The vote, however, was admitted by the Committee. The other was, I think, a sum of £40, which a voter named Young, who was examined here, stated on examination before the Committee, he got from Mr. Gore Jones for his vote. It was a case in which he expected to unseat. Mr. Gore Jones came over at the last moment and stated that, though he was in the man's warehouse, and gave the money, it was for a pair of shoes. Young swore he got the money for his vote. I knew from several independent sources that there were sums distributed in the name of John Hanly, who was Sadlier's stalking horse.

15983. Mr. *Commissioner Byrne.* — Was he unseated?—He was not. Mr. Gore Jones saved him.

15984. Mr. *Commissioner Bruce.* — Did you hear anything about bribery going on Major Knox's side at the last election?—I was not present at the trial of the petition at Carrick, but I heard a great deal which led me to infer that there must have been a good deal of money going.

15985. You know nothing of it yourself?—If you mean by that, that I have any personal knowledge of giving money to any voter, I do not.

15986. Did you hear of any money being given to voters by Major Knox, or by anyone on his behalf?—I speak now of cases you may have heard of independent of what we heard here?—I heard very vague and very general statements that there was money paid.

15987. Have you heard of any particular cases where it was paid?—I can't say I did hear of any cases of which I can speak with confidence.

15988. Have you heard anything of Captain Ethelred Knox advancing money to voters?—Nothing that I can call to mind as being worthy of repetition.

15989. Was there even a vague report about Captain Ethelred Knox being mixed up in bribery before this inquiry?—I can't charge my recollection with it.

15990. Did you hear at the election that he had control of the funds for the election?—I knew he was the cashier of the office in Dublin, and that he was down here. I inferred from that that he had.

15991. Did you ever hear of his giving money to Stokes or Brennan?—Never. I know nothing of the transaction.

15992. What do you mean by saying that you inferred he had control of the funds, from the fact that he was cashier of the *Irish Times'* office, and that he was down here?—I drew the inference acting in these two facts.

15993. Did you see him down here at the last election?—I did, and I expressed my opinion adverse to his being here. I often cautioned the members of the family against it, and they listened to my remarks in silence.

15994. Cautioned them against having Captain Ethelred Knox down here at all?—No; but I endeavoured to impress upon them the necessity of keeping within the Corrupt Practices Act.

15995. Mr. *Commissioner Byrne.*—Could you give us any assistance in discovering whether there were any corrupt practices on Captain Flanagan's side?—I have no means of knowing a single particle on the subject.

15996. The *Chief Commissioner.*—Can you give us any information as to how much money came to the voters on Major Knox's side?—I can't.

15997. We have the large sum of £307 altogether, up to the present?—I have no knowledge of any private transactions of that sort at all. I didn't come here at all as one of the professional staff of the borough.

15998. Mr. *Commissioner Bruce.*—I suppose you could give us information—formal information—as to the increase of electors since the passing of the Reform Act—it is, I presume, through your office it would be made up?—I suppose the books of record remain here, but I have no knowledge of the subject since I was appointed.

15999. We have summoned the town clerk, with the hope of getting some information on the subject?—I don't think he knows anything about it up to '51. I rather think the books were kept in the Peace Office.

(The witness withdrew.)

Mr. *Patrick M'Niffe*, sworn and examined.

Mr. Patrick M'Niffe.

16000. The *Chief Commissioner.*—Were you engaged in any way at the last election?—I can't say that I was. I refused to be engaged for Captain Flanagan, in order to hold my vote. I took nothing from him. I acted gratuitously.

16001. In order that you might vote?—Yes. I never expected anything, nor would I take it, from him.

16002. You were assisting, I suppose, in the election?—Yes, so far as I could.

16003. Do you know anything of the mobs that were in the town during the election?—I don't.

16004. Can you give us any information as to who fed and maintained them—we believe that these mobs were in town for some days, and must have been fed by some one?—I can't. I must tell you that I was rather an object of suspicion to that mob.

16005. Why was that?—It was a most infamous thing, and I am glad of the opportunity I have of denouncing it. During the previous Revision—I need not tell you that under the recent Act, claimants are bound to sustain their claims—on the long list, list No. 7, I objected to persons appearing on the list, on the claimants' list, as they didn't attend to support their claims as they were bound to do under the new Act. I objected, but, unfortunately, owing to an omission in the form I got—the word "of" wasn't in it, I omitted putting the place of my abode in the objection. The omission was held by Messrs. Robinson and Andrews as fatal to my objection. Notwithstanding that, they gave me a *status*, they allowed me to cross-examine the claimants as they came up, and the result wasn't affected by six votes one way or the other. Under a spirit of disappointment, or for some other reason, some parties infamously circulated the report that I got £1,000 from Major Knox to sell the borough. Neither Major Knox, nor anyone belonging to him, directly or otherwise, in any mode or shape, attempted to suggest such a thing to me. The suspicion met me everywhere, no matter where I go, whether it was to Petty Sessions here or Quarter Sessions there, it met me everywhere.

16006. In reference to these mobs, you say you were an object of suspicion to them?—For that reason—I wouldn't have anything to do with them. I wouldn't touch them.

16007. Did you see them here for some days?—The mob was composed more—I am bound to say it for the character of the election and of the townspeople—of the low rabble of children and women in this town, than of grown, manly men. I must state also that up to a certain time—in fact, for twelve months past, there was an organized system adopted on the part of Major Knox's friends, that nearly did bring people into a row here on the Saturday evening before the election. There was no mob. Sergeant Armstrong was in the field all along. Captain Flanagan was not in the field. It was only in the latter part of his illness, when it was known that Sergeant Armstrong couldn't come to the poll, that Captain Flanagan was adopted. Up to that time there was no mob, and after that there was no mob—any mob there was belonged entirely and solely to Major Knox. During the canvass I understand—I wasn't here myself at the time—Captain Flanagan was accompanied by a number of persons, and in going down Castle-street there was a tussle near Clancy's house. They broke some glass, the crowd came on, the work became thicker and hotter, and the crowd increased in numbers. That occurred within the last few days before the election, but the crowd was composed of women and children. Two or three days before the election there came into the town a number of strangers whom I didn't know. I had nothing to do with them.

16008. How many strangers were there?—I can't say.

16009. Were they 300 strong?—Perhaps they were. I saw a mob of 300.

16010. All strangers?—I wouldn't say strangers.

16011. Country people as distinguished from townspeople?—I saw them so.

16012. Did they come into town three days before the polling, and remain here for the three days?—I can't say. I wasn't out much. I can't say that.

16013. Do you know any place where they got their breakfast or dinner while they were here?—I don't.

16014. One publican stated that he gave a cup of tea to some boys?—I got more. I was told that I would be murdered in a certain place at a certain time. I went to the place to see if they'd murder me, but they didn't. If they attempted, I know what's what. I heard two or three observations made, fixing the corruption in the borough on Sadleir's and Townley's time. That is not true—it is not correct.

16015. When did you say it was?—There has been in this borough, *ab initio*, since the Reform time, a system carried out in it—even before the Reform Bill was passed.

16016. What system?—A system of corruption that has been in the borough among certain classes and certain numbers from '32 down. There were only two elections since that time that I say were truly elections without taint or corruption—Townley's second election and the last election for Sergeant Armstrong—*qua* elections. I need not tell you what this borough was. It was first in the hands of a nominee, who was returned by twelve burgesses—under that system, Lord Canning represented the borough at a cost of £10,000 to the nominee. After that there was a Mr. Barton, who represented the borough at a large cost to the nominee—he presented a pair of maces to the corporation of the borough. We now come to the Reform Bill; we know there were twelve burgesses before that. The nominee, in order to retain possession of the privilege he had previously enjoyed, expended more than £8,000 on it; and he struggled with Mr. Martin, who lost a fortune in trying to open the borough, for he expended more than £8,000.

16017. That was the first election after the passing of the Reform Bill?—Yes. This town was then flooded, absolutely, with whiskey—that is my recollection of that election; there was hardly a publican in the town that didn't get a puncheon of whiskey without cost.

16018. Come now to the next election?—At the next election to that, Mr. Martin was returned in '35 without expense. In '37 came the struggle between Mr. Somers and Mr. Martin. One would suppose that Mr. Somers, being a very poor man, would have no chance of being returned. He came here, and was adopted by the Liberal Club. He deposited a sum of £70 to defray the necessary expenses; the difference was made up by his friends in the borough, and they stood to him like men.

16019. How much did they subscribe?—I can't say. I am only now giving you what was hearsay then. Mr. Somers was returned in '37. From '37 to '47 there was a vacancy, and Mr. Somers had it all his

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own way. During that time, as the story goes, places were sold about in all directions; magistracies were paid for, and regularly purchased. We now come to '47——

16020. Confine yourself to the voters?—In '47 came the struggle between Somers and Dixon, when Dixon, who was a member of your own profession, retired. He came to the hustings—the nomination, I remember, was held in the market-house. There was a wonderful display of vigour on the part of Somers's friends.

16021. What was the corruption in that election—how much on each side?—Dixon was so corrupt that he counted the candles.

16022. What was the amount?—There was nothing at all paid away. Tom Dixon was rather screwish. He was driven off the hustings, and in the struggle got a scratch on the head; and he came out of the market-house, I remember, with his face cut, and he said it wasn't the first time he bled for his country.

16023. Come down a little later?—There was a petition presented against Somers's return.

16024. For bribery?—No, for want of qualification.

16025. We will not go into that?—About Townley's first election, Townley was unseated for treating.

16026. Mr. *Commissioner Bruce.*—What date was that, do you recollect?—It was the summer of '48, I think.

16027. Who were the candidates at that election?—Mr. Somers and Mr. Townley.

16028. Was there any bribery at that election?—I knew nothing of it at all—people may have been bribed. I knew nothing of it. I acted as a personal friend of Mr. Townley's, and I never got sixpence for it. In all the elections in which I was engaged I acted for my party, and not for individuals.

16029. The *Chief Commissioner.*—Do you remember Colonel Townley's second election?—He was put out for treating at the first election, and in '52 he came back—the Liberals had then a majority of seventy on the registry.

16030. Mr. *Commissioner Bruce.*—Who were the candidates in 1852?—Mr. Somers and Mr. Townley.

16031. The *Chief Commissioner.*—Was there any bribery going on at that election?—There was no necessity for having recourse to note down the answer then, as there was great excitement at the time. Lord Russell was after writing his Durham letter—the Stockport riots were going on. The '52 election was a pure election, yet Colonel Townley was unseated on petition, for bribery, on the ground that a friend of his——

16032. I know that from the petition—there is no use in going into it now; we must assume that the committee acted rightly in unseating him for bribery. The next election was Sadleir's. After that election, when Colonel Townley was unseated, I believe that a large sum of money was distributed among the voters?—I don't know that. I can't say.

16033. Was there £1,000 distributed among them, did you hear?—I wouldn't attempt to measure it.

16034. We have it in evidence that £10 was given to each voter?—I know nothing of it.

16035. Do you know who brought the money to town?—I don't.

16036. It is rather a strange thing to say after that, that it was a pure election?—I am talking of the election, disconnecting it from what occurred before or after. It was in itself a pure election—there was a majority of seventy on the Liberal side.

16037. Then came Sadleir's election, who were the candidates at that election?—Mr. Sadleir, Mr. Somers, and Mr. Hanley.

16038. Mr. Hanley, I believe, was only a nominal candidate?—Yes, he came here under cover. I understood he came to catch any stray Conservative voters.

16039. Were you engaged at that election?—I was deputy sheriff. I was the person that got the £25 of which Mr. Peyton spoke; that was the only money I got.

16040. Do you know anything of the corruption that went on at that election?—I know nothing more.

16041. How much was Sadlier supposed to have expended?—It was said he spent three, four, or five thousand pounds—the election was a very close one.

16042. Do you remember the polling?—I do.

16043. Can you say what the numbers were?—I cannot. I know Sadleir had a majority of seven.

16044. Go on with the next election; the Tipperary bank went in 1856?—I know that, but Sadlier had got rid of all his troubles. There was a proposition made to Baron Hughes, who offered himself as a candidate.

16045. Were you concerned for the Baron?—I was as his friend, as he was put forward to represent the party.

16046. Mr. *Commissioner Bruce.*—Was that in 1857?—It was, I think, before that—in '55.

16047. The *Chief Commissioner.*—It must have been March or February, 1856, I think—the election took place very soon afterwards?—There was an election before that between Mr. Hartley and Mr. Somers—there was an election at which Mr. Ball, Mr. Hartley, and Mr. Somers were candidates.

16048. Mr. *Commissioner Bruce.*—What year was that?—It was between Mr. Sadlier's and Colonel Townley's last election.

16049. Before 1853?—I think it was.

16050. The *Chief Commissioner.*—Why was it, do you remember, Mr. Bell left town?—He posted his reason for doing so.

16051. Had it any reference to pecuniary matters?—It had. A proposition was made that certain parties would require a certain sum of money to vote. I think it was £100 each, or £50 each. I don't know which.

16052. Was that the real reason for his retiring?—So he stated, and he posted it. This proposition was made. Mr. Ball left town, and Baron Hughes came. There was a proposition made, as I understood, by Mr. Somers. It was hinted that the Liberals had a majority of between thirty and forty. Mr. Somers stood up for more, he said he had a large number of friends that would stick to him, and that he would retire on his getting a gratuity. The actors here all now passed away. It was suggested that Mr. Somers had expended about £1,000 on the borough, and that he should be recouped. Baron Hughes immediately said he wouldn't stand, that he wouldn't endanger his character by giving money, and that he would go away. He said, "This sort of thing is a sort of standing thing in the borough, and you will never have peace or comfort until it is rooted out. Mr. Wynne is about to contest the election, and I'd recommend my friends not to interfere in it." Some half a dozen, however, did.

16053. Was that the election in which Mr. Somers got in and was afterwards unseated for the alleged tampering with the poll books?—That was the election when Mr. Wynne got in. There was an election afterwards in which there was some tampering with the books.

16054. I come now to the election at which Somers got in by altering the poll books?—I recollect it distinctly.

16055. We have it in evidence that at one of Somers's elections, Tom Ward paid four or five men four or five pounds each—they were members of the Liberal party that required to be strengthened—can you say at which of the elections that was?—I couldn't. I didn't dream that Somers had the means of bribing. I am certain he hadn't.

16056. Voters have been examined who got the money, and Ward swore that he got the money from Somers?—I know nothing of it. I often heard that a late nobleman was in the habit of supplying Mr. Somers with a small contingent for necessary expenses.

16057. Have you any reason to believe that the contests between Somers and Wynne were pure. I

speak of the contests in 1857 and 1859, in 1857 Mr. Somers was returned, he having received 150, and Mr. Wynne 144 votes, on petition he was unseated?—Abstracting from the tampering with the books, I have no reason or means of knowing that these two elections were not in themselves pure.

16058. Were you acting at them?—I was.

16059. For whom?—For Mr. Somers.

16060. On the last occasion when he struggled with Mr. Wynne he only polled seventy-three, and Mr. Wynne 177. Mr. Somers had then no chance. We have it in evidence that forty of the Liberal party voted in a body early on the morning of the polling day for Mr. Wynne, in order to get rid of Mr. Somers?—That was at his previous election.

16061. It was not?—It must be.

16062. No, for at the previous election Somers got it, and if forty of the Liberal party voted for Mr. Wynne he couldn't get in. At his last election in 1859 forty of the Liberal party polled against him, for the purpose, as they stated, of getting rid of him; and they did get rid of him; do you know anything of that?—I don't.

16063. Do you think they got rid of him in consequence of his not being able to pay them?—I don't believe that that was the object.

16064. I now come to Colonel Tennison's election when he was a candidate against Mr. Macdonogh?—That was in '60.

16065. Yes—do you know anything of that offer that was made to Colonel Tennison's friends?—On the part of Mr. Somers?

16066. No, on the part of the Liberal party, that they would require six or seven hundred pounds?—I never heard of it until to-day when I heard it from Mr. Peyton; but I heard that—in fact, I induced Colonel Tennison to dine with Mr. Somers; and they were on the most friendly terms—there was a proposition made, with the view of securing the Liberal interest for the return of Colonel Tennison, that if a certain sum of money were given to Mr. Somers he would retire from the field.

16067. How much was to be given?—I heard £1,000. I believe Mr. Peyton has told you what occurred accurately and fairly. I remember that another friend of Colonel Tennison and myself, on the Sunday morning before the polling, met Colonel Tennison who had got notice of this, and he distinctly and emphatically prohibited his acceding to that thing. Mr. Peyton was in town with the money from the Saturday night previous. Mr. Somers was disappointed at not getting the money, and we were afraid that if he got it, he would be a blister in Kilronan for ever; and we accordingly advised Colonel Tennison not to give it. Mr. Somers found out that I and another had guarded Colonel Tennison against taking this step; and, in consequence, when we came to the hustings, Colonel Tennison and I were hissed, we got the most unmeasured hooting.

16068. Did you know anything at all, or did you understand in the borough, until this inquiry, about Mr. Macdonogh giving £850 for distribution among the voters after the election?—I didn't hear it.

16069. Until this inquiry?—No, I didn't.

16070. I now come to Sergeant Armstrong's election when he was returned in 1865: did you hear it discussed among the Liberal party, before Sergeant Armstrong's money was sent down on Easter Saturday, that it was necessary to have that money?—I kept myself carefully out of all discussions.

16071. Did you hear that such a discussion was going on?—I heard that there was an indistinct rumour of the kind going.

16072. In your opinion, knowing the borough so well as you do, and being very capable of forming an opinion on the subject, if Sergeant Armstrong did not yield to the demand and pay that money, do you believe he could possibly retain his hold on the borough?—I believe he could, and I believe, if he was a candidate at the last election he would be returned triumphantly.

16073. Then you consider that the distribution of the money had no effect in strengthening the party?—I don't believe it had. There were parties that got that money, who no more expected it than the man in the moon. I believe that.

16074. Did you know at the time that this distribution of money, was, as the bishop stated, wholly disapproved by him?—I knew that on all occasions he denounced in the most emphatic language even the approach to corruption.

16075. Can you give us any information, even by rumour, to enable us to trace out the bribery that was practised at the last election. I allude especially to the class of Catholic voters who abstained from voting on that occasion?—I could form no idea whatever of the parties with whom these men were in communication. I heard after the election that a man named Grubb, from the *Irish Times* office, had come to Sligo after the election, for the purpose of gathering the scattered funds in the hands of the trustees, either with a view to a petition or any subsequent inquiry.

16076. Do you know this man Grubb's appearance?—I don't.

16077. On whom did you hear he called?—I heard he called on Mr. Stokes, Mr. Petrie, and Mr. Cherry; but these are only rumours. I heard, in addition, that all the other parties on Major Knox's side gave up their trusteeship, and handed over the funds they had in hands. Mr. Stokes didn't hand it over, because, I understood, he gave it away, and so had Mr. Petrie and Mr. Cherry.

16078. Did you hear the names of the parties who, as you say you were informed, gave up their trusteeship; who, did you hear, refunded the money?—I believe Mr. Lyons didn't keep any of it.

16079. Mr. *Commissioner Bruce.*—Is that Mr. Henry Lyons?—Yes.

16080. The *Chief Commissioner.*—You heard that he returned the money he had on hands?—I did. I heard he acted very honestly and uprightly in the matter.

16081. Mr. *Commissioner Bruce.*—You heard then that Mr. Henry Lyons had money for distribution at the last election?—Yes, as trustee.

16082. Did you hear of any other person having money for distribution in the same way?—I can't say that I did.

16083. Mr. M'Dermott, in his evidence before us, stated that you told him it was rumoured that after the election money was spent on Captain Flanagan's side?—On what?

16084. That money was spent illegally—that is the general way I put it?—Was it in treating and procuring mobs?

16085. The *Chief Commissioner.*—We understood that it referred to the mobs partly?—I never heard a word of money being given from Captain Flanagan's side to any elector.

16086. Mr. *Commissioner Bruce.*—Did you hear of any money being given from Captain Flanagan's side for any purpose, or to anyone?—I heard that some parties got some small sums, but they were, as I understood, non-electors. Mr. Molony could tell you more about the matter than I can.

16087. Who told you that money was given to non-electors—from whom did you hear it?—I think it was James Gilligan told me that there was money going on Captain Flanagan's side.

16088. Be so kind as to give us accurately what he said about money going on Captain Flanagan's side?—He said that there were some small sums given for treating non-electors. That's all I know about it; I had nothing to do with it.

16089. We are not saying that you had anything to do with it—we merely want to know what you heard?—That's all I heard.

16090. Did anyone else but James Gilligan tell you that money was given on Captain Flanagan's side?—Not any, and he seemed to know very little about it either.

16091. By "treating the non-electors" did you

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understand that the money was given for mobs?—That's my meaning.

16092. The *Chief Commissioner.*—To whom were the small sums given?—I can't say.

16093. Through what channels would the money be given—as regards the publicans and provision dealers who are known in the different districts of the country; for example, the Gevagh district, would it be given through them?—I can't say.

16094. Mr. *Commissioner Bruce.*—Was any name mentioned in connexion with the giving of these small sums?—No. I think I heard him say it was given rather for the purpose of watching the doubtful electors, and taking special care that they wouldn't elope. There was a great deal of doubt about their voting on the day of the election, and we wanted, if possible——

16095. The *Chief Commissioner.*—To encourage them?—No, but to keep them within the four walls of the town.

16096. Mr. *Commissioner Byrne.*—Was there what is called a Vigilance Committee at the last election?—There wasn't.

16097. The objection to your objection at the revision was a purely technical one?—Yes; there was no objection to the identity of the party; it was merely a slip in the filling up of the form.

16098. The polling-day was on the 19th?—Yes.

16099. Did you observe any violence on the part of the mobs until after the Sunday before the polling? Was the violence between that Sunday and the polling day?—I can't charge my memory with that. I rather think it was after the nomination.

16100. Was the nomination on Monday, the 16th?—I know the polling was on Thursday; the nomination then must be on Tuesday.

16101. Can you charge yourself with having observed any act of violence before that Sunday?—I can't. There was no violence that I remember until the night after the polling—until that very night.

16102. So that the town and neighbourhood was comparatively tranquil, in your opinion, up to the night after the polling?—The neighbourhood was; but in the town there were large crowds of women and vicious children—the women composed the worst part of the crowd.

16103. Are you a Roman Catholic?—I am.

16104. Did you attend mass in the parish church on the Sunday before the polling?—I did.

16105. Did you hear the bishop refer to rotten branches?—There was something about it. I heard some reference to it.

16106. I suppose there was a great deal of indignation after that Sunday against the voters who it was supposed would vote for Major Knox?—It didn't show itself until the night after the polling. We never dreamt that there would be so large a proportion of persons who would abandon the position they held.

16107. Was it invariably held that the Catholics who voted for Major Knox did so conscientiously?—We never dreamt that so large a number would vote for him. We thought that such as had purposed to do so, would eventually repent of it, and stand firm by their colours. We entertained that hope. If they had done so, beyond question Captain Flanagan would be returned; there was no possibility of defeat.

16108. Did you see any Catholic voters who did not vote for Captain Flanagan placed in the porch of the parish church during mass?—I did not.

16109. Was it a common rumour that they would be placed there?—It was not a common rumour.

16110. Did you hear of it?—I did.

16111. Before it occurred?—I won't say that. I heard of it afterwards. It may be I heard it before it occurred.

16112. I presume it would be regarded as a mark of humiliation if persons who were in the habit of going to the gallery were removed from that place, and directed to go to the porch?—It would be certainly a mark of humiliation, it would be a sort of penance on them for what I will not call religious apostasy, but political recreancy.

16113. Mr. *Commissioner Bruce.*—Whom did you hear say that Grubb came to Sligo to collect the money in the hands of the trustees?—I couldn't tell you, it was so common.

16114. Try and recollect whom you heard say it?—I can't fix on any individual.

16115. When did you hear it? Was it before or after the petition at Carrick?—It was about a month or three weeks after the election.

16116. You took an active part in the election?—So far as I could.

16117. You must have paid attention to that rumour—it would have an important bearing on the election?—I endeavoured to do the best I could to retain a representative of the Liberal cause, but after the polling I was so disgusted with the conduct of some of the party that I took no further interest in the matter.

16118. Then you took no interest in the petition?—Not after that.

16119. Try and recollect the names of any others besides Gilligan whom you heard say that Grubb came down to collect the money in the hands of the trustees?—I couldn't. I don't know any others. If I did know them you would hear it with pleasure.

16120. You recollect no names but Stokes, Petrie, and Cherry, as the persons on whom Grubb called?—These are the names that struck my memory. Now that may or may not be true.

16121. Did you hear anything of orders given to publicans to supply persons with drink at the election?—I didn't.

16122. Can you form a belief as to whether such orders were given?—I cannot. I kept myself away from these things after that report got into circulation, and after it was industriously circulated and propagated for objects of their own.

16123. Could you name any persons who were active as agents on Captain Flanagan's side?—I think all the Liberal party did what they could.

16124. But, you know, there are grades and grades?—All the respectable portion of the Liberal party did what they could to retain their position.

16125. Did you know of paid canvassers being employed at the last election?—Paid canvassers! I never knew of it. Paid canvassers! that is new here.

16126. The *Chief Commissioner.*—You heard of O'Connor's evidence?—I did not.

16127. He stated that both he and his father signed a document, for which they got £10 each as paid canvassers?—What O'Connor is that.

16128. Pat O'Connor?—That's new to me. I never heard of it before. I never heard of it in the borough. Paid canvassers!

16129. I presume a person in that rank of life would not have any effect in influencing the votes of others?—He is a respectable man, and he may have influence on persons in his neighbourhood. He and his father were at one period wealthy, but they might expect a gratuity for their trouble. I never knew of paid canvassers before. The term is new to me.

(The witness then withdrew.)

Henry Barnardo.

Henry Barnardo sworn and examined.

16130. The *Chief Commissioner.*—Where do you reside?—In Dublin, sir.

16131. Do you know Captain Ethelred Knox?—Not personally, but by appearance. If you allow me to state what I know of this matter I shall be very glad. I was in England for about a fortnight and afterwards went to London on business, and had not read anything of this inquiry, and did not know Cap-

tain Knox was wanted. I read Mr. Sloane's evidence here. When I returned to Dublin I met Mr. Sloane casually. I never knew him as a friend very much, more than meeting him in the *Irish Times* office when I went there on business, and I mentioned to him the fact that I had seen Captain Ethelred Knox in London. I did not say I saw him in the Alhambra; I did not say I saw him with Mr. Hartford; both of which things are quite untrue. What I told him was that I saw him in the Holborn Assembly rooms on Tuesday night. He asked me who I saw him with—I described the gentleman, whom I thought was a Dublin man, a rather tall, stout gentleman, quite different in description to Mr. Hartford. Immediately after I mentioned this circumstance to Mr. Sloane, he said Ethelred Knox was wanted at this inquiry, and he was very glad I told him. I asked him not to mention the facts as I was very much annoyed at having mentioned them.

16132. On what day did you see Captain Ethelred Knox in the Holborn Assembly rooms?—It was on Tuesday night.

16133. Mr. *Commissioner Bruce.*—On Tuesday week?—Yes, Tuesday week.

16134. The *Chief Commissioner.*—That was Tuesday, the 12th of October?—I think so.

13135. Did you know Captain Ethelred Knox to speak to him?—I have spoken to him on business, but not as a personal friend. I never knew him personally.

16136. But when you say upon business, do you mean your own personal business in the *Irish Times* office, I presume with advertisements or some such matter?—Yes. At the same time there were a great number of people in the assembly rooms, and I should say when it came to a matter of very serious identity, there is a possibility I might have been mistaken. To the best of my belief it was Captain Ethelred Knox.

16137. Who did you say was with him?—I do not know the gentleman.

16138. Was he a Dublin man?—It struck me I had seen him in Dublin.

16139. Did you happen to mention, or did you know at all, or had you any reason to believe that Captain Ethelred Knox was staying at any hotel in London?—Yes; Mr. Sloane asked me that, and what I said I was very particular in. I was annoyed at what I saw in the paper. There were two gentlemen, one a friend of mine, and another whom I do not know near me, and as we passed through one entrance of the assembly rooms, a gentleman came up whom I thought was Captain Ethelred Knox, and I said, "There is a gentleman from Dublin." The strange gentleman said, "I think I saw him coming out of the Langham today." Mr. Sloane before he told me Captain Knox was wanted, took out a piece of paper to note down the Langham. I was roused when I saw him doing that, and I said not to attempt to put it down, because I had no means of knowing at the time.

16140. Who was your friend who then told you he thought he saw that gentleman?—He was no friend of mine at all.

16141. What was his name?—I do not know his name. I never saw the gentleman before.

16142. Was he with a friend of your friend's?—They got into conversation.

16143. Does your friend know him?—No.

16144. Was he a total stranger?—They got into conversation on the balcony, and I said "That is a gentleman from Dublin," and then the other said "I think I saw him at the Langham."

16145. Could you discover who that gentleman is?—I have no means of discovering him.

16146. Of course when you told Mr. Sloane that you had seen Captain Ethelred Knox, you had, I presume, no doubt upon your mind that it was Captain Ethelred Knox?—I had not. I had no idea he was required, because I had not seen any of the reports in the Irish papers.

16147. How long was he at the Holborn?—I think it was about half-past eleven o'clock when I saw him, and the Holborn rooms close at twelve.

16148. Did you see him more than once there?—I did not.

16149. Would you know the gentleman who was with him if you saw him again?—I would.

16150. Especially now as the matter has acquired some little notoriety?—Yes, and the reason why I would know the gentleman who was with him was that in the following evening I saw him at the Alhambra. That was Wednesday, but Captain Ethelred Knox, or the gentleman I took to be him, was not with him.

16151. Do you think now you are mistaken, or that you are correct in your recollection that it was Captain Ethelred Knox—we only want to ascertain the truth from you?—To the best of my belief at the time it was.

16152. Mr. *Commissioner Byrne.*—You are familiar with Captain Ethelred Knox's appearance?—I have seen him very often.

16153. The *Chief Commissioner.*—For how long have you known him, I mean to speak to him on matters of business?—Well, I really cannot say. Perhaps four years or three years.

16154. Four years?—I think so—surely two years.

16155. Do you remember how he was dressed?—He was in evening dress.

(The witness then withdrew.)

George Beatty sworn and examined.

George Beatty.

16156. The *Chief Commissioner.*—Did you vote at the last election?—I did.

16157. Who did you vote for?—For Major Knox.

16158. Did you vote at the election before that for Mr. Macdonogh?—I did, sir.

16159. Did you get any money?—No, sir. Not one shilling. I always voted for my landlord, the Right Hon. John Wynne.

16160. Did anybody offer you anything the last time?—Not one shilling. I was never tampered with.

16161. And you always voted for your landlord and never got a shilling in your life?—I am an old man now, in the third generation of the Wynnes, and I never wanted to go against them.

16162. Mr. *Commissioner Bruce.*—Did you go to Mrs. Hall's?—I did.

16163. Why did you go to Mrs. Hall's?—Well, sir, I did not like to stop at home for fear of being perhaps pressed away, because I was an old feeble man—that was my reason.

16164. Are you a Catholic or a Protestant?—I am a Protestant, and a Conservative, and I always voted for them, because my landlord was with them.

(The witness then withdrew.)

James Byrne sworn and examined.

James Byrne.

16165. The *Chief Commissioner.*—Did you vote at the last election?—No.

16166. Did you vote at the election before?—I did.

16167. Who did you vote for?—For Sergeant Armstrong.

16168. Did you get any money after that?—I did.

16169. How much?—Forty pounds.

16170. Who gave you that money?—Mr. William Petrie.

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James Byrne.

16171. Did he give you the whole of the £40?—He did, sir.

16172. Are you a Protestant or a Roman Catholic?—I am a Protestant.

16173. Why did you not vote at the last election?—I did not intend to vote for any party ever again. I will change my mind if I do. My present mind is not to vote at all.

16174. Would £40 have any influence in changing your mind?—It would not.

16175. Will you never take any money again?—I am sure I will not.

16176. Where were you on the day of the last polling?—Out at my own house.

16177. Did anybody threaten to molest you?—I think there was a watch there.

16178. Was any elector in with you that day in your own house?—There was not.

16179. Did you announce before the election that you would not vote?—Yes, I told them all along, the canvassers, that I had no intention of voting.

16180. Who did you vote for at Mr. Macdonogh's first election?—I did not vote at all.

16181. Did you ever vote before that?—Not in Sligo.

16182. Mr. *Commissioner Byrne.*—Are you a native of this country or of Scotland?—I am a native of Scotland.

16183. Did Mr. Petrie canvass you for Sergeant Armstrong before the election?—He did.

16184. Did he give you the hard word that something would be going after the election?—Allow me to say this—I was putting out a sunshade before the window, and he made some remark about putting it up, and I said I had some prize boots in the window, and he asked to see them, and I think I pointed to a pair through the window, and there was nothing particular in them more than in the others; and he asked the price. "Fifty pounds," I said. And he said, "I will give you £40." Nothing more occurred at the time, and he called again in a day or two, and I told him I did not want to vote at all for either party, and that it affected business a little to vote, and then he said, "I will stand my word which I said the day before," and there was nothing more about money. I found him a very good friend of mine, and a capital customer. I got about £30 a year from him, and I really wished to favour Mr. Petrie, not thinking that money would be paid, and there was nothing more said, only that he would stand what he said before. I think it was ten or nine months after the election that the money was paid.

16185. Do you know anyone else that Mr. Petrie was buying prize boots from?—None. I took no interest in elections.

16186. I suppose you never did give him the prize boots?—I did not; I made him boots shortly afterwards, but I did not give him these. That is the way it occurred, and I never expected it until it came ten months after the election.

(The witness then withdrew.)

Owen Bruen.

Owen Bruen sworn and examined.

16187. The *Chief Commissioner.*—Did you vote at the last election?—I did, sir.

16188. For Captain Flanagan?—Yes.

16189. Did you vote at the election before for Sergeant Armstrong?—I did, sir.

16190. Did you get any money after that?—About nine or ten months afterwards they sent me £20.

16191. Had you any promise before the election?—No, the only thing I said was that if any money was going, I would expect it. They told me that there was no money; that they could promise no money, or give any money.

16192. Who did you say that to about expecting it?—I think Mr. Phillips and Mr. Foley.

16193. Did they promise that if any money was going you would get your share?—No, they said they could not promise to anyone.

16194. Would you expect money for your vote at any election?—I never got it before, and I voted at many elections.

16195. Did you ask it?—No.

16196. Why then did you say if there was money going you would expect a share of it?—A thought came into my head that I should say so.

16197. Why?—Merely that I required some money.

16198. Why—why were you to sell your vote this way for money for the first time in your life, if it never occurred before?—Never.

16199. Did you vote for Mr. Sadlier?—Yes.

16200. And for Colonel Townley?—Yes.

16201. Twice?—I think only once for him.

16202. Do you mean to say you did not try to get money from Mr. Sadlier or from Colonel Townley?—No, I never did.

16203. Did you know money was going?—No, I never looked for it or asked for it.

16204. If you were paid money now would you take it?—I could not say that I would.

16205. But you could not say that you would not?—I could not swear to whether I would or would not.

16206. Did you say anything at this last election, that if any money was going you were to get your share?—No; I did not.

16207. Mr. *Commissioner Byrne.*—Did Mr. Phillips canvass you at the last election?—No, not at the last election.

16208. Mr. *Commissioner Bruce.*—Who did?—Captain Flanagan himself, and others who were along with him. I promised him my vote, and I gave it to him.

16209. Who were the others?—A great many when he was canvassing.

(The witness then withdrew.)

Philip Derham.

Philip Derham sworn and examined.

16210. The *Chief Commissioner.*—Did you vote for Captain Flanagan at the last election?—I did, sir.

16211. Did you vote for Sergeant Armstrong at the election before?—I did.

16212. Did you get any money for voting?—I did.

16213. From whom?—From Mr. Phillips.

16214. How much?—Ten pounds.

16215. Had Mr. Phillips canvassed you?—He was along with Sergeant Armstrong the day he canvassed me, and I told him I would give him my vote.

16216. Did you ever get any money before?—No.

16217. Did you ever get any money since?—No, I never got any, but that £10 from any person.

16218. Did you think it an honest thing to take that?—I did not think it was any harm, after so long a time after my vote.

16219. Was any offer made to you at the last election on the Conservative side? Did they try to get you to vote for Major Knox?—There was an offer, sir, not of money, but they wanted me to go out of the town.

16220. Who wanted you to go away?—Why, I do not know the man who came in to me; there were two of them; I knew one, but I did not know the other.

16221. Who was the man you knew?—Mr. Fraser, sir, a traveller for William Younger.

16222. That is the Edinburgh brewer?—Yes, sir.

16223. What is Mr. Fraser's Christian name?—I do not know his Christian name.

16224. But he was traveller for Younger and Co. of Edinburgh?—Yes.

16225. What business are you in?—I keep a flour store and grocery.

16226. How long was this before the election?—It was the night before the election they were with me.

16227. Would you know the man again who was with Mr. Fraser?—I would not, sir.

16228. Was he a gentleman?—He appeared to be a respectable looking man. It was rather in the dark before the gas was lit that they came in.

16229. Now go on and state what these men said to you?—He asked me to vote for Major Knox and I said I was afraid my house would be broken, and he said not to vote at all, but to go to Dublin or Liverpool, and that he would send me there.

16230. Well?—He went out, and I told him I was afraid to do so. He said he would call in again, and he never called afterwards.

16231. Did he offer you any sum?—No, sir, but he said "I will please you if you go."

16232. Would you have gone for a large sum of money?—I would not go away.

16233. Were you in treaty to go away?—I was in dread the house would be broken and I would not take the money from him, and I had promised to Captain Flanagan at the time.

16234. Do you know where Mr. Fraser lives?—He lives in Dublin.

16235. How often does he come here?—I think every three months.

16236. Do you know Mr. Fraser's Christian name?—I do not, sir. I think I heard it but I do not recollect it now.

16237. Has he been in Sligo since?—He has.

16238. Has he any relations in Sligo?—Oh I do not know.

16239. Did you ever hear where he lived in Dublin?—I did. I heard where he lived but I do not recollect it. I do not recollect what part he lives in.

16240. Would you know the name in Dublin if I gave it to you?—I do not think I would.

16241. Where does he stop when he comes to Sligo?—I think it is in Miss Allingham's. I am not exactly sure, but I think it is there.

16242. Now did anyone else offer you any money?—No, sir. No other one offered me any money.

16243. Was the man who was with Mr. Fraser a Sligo man or a stranger?—I do not know where he was from. He was a stranger to me for I did not know him.

16244. I suppose you knew Major Knox and his friends who were staying with him?—I knew Major Knox but I did not know his friends. I knew nothing about his friends.

16245. Mr. *Commissioner Byrne.*—Was Mr. Phillips with Mr. Flanagan when Mr. Flanagan canvassed you?—Well I think he was.

16246. Did you hesitate before you promised?—No, sir. I did not hesitate, when he asked the vote I told him he would get it.

16247. You never voted I believe before the election when Sergeant Armstrong was a candidate?—No, sir, I did not.

16248. Mr. *Commissioner Bruce.*—I suppose you had heard that money had been going before Sergeant Armstrong's election?—I heard that there was. Well I do not know that I heard it—I am not sure whether I heard it or not.

16249. Did not you know that money was generally going after an election?—Of course I heard there was money going.

16250. You say the first time you voted that if money was going you would expect it?—Yes, I said that.

16251. And you said that because you heard that money was going?—The general talk of people was that money was going.

16252. Mr. *Commissioner Byrne.*—Did you hear of any money being spent on the mobs at the last election?—I understood there was money spent, but I knew nothing about where it was spent or anything about it. That is a thing that most people hear.

16253. Did you hear of money being spent on the mobs for Captain Flanagan?—I might hear it but I do not recollect. I might have heard it passing.

16254. Did you know of the mobs getting any refreshments in houses in the town?—No, sir, I know nothing at all about mobs. I always kept my own house.

16255. Have you any recollection now about what you heard as regards the mobs getting money?—I heard that they used to get money but no more than that. I did not hear who gave it to them, or anything more. Nothing but what I used to hear passing that they used to get money.

16256. That is the mobs of Captain Flanagan?—Yes, sir.

16257. And you are not able to give us any information more than that?—No, sir.

16258. Mr. *Commissioner Bruce.*—Who did you hear gave the money?—Oh, I did not hear of any person who gave money except the man who gave it to myself.

16259. Who did you hear got money for the mobs?—I do not recollect who I heard, but that the mobs got it. I did not hear any particular person.

16260. But did you not hear anything about there being through the public-houses orders for drink?—I heard that several got orders for drink.

16261. Who did you hear got any orders for drink?—Well, I cannot exactly say.

16262. Try and recollect?—I cannot recollect where it was given, but I heard it was given.

16263. Who did you hear it was given to?—There are so many publicans. I will get you a list if you want it. I think I heard that Thomas Ward got it. I am not exactly sure, but I think I heard it, and I think I heard that Pat Moran got it in Pound-street.

16264. Who else?—I do not recollect of any other that I heard of.

16265. Do you live in Pound-street?—No, sir, in Knox's-street.

16266. Is that near Pound-street?—It is not, sir; it is in the lower part of the town.

(The witness then withdrew.)

Andrew Carty sworn and examined.

Andrew Carty.

16267. The *Chief Commissioner.*—Are you an elector?—I am, sir.

16268. How long have you been an elector?—I think for about the last twenty years.

16269. What party do you belong to in the borough?—I cannot exactly say, for I live in Castle-street. The elections never gave me much trouble.

16270. Are you a Protestant or a Roman Catholic?—I am a Roman Catholic.

16271. Did you vote at the last election?—No, nor at the election before.

16272. Did anyone offer you anything at the last election?—They all knew how I was circumstanced—that I was not in the habit of voting for many years, and I was canvassed by the two candidates, and I told both of them I would do as I had done for years, and would not vote on either side.

16273. The candidates did not make any offer to you, but did anyone come to you to intimate that you would get money or anything for voting?—Not one person came to me to intimate that I would get anything.

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Andrew Carty.

16274. Mr. *Commissioner Bruce.*—Did you hear anything about mobs at the last election, or about them getting money?—Nothing. I knew nothing about it, nor anything of that kind. It is my trade and business I study and look after.

(The witness then withdrew.)

Thady Boyle.

Thady Boyle sworn and examined.

16275. The *Chief Commissioner.*—Did you vote at the last election?—Yes, sir.

16276. Who did you vote for?—For Captain Flanagan.

16277. Did you vote for Sergeant Armstrong before that?—I did.

16278. Did you get any money after his election?—I did.

16279. How much?—£15.

16280. Who gave it to you?—Mr. Poe.

16281. Do you know of anyone else being paid at the same time that you were paid?—There was.

16282. Who was paid along with you?—Michael Martin.

16283. Anyone else?—No.

16284. Did you know of anyone else getting £15?—I heard of it.

16285. Were you on Colonel Tennison's estate?—No.

16286. What are you by occupation—are you a farmer?—I am, sir.

16287. On whose estate were you living—who is the landlord?—One Dr. Gibson who lived in Limerick, and is dead.

16288. Before you voted for Sergeant Armstrong had Mr. Poe canvassed you?—He had.

16289. Did you understand any money would be going?—No.

16290. Did you understand if there was to be any money going he would try to get you a share of it?—No, indeed, and I never asked one penny.

16291. Did you ever get any money before?—No, not that I know of.

16292. But did anyone get any money for you?—No, not one.

16293. What do you mean by saying that you did not get any money that you know of—could you have a doubt on the subject if you got money?—I got no money for eight or nine months after I passed my word.

16294. But did you ever get any money before that election—before the £15?—No.

16295. Mr. *Commissioner Byrne.*—Did you vote for John Sadlier?—No, my vote was broke that time.

16296. Did Mr. Poe canvass you before the last election?—No; no one canvassed me but Sergeant Armstrong.

16297. At the time of the last election who canvassed you?—Captain Flanagan.

16298. Was Mr. Poe with you?—No, I did not see him.

(The witness then withdrew.)

John Armstrong.

John Armstrong sworn and examined.

16299. The *Chief Commissioner.*—Did you vote at the last election?—Yes, sir.

16300. Who for?—For Major Knox.

16301. Did you vote at the election before that for Mr. Macdonogh?—I did, sir.

16302. Did you get any money for voting?—Never.

16303. Now, at this last election did anyone make any offer for your vote?—No one, sir, made any offer. I never received a halfpenny any time for voting.

16304. Were you in Mrs. Hall's?—Never.

16305. And you say you never got one shilling from anybody for voting?—Never one halfpenny.

16306. And never were promised?—Never.

16307. Mr. *Commissioner Byrne.*—Was there any debt paid for you?—Never, sir.

16308. Or did you get any shop goods?—Never, sir.

16309. Mr. *Commissioner Bruce.*—Are you a Roman Catholic?—No, sir, I am not.

(The witness then withdrew.)

Henry Barnardo returned to the witness chair and said—I wish it to be taken down that most positively I did not state to Mr. Sloane that I saw Mr. Hartford, and also that I did not see Captain Knox on the Wednesday evening.

16310. Mr. *Commissioner Bruce.*—You did state that?—Yes, but though to the best of my belief I thought it was Captain Knox, I could not swear it.

16311. The *Chief Commissioner.*—But at the time you told Mr. Sloane?—Yes, and now to the best of my belief, it was him; but on neither occasion could I swear positively it was him.

(The witness again withdrew.)

Michael Molony.

Michael Molony sworn and examined.

16312. Were you here at the last election?—I was.

16313. Were you acting for Captain Flanagan?—I was, sir.

16314. How long before the election did you come here?—I arrived in Sligo on the night of the 3rd of November.

16315. What position did you occupy in the election?—Well, I think I may say I was here as the friend of Captain Flanagan—I mean the personal friend of Captain Flanagan.

16316. Can you give us any information as to the expenses of the election?—Well, I cannot—I cannot give that to any great extent.

16317. Well, to any extent you can, either by your own personal knowledge, or by the information you had at the time?—What I can tell you is, I have seen the expense agent's accounts, and as far as that goes I know it to be thoroughly accurate.

16318. That is not questioned?—The only thing I know of expenditure is of some money about which I will tell you. After I came here on the 2nd November, I heard when I began to inquire into the position of affairs, that there was a systematic attempt to take away from the town certain of the poorer class of Roman Catholic voters. That that is true is verified by circumstances that occurred in one place, and have come to your own knowledge. I, in common with other friends of Captain Flanagan, thought it advisable that there should be measures taken to counteract the gentlemen who were tampering with the electors. The first expenditure that I know of after I came was a sum, as well as I can remember, of £34.

It was paid to seventeen people, being wages at the rate of £2 per week each, for watching through the town, both by day and night, the houses of this poor class of electors, and also the movements of the people we suspected of tampering with them.

16319. Who had the distribution of the money?—I had. With my own hands I distributed it.

16320. You paid the seventeen people?—I did.

16321. Have you a list of the names?—I have not, but I can get it for you. I met these people altogether, and I told them the reason I wanted them—that I believed this attempt was being made—that I did not want them to do anything illegal; and that I merely wanted them to watch and report to me when they saw anything strange occurring.

16322. Who gave you the money?—I got it from Mr. Michael O'Loghlen.

16323. Well, what more?—Matters remained in that state until some days before the election, and it became generally rumoured, and I have some reason to believe, that there were armed people of a different persuasion—to use no stronger words—from the majority of the people; and the electors of this borough, who were being brought here, organized, as I may call it, for a mob, and that to a great degree exasperated the people. I may mention that I knew nothing on earth about Sligo until I came here in November. I did not know an individual in the town, and had not a Sligo acquaintance. I discovered that that was true subsequently, because a person named Richard Hickson, who lives in the house I occupy, came to me personally, and said that Mr. Cooper's agriculturist, named Heron, had sent twenty of these men into his house, and that he was not paid. This was in the month of April, and he instructed me, if necessary, to sue Heron for their keep. I did sue Heron, and I learned from my clerk that Hickson was paid £19 10*s.* for maintaining these people for the purpose I heard and believed they came for. Well, great numbers of people came into the town for some days before the election; but to give you any approximate number I am not able. My knowledge of the town was very scant at the time. I did not know the streets. I could not tell you then whether the town presented an abnormal appearance or not, but it seems to me that it did. There was a great number of people about the town. In fact there was considerable, I would not be justified in calling it excitement, but interest in the election by people who appeared to be country people. From my subsequent experience I now believe that these people came, some from the county Leitrim, some from Roscommon, and some from the county Sligo. I believe they came here from very strong sympathy with the quarrel between Major Knox and Captain Flanagan, and also on account of the great question at stake. Some of them came here, probably the Roscommon men and the Sligo men, from strong personal attachment to him who is no more. I believe others came in here because they were excited at hearing that these armed people were about being brought into the town. When they came into the town there were no houses of entertainment. That I positively and emphatically state, for I, in common with Captain Flanagan's friends, would have nothing of the kind.

16324. Do you mean no houses open?—Yes, no houses open; at the same time it was very unreasonable that these people could not get refreshments, and instead of having open houses, money was distributed amongst these people, and I swear and believe it was for the purpose of getting refreshments.

16325. How much?—That money was given through my hands in three sums upon three different days. As well as I can recollect the dates were on the 14th, 16th, and 18th November, and the money that was given in gross amounted, I think, to £180; that is, £60 on each day.

16326. Who gave you that money?—I got it from Mr. Michael O'Loghlen. I may say I got one sum from Mr. Stanislaus Lynch, who gave me £60 as Mr. O'Loghlen was not at hand; but Mr. Lynch I do not think knew what it was intended for, for he was not present at the discussion when we arranged matters of the kind.

16327. Did you distribute that money to the country people?—On the contrary, I did not know any of them. I said, "I will give that money to one or two people who may be relied upon, and let it be distributed; but I will have nothing further to do with the distribution."

16328. Who did you give that money to?—To two persons named Devins—James (there is a Thomas and a James), and a man named Gilgan, whose Christian name I do not remember, but the summons server will know who he is. I gave that money to them, they being pointed out to me as trustworthy men, but I do not know how they distributed it, and for the best of all reasons, as I did not know anybody here. I had nothing to say to it.

16329. Was that all the money passed through your hands for the election?—Well, in small sums there might be about £30 more, but it was for messengers and the incidental expenses; but for anything like organization those were the only sums. There was one sum of £10 and another of £6, and I think the £10 was given to a man named Dignam, whose mother has a public-house in the town, and the £6 to a man named Mullingan.

16330. Is Dignam the son of a publican?—Yes, and the reason that money was given was this: the very day I arrived in Sligo Captain Flanagan came in here from Drumlow, intending to remain from that day to the end of the election, and a vast number of people left with him and came into town with him, and there were complaints made that these people were entertained to some extent by the people in the town without the authority of Captain Flanagan, and I think the £10 was given to Dignam to recompense him for some of this drink.

16331. Was any money, to your knowledge, given to Tom Ward?—I am not aware of any.

16332. Nor to Marum?—No.

16333. You know the two men?—Yes, very well, and I emphatically say there was no open house for Captain Flanagan at the election.

16334. Mr. *Commissioner Bruce.*—Why was the £6 given to the man named Mullingan?—I do not think he is a Sligo man. It was for something that occurred before I came to Sligo that it was given to him.

16335. Do you include these two sums in the £30?—I do.

16336. The *Chief Commissioner.*—Was it Mr. O'Loghlen gave you this money also?—Oh, any moneys I got I got them from Mr. O'Loghlen.

16337. Any other money?—No, sir; the sum of £30 is only approximatory.

16338. Now, was your attention directed, while you were working the election and before the polling day, to any particular voters who were either going to be kidnapped—which, I suppose, is the phrase to be used—or were going away?—Well, yes. I heard the people examined here before you—Magrath, and Hunt, and Devanny, and, in fact, the "cave" here. They were the "cave" at the former election. Of course I suppose the term was borrowed from the famous Adullamite phrase used in the House of Commons.

16339. Did you hear about that message about the £1,000?—I did.

16340. That day?—Yes.

16341. What hour?—I was one of those who were present in the bishop's room with his lordship when the announcement was made, and in common with everyone in the room, I at once repudiated all idea of having anything to say to the transaction. His lordship at once expressed his full disapproval of it.

16342. Who brought the message?—I understand Father Morris.

16343. Did you understand that two men were below?—I would not undertake to say, but I do remember that there were the names of some two people mentioned, and that one of them was the son of a voter.

FOURTEENTH DAY.

October 21.

Michael Molony.

16344. Who was holding back?—Yes, I do remember that.

16345. Was any other offer of that kind made to your knowledge during the last election—I mean an offer coming from Roman Catholic voters who were holding back and wanted money?—Well, I could not say there was. I feel bound to say that I thought there was an expectation amongst a certain class of the people that there would be some hope held out to them, which we strenuously avoided.

16346. Did the voters themselves express that to you?—I could not say that.

16347. Or did you understand by their manner that they did expect money would be given?—I could not say that, because their communication with me was not much.

16348. You were here at least at the election? Do you know what time before the election you came to the conclusion that Captain Flanagan would be beaten?—I did not believe he would be beaten until twelve o'clock on the day of the polling.

16349. I mean the night before the polling. Did you then expect him to be in a majority?—I did. I believed that of the 229 men I was instrumental in polling no inducement would have got one of them to go away from Captain Flanagan. I am sure they were strongly attached to the cause they believed to be at stake, and I believe these men voted, everyone, purely.

16350. Do you remember, now, in making up your lists before the election, had you yourself a list for your own information that you used to mark on for your own information?—Well, I had not.

16351. Who kept that list?—I think, as well as I can remember it was Mr. O'Loghlen.

16352. You know what I mean?—Yes—the analysis of the borough.

16353. The men who were certain for or against, the men who were doubtful, and the men who, of course, you would understand to be liable to corrupt influence?—I never had that list, for the reason that I was not aware of anything of the election before I arrived here.

16354. Was there a list of men who on either side were open to corruption?—I do not think there was.

16355. Were they only classed amongst the doubtful?—They were only classed amongst the doubtful. We did expect that some of the people who differed from us in religious belief would have supported us, for I need not tell you there were a great number of Dissenters in the town, and we did expect to make something of them.

16356. Mr. *Commissioner Bruce.*—Did any of the Dissenters vote for Captain Flanagan?—I think we got a list of seven of the Protestants who voted for us, but I could not tell you what persuasion they were.

16357. I mean not Catholics?—Yes; there were seven Protestants who voted for us.

16358. The *Chief Commissioner.*—Were you consulted about the preparation of the expense agent's return?—I was not.

16359. I mean in reference to why this expenditure of £180 was not put down?—I do not know. I was not consulted about it.

16360. Have you any reason to believe that any other sum was spent for the mobs except that?—I am not aware of anything else, and I do not believe from the time I came to Sligo until the election was over any other money was ever spent. There was a demonstration some time in October.

16361. The procession?—Yes. I do not know what was done that day, but I think there was some money given.

16362. Are there trades here with banners?—No, there is no such thing in Sligo—I know what you mean—when they congregate and expect to get some money spent amongst the different trades—there is no such thing here.

16363. Who, as you understood, paid anything for the procession in October?—Well, I could not tell you who paid it, but I am quite sure that the person who could tell that there was no money spent is Mr. O'Loghlen.

16364. Had Mr. O'Loghlen the management of what I might call this extra expense?—Well, I think he had. He was the person. It was as the friend of Captain Flanagan, I conducted the election for Mr. M Dermott. Our conducting agent had his hands very full at the time, and interfered very little in it.

16365. Were you virtually then the conducting agent?—I was not. I came here as the personal friend of Mr. O'Loghlen and Captain Flanagan. I received a letter at the sea-side place I was staying at, asking me to come down as a friend, and I came down to help my friend Captain Flanagan.

16366. Can you give us any clue as to the bribery that took place on the other side—as to who brought down the money?—I could not. I brought out as much in Carrick-on-Shannon as I could. I had summoned some of the people who were examined before you here, who said they would not tell me the truth if they were examined. I did not examine them at Carrick, as I had no other evidence, and it was not considered expedient to put people on the table who would have tended to dilute the case we were making.

16367. Had you any information about half notes being in the possession of anyone?—I had not. I had these two Youngs summoned.

16368. They had the half notes, and Mr. Galbraith the other half notes?—I did not know that at the time, but I was told that they were people likely to be tampered with, and therefore I summoned them.

16369. Do you not know of any other expenditure of money?—Except the £19 10*s.*, and the £180, and the £34. The £19 10*s.* refers to the account of the man named Hickson. I do not know of anything else. I remember paying the rent of a tally-room, £7 10*s.*, and paying a man for posting bills and things of that kind, but I do not include that, for I assume it is in the expense agent's account. I forgot to state, and there is no doubt that it is true, that Major Knox, for a considerable time before the revision, and for, I believe, a considerable time after the revision, had a hired mob in the town, a violent mob, and violent to some of the people of their own side in religion and politics.

16370. Mr. *Commissioner Byrne.*—Did you make any efforts to get the votes of the M'Mullens?—I did. I never saw them, however, and I never heard of them until they had gone away.

16371. Did you canvass them?—I never canvassed anybody.

16372. Well, tell us anything you know in reference to the M'Mullens?—I heard and believed that the elder M'Mullen promised Captain Flanagan he would vote for him, and we regarded him as a sure vote, because he was a tenant of Mr. Kieran, one of our most influential supporters.

16373. Was it Mr. Kieran gave you that information?—After they went away, I asked were they reliable, and I heard they were persons who would vote for us if they remained, but they were amongst the class of voters who we believed would be tampered with.

16374. Do you remember being at the palace on any other occasion than that you refer to when the question of £1,000 was brought up?—No, not to discuss anything connected with the election. I had the pleasure of dining with his lordship before that, but I was not there for business purposes.

16375. Were either of these occasions within ten days before the election?—I dined there the Sunday that I came to Sligo, the first time I had the pleasure of seeing his lordship. I do not know that I dined there afterwards, but except in the way of social acquaintance, I did not know anything about his lordship. His lordship has been on more than one occasion hospitable to me, but I cannot tell whether it was before or after the election.

16376. Do you remember any conversation in which his lordship was present in reference to the election

before the polling day than that which you refer to?—I do not know, but I am quite sure I have been present at conversations at which his lordship was present.

16377. Present before the polling?—Yes, but I have no recollection of it.

16378. His lordship took an active interest in the election?—He was very much interested about the result of the election.

16379. And from what you observed I suppose you can say that, so far as you formed an opinion, his lordship exerted every legitimate influence in his power for Captain Flanagan?—I do believe he did.

16380. And was very anxious for his return?—Very anxious for his return, and anxious in this way, that I believe, when Captain Flanagan came here and first consented to stand for the borough, he was informed of the Liberal majority on the revision, that it would be very large, and it turned out when the revision was over that as far as Protestants and Roman Catholics went, and that is the only way we have of classifying them, we were in a minority of one. Captain Flanagan was disappointed, and in fact had some hesitation about commencing the conflict at all.

16381. When did mob violence first attract your attention?—I cannot say that I heard of any mob violence until the morning of the nomination.

16382. Was the town, in fact, comparatively tranquil until then?—Perfectly tranquil. So tranquil that when I came to the court-house at eight o'clock, I expressed my astonishment at the apathetic looks all the people had. In fact there was no crowd before the court-house.

16383. Mr. *Commissioner Bruce.*—That was at eight o'clock in the morning?—Yes, and there was not to my knowledge any injury done to any house in Sligo until the election was over. I am not aware of anything during the polling. There may have been when we considered we were beaten, but before that none.

16384. Mr. *Commissioner Byrne.*—Of course if anything further occurs to you you will tell us?—I will be happy to tell you. I heard there were a great number of licences issued by the resident magistrate here, both in the town and country, immediately preceding the election—licences to carry arms.

16385. And to whom did you hear that the licences were issued?—To the people of an opposite persuasion to me.

16386. Could you give us any clue as to the persons to whom these licences were issued?—If you get the books of the late Mr. Coulson, which I think are in the hands of his successor, you will find all the licences that were issued if they were issued at all. I heard upon the morning of the nomination that the first blow that was struck in the battle was this. There were a number of these men who were in a gateway near the court-house and they attempted to get into the court-house, and some of the crowd outside heard they were armed, and in fact I heard that a revolver was taken out of the pocket of one, that he was knocked down going into the court-house, and the revolver taken out of his pocket.

16387. Can you assist us in any way in getting the names of these persons?—I think Hickson knew every man in his house, and I am certain Mr. Coulson's books are procurable, and they will give you the names of all the persons who got licences. I may tell you I would not put myself in the invidious position of doing anything against my fellow townsmen, but I think it right as a justification for the sum of money spent—the £180, to say that we would not have spent that money if we did not think it necessary to repel force by force.

16388. Mr. *Commissioner Bruce.*—Were messages sent out into the country to bring in these men amongst whom this money was distributed?—I am not aware. There were some of the Roman Catholic clergymen from the country districts personal friends and supporters of Captain Flanagan, but I am not aware of any organization to bring the men in. In fact there was no organization as far as that went.

16389. The *Chief Commissioner.*—About how many men came in?—I could not give you the slightest idea.

16390. Mr. *Commissioner Bruce.*—Could you mention the names of any of these country clergymen who were active supporters of Captain Flanagan?—I think the Rev. Mr. Boyle is one of them. He is one of the clergymen here.

16391. Could you mention some of them?—The Rev. Dominick Noon is an intimate and sincere friend of Captain Flanagan, and he was parish priest of his parish.

16392. Anybody else?—The Rev. Mr. Quinn, and another gentleman who is in this parish and has great influence in Sligo, the Rev. Owen Feeny.

16393. And who was it first came to you to ask you to distribute this money—or was it in consultation before the mob came into town?—It was in consultation, but I think the payment of that £34 originated with myself. When I heard of the situation here I thought it necessary to do that.

16394. I am not speaking of that at all, but of the £180?—It was in general talk the arrangement was made between myself and Mr. O'Loghlen.

16395. Do you think Mr. O'Loghlen mentioned it first?—I do not know that. It is not the first time we have had election experience, and it may have come through him or through me.

16396. But were the people in the town when the conversation took place about distributing the money?—I believe they were.

16397. Can you form any opinion whether they came into town of their own accord or otherwise?—I believe they came in of their own accord. I can give you no information about it, as I may say I am dark upon this subject, probably from want of knowledge of the people. I have read some of the evidence here about the scene of violence the town presented at the time of the election. I have had the opportunity of seeing elections hotly contested in the south, and I think it was the quietest election I ever saw when there was a hot election either in Limerick or Ennis.

16398. Are you aware of the fact that upwards of £2,000 damages were levied upon the county?—Yes. I resisted all these claims on behalf of the ratepayers as well as before the presentment sessions, as before the Grand Jury, and finally before the Judge of Assize, and I succeeded in reducing these claims from £2,000 odd to about £1,200 or £1,300; and I believe, and I swear solemnly to this belief, that very much more money was presented than would have been sufficient to pay the actual damage that was done.

16399. The *Chief Commissioner.*—The exact sum levied was £1,245 9*s.* 7*d.*?—Yes, that is my recollection, and the original claim furnished was about £3,000.

16400. The original claim was £2,738 10*s.*?—Yes. I said some of these people came from the county Leitrim. I may add that the county is within a few miles of this. Mr. M'Niffe made allusion to a report that was, he said, circulated about him for selfish purposes. I am on the same side of politics with Mr. M'Niffe, and I think it right to say that I never for one moment believed the rumour that was given out, and I speak in the hearing of people who discussed it when I say that I never gave it the smallest belief.

(The witness then withdrew.)

FOURTEENTH DAY.

October 21.

MALICIOUS INJURIES arising out of the late BOROUGH ELECTION.

	Amount claimed.	Amount allowed by Grand Jury.		Amount claimed.	Amount allowed by Grand Jury.
	£ s. d.	£ s. d.		£ s. d.	£ s. d.
George Armstrong,	7 10 0	4 0 0	Ellen Brennan,	80 0 0	50 0 0
Robert Maveety,	25 0 0	13 0 0	James Johnston,	10 0 0	8 0 0
Martin Boyle,	3 0 0	3 0 0	Thomas M'Morrow,	150 0 0	84 4 0
Edward Gethin,	178 0 0	144 4 0	Samuel Williams,	10 0 0	8 0 0
John Read,	14 0 0	10 0 0	Ellen Bell,	3 0 0	3 0 0
Peter Harrison,	50 0 0	40 0 0	William B. Monair,	8 0 0	4 3 4
Laurence Burke,	692 10 0	100 0 0	John West,	2 10 0	2 10 0
Robert M'Cullagh,	30 0 0	21 4 9	Michael Hunt,	10 0 0	10 0 0
Michael M'Goldrick,	40 0 6	17 19 6	Edward Gethin,	2 0 0	1 0 0
James Devanny,	450 0 0	150 0 0	Edward Gethin,	10 0 0	5 0 0
Andrew Crozier,	350 0 0	350 0 0	Edward Gethin,	5 0 0	2 0 0
John Kearns,	115 0 0	64 4 0			
John M'Grath,	493 0 0	150 0 0	Total,	2,738 10 0	1,245 9 7

ST. GEO. JONES MARTIN,
Secretary Grand Jury County of Sligo.

James O'Flynn.

James O'Flynn sworn and examined.

16401. The *Chief Commissioner.*—You are an elector?—Yes, sir.

16402. Did you vote for Sergeant Armstrong?—I did, sir.

16403. Did you get any money for voting?—Yes, about nine or ten months after.

16404. About how much?—£15.

16405. Who gave it?—Mr. Phillips.

16406. What are you?—A saddler and harness-maker.

16407. Who canvassed you for the Sergeant?—I think the Sergeant himself. I forget who was with him.

16408. Did you ever get money before that?—Yes.

16409. From whom?—£10 of Colonel Townley's money.

16410. Was that after the petition?—It was two or three years after it. The first election was in 1848, and I did not get anything until after the second election, and I did not expect it.

16411. Who gave you the £10?—Mr. Stoner.

16412. Now, do you think it no harm to take money?—I thought it a dishonour at the time, and I did not expect it. I did not require it, and I think it a dishonour to this day, and I lost more by elections than any man in Sligo, for I was put out of my own house for voting.

16413. Who put you out?—Mr. Wynne.

16414. At whose election was that?—After the election that Mr. Somers beat Mr. Wynne.

16415. What rent were you paying?—£10 4*s.* free of rates.

16416. Were you put out on notice to quit?—It was a weekly notice. I got only ten days' notice.

16417. Mr. *Commissioner Byrne.*—Only ten days' notice?—That is all.

16418. What time of the year were you put out?—In September.

16419. The *Chief Commissioner.*—You told us you got £10 or £15. Did you vote at the last election?—I did not.

16420. You had no vote?—I had not.

16421. When were you put off the list?—I was out in America, and I gave up my place to a brother of mine, but I did not stay long there.

(The witness then withdrew).

Denis Fitzpatrick

Denis Fitzpatrick sworn and examined.

16422. The *Chief Commissioner.*—Are you an elector?—I am, sir.

16423. Do you remember the time of the last revision?—I do, sir.

16424. Were you offered anything to stay away from the revision, and not be registered?—I was offered £25 by Mr. Stokes. He sent a message to me that if I would do so he would leave £30 in the messenger's hands or in some of the banks until after my name had passed by, and I might draw the cash.

16425. What did you say to that?—I refused it, and said I would not do it.

16426. Where was it Mr. Stokes made you this offer?—Outside the court-house door. I met him the evening before that at what we call the new lane, and I never spoke to Mr. Stokes in my life until that; and we walked on the road together, and he said, "Fitzpatrick, you will not refuse?" and I said, "I will not." He said, "You have a family," and I said "I have." "Would you like to see that family provided for?" and "of course, I would," said I; and he said, "What would you take and stop away from the revision altogether to-morrow?" "It is a thing I never heard before," said I. "I would take £50." "That is too high a figure," said he; "I will give you £15." "No," said I, "I will not." But at all events he sent up a young man in the morning to tell me if I would go and sign this paper he would give me £20.

16427. Who is the young man?—Alex. Shaw. I came down to the court-house to get myself revised, and I met himself, outside the court-house gate, and he said, "Are you going in?" and I said, "I am." "You do not know whether you will be revised or not," he said, and that he would give me £25. He sent Shaw afterwards to say that Stokes would give me £30, and I refused it.

16428. Was any offer made to you at the last election?—No offer, sir.

16429. Was any hint given to you that you would get any money?—Not the slightest, sir.

16430. Who did you vote for?—I voted for Captain Flanagan.

16431. Did they try to get you on the other side in any way?—They did not, sir.

16432. Had you ever a vote before?—I had, sir.

16433. At whose election?—I voted for Colonel Townley.

16434. Did you get any money for that?—Ten pounds in London from Gethins. There was a petition, and I was summoned on the petition, and I got £10 on the Saturday that I was leaving London for Sligo.

16435. After the petition?—Yes.

16436. Were you summoned by the petitioners?—Yes, sir, I was.

16437. Did you refuse to give either attorney any

Denis Fitzpatrick.

evidence you could give?—I did not, but the petition was closed before half the evidence was heard.

16438. Were you charged with being bribed in that petition?—They charged me with having a letter of Mr. Stoner's in my possession, and wanted to extract the letter or contents of it from me.

16439. Had you a letter from Mr. Stoner?—No, sir.

16440. Did you ever get a letter from him?—No, sir; Gethins got a letter concerning me to pay me some money.

16441. Do you mean that Gethins had a list of voters?—I do not know, sir. I suppose he had.

16442. I mean when you say a letter about you?—I spoke to Gethins myself between the two elections. I considered myself badly treated when people got money and I got none; and Gethins applied then to Mr. Stoner, and Mr. Stoner wrote to Gethins concerning me.

16443. And gave him the money to pay you?—I do not know. The other election was going on then, and he dare not pay me for fear of the petition.

16444. And then you got the money in London?—I got £10 in London when I was starting to come to Sligo, and that is all the money I got.

16445. Would you take money now if you were offered it for this last election?—I would not take money to vote against Captain Flanagan.

16446. But would you take money on your own side if you were offered £10 or £20?—I would, sir.

16447. Mr. *Commissioner Byrne.*—Was the £10 given to you over and above your expenses?—It was, sir.

16448. The *Chief Commissioner.*—What hotel were you staying at?—I stopped at a small street in the Strand, called Arundel-street.

16449. Mr. *Commissioner Bruce.*—Did you vote for Sergeant Armstrong?—I had no vote then, sir.

(The witness then withdrew.)

Patrick Hennessy sworn and examined.

Patrick Hennessy.

16450. The *Chief Commissioner.*—You are a voter?—Yes, I have been.

16451. Did you vote at the last election?—I did.

16452. Whom did you vote for?—Captain Flanagan.

16453. Did you vote for Sergeant Armstrong?—I did.

16454. Did you get any money after that election?—Yes, some length of time afterwards.

16455. How much?—Well, I think the amount was £20.

16456. Was it from Harper Campbell?—Well, through him, I dare say.

16457. Who gave you the money?—I think one of his clerks.

16458. What are you by occupation?—I am a victualler, a butcher.

16459. Did you ever get any money besides that £20 before that?—No.

16460. Did you vote for Colonel Townley?—No.

16461. Had you a vote then?—I had.

16462. Whom did you vote for?—Somers—poor Somers!

16463. Did Mr. Stokes make any offer to you about the revision?—Well, I happened to meet him promiscuously one day in Knox-street, and he said to me that he understood I was going away—or that if I would go away I would be made as comfortable as ever I had been.

16464. What did he offer you?—He offered me nothing.

16465. But when he said "go away," did you ——?—He said, "If you give me leave, you will be made as comfortable as ever you have been in your time."

16466. Did you intimate to him that you would not consent to go away?—Well, I did not say yes or no.

16467. Would you have gone away if he had offered you enough?—I would not.

16468. Did you vote for Captain Flanagan?—I did.

16469. Do you expect anything now for that?—No.

16470. Would you take any money now to vote against your own side?—No.

16471. Would you take any money on your own side if it was going?—I would take it if it was coming in the way, but I would not look for it.

(The witness withdrew.)

John Byron sworn and examined.

John Byron.

16472. The *Chief Commissioner.*—You are an elector?—Not at present.

16473. Were you at Sergeant Armstrong's election?—No.

16474. When were you an elector?—At Major Knox's election.

16475. Whom did you vote for at the last election?—I voted for Major Knox, with enough to do.

16476. How do you mean with enough to do?—Why, I had to send for a guard to bring me up.

16477. Are you a Protestant or a Roman Catholic?—I am a Protestant.

16478. Why had you to send for a guard?—I don't know, indeed.

16479. Had you been a Conservative always?—Always.

16480. And your family?—And my family—grandfather.

16481. What business are you in?—A harness-maker.

16482. Did any person threaten you at the last election?—Well, there was a report going that I would be rescued the night before.

16483. What right had they to expect that you would vote for Captain Flanagan, when you and your family were Conservatives?—I don't know indeed. In the morning I got up about daylight to prepare to go up and have my vote recorded, when a gentleman who, I heard, was an agent for Captain Flanagan, and whose name I heard was Lynch, came to the door along with another young man. Before I was dressed, there was a mob down a few perches from the door, and they knocked at the door to see me. I opened the window upstairs, and asked them what was their business. He told me to come down stairs; that he wanted to speak to me. I told him I would not; that whatever he had to say I was there to hear it. "Oh," said he, "open the door, and let us in." "I will not," I said; "what is your business?" He would not tell me, so I shut up the window. They began knocking at the door very viciously with their blackthorn sticks. I opened the window again, and said, "I will have nothing to say to you; I partly guess your business—I have my mind made up." So they went away. Some other neighbours came to the door afterwards, and told me not to venture out, as I was set on. So I was afraid to venture out, and I waited till about twelve o'clock. I saw no sign of them coming, and I called a neighbour of mine named Dunne, and told him to go down for an escort, as I wished to have my vote recorded for Major Knox.

16484. Did the escort come?—The escort came.

16485. What?—Police and military—about fifty police, and forty or fifty soldiers.

16486. Was there such a mob as to require fifty soldiers to bring you to the poll?—Well, I did not

FOURTEENTH DAY.

October 21.

John Byron.

expect that half the number would come; but I suppose on account of my sending up—that was the reason.

16487. Were you in Mr. Stokes's?—Yes, I work there.

16488. Do you work there still?—I work there yet. I have been there for the last five years and more.

16489. Do you know anything about what we now know to have been going on—did you bring any messages?—No; I never went of a message for him in the way of electioneering in my life, not even across the street.

16490. Did you know that Mr. Stokes was electioneering, as he has told us now himself?—Well, I thought by his movements that he was very urgent for Captain Knox, but I could not say positively that he had anything to do with the voters exactly. He was always a very joking man in the shop; a great many were coming in and out, and he used to be continually joking and going on with laughing and foolery.

16491. What do you mean by joking?—Joking about the election.

16492. Was he joking about money?—Something about money.

16493. Is that what you call joking—offering money to electors?—Well, I never heard him offering money to electors, but people would hint to him about money.

16494. Tell me now what people would hint to him about money?—They would talk about money.

16495. Tell it the way Mr. Stokes himself told it—what people were hinting to him about money?—Well, I can't exactly remember their names.

16496. Oh, you must try. You are living all your life in Sligo and know everybody?—Well, at his business house so many people——

16497. I know; but the business of the election is different from the saddlery business?—I cannot recollect any person.

16498. Do you mean to say that you cannot recollect any single voter that was, as you say, joking with Mr. Stokes about money; that appears rather singular when Mr. Stokes himself told us everything. You must now tell us everything you remember?—I really can't recollect indeed.

16499. It is not as if you had been called up before your master; you are now on the table telling us the whole truth, and you are not in anyway betraying your master's secrets, for there are no secrets?—Oh, if I could recollect it, sir, I would not be for a moment in hesitation about it; but I cannot recollect any person in particular. For every person—non-electors and all—he has a joking way in general.

16500. Do you know Captain Ethelred Knox?—No, I could not say that I know him, because I never meddled with anything at all.

16501. Can you give us any idea why the mob thought you might be compelled to vote for Captain Flanagan?—I cannot say indeed, because I was not even doubted as to my vote. I was not asked for my vote until the day before—until Major Knox asked me; and during the time he was asking me I had not time to answer him before a mob came round the door, and he had to send for an escort of police to take him out. He seemed very much intimidated at the time, and was very pale; and just as he was asking me for my vote a mob came screeching about the door.

16502. There was never any doubt about your voting for your party?—Not a bit that I could think of, because I never was asked by any person.

16503. Did you suspect at that time that Mr. Stokes had any money?—I did not. I did not hear of his having a penny.

16504. Or had you any reason to suspect that you would get a share of anything that was going?—Not a bit of reason.

16505. Mr. *Commissioner Byrne.*—Can you form any estimate as to how many persons were hinting to Mr. Stokes about money?—Indeed I suppose there were hundreds—people from the country, and every person talking and saying that Sligo was a great place for money during an election, and such as that. Hundreds of people—people from the country that I did not know at all.

16506. Do you remember any of the people of the town—shopkeepers—hinting to Mr. Stokes about money?—I did not indeed. I don't recollect any. I could not name one.

16507. Then your evidence is, that it was the customers of the shop generally?—The customers generally of the shop; because, as far as I saw, every place they went, it was a conversation between everybody, talking about election business, and that Sligo was the place for money.

16508. That Sligo was the place for money?—Yes, and all to that.

16509. Did you hear any conversation about Mr. Abbott, the English gentleman?—I heard that he was a rich gentleman, but nothing further.

16510. Did you attend Mr. Abbott's meeting?—I did, I was late at the time I went in. I was only just a few minutes in.

16511. Was there any little chat amongst the people, talking amongst themselves, about Mr. Abbott being a rich English gentleman?—I did not hear a word. I was standing outside on the lobby, and I did not hear one speech.

16512. I am not referring to the speeches at the meeting, but to the conversation—the chat?—Not a word amongst the electors that I heard; not a word at all.

16513. Mr. *Commissioner Bruce.*—Did anybody assault the escort while it was taking you up?—No.

16514. Were any stones thrown?—No, not one. Not a stone was thrown.

16515. You got up quietly?—I got up quietly. I had to stop in the court-house for some time until the mob inside the court-house had subsided. Attorney Palmer said he would insist on getting the court-house cleared; there was not such noise the whole day as there was at that time.

(The witness withdrew.)

Charles Gillan sworn and examined.

Charles Gillan.

16516. The *Chief Commissioner.*—You are an elector?—I was.

16517. Do you remember Mr. Macdonogh's election?—I do.

16518. Did you vote for him?—I had no vote at that time—yes I had. I voted for Sergeant Armstrong.

16519. Did you get any money?—I did, £15 from Mr. Kidd.

16520. Who canvassed you at that election?—I was living up in the country and Mr. Kidd wrote to me.

16521. What did he write to you?—He used generally to write to me at that time; and he mentioned to me in that not to make any promise about my vote. He wrote to me afterwards that he expected me down to vote for Sergeant Armstrong.

16522. Were you in Mr. Kidd's employment for any time?—I was for fifteen years.

16523. Are you still?—No; I am in the employment of the Commissioners.

16524. Did you ever get any other money but that £15?—No, not at an election.

16525. But after an election?—I think there was one transaction. I gave £10.

16526. At Townley's?—No, but at Tennison's. He did not stand; and I wrote for a brother of mine and paid him £10.

16527. Paid whom?—Paid my brother £10.

16528. Where did you get it?—I paid it myself.

16529. Who paid it back to you?—Well, I was about six or eight months out of it, and I asked every

party in the town would it be refunded. I did not get it; I wrote to Mr. Tennison, and Mr. Poe gave me £10 about twelve months after.

16530. Was that £10 to represent the £10 you paid to your brother?—Yes.

16531. What did you pay it to your brother for?—Well, he came over here and I paid him his expenses.

16532. Where was he coming from?—Newcastle, in England.

16533. Did any other money ever pass through your hands about an election?—Not a shilling ever, nor a halfpenny.

16534. Was any offer ever made to you?—No.

16535. This last time?—No; I had no vote the last time.

(The witness then withdrew.)

Charles Gillan.

Edward Crummy sworn and examined.

Edward Crummy.

16536. The *Chief Commissioner*.—Had you a vote at the last election?—I had.

16537. What is your occupation?—I am a plumber and brassfounder.

16538. Was any offer of money made to you to go away at the last election?—There was.

16539. By whom?—By Mr. James Balfour.

16540. Where was that offer made?—In his own house.

16541. Has he any business connexion with you?—Nothing, only I work for him.

16542. That is what I mean. What did he offer you?—Well, he offered me £40 to go away.

16543. Are you a Roman Catholic?—I am.

16544. And you belonged to the Liberal party before?—Yes.

16545. What did you say?—I rejected it.

16546. Would you have taken more if he had raised his offer?—I would not.

16547. Did you tell him plump, at once, that you would not take it?—I did.

16548. Do you know Michael Hunt?—I do.

16549. Had you any conversation with Hunt about your vote at the last election?—Well, I had, after it.

16550. What did Hunt want you to do?—He asked me how did I do with Balfour.

16551. How did he know you had been up with Balfour?—Well, I don't know, but it appears he knew it.

16552. Well?—So I told him what I was offered, and he asked me if I got £50, or if I got £10 more—I don't remember which it was—would I take it. I said I would not, that if it was double the amount I would not take it. So there was an end of it.

16553. Did Michael Hunt mention to you the name of any other person that was joined with him, and that he wanted you to join in going together?—Well, no; but he told me the names of a lot of people that were not going to vote.

16554. Whom did he mention to you as not going to vote?—Well, he mentioned John Reid, Devanny, Patrick O'Brien, and, I think, Larry Burke.

16555. Did he say what they had got for not voting?—No, he did not.

16556. Did he represent himself as in communication with these men at all?—I saw them going in and out of the house. He knew that I saw them talking to him and he to them.

16557. Did you understand from him that he wanted you to join that little party?—Well, he did not ask me.

16558. No; but did you know what he meant?—Well, I suspected that he was trying if I would join it.

16559. Had you voted for Sergeant Armstrong?—I did.

16560. Did you get any money after that?—I did some time afterwards.

16561. How much?—Fifteen pounds.

16562. Who gave it to you?—Mr. James Kidd.

16563. Did you ever get any other money besides that?—No, never.

16564. Had you voted before that election?—No, that was the first vote ever I had.

16565. How did you know that the money was there for you—that you were on Mr. Kidd's list?—Well, I think it was Michael Hunt that told me about it at the time.

16566. Michael Hunt?—Or at least he told me to go down to him—sent me down to him or something like that. I can't remember positively, but he knew about it.

16567. That was the election of 1865 you know?—Yes.

16568. And the first time that you had a vote?—It was.

16569. Now, did Michael Hunt interest himself in getting you paid?—Well, we were in the habit of talking over the affairs of the election.

16570. Was he busy about the election?—Well, I don't know that he was busy, but he appeared to know all about it.

16571. Now, did Michael Hunt on that occasion tell you what he was to get himself?—No, he did not.

16572. Did you know, among you all, about that time what Michael Hunt expected to get?—Well, no, I did not.

16573. Did you think he was to be paid more than you?—No, I did not.

16574. Did you know he got something?—I heard he was offered money and would not take it.

16575. Before you heard he was offered money?—Well, I don't know whether he expected it or not.

16576. Did you expect any money after your vote at the last election?—I did not.

16577. Would you take it if it was offered to you?—Well if I thought it was not dishonorable or dishonest I would take it.

16578. Would you take money from the other side and vote against your principles?—I would not.

16579. Would you take money on your own side if it was going amongst the rest?—If I thought it was not bribery or dishonorable I would.

16580. *Mr. Commissioner Bruce*.—Was Mr. Balfour a canvasser for Major Knox?—I think not.

16581. Was it to vote for Major Knox or Captain Flanagan that the offer of £40 was made?—To go away and not vote at all?

16582. In whose interest was that offer made?—Major Knox's. I may say that I am very sorry to have had to mention Mr. Balfour's name at all.

(The witness withdrew.)

Patrick Gunning sworn and examined.

Patrick Gunning.

16583. Mr. *Commissioner Byrne*.—You are an elector?—Yes.

16584. Did you vote at the last election?—I did.

16585. For whom did you vote?—For Captain Flanagan?

16586. Did you vote at the election before that?—I did.

16587. Did you vote for Sergeant Armstrong?—I did.

16588. Did you get any money after that?—I did.

16589. How much?—Thirty pounds.

16590. Who gave it to you?—Mr. Magill.

16591. Had he canvassed you for Sergeant Armstrong?—No; I think it was Mr. M'Niffe and Sergeant Armstrong.

16592. Why was it that you got so much as £30 after the Sergeant's election?—Well, I suppose he considered me a poor man with a large family.

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October 21.

Patrick Gunning.

16593. Had you made any application for money to the Sergeant?—No.

16594. Or to any other person?—No.

16595. When did you first hear of the money going?—I got it six or eight months, I think, afterwards, or may be, nine months—when it was going.

16596. Did you ever vote at any election previous to the Sergeant's?—I did for the London man, for the county.

16597. For Colonel Townley?—No.

16598. Mr. Sadlier?—No, but for Mr. Swift.

16599. At a county election?—Yes.

16600. Before you voted for the Sergeant did you ever vote at a borough election?—I did, for Somers.

16601. Did you get any money?—Not a shilling ever I got up to Armstrong's election. I was turned out of my land for Swift's.

16602. If money had been going after the last election would you have taken it for having voted for Captain Flanagan?—If it was going I would.

(The witness withdrew.)

John Brady.

John Brady sworn and examined.

16603. Mr. *Commissioner Byrne.* — Are you an elector?—Yes.

16604. Did you vote at the last election?—Yes.

16605. For whom?—Captain Flanagan.

16606. Did you vote at the election before for Sergeant Armstrong?—Yes.

16607. After that election did you get any money?—Well, I might say I did, when it was left at my place for me. I was arrested under the suspension of the Habeus Corpus Act, and imprisoned, and of course the money was left.

16608. How much was left?—Mr. Kidd left it.

16609. How much?—I think £20. Of course it's right enough what Mr. Kidd stated.

16610. Did you ever vote at any previous election?—I did.

16611. Did you ever get any money before voting at an election?—After voting, exactly, I did not get money.

16612. Well what did you get?—Well there was an account—some little affair, which was never demanded, between a certain gentleman and me.

16613. After what election was that?—I think it was Tennison's and Macdonogh's.

16614. For whom did you vote at that election?—I did not vote at all.

16615. You abstained from voting?—Yes.

16616. Tell the whole story, now, about that election?—Well, a gentleman sent for me—Mr. Pollexfen, and I went down to his coal yard. He chatted over the affair to me, and said I was to get £20 for abstaining from voting. I agreed. After the election was over, I went to him, and there were no funds left to him to meet it; he said that the parties who had got the money, Macdonogh's money, had shut on it, and had not given it to him. Anything then that he did give was out of his own pocket, I firmly believe, because they shut on his money.

16617. Did he mention the name of the person who shut on the money?—No, he did not.

16618. How soon after Macdonogh's return did you get the money?—It was nine months. I got no money at all. I am in the meal and flour trade. However, it hangs still. I am in point of honour bound to pay it if he demands it. I don't exactly say it was for the election he gave me the value. It was a ton of meal.

16619. Whom did you owe the money to?—Mr. Pollexfen, if he demands it. It was only a case of honour, nothing more.

16620. Do not you believe he never will demand the money?—Begor, I can't say that.

16621. What was the price of the ton of meal?—It was about, I suppose, £9, or something that way. His clerk demanded it since.

16622. Was anything else given to you besides the ton of meal?—No; nothing.

16623. But before the election Mr. Pollexfen had arranged with you that you should get money?—Yes, to abstain from voting.

16624. Did you vote at any election before that?—Never—oh, I might have voted.

16625. Did you vote at Sadler's election?—I did not. I had a little transaction at Sadler's election also.

16626. What was that?—A brother-in-law of mine abstained from voting.

16627. What is his name?—Patrick Giblan. He is in America. He was then a Somers*ite*, and so was I myself. I was offered a cheque for £200 to make him vote for Sadlier, and more fool I was that I would not take the money nor allow him to take it.

16628. Who offered you the £200?—The gentleman is dead.

16629. What is his name?—Mr. O'Connor. He offered me a cheque for £200, which I would not take; and I then got £20 or £30—I could not say which—to keep him from voting, and I gave every fraction of it. That's all I received; and I never received three pence by it.

16630. Do I understand you to say that you did not vote yourself?—No. I had no vote then.

16631. Now, let me ask you this—who canvassed you at Captain Flanagan's election?—Father Morris and Captain Flanagan.

16632. Did Martin Phillips canvass you?—He did not.

16633. Did Mr. Poe canvass you at that election?—No.

16634. Who else canvassed you besides Captain Flanagan?—Mr. Foley and Harper Campbell—two gentlemen I had perfect confidence in.

16635. Confidence?—Decidedly—yes.

16636. If money had been offered to you after Captain Flanagan's election, would you take it?—Indeed I would.

16637. You would?—Yes.

(The witness withdrew.)

John P. Treston.

John P. Treston sworn and examined.

16638. The *Chief Commissioner.*—You were expense agent for Captain Flanagan?—I was.

16639. Who advanced you the money for the expenses returned in your account?—I was advanced no money whatever. The way was this. When parties sent in their bills to be paid, Mr. Lynch usually gave me a letter of credit in favour of the party presenting the account, and I would forward the party the amount, taking his receipt.

16640. I presume you mean Mr. Stanislaus Lynch?—Yes; Mr. Lynch of the Landed Estates Court.

16641. Who gave you all the money that passed through your hands?—I think, with the exception of the first cheque, that it was from Mr. M'Dermott I got it. It was a cheque drawn in my favour, and left with Mr. Tighe, and I indorsed it to Mr. Tighe as returning officer.

16642. Then I understand that whenever you wanted money for the legal expenses of the election you applied to Mr. Lynch on the matter?—For instance, in case of any party that would have a bill for printing and advertising, I would go to Mr. Lynch, and he would give me a letter of credit in that party's favour for the amount.

16643. Did any other money pass through your hands except the £458 7*s.* 8*d.* in your return—just look at it (hands document to witness). That is the original return signed by you, Mr. Treston?—This is

the return. No other moneys passed through my hands, except those returned here. I may mention that I received my fees, I think, £15.

16644. I am not asking you about that. Did you know anything of this—we heard to-day from Mr. Molony that sums were paid for the maintenance of the country people who were in the town of Sligo during the election?—I never was aware of it.

16645. Did you never hear of that before?—I never heard of it, nor did I know anything at all about it; in fact, I had virtually nothing to do with the Sligo election. I was more engaged in the county. I was engaged for Mr. O'Connor.

16646. You were only expense agent?—Expense agent.

16647. Were you here during the polling?—I was.

16648. For Captain Flanagan?—I was.

16649. Was it from Dublin that you sent down the different sums mentioned in that?—It was.

16650. Then you paid nothing while you were here?—Not a farthing. There was nothing demanded in fact; there was, in fact, nothing due while I was here.

16651. Mr. *Commissioner Bruce.*—Were the mobs very violent in your opinion?—Well, indeed they were very excited; but I have seen them excited, not here, but in other places.

16652. You consider that they were not unusually violent?—Oh, indeed it was a violent election, but I have seen some equally so.

(The witness withdrew.)

James Burrows sworn and examined.

16653. Mr. *Commissioner Bruce.*—You are an elector?—I am, sir.

16654. For whom did you vote at the last election?—I voted for Major Knox.

16655. Whom did you vote for at the election before that—was it Macdonogh?—I think so.

16656. Did you get any money after that election?—Not a bit of it.

16657. What?—I did after Macdonogh's defeat. I got £15 from Mr. Charles Sedley.

16658. Mr. Sedley canvassed you before that?—No, sir, just a gratuity as I thought.

16659. Had you ever voted before?—I had.

16660. For whom—Wynne?—I did.

16661. Did you ever get any money after voting for Mr. Wynne?—Never.

16662. Did you ever hear of any money going to Mr. Wynne's friends?—I did not; I don't think there was money there at all. I voted for Mr. Francis Macdonogh in opposition to an English gentleman who came here named Townley.

16663. I think you are mistaken?—No, sir.

16664. I don't think Mr. Townley and Mr. Macdonogh were at the same election?—Well, I think they were.

16665. Mr. Tennison, perhaps, you mean?—Well, I think so. It was some of the parties.

16666. Did you get any money then?—Not a bit of it; I did not.

16667. Did anybody offer you any money to vote at this election for Major Knox?—I never heard a word about it.

16668. I suppose if any was coming to you now you would take it?—Well, I don't know, sir. If there is a gratuity five or six months after the election very few would put it out of the door. I am not so pure as to do it myself, I assure you.

16669. Did you ever hear of Mr. Abbott?—Oh, I did—the merchant in London?

16670. Yes, who is coming to be a candidate here, they say?—I don't know what he is coming to be, but I heard about him.

16671. Did you ever hear any talk about his being a rich man?—Well, I can hardly tell whether it was by verbal observation or rumour. He is said to be a rich man, I believe.

16672. Did you ever hear any of the voters talking amongst themselves that they would get some money now that he was coming?—Never, sir; never, indeed. But I think, generally speaking, that any rich man is supposed to be influential coming into a poor borough.

16673. And to scatter the money after the election, you know?—I don't know that, sir; I don't know that; I am on my evidence here, sacredly, and I assure you I never expected it. It was handed to me by a gentleman—£15—and he said, "a friend sends you this." I think he said something in the shape of a "supporter."

16674. A supporter of Macdonogh?—I think so. That's my impression.

(The witness withdrew.)

Hugh O'Rorke sworn and examined.

16675. The *Chief Commissioner.*—You are an elector?—I am.

16676. Did you vote at Sergeant Armstrong's election?—I had no vote then.

16677. You are a Roman Catholic?—I am.

16678. Had you ever a vote in Sligo before the last time?—No.

16679. What were you rated at?—Nineteen pounds ten at that time.

16680. Were you put on the registry by the Liberals?—Well, really I don't know who put me on. I believe I was.

16681. Do you know who was attending as attorney on the Liberal side, and who on the Conservative side?—Mr. Molony at present. Mr. M'Niffe before.

16682. Did not you know he was working to get you on?—Well, I believe he was—yes.

16683. When you say you "believe" you mean that you have not any doubt about it?—Well, the reason I say I believe is because I did not instruct anyone to do so.

16684. Did you not know the attorney at each side was doing the best he could for his party?—Yes.

16685. Was any money offered to you not to go on the registry?—Never.

16686. Or any intimation to that effect?—Never.

16687. Did you wish to go on the registry?—Well, I did.

16688. In order that you might have a vote for your party?—Exactly.

16689. Honestly and conscientiously?—Yes.

16690. And when you were put on the registry you intended to vote?—I did.

16691. To exercise the franchise?—I did.

16692. Did you vote at the last election?—I did not.

16693. Where were you on the day of polling?—I was down here in my own house.

16694. Were you asked to vote for Captain Flanagan?—I was; I was canvassed.

16695. Were you asked to vote for Major Knox?—I was.

16696. Who canvassed you for Major Knox?—The Major himself and Mr. Phibbs.

16697. Anybody else?—That's all. Only once.

16698. Did you promise the other side?—I did not. I refused Major Knox.

16699. Yes; and you did not vote with your own side?—I did not.

16700. Why did you not go with your own side?—Well, I thought it would be against my interest—that it would not suit me any way. I did not like to do it. I was allowed to remain over, and if my vote had been

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October 21.

Hugh O'Rorke.

required for Captain Flanagan in the evening, he would have got it.

16701. Did you tell him so?—I did.

16702. I mean that if your vote would have carried the election you would have given it?—I would.

16703. Were you molested in any way on account of not having voted?—Not a bit in the world from any side, or any party, or anyone.

16704. You got no molestation whatever?—Not a word.

16705. Was there any offer made to you on any side at the last election?—No offer in any way, nor did I ask it.

16706. Were there many Roman Catholics like you that to your knowledge did not vote?—Well, no; except all you heard.

16707. Mr. *Commissioner Byrne.*—What are you by trade?—I am an accountant and surveyor in Messrs. Robinson's land agency office.

16708. Were you apprehensive of losing customers if you voted?—In what way?

16709. Were you apprehensive of losing your place?—Well, no; I don't think I would.

16710. Did anybody canvass you on the Conservative side, except Major Knox?—No.

16711. Did your employer, Mr. Robinson, ask you?—No; he never asked me to vote for Major Knox.

16712. Did he ask you to stay away from voting?—He did.

16713. Did he give you any hint that you might lose your place if you voted?—No, he did not. He made it as a request.

16714. As a request?—Yes; and I believe he deserved it, and fifty times more.

16715. Why did you consider it against your interest to vote for anybody?—Well, I believe it would perhaps have annoyed him; I would not wish to do so. I would not wish to do so, for anything.

16716. The *Chief Commissioner.*—You got no molestation from anyone?—Not one—not from any person. I walked through them at all times—the mob, and everything else, and not one ever molested me.

(The witness withdrew.)

Thomas M'Gettrick.

Thomas M'Gettrick sworn and examined.

16717. The *Chief Commissioner.*—Did you vote at Sergeant Armstrong's election?—I did.

16718. Did you get any money after voting?—I did.

16719. How much?—Five pounds was handed to me and £15 was on a bill.

16720. That is £20 altogether?—Yes.

16721. Who gave you the £5?—Mr. Foley.

16722. Did you owe any money to Mr. Foley?—No.

16723. Whom did you owe the £15 to?—To my landlord for rent.

16724. Who was the landlord?—Well, the landlord is Mrs. Moffett. The agent is Mr. Brett.

16725. What business are you in?—A publican.

16726. Did you ever get any other money after an election?—No.

16727. Did you ever get any bill paid on orders after an election?—No.

16728. Did you vote for Townley?—No. I had no vote then.

16729. When was the first time that you had a vote?—Sergeant Armstrong's time.

16730. How did you vote this last time?—For Captain Flanagan.

16731. Was any offer made to you on the other side?—On Major Knox's side.

16732. Yes; did they want you to vote for Major Knox, or did anybody offer you anything?—Well, I was asked to go to the Major by some of his supporters.

16733. Who asked you?—Mr. Knox.

16734. Which Mr. Knox?—The man that held the situation in Mr. Lyons's in this town.

16735. What is his Christian name?—Samuel Knox.

16736. Now, go on with what he said?—That he would try to get me £50 if I were to do so. He added at the same time that he would not ask me to do it if I did not think fit to do so myself.

16737. What did you say?—I said I would consider about it.

16738. How long was that before the election?—It might be a week or a fortnight.

16739. Well, go on; did he come to you again?—We had a conversation again, and I said something just the same.

16740. Yes, that you would consider about it?—Well, my mind was made up to vote for Captain Flanagan. We had a second or a third conversation about the matter, and I told him that I intended voting for Captain Flanagan.

16741. Was anyone by when Samuel Knox made ou these offers?—Well, it's very——I can hardly think that there was. I think it was between himself and me.

16742. Was it in your own place?—No, it was at Mr. Lyons's.

16743. Who used to come for you to bring you up there?—I stopped there off and on. I was working at the place.

16744. You are in Mr. Lyons's employment?—Yes.

16745. As what?—A tailor.

16746. Where was it that he spoke to you in this way?—At Mr. Lyons's house.

16747. What part of it?—That part where he works himself.

16748. Is Mr. Samuel Knox in your trade also?—He is.

16749. Was he over you as foreman?—Yes.

16750. Were you doubtful at any time whether you would take the £50 or not?—Oh, I had no intention of taking it on that occasion. I had no intention of taking any amount of money on that occasion.

16751. You say you would not take any amount of money?—I would not.

16752. Why did you tell him you would consider of it?—Well, just—all I can say is that I would think over it for a time. I didn't know what reason I might say for thinking over the matter; however, as the offer had been made in that way and as he simply said I might not take it if I did not think fit myself, I just said I would think over it.

16753. Did you tell anyone you were offered £50—I mean before the election?—Well, I hardly recollect that I did. I think I kept it confined to myself. I hardly have any recollection.

16754. Do you know of anyone else being offered £50?—No.

16755. Did you hear that the £50 was a "tip" to the Roman Catholic voters—did you hear any words to that effect?—Well, I made very little inquiries at the time about it. I just kept as it were out of the way of knowing anything at all about it. I intended to vote for Captain Flanagan.

16756. Supposing any money was going on Captain Flanagan's side would you take it—would you take money from your own side, although you would not take it from the opposite side and vote against your principles?—Well, I don't know if I would. On that occasion there was no money offered—no word about it.

16757. But I mean would you take it now if it were given to you on your own side, although you think it wrong, as you say, to take money from the other side?—Very likely.

16758. You would?—Very likely I might, perhaps, if it were handed to me, for now I would not care. I got an account from Mr. Lyons then that I was not

wanted—that they would not ask me to vote on Major Knox's side. I got an account down to my own place that I would not be asked to vote.

16759. Who sent you that?—It came from the house to me. A man named Samuel Lougheed came.

16760. Only for that might you have voted for the Major?—Oh no; I was not intending to vote for the Major on that occasion.

16761. Mr. *Commissioner Bruce.*—You are a Roman Catholic, I suppose?—Yes.

(The witness withdrew.)

Mr. *William Abbot Woods* sworn and examined.

16762. The *Chief Commissioner.*—You are a magistrate of the borough?—Yes.

16763. I presume you know Sligo very well?—I think I do, though I am surprised I know the names of so few.

16764. Do you know Mr. Joseph Woods?—He is my son.

16765. Has he gone away?—He has.

16766. When did he go away from Sligo?—I think some month, or better, ago—two months.

16767. Where has he gone to?—San Francisco.

16768. Is he to return to this country?—I don't believe he ever will; and I think he would have gone earlier, but that he was expecting that his commission would have commenced sooner.

16769. Did you wish him to be examined at this commission?—Yes.

16770. Did he express that wish to you himself?—He expressed that wish. He did not wish to go till a month or two ago, and only for that he would have gone sooner.

16771. When exactly did he go away?—I will furnish you with that date by-and-by. I have a bad memory. It's something about the time I told you.

16772. I must ask you further, had his going away anything to say to this Commission of Inquiry?—Certainly not.

16773. Did you know anything about any of these transactions that we have had detailed in evidence about the money going through the town from Captain Ethelred Knox's hands?—No; I knew nothing about it.

16774. Did you know Captain Ethelred Knox?—Oh yes, I have seen him.

16775. I mean you knew him when he was down for the election—I mean at the time of the election?—I saw him here through the town at the time of the election.

16776. Did you know that he was said to be the cashier of the *Irish Times*?—Well, I only knew it by seeing him one time in the *Irish Times'* office, that I called in about some advertisements or something of the sort.

16777. Did any money for the election pass through your hands at all for any purpose?—Nothing of the sort.

16778. Did you know anything at all about the sums we have heard mentioned—the £20 that Mr. Stokes mentioned for the Protestant voter, and £50 for the Roman Catholic?—No, I knew nothing about it. I heard it here and in Carrick.

16779. Did you know Mr. Stokes?—I knew him very well.

16780. Do you remember hearing it said that the Major was going away on the Sunday before the election?—I don't remember anything about it. I was very anxious to keep myself away from the election altogether, and I knew nothing at all about Stokes, or anything about it. He and I had not spoken perhaps for a year or two.

16781. Do you know a man named Kelly a carpenter?—I do.

16782. Did you ever make him any offer?—Never.

16783. You know what he has sworn?—Yes.

16784. That £50 was mentioned between you?—There was nothing of the sort ever mentioned.

16785. Had you any conversations with the man?—I had a great many conversations with him.

16786. I know, but there is a particular one about a certain number of feet of mahogany—had you any conversation with him about mahogany?—I had.

16787. What was it?—Not only mahogany but every other class of timber. We went into a calculation of what two houses would cost. I was about to build three houses; we were about to build two first, and to leave the flues and all that built in the third. We went into a calculation as to what common pines, yellow and red, sold by the ton and cubic foot, and how many cubic feet ordinarily are in twelve foot planks, and everything of that sort, in order to see which would come cheapest. We went into several houses in the town, in order to see which plan would be most economical and nearest to the purpose we wanted. We did the two.

16788. Whatever conversation you had about mahogany?—Was of a *bona fide* nature.

16789. Had it any reference to the election?—No reference to the election—not the slightest.

16790. In point of fact, did you build these houses?—I did not.

16791. How long before the election was it?—I will tell you how it occurred. I was about to build them, and had carted some of the brick; and then I became aware with respect to the site I was about to build them on—having got notice of the Towns' Improvement Act being about to pass—that I could get no more for the houses, if the Act passed, which they proposed to knock down, than I could get for the vacant plot as it was. From the time I got notice to build I built at my own risk, and then I gave up for the time being; and the bill being thrown out again, I was about to resume, when I got notice that the bill was coming on again in another year. That was how it was.

16792. Mr. *Commissioner Bruce.*—Mrs. Dunleavy swore on Friday here that you said you would give her £50 after the election?—It is utterly untrue.

16793. Did you ever offer to get her husband a plastering job at the town hall?—Oh yes, long—long before the election.

16794. Had that anything to do with the election?—Oh, not at all; it was eight or nine months before the election at all, or a year, I dare say.

16795. The *Chief Commissioner.*—Did you know anyone that came down from Dublin to Sligo for the purpose of the election?—Not at all.

16796. Had you voted at the previous election?—Yes.

16797. And by the members of the Conservative party you are well known down her?—Yes.

16798. From your knowledge of the town is there a large class, or any class, of voters on either side that expect to be paid?—I know nothing whatever about it beyond what I heard here and in Carrick.

16799. Did you ever mix yourself up with anything of the kind?—Never by any chance; I never went to a meeting where there was money talked about, or anything at all about it.

16800. You avoided it?—Unquestionably. I never mixed myself up in any one way at any election; if I had you would have been hearing it here before now.

16801. Mr. *Commissioner Byrne.*—Had you any conversation with Edward Kelly in reference to how he would vote?—He called on me at my house, and wanted me to give him some money to leave town. I said I would not—not a penny.

16802. The *Chief Commissioner.*—How much did he want?—He first wanted £3. Then he wanted the price of a pair of shoes; at last I said I would not give him a penny, if a penny would do.

16803. Mr. *Commissioner Byrne.*—Was it at that time that the conversation occurred between you in refer-

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Mr. William Abbot Woods.

ence to the mahogany?—Oh no, not at all; long before that.

16804. The *Chief Commissioner.*—Did you assist in the election by giving any list of the people certain or doubtful?—No, not at all.

16805. Mr. *Commissioner Bruce.*—How long before the election did Kelly want the £3?—I dare say it was a week, or something like that; I am not very clear as to the exact number of days, but I think it was about a week.

16806. Was it to avoid voting?—Well, I suppose it was. He said to me several times for years back that he was exceedingly badly treated in a contract that he had with the chapel. He said frequently—"When I worked for you first, sir, I had full and plenty; I was robbed by this chapel, and they treated me unjustly." Frequently, as I stood over his bench, when he worked for me, he said words to that effect. And he frequently, for years before, expressed in my presence a desire that the day would come when he could show the parties who had treated him so badly that he cared nothing for them. He alluded to the election in that way, as if in chagrin and vexation. These conversations occurred perhaps six months, twelve, eighteen months, three, four, and five years previously.

16807. The *Chief Commissioner.*—Did you know for whom he would vote on the eve of the election after he expressed his willingness to take £3 to leave town?—I don't know what he would take, but I said to him that if a penny would induce him to leave the town I would not give a penny, because I knew the impropriety of it.

16808. Mr. *Commissioner Byrne.*—Was there any conversation with him about the market rising?—Nothing of the sort.

16809. Was there any statement about £40 or £50?—Nothing of the sort.

16810. Were there any voters that you canvassed for Major Knox?—Except my second son I don't think there were any.

16811. You are not quite sure?—I don't remember. I did not canvass; I am not sure that, in the way of conversation, if a friend called to my house on anything of that sort, we would not have spoken; but in no other way. My son, I know, very reluctantly voted; in fact I did not meddle at all. Even as much as I spoke to my own son about it, I did not tell him they smashed my windows.

16812. Had you any conversation with Roman Catholic or Liberal voters about their votes before the last election?—When I called to Mrs. Dunleavy to pay her for the manure, she said to me that Frank was coming home, or something of that sort, and that he was to vote for Major Knox. "Well, my opinion is," said I, "that if he comes home he won't be let to vote for Major Knox." I have sedulously avoided in fact——

16813. You were in her house, were you not, before the election, several times?—Yes, in this way. I had four carts constantly carting manure out to the country, and some month or five weeks before the election I had been buying manure in a house some three doors from her. She sent out to my man who was with me, requesting that he would look at the manure-pit that she had. At first I declined, as it was not a convenient place to get it out of. She sent a second messenger, and we went in, and I said to the man, "look at it, and tell me what it is worth." He said, "It is worth 2*s.* 6*d.*" She sold it at that, and I agreed to take it. It lay there perhaps a week or two until the other manure we bought had been carted away. Then it was carted from the place; and afterwards I called to pay her. I just put my head inside the door, and asked was Mrs. Dunleavy in, and some child or person answered "No;" and I went away. I was not, perhaps, a quarter of a minute at the house.

16814. Was that shortly before the election?—Perhaps a fortnight or three weeks, or something like that; perhaps a week or so before the election I called to pay it, and she herself, in fact, it was that forced the conversation.

16815. What did she say to you?—She said that Frank was coming home, or something like that. I said, "Where is he?" she said, "He is in Roscrea," or something of that sort. She said, "He is coming home to vote for Major Knox." I said, "My opinion is, that if he comes he won't be allowed to vote for Major Knox;" such was the state of the town at the time that I knew he would not.

16816. Did either she or you make any observation in reference to money—to what he would get for staying away?—Not the slightest, most positively, directly nor indirectly; an allusion to money in any way was never made between us.

(The witness then withdrew.)

The Court adjourned to the following morning, at eleven o'clock.

FIFTEENTH DAY.

FIFTEENTH DAY.

October 22.

FRIDAY, OCTOBER 22, 1869.

The Commissioners sat at eleven o'clock.

Mr. Stanislaus Lynch.

Mr. *Stanislaus Lynch* sworn and examined.

16817. The *Chief Commissioner.*—You were at the last election here?—Part of the time I was.

16818. We were informed that you and Mr. Michael O'Loghlen could tell us all about the election expenses on Captain Flanagan's side?—Yes, I have been for a great many years Captain Flanagan's private agent, and any money that was spent at the election passed through my hands.

16819. What was the entire expense of the election? It amounted altogether to £1,260, as well as I can recollect. I have a memorandum here of the particulars.

16820. Give the principal items of it as approximately as you can?—There were the expenses returned through Mr. Treston, amounting to £458. I paid after that Mr. Treston's fee, £15; a bill of the Imperial hotel, £50; I paid my own expenses, £12; Mr. Waters's additional fee for attending the inquest for one day, £10; total of that class of expenses, £568, including the £458, which was the amount returned. I gave Captain Flanagan, in cash, at different times £230; of that sum there is £81 included in the £458 —that was a bill I paid to Mr. Doherty; that leaves £148 which he got from me.

16821. Do you know how that £148 was spent?—I don't, except that I took it for granted it was spent legally and properly. The expenditure commenced at the end of July, went through the revision, and included all the visits to Sligo, on to the end. I gave Mr. O'Loghlen at various times, commencing early in October and ending in November, £538 in different sums. Of that sum I am aware that £50 was paid by him to the Major, which left £488 in his hands.

16822. Do you know that part of that was spent by Mr. Molony before the election, on mobs in the town?—Yes.

16823. Was the whole of the £488 given to the country people who came into the town?—It wasn't. We had to pay the expenses of the revision, and every class of expenditure. I had no account from Mr. O'Loghlen, of the expenditure of that sum, but he gave me to understand in Dublin that there was a sum of £100, which is in account between us, that has not

been expended at all. In addition to that I gave £63 to Mr. Molony, on the 17th November. The memorandum I have is as follows :—

		£	s	d
	Expenses returned,	458	7	8
February 2.	*Independent* advertisement,	2	0	0
,, 26.	Mr. Treston's fee,	15	0	0
April 24.	O'Rorke, printing,	5	10	0
,, 29.	Mrs. O'Donnell, Imperial,	50	0	0
July 18.	Derrig, bill posting,	3	0	0
	My own expenses to and from Sligo (£3 0 7; 2 16 9; 2 12 3; 3 10 6)	12	0	1
	Panels, pamphlets, telegrams, &c.,	1	15	3
	By Mr. Waters' fee at inquest,	10	0	0
	Detective,	11	0	0
		568	13	0
	Cash to Mr. Flanagan (Sept. 21, £100 0 0; Oct. 26, 100 0 0; Nov. 20, 30 0 0)	230	0	0
	Paid to Mr. Doherty for him,	81	5	0
		148	15	0
	Paid to O'Loghlen, (Oct. 7, £21; ,, 12, 5; ,, 15, 30; ,, ,, 20; ,, 31, 50; Nov. 8, 20; ,, 10, 200; ,, 16, 5; ,, 18, 137; ,, 20, 50)	538		
	Paid to the Mayor,	50		
		488	0	0
	Mr. Molony, on the 17th Nov.,	63	0	0
		1,268	8	0

16824. That is the whole expenditure of the election?—Yes ; it is taken from a book of mine, in which I keep all my expenses. I don't know how it is made out, but I suppose it is rightly done. That concludes the whole campaign.

16825. £1,268 8*s.* is the total amount of the election expenses?—Yes. I am quite certain that Captain Flanagan made some private expenditure ; he may have spent £100 or so in subscriptions, which didn't pass through my hands, but certainly not more.

16826. That is the total expenditure?—Yes. I deducted from it the two sums of £148 and £488, which I gave Captain Flanagan and Mr. O'Loghlen.

16827. Do you know anything of country people coming or being brought into the town during the election from either side, or from near Captain Flanagan's estates?—I know that the day before the nomination a great many country people came into the town—I wouldn't call them brought in as a mob at all. There was an immense crowd in the town, and there was the same enthusiasm as at the county election for the popular candidate.

16828. When did you know of the comparatively large expenses going through Mr. Molony's hands to provide food and refreshment for the mobs?—I know nothing of how the money was spent. I took it for granted that there was a large expenditure for watching voters. I was here for about a week at the election, and I remember the very first inquiry made every morning was, "Anyone made away with last night?" or, "Was there any cave formed?" And men were paid very liberally for watching the voters.

16829. Mr. *Commissioner Bruce.*—Have you any reason to believe that any money was paid for Captain Flanagan's election that did not pass through your hands?—I am quite confident that there was not, to the best of my belief, unless what I mentioned of Captain Flanagan's own.

16830. I am not only speaking of money from Captain Flanagan, but in these cases money is often sent over from political sources?—I am certain that every shilling of every kind or description spent in any way to promote Captain Flanagan's return passed through my hands.

16831. Mr. *Commissioner Byrne.*—Before the Sunday previous to the polling was there any discussion between you and Mr. O'Loghlen, or between you and any of Captain Flanagan's friends, as to the necessity of keeping Catholic voters to their colours?—The general opinion was that we would require a great deal of vigilance ; we knew that there was a great number of men the other side were spiriting away ; that was our great apprehension.

16832. Mr. *Commissioner Bruce.*—Did you believe that if the Catholic voters kept true you would win the election?—Certainly ; but I had great doubts of it when I found out the system of taking the voters to Mrs. Hall's house ; I then couldn't have a doubt as to the ultimate result.

16833. Mr. *Commissioner Byrne.*—Had you any conversation or discussion previous to the election with the Bishop as to the election prospects?—I had a number of discussions with him at different times. The Bishop was much more sanguine as to the ultimate purity of what I would call our rotten voters than I was.

16834. Had you a conversation with him close previous to the election?—Yes. I seldom met the Bishop that the question was not discussed. I was not constantly here.

16835. How often did you meet the Bishop before the election?—I met him two or three times before the election.

16836. Did you meet him shortly after you came to town?—Yes. I dined with him.

16837. And you naturally discussed the subject of the election?—Yes. The Bishop was under the impression that four or five Catholic voters at the outside would in the end prove false.

16838. The Bishop took an active interest in the result of the election?—He was very anxious about it. I think it was due very much to the men who voted for us. That 229 men should come up with the fearful temptations that were held out to them, was more than could hardly be expected. I never saw anything like it. Personally I knew nothing of any of them.

16839. Did you read the reports of the evidence given during this inquiry?—I did. I read the reports in the *Irish Times*.

16840. Does it occur to you to mention anything to us in reference to it, except what has been stated by you?—No. I don't know of anything that I would consider myself justified in mentioning.

16841. Mr. *Commissioner Bruce.*—Did you hear after the election, or at any time, that the Catholic clergy were sending in during the election their flocks from the neighbouring parts of the country?—I didn't hear that they were sending them in.

16842. Or encouraging them to come in?—I can't say that, I don't attribute to the country people any of the rioting that went on in the town during the polling—which was the day the rioting commenced. It was absurd for them to speak of rioting before that day ; but on the night of the polling there was rioting. I don't attribute that in any way to the country people who came into the town. They certainly were very enthusiastic about the election. I never saw such genuine rage when they found out that they were sold—they turned out perfectly wild at the idea—it was indignation at being sold they exhibited.

16843. We have it in evidence from Mr. Molony that £180 was expended on the mob?—I am not aware of it.

16844. Some days before the election?—I know nothing of it, but I am certain that the country people who came into the town didn't live here at their own expense.

16845. No one can doubt it?—There isn't the slight-

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Mr. Stanislaus Lynch.

est doubt of it. But there was an organized mob on the other side, with arms. I never saw such an indiscriminate use of arms. I myself took possession of Mr. Hans Morrison, whom I saw presenting a revolver at the crowd, on the steps of the Court-house. I brought him to the Mayor, to take charge of him.

16846. Did you see any more arms but what Mr. Morrison had?—I did. I saw arms with young Mr. Lawder. I also heard that on the day of the nomination a parcel of ammunition was handed over to the county Inspector, that was taken from some person in the town—I now forget who it was. I think it was Mr. Williams. There was a lot of men outside the Court-house with arms. I saw the revolver in Mr. Hans Morrison's hand, presenting it to the crowd.

16847. Did you see any of the lower class with arms?—I didn't.

16848. You stated that there was an organized mob on Major Knox's side, would not you apply the same expression to those on Captain Flanagan's side?—Certainly. There was a certain amount of, I wouldn't say organization, but there was a mob. There are always mobs on both sides. There was a paid and strange mob, and there was another——

16849. The *Chief Commissioner.*—What was the other?—I don't know.

16850. Mr. *Commissioner Bruce.*—Did you hear by conversation or otherwise, of Catholic clergymen interesting themselves in the election, to the extent of encouraging their flock to come into town?—I know they interested themselves in the election, but I can't say that they encouraged their flocks to come in—I dare say they did. I have no reasom to contradict the statement that they did.

16851. Can you give us any information to assist us in the matter—did you hear the names of any clergymen sending mobs into the town?—I didn't.

16852. Or bringing them in?—I didn't. I am certain there were people from Captain Flanagan's neighbourhood, who took a very great interest in his return; but I am also certain that they weren't brought in by his parish priest. It has been stated that there was a mob in town from Geevagh, but I know that Father Dominick Noonan, who was one of Captain Flanagan's staunchest friends, did not in any way encourage his parishioners to come in.

16853. Mr. *Commissioner Byrne.*—Can you give us any information as to the organization of the opposition mob?—I cannot, except what I heard.

16854. Did you hear anything as to the armed organization of the mob?—The only thing I heard was that before the nomination—on the day of the nomination, there were people, strangers, came into the town armed. On the morning of the nomination I heard there was a row outside the court-house. As I understood it one mob was armed. I didn't see the arms. Mr. Peter O'Connor and some others separated them, and there was an end to it.

16855. Did you yourself attach credit to the report of persons coming in armed from Colonel Cooper's estate?—Not from Colonel Cooper's estate; but I am aware that you can bring in mobs from the country at call. I believe that there were persons armed on the opposite side at the time of the election. I was, however, only a looker-on, and wasn't in any way concerned in it.

(The witness withdrew.)

Mr. William Edward Harkan.

Mr. *William Edward Harkan* sworn and examined.

16856. The *Chief Commissioner.*—Were you at the last election for the borough?—I was.

16857. In what capacity?—I was an inspector of a booth in this court-house.

16858. Did any money pass through your hands?—None whatever.

16859. Do you then know nothing of the money that was paid by Mr. Molony for the support and maintenance of the mobs?—I don't. I only received intimation from Mr. John M'Dermott that I was to be one of the agents. I was engaged for the county Sligo election. I had no dealing or communication with any of the voters. I only acted as a solicitor in a booth, and I wasn't consulted, except in general conversation as to how things would go.

16860. Mr. *Commissioner Bruce.*—In fact, you know nothing of the election, except professionally?—Nothing more than as a solicitor in a booth, seeing that the men were regularly polled.

16861. You didn't hear of any money being expended by Captain Flanagan for bribery or treating?—None whatever. I have every reason to suppose that there was no money for bribery passed from Captain Flanagan.

(The witness withdrew.)

Mr. James Tighe.

Mr. *James Tighe* sworn and examined.

16862. The *Chief Commissioner.*—I believe you were Mayor of Sligo at the last election?—Yes.

16863. Were you consulted about making arrangements about the peace of the town during the election?—I was.

16864. What steps were taken by you and the other authorities for that purpose?—The day before the polling I asked the three stipendiary magistrates, Mr. M'Mahon, the County Inspector; Colonel Gordon, who was in command of the military; Mr. Robinson, advising counsel to Major Knox; Mr. Waters who was here on behalf of Captain Flanagan, with my asssessor, Mr. Harkan, to meet me at my house, and in their presence we arranged where the forces were to be disposed of on that night and the following day. That arrangement met with the concurrence of all the parties present.

16865. Can you give us any information as to how large the force of soldiers and constabulary was, as reported to you?—To the best of my recollection we had that day a force of 280 of the constabulary—from 270 to 280; I think we had about eighty military men—I don't say I am giving you accurately the numbers.

16866. Had you any cavalry?—Yes, we had both military and constabulary cavalry.

16867. A matter has been mentioned to us—that in either escorting the voters or protecting persons that were followed by the crowd, the soldiers and constabulary did not form across the street so as to prevent the mob from going forward. Was anything discussed by you as to whether that was necessary or not?—We did discuss that, and my assessor stated, in which statement I agreed, that it would be illegal and unconstitutional to place them across the street, and thus stop the passage.

16868. Did your brother magistrates ask that to be done?—I think it was proposed by some one, and it was stated by Mr. Robinson, that Mr. Lawder, the conducting agent of Major Knox, wished it to be done, but Mr. Harkan, to the best of my recollection, objected to it for the reason I have stated, and I agreed with Mr. Harkan.

16869. Did Mr. Robinson concur in the propriety of placing the men across the street?—He did.

16870. Why did you consider it illegal to stop the mob going up the street?—No, but I considered it illegal to stop up the approaches to the court-house; but to prevent them at any other time there was no such question discussed.

16871. Suppose the escort was going to the court-house with voters, and that the mob followed, if five or six men were left behind they would surely stop the mob and keep them from following?—I have no recollection of any case of the kind being discussed. I know that on the day of the polling I considered that my duties were more in and out the court-house than in any other part of the town; and I didn't go to any other part of the town unless I was sent for. Mr. Whelan did send for me on two or three occasions to disperse some parties; I went, and I prevailed on the parties to disperse; in fact, they never refused to disperse when I requested them to do so.

16872. On the night after the polling at what time did the rioting begin that led to the destruction of property in the town?—It is necessary I should explain that on the evening of the day of the polling—I think it was about twenty-five minutes past four at the time—I was informed that an attempt would be made either to destroy or take the poll books from us. I think it right to tell you that Mr. Morrison told me about that hour that there was such a report abroad. I thereupon ordered Mr. Lynch (one of the Sub-Inspectors) and fifty additional constables into the court-house, and I requested some of the magistrates, either Mr. Coulson or Mr. Whelan, to be sure to have a strong escort waiting on me when I'd have the books made up. It was half past five o'clock when I had all finished, and the escort was in waiting, and I went home. I believe it took so many men from the other parts of the town that they declined a good deal to give the people the protection they were asking for, unless where there were attacks made on houses.

16873. How long were you going from the Court-house to your residence?—Not more than five minutes, I suppose.

16874. Were the constabulary then at the disposal of the stipendiary magistrates?—Yes; I was up at four o'clock that morning, and when I got home I was tired; I thought I had my day's work over me then. I heard nothing of the wrecking of houses until half-past six o'clock, or near seven. I then went out, got the military and paraded the town. The night was dark, and we couldn't arrest anyone.

16875. Were you applied to at all that night by anyone for a special guard to protect them?—Yes, I was. In one place I remember the wife of Devanny asked for protection, and I gave it to her.

16876. Was Devanny's house wrecked at the time?—It was; the windows and shutters were broken in.

16877. Did not you know that the rioting would be principally directed against those persons either who had voted for Major Knox, or who abstained altogether from voting?—I knew that.

16878. Did not you know then that they would require special protection?—Whenever a special guard was asked by any parties it was sent to them. I gave it whenever I was asked for it, except on one occasion when Mr. Davidson asked me to go to Jail-street. I referred him to one of the resident magistrates.

16879. How long did you remain out that night?—Colonel Gordon complained to me at about nine o'clock that his men were under arms the whole day, and had no refreshments. I saw no necessity for having them out, and they returned to barracks. I remained out myself up to half-past eleven o'clock, and the town was then quiet and peaceable.

16880. When did the wrecking begin?—It was over about seven o'clock, when it began I can't say. It was very shortly after seven o'clock when I took the military about the town, and there was no wrecking then—any houses that were injured were injured at this time, there was no wrecking after that.

16881. You did not know what was going on until it was all over?—I didn't; some of my family did know it but they didn't like to tell me, knowing that, if I did know it, I would go out.

16882. They were afraid, I suppose, to have you incur danger?—No; their reason for not telling me was, they knew I was unable to go about, I was so tired and fatigued.

16883. Mr. *Commissioner Byrne.*—Were you aware of the constabulary that had been quartered here, being withdrawn from Sligo during the election?—I was. I recollect Mr. Coulson coming to me; and both of us agreed that it was very bad policy to withdraw them. We then immediately went out to Mr. M'Mahon's residence. We there signed a requisition, asking to have them sent back. We asked Mr. M'Mahon to forward the requisition, he did so, and they were sent back, I think the same day.

16884. How long were the local constabulary withdrawn from Sligo?—We had them back the day following.

16885. They were away about twenty-four hours altogether?—Some of them were; some of them were sent back as far as Easky, and it was two days before they came back to Sligo.

16886. What day of the week was it, or what day of the month was it when they were withdrawn?—It was a few days before the poll.

16887. Was there much rioting going on during their absence?—There wasn't much rioting up to the evening of the poll.

16888. Was there great rioting during the absence of the constabulary?—No. I don't recollect any particular rioting, but I believe there was some.

16889. Why did you and Mr. Coulson consider it bad policy to withdraw the constabulary from the town?—Because I was under the belief that they might be much more efficient than strangers, and he considered it very ill-advised on the part of the authorities to remove them.

16890. Mr. *Commissioner Bruce.*—How long before the election was it that the rioting began?—I think it was about a week before the election. The first I heard of it was the breaking of Mr. Clancy's windows. Captain Flanagan was canvassing at the time, and during his canvass some parties in the crowd that accompanied him, threw a stick and broke a pane of glass in the window. One of the constabulary came to me and told me that they had no magistrate with them. I accordingly went with them, accompanied by Mr. Coulson, soon after. I recollect that at that time the crowd was peaceful. Subsequently Mr. Lawder came up, and communicated to Mr. Coulson a sworn information to the effect, that if the crowd with Captain Flanagan were not removed, dangerous consequences might follow. He did this publicly on the bridge, opposite the Imperial Hotel, and it caused a good deal of discussion and ill-will. That was the first I recollect of the rioting.

16891. The *Chief Commissioner.*—Can you give us any information as to which mob it was that was armed before the election?—Different parties came to me, and said, that they heard a number of orangemen came into Sligo armed. Not having any reliable information on which to act, I took no steps in the matter. If any one gave me a sworn information to the effect, I would have them searched, but in the absence of that, I didn't do so.

16892. Then there was such a report?—There was such a report.

16893. Mr. *Commissioner Bruce.*—When did the mobs begin to come into the town, they must have begun to come in more than a week before the election?—If you call crowds of people mobs, they came in when Captain Flanagan himself came in.

16894. How many would you say accompanied Captain Flanagan when he came into town?—I could hardly take on myself to say—perhaps some thousands.

16895. Principally country people?—Yes, a good many of the Sligo people went out to meet them. Captain Flanagan was a person well liked, and a good many of the people residing round about his place came in with him.

16896. Could you fix the time when he first came in?—I couldn't exactly.

16897. Was it three weeks, or a month, or six

weeks?—It was three or four weeks, I suppose, or perhaps more.

16898. That was the first time Captain Flanagan began to canvass?—Yes, he came in publicly that day for the purpose of canvassing.

16899. Did this large crowd or mob go with him through the town from day to day on his canvass?—No; there was no such crowd afterwards with him.

16900. Was there a crowd at all with him?—There was.

16901. Would you call it a mob?—I wouldn't.

16902. Did they go cheering those who promised to vote for him?—When he got a promise, those outside gave a cheer; and when he didn't, they gave a groan.

16903. Can you form an idea of the average number of the crowd that used accompany Captain Flanagan on his canvass?—At the time I allude to, when Mr. Lawder wanted us to disperse them, there weren't more than fifty or sixty persons there altogether, I suppose.

16904. Was that the average number?—The numbers were very often larger, and they were sometimes smaller.

16905. Is it your opinion that nothing which you could call rioting took place until a week before the election?—I wouldn't say there was any rioting up to the evening of the day of the poll. I saw statements in the papers on the subject, but I know that they were grossly exaggerated.

16906. In his evidence, Major Knox stated that, a week before the poll he saw a foreign mob come into the town, and he said, they were more like savages from the mountains than anything else; he also stated, that the place where he was stopping was attacked by this mob, and that he and his servant had to come down stairs with pistols to disperse them—do you think that that is a fair description of what took place?—I know nothing of what took place at Major Knox's place.

16907. Never mind that—I am speaking of the description of the savage mob he gives, that came into the town?—You could scarcely expect that Major Knox and I would look on the mob in the same light, for I felt myself in no danger at all—Major Knox did, and very justly.

16908. In your opinion, then, Major Knox was in danger during that period?—I know that on the nomination day Major Knox had to stay in the court-house after the proceedings were over until an escort was got to convey him to the hotel; and I know it was very difficult—I had to strain all my influence—to get him a hearing on that day.

16909. Previous to the day of nomination, did you consider that there was rioting to a certain extent going on?—Certainly not. I would not say there was any great rioting up to the evening of the day of the polling.

16910. Did you consider there was rioting sufficient to intimidate voters who might go to vote for Major Knox, but who were reasonably expected to vote for Captain Flanagan?—I think not. I know some of Major Knox's friends told me that they walked the streets of Sligo, free from molestation.

16911. Were they Roman Catholics or Protestants?—Protestants.

16912. I am pointing my question rather to those who were suspected to vote for Major Knox, but who not unreasonably might be expected to vote for Captain Flanagan?—I wouldn't say it would be safe for them to walk the streets from the day of nomination to the polling—I do not think they would be safe in doing so. I know that some of them asked me for an escort on the day of polling, and I had no escort to give them, but I went with them myself to the tally-rooms of Major Knox.

16913. You recollect the previous election?—I do.

16914. Is violence a customary thing at elections in Sligo; was there much mob violence at the election between Mr. Macdonogh and Sergeant Armstrong?—There wasn't.

16915. You consider that that was an ordinary election?—I do.

16916. Do you consider it was a quieter election than the last?—I do. I consider that the minds of the people were not so much excited at that as they were at the last election; and I attribute that in a great measure to the discussion of the Church question at the time.

16917. I suppose there was no mob violence at all at the election in which Mr. Macdonogh was returned?—There were crowds, but no violence.

16918. Do you recollect the election when Mr. Wynne was returned; we have some evidence that there was violence at that election; do you recollect anything about the state of the town at that election?—I can't charge my memory with it.

16919. Do you remember the case of Pat O'Brien at that election?—I recollect seeing his house broken into, while it was guarded by military dragoons, but I can't recollect at what election that was.

16920. It is proved that it was at the election of 1859. Assuming that it was, do you recollect if there were any acts of violence committed at that time?—I think there were, but I can't charge my recollection with them.

16921. Would you describe what took place at that time when the military were guarding Pat O'Brien's house?—I recollect that the dragoons were going round in a circle opposite it, and the crowd began to talk of throwing stones. When they talked very openly about it they threw the stones; the stones went through the windows, and the soldiers apparently enjoyed it as great fun. The windows were broken—that's all that I saw.

16922. Do you recollect anyone being stabbed at that election?—The last election.

16923. No, at the election between Mr. Wynne and Mr. Somers in 1859?—No, I don't recollect.

16924. Mr. *Commissioner Byrne.*—Was the representation you made to the authorities as to the withdrawal of the men that were stationed attended to promptly?—At once. It was about twelve or one o'clock when Mr. Coulson and I walked out as far as Mr. M'Mahon's place. He wrote out a telegram there for us; we came in as far as the telegraph office with the message that was sent off, and we had some of the men back on the following morning

16925. One of the magistrates it was that called our attention to the withdrawal of the Sligo police: do you attribute any of the violence that took place to their withdrawal?—I couldn't take it on myself to say that there was any violence during that particular time or not; but I know that Mr. Coulson and I felt that their withdrawal was a great and grievous matter to the people of the town, and to the men themselves.

16926. The matter, however, was rectified?—Yes, and with the greatest promptitude—we had some of the men back early in the morning.

16927. Mr. *Commissioner Bruce.*—Did the rioting continue after the election?—Not that I recollect. I can't recollect any rioting after the election.

16928. Do you recollect the case of Peter Harrison?—Yes.

16929. That was the day after the election?—I recollect that case well.

16930. Mr. Lawder, the agent for Major Knox, swore that from the violence and rioting that prevailed he would not consider it safe to return here to conduct the petition before Judge Keogh—that is, if it were to be tried here?—I know that Mr. Lawder made himself very objectionable to the mob. I heard one of them say, "If we had taken your money for shouting for Knox, you wouldn't speak of us as you do."

16931. When did you hear that said?—That was on the day he tendered the sworn information to Mr. Coulson on the bridge. I heard it said in the presence of a score or two of persons.

16932. Mr. Lawder stated he did not believe that

witness who gave evidence before Judge Keogh at Carrick, that if the inquiry were held here it could be held with safety?—I believe it could be held here with perfect safety.

16933. Do you go so far as to say that there was no act of violence, except the case of Peter Harrison's, committed after the election?—I don't. What I say is, I can't recollect any act of violence after the election. I made it a point to attend every day at Petty Sessions, and if these acts did occur they couldn't escape my notice.

16934. The *Chief Commissioner.*—Would the mobs act at all, if they were not paid at least a day's wages?—As a rule, I believe, there would not be so much mobbing, if they weren't paid. I know that other mobs, similar mobs, were paid for months before the election, and they gave me a great deal of trouble. Several complaints were made to me of them, but I couldn't get the parties who complained—such was their fear of them—to prosecute.

16935. What mobs were these?—Major Knox's mobs—some of them admitted to me that they got money.

16936. Was it Brennan that had them?—Yes. He paid some money to them. I told some of Major Knox's friends that they were doing a very foolish thing—that these mobs would turn against him.

16937. Mr. *Commissioner Byrne.*—And I believe the event proved you were right?—Quite right.

16938. The *Chief Commissioner.*—Do you mean to say that these mobs gave you annoyance in preserving the peace of the town?—Yes; in no other way; they gave me no personal annoyance.

16939. Mr. *Commissioner Bruce.*—Do you know anything about expectations on the part of a large class of voters, that money would possibly be given to them after elections—I mean these last three elections?—I don't.

(The witness withdrew.)

Sub-Inspector *Neynoe* sworn and examined.

Sub-Inspector Neynoe.

16940. The *Chief Commissioner.*—Were you on duty at the last election here?—I was.

16941. How long have you been in the force?—Nearly seventeen years.

16942. Have you been on duty at previous elections?—I have.

16943. How many men of your force altogether had you in town for the election?—Men were taken away, and were never brought back. We had altogether in town one county inspector, eight sub-inspectors, and 324 men.

16944. How many mounted men had you?—We had nineteen mounted men altogether.

16945. Can you describe how many of the military forces there were?—I have not the least idea. I think there were two troops of cavalry, and two or three companies of infantry. I had no opportunity of knowing what the numbers were.

16946. When first did you notice that the country people were in town?—The day Captain Flanagan came into town he was escorted by a number of people—there was a kind of procession—they were peaceable, there was no rioting.

16947. I direct your attention to a few days before the polling, when first did you notice the country people coming into town, and remaining?—Some days before the polling.

16948. Did you see any of the rioting and wrecking of houses on the night of the polling?—I didn't. I was on duty in the courthouse that day. I didn't see the wrecking at the time, but I visited the houses afterwards.

16949. Did the mayor remain any time in the courthouse after the close of the poll at five o'clock?—I think he left it immediately after, but I am not quite sure.

16950. Did not you see any of the wrecking of the houses at all?—I didn't, because the wrecking took place between four and five, and I didn't leave the courthouse until after five. I had no opportunity of seeing it.

16951. Did you hear the matter discussed between yourself and your brother officers, about stopping the people going up the street to the courthouse, and drawing your men across it?—I don't recollect speaking on the subject to them, but I recollect saying to some person that it would be most advisable to do it, that it was done at another election, and that the people were in consequence able to go to vote.

16952. Were you at previous elections in Sligo?—I was at two or three previous elections.

16953. And were the men drawn across the street on these occasions?—I have a recollection of its being done at one election.

16954. You think it then quite possible?—I know nothing so possible.

16955. In your opinion is that a proper measure to adopt under the circumstances?—I think the rioting wouldn't have taken place if it had been done.

16956. Mr. *Commissioner Byrne.*—Are you aware of any armed country people coming into the town, on Major Knox's side?—I am not.

16957. Did you see firearms either presented or used in the crowd?—I did not.

16958. Mr. *Commissioner Bruce.*—Were you on duty outside the courthouse on the morning of the election?—I was, with Mr. Whelan.

16959. Were you aware of the rioting that took place early on that morning when twenty or thirty persons were taken into Miss Allingham's yard for protection?—I don't recollect it.

16960. You have a large experience of elections; you say you were at previous elections here; do you consider that the last election was more violent than those that preceded it?—Not a doubt of it.

16961. What is your opinion of the violence of the last election, as to whether it was great and unprecedented?—I never saw an election half as bad; it was unprecedented in my experience of elections.

16962. Is it your opinion that the violence was produced by two mobs equal in force and numbers, or by only one mob—that was the procession into the town?—I only saw one mob in the town.

16963. Was the violence of that mob continuous during the day?—During the day of polling, is it?

16964. Yes?—It was most violent; it couldn't be much worse.

16965. Would you describe the violence?—I was in the court-house the entire day, and at one time I was standing with Mr. Whelan at the door of it. We posted some men in the court-house and had to send for more. We were waiting for them to come forward, when we heard what seemed to be a shot, and tremendous roaring and rioting. We couldn't see at the time what was going on. The shouting of the mob was terrific. We went down towards the gate and saw them. Sticks were flying about in every direction. There was a dense mob of three or four hundred people. There was a detachment of men opposite the court-house at the time, and Mr. Whelan said to me, "Go down with these men." I said Mr. Reeves was in command. He said, "No matter, go down immediately." I then gave the order to the men, and we doubled down the street and cleared it. When we went down the street I saw Mr. Jones and Mr. Campbell cut with stones. We also were pelted with stones at the bottom of the street.

16966. The *Chief Commissioner.*—I believe the greatest excitement was around Captain Flanagan's tally-rooms?—Yes.

16967. Had you fixed bayonets when you went down the street?—No, we had not.

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Sub-Inspector Neynoe.

16968. Was there any injury done to the arms and accoutrements of the men under your charge?—No; we were pelted with stones, but were not much hurt.

16969. Mr. *Commissioner Bruce.*—Previous to the election was there much rioting?—The first thing that I recollect was the breaking of Clancy's window, then there was some disturbance one night before the election; but I wasn't then on duty.

16970. Was that disturbance about a week before the election, or was it further back?—I can't exactly say. It was some few days before the election; it was at night it occurred.

16971. Would you describe the state of the town from the commencement of the rioting up to the day of polling?—I wouldn't say there was much rioting after the breaking of Clancy's window until the day of polling. I telegraphed for men, and Mr. Lynch with some men came; but there wasn't much disturbance until the poll.

16972. You think there wasn't much rioting on the nomination day, or between the nomination day and the poll?—I don't recollect that there was; the polling day is so fixed in my memory.

16973. You said you noticed some country people in town before the day of polling. Were they in large numbers?—There were a good many of them there.

16974. Did you consider that they were an organized mob?—I considered the mob on the day of polling was organized.

16975. I am speaking of before the day of polling?—They seemed to be going about the town.

16976. Did you observe them going about the town as a mob?—I don't exactly recollect.

(The witness withdrew.)

Sub-Inspector Henry Butler Lynch.

Sub-Inspector *Henry Butler Lynch*, sworn and examined.

16977. The *Chief Commissioner.*—Were you on duty here at the last election?—I was.

16978. How long have you been in the force?—Ten years.

16979. Have you had experience attending previous elections in Ireland?—I was at two previous elections.

16980. Where were you doing duty on the day of polling?—I was in the Court-house. I was brought in there by the Mayor.

16981. Did you see any of the rioting in the evening?—Yes.

16982. In what part of the town did you see it?—In Pound-street.

16983. Describe what occurred?—I had been on duty in the court-house with the Mayor, he was rather timid respecting the report about the poll books, especially on account of what he heard had occurred to the poll books in Dublin on a similar occasion. He therefore kept a strong force of military and police about him. I escorted him home with the poll books. I was then directed to go to Pound-street. When I got to the corner of the street, they threw stones at us out of the houses.

16984. How many men had you with you then?—Twenty-five, Mr. Hill, the resident magistrate was also with me, and when he saw what was going on he said he would go back for the dragoons. I charged the crowds, and we got six or eight men cut with stones. When I was coming back we met the dragoons.

16985. Had the wrecking of the houses been then all over?—It was; it must have been done at the close of the poll.

16986. During what time did it go on, was it done, do you think, in half an hour?—Hardly. I think it must have been going on from four o'clock—from the time it was known that the election was going against Captain Flanagan.

16987. Five or six of your men were injured?—Yes, they were cut on the head and different parts of the body.

16988. From your experience of previous elections, was the mob violence, in your opinion, very great on the last occasion?—To judge from the consequences of what has been done, the violence was very extreme.

16989. Has your attention been directed as to the formation of the constabulary or military across the street leading to the court-house to prevent the crowd following the voters?—It has.

16990. Was your attention directed to that matter during the day of polling—did you speak to your brother officers about it?—I think I heard it said by some one that it would be a very expedient thing to do.

16991. What is your opinion?—I think it would.

16992. Mr. *Commissioner Bruce.*—You were in the court-house on duty that day?—Yes, principally.

(The witness withdrew.)

Sub-Inspector James Walter Raleigh.

Sub-Inspector *James Walter Raleigh* sworn and examined.

16993. The *Chief Commissioner.*—Were you on duty here at the last election?—I was.

16994. How long have you been in the force?—Little over four years.

16995. Were you ever on duty at any previous election?—Never.

16996. Where were you on the day of polling?—I was exactly opposite the court-house gate, minding Major Knox's tally-rooms.

16997. How many men had you with you?—Twenty-five.

16998. What was the conduct of the mob, as far as you saw?—It was principally around Captain Flanagan's tally-rooms, and the Victoria hotel. I could see them where I was.

16999. Did you see any violence during the day—any stone-throwing?—I didn't, until night.

17000. Did you, at the close of the poll?—No.

17001. When did you see it?—After I escorted Major Knox from his tally-rooms to the Victoria hotel, I was sent on duty to what we called the No. 2 district—Knox-street, Stephen-street, and the Victoria-bridge. At Ratcliffe-street we saw that Gethins' house was after being wrecked. There was a mob outside it cheering, and when we showed ourselves, they ran away. I left a section of men to attend to the house, and then went to Knox-street round the other way.

17002. Was that all that you saw?—No. In Pound-street—I went up there, for I was called on by one of the men, who told me that there was wrecking going on there.

17003. What hour was that, do you recollect?—I can't fix the hour. When I went up Pound-street, I saw a mob throwing stones at houses. I met one woman, and she made a lamentable story of the whole thing.

17004. Mr. *Commissioner Byrne.*—How early in the morning were you stationed outside Major Knox's tally-rooms?—At seven o'clock.

17005. Did you leave it during the day?—For the whole day I never left it, except perhaps for a short time.

17006. While you were stationed there, did you see any of Major Knox's supporters armed?—I did not.

17007. Were you aware of any men coming from the country—supporters of Major Knox—with arms?—I was not.

17008. Did you see any mob at either side armed?—With firearms?

17009. Yes?—I did not.

17010. You saw nothing but sticks and stones?—I saw sticks with Captain Flanagan's mob. I escorted a great many of Major Knox's supporters from the tally-rooms to the court-house, there was never any violence offered to them, but some of them were afraid to go across without an escort.

17011. Mr. *Commissioner Bruce.*—Do you remember the occasion when Mr. Neynoe cleared the street?—I do not.

17012. Do you recollect the occasion when Captain King met his death?—I wasn't on duty then; when I came to report myself for duty, Mr. M'Mahon, the county inspector, sent me to the hotel. I went down there, was relieved, and came back to the barracks. Before I went again to the tally-rooms, and while I was at the barracks, I heard that Captain King was shot.

(The witness withdrew).

Sub-Inspector James Walter Raleigh.

Sub-Inspector *Charles Carr* sworn and examined.

Sub-Inspector Charles Carr.

17013. The *Chief Commissioner.*—Were you on duty here at the last election?—I was.

17014. How long have you been in the force?—Over eleven years.

17015. Have you had experience attending previous elections?—Yes.

17016. Where were you on the day of polling?—On that day I wasn't on duty until the evening.

17017. Did you see any of the rioting that day or evening?—I did not. I recollect seeing a large crowd and some stone throwing at a place in the town.

17018. Where is that?—Stokes's corner.

17019. At whom were they throwing stones?—At the police at the time.

17020. Were you part of the force they were pelting?—I was ordered to the men who were stationed there, and I drew up my men. The stone throwing ceased afterwards. I saw, while there, that one of my men was struck in the ankle with a stone.

17021. Mr. *Commissioner Byrne.*—Did you see any of the crowd with arms?—I did not.

17022. Mr. *Commissioner Bruce.*—Do you recollect the country people being in town some days before the election?—I do not. I would not know any of the country people.

17023. Did I understand you to say that you had no opportunity of observing whether there was rioting or not on the day of polling?—I hadn't.

17024. Mr. *Commissioner Byrne.*—Did the rioting appear to be more than usual?—The night I alluded to, I think the people were inclined to be riotous.

17025. Was it worse than you have seen in other places on similar occasions?—I don't think it was.

(The witness withdrew.)

Sub-Inspector *William Edward O'Shea* sworn and examined.

Sub-Inspector Wm. Edward O'Shea.

17026. The *Chief Commissioner.*—Were you on duty here while the trial of the election petition was going on at Carrick; when Thomas Brennan was brought to town by Captain Wynne?—I was.

17027. Had you your men drawn up at the railway station, in accordance with the instructions you received?—I had.

17028. How many men had you so drawn up?—Twenty men.

17029. Tell now what occurred on Brennan's arrival in town?—I went to receive him on his arrival from Carrick, and, with Mr. Wynne, I escorted him to his house, where he went for the purpose of searching for papers. We then went to the hotel, when some stones were thrown that struck Mr. Wynne. I ran up and asked Mr. Wynne if he was hurt, as I saw blood coming from his collar. We then went into the hotel, and Brennan was conveyed to a room, where he remained until next morning.

17030. Was there a large crowd on the platform on the arrival of the train?—There was. It was usual during the trial for an officer and a party of men to attend the arrival of the train, and a crowd used assemble there. There was a crowd on this occasion as usual.

17031. Did the crowd accompany the escort of Brennan into town?—It did.

17032. Where did the stone throwing begin?—It began opposite this court-house.

17033. How many stones were thrown?—About six.

(The witness withdrew.)

Mr. *James Doherty* sworn and examined.

Mr. James Doherty.

17034. The *Chief Commissioner.*—You have been many years living in Sligo, I believe?—Yes.

17035. Can you give us any information respecting what you saw, as to the rioting at the last election—and first of all, how long before the polling did you see any country people in the town?—For about two months before the election they were constantly coming in, but not in large numbers until about a fortnight or three weeks before the election.

17036. What was their conduct?—As a rule, it was rather orderly.

17037. Did you hear of, or see the wrecking of houses going on on the evening of the polling day?—I heard of it. I didn't witness it myself. I was aware that a good many houses were destroyed, and a good deal of them wrecked—rather the smaller houses, generally speaking. I know myself that that violence was intended to have a prospective effect—to show the country people that the people felt indignant at certain members of the Liberal party not having acted consistently.

17038. Do you think that when the country people wrecked, it was with the object of producing a moral effect on the election?—It was done by both country and town people. If we were not on the eve of the county election, you wouldn't have the same amount of property demolished—and that opinion has been indorsed by a good many more.

17039. You know a good number of the electors?—I think I do.

17040. In your opinion is there a certain class of electors that expect to be paid money after every election?—I know that a good number of people on both sides of the house would expect money.

17041. Is that from their own side?—Yes, but I can also safely say that of the good many of these people, who would expect money on either side, no sum of money would induce many to go to the contrary side.

17042. They expect to be "strengthened" on their own side?—Yes, but I don't think they look on it as bribery. I think they believe the candidate gives it in the shape of charity, for, as a rule, the better class of people act on principle. I think there is a disposition on both sides to act consistently.

17043. Did you know Mr. John Ball who was a candidate for the borough?—I did.

17044. Do you recollect his leaving Sligo, and not going on with his candidature?—I do. He left Sligo very precipitately.

17045. Do you know what was the cause of his

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rather sudden departure?—It was caused by exorbitant demands made on him by five or six voters who said they wouldn't vote unless they got large sums.

17046. Who were the men that made the demand, and what were the sums?—I don't know the men. My father seconded his nomination, and he was a good deal in his confidence. Mr. Ball left Sligo by the half-past three o'clock train on a Sunday, and he said that a few friends were to meet him at two. They met him, and he then stated that, in consequence of the exorbitant demand made on him, and the contest likely to be a sharp one, he wouldn't accede to the terms proposed, and he would rather retire altogether.

17047. What was the amount demanded of him did he say?—He didn't exactly state it, but it was very exorbitant.

17048. From the information you have what was it—was it over £1,000?—It was somewhere, I believe, between £700 and £1,000; but that is only a supposition.

17049. Mr. *Commissioner Bruce.*—In what year was it Mr. Ball retired?—It was '58 or '59, I think, but I am not sure. Mr. Ball came to Sligo on three occasions—in '48, when he at first retired from the contest; he came to stand for the county on another occasion, and in '58 or '59 he came to stand for the borough again.

17050. Was that the time that Mr. Somers, and Mr. Wynne were candidates?—Yes, precisely. The Liberal party adopted Somers as a kind of last resource. Mr. Somers promised Mr. Ball his support; and they took him up at the eleventh hour.

17051. You know there were two elections at which Mr. Somers and Mr. Wynne went to the poll—Mr. Somers at the first was unseated, and in 1859 Mr. Wynne was successful by a large majority. Can you now fix at which of these two elections it was that Mr. Ball was a candidate?

17052. The *Chief Commissioner.*—It was 1853 election when the poll-books were tampered with?—That was the occasion, I think, that Somers was declared elected.

17053. Was that the election in which Mr. Ball left town?—I think so, but I am not quite sure.

17054. Mr. *Commissioner Bruce.*—Do you think you could fix the date, by looking at your accounts?—I know that Mr. Ball was here in '48 or '49; he came afterwards to stand for the county, and on the occasion I refer to, he was a candidate for the borough again.

17055. Have you any memorandum that would enable you to fix the date?—I may be able to do so during the day.

17056. Do you recollect who was his conducting agent on the last occasion on which he stood for the borough?—Mr. Valentine Dillon.

17057. You told us the impression on your mind was that there were a good many people on both sides, that expected to get money after every election, though they would not vote against their own side; is that impression derived from conversation with these persons?—It isn't personally, as I never had anything to do with the money transactions connected with the elections. The Liberal candidate nearly always stopped with us; and I was carefully advised by his friends not to have anything to do with money matters. I heard it by rumour that persons on both sides expected money, and I believe that that opinion is well founded.

17058. Have you heard it from conversing with the poorer class of voters, or from your general knowledge of elections?—I often heard it, and I believe it, with regard to the intimidation at the election time, I must say I can't agree with some of the witnesses who stated that on that occasion there was a great deal of violence. I was appointed a member of the vigilance committee, for the purpose of looking after the voters, and seeing that they wouldn't be carried away; and I have been out often up to three o'clock in the morning, and I assure you I never saw any violence, or heard any language that could be objected to. I was out the night before the election, and it was a remarkably quiet night.

17059. The *Chief Commissioner.*—You say you were a member of the vigilance committee?—Yes.

17060. The members were known by the name of Vigilance Committee?—Yes, they were.

17061. Had you anything to do with the payment of the watchers?—No; no money passed through my hands for the payment of the men employed to watch. I know nothing of the money that was paid in that or any other way.

17062. Mr. *Commissioner Byrne.*—Are you aware of mobs having got payment from Captain Flanagan himself?—I heard it stated here.

17063. Were you aware of the mobs having got refreshment?—I never heard it.

17064. Are you able to give us any information as to the organization or employment by the vigilance committee of mobs?—I think there was certainly a very strong expression of public opinion on the subject of the election, but I don't think there was any organization. The country people certainly took a very active interest in the election, but there was no organization. They acted under impulse, but I don't believe there was any desire to commit a breach of the law.

17065. Could you give us any approximate statement of the number of watchers that were employed?—There were a number of persons told off for the different parts of the town. Mr. O'Connor and Mr. M'Niffe were with me for part of a night. I was out for two nights. I was out on the night before the election, and it was a remarkably quiet night. I saw the people act, in my opinion, with great forbearance; and I saw movements made by the constabulary which, I thought, were calculated to provoke a breach of the peace.

17066. Could you give me any approximate statement as to how many watchers were employed—I mean the whole body of the mobs—to look after the voters?—The class of men who formed the vigilance committee didn't belong to the class of mobs; they were the respectable supporters of the Liberal candidate.

17067. I want to know the numbers of the mobs—how many were employed as watchers?

17068. The *Chief Commissioner.*—There was a sum of £180 paid to these men?—There was a number of men stationed in every street.

17069. Can you give the numbers?—I cannot.

(The witness withdrew.)

Head-Constable Michael Hannan.

Head-Constable *Michael Hannan* sworn and examined.

17070. The *Chief Commissioner.*—Were you the Head-Constable in Sligo at the last election?—I was.

17071. How long have you been Head-Constable?—Since '61, but not in Sligo.

17072. Have you experience of former elections?—Yes.

17073. Were you on duty on the polling day?—I was away in the court-house.

17074. What was the conduct of the mob, as far as you saw, that day?—They were violent enough. It was in the early part of the day that Captain King was shot accidentally.

17075. Did you see any of the wrecking in the evening?—I didn't. I was at Mrs. Brennan's house.

17076. Was there much injury done to it?—There wasn't a great deal of injury done to it. I visited several of the houses. I saw Larry Burke's house.

17077. Did you see nothing until after the violence occurred?—I heard of windows being broken.

17078. You were not present at any place where injury was done?—I wasn't.

17079. Was the violence unusual, in your opinion?—It was on the night of the poll.

17080. Was it greater than any you ever saw at any previous election?—It was.

17081. At what elections have you been?—I was at several in Galway.

17082. Mr. *Commissioner Bruce.*—Was there violence before the day of polling?—Not a great deal, except on Captain Flanagan's canvass. I was on duty that day, there was a large mob accompanied him, some windows were broken, and there was stone-throwing.

17083. Were there mobs generally some time before the election?—There were.

17084. But not much violence?—Not a great deal, only on one day there was a serious assault committed, the stabbing of a man named Leonard.

(The witness withdrew).

Head-Constable Michael Hannan.

Michael Kilmartin sworn and examined.

Michael Kilmartin.

17085. The *Chief Commissioner.*—Who did you vote for at the last election?—For Captain Flanagan.

17086. Did you vote for Sergeant Armstrong?—I did, sir.

17087. Did you get any money after that election?—I did, sir.

17088. How much?—£15.

17089. Was it from Mr. Poe you got the money?—Yes, sir.

17090. Did you know before that you were to get it, or who told you you were to go to Mr. Poe?—One Bryan Chrystal.

17091. Did you ever get any money before?—I did, sir.

17092. From whom?—From Mr. Ball.

17093. How much did you get from Mr. Ball?—I think £10 of an allowance of rent I got from the landlord.

17094. Who is your landlord?—Dr. Gibson.

17095. Under what circumstances were you allowed the £10 in your rent?—Bad times came in three or four years afterwards, and he allowed me £10, but not for promising my vote.

17096. Why did he allow the £10?—I could not tell. It was a long time after the election. Two or three years after the election.

17097. You know it was for the election?—I do not know. I could not say that.

17098. But why did you mention the £10 the landlord forgave you?—I got the £10 somewhere or other.

17099. Do you know perfectly well it was because you voted for Mr. Ball—do you remember who were the candidates on that occasion?—I do not.

17100. Had Mr. Ball canvassed you?—He had.

17101. And you promised to vote for him?—Yes, and the landlord wrote to me to vote for him.

17102. Did you ever get any other money?—Well, I did, sir.

17103. What other money?—Well, I voted for Colonel Townley, but I never got money.

17104. Did you ever vote for Mr. Sadleir?—I did, sir.

17105. How much did you get?—I did not get £15 all out.

17106. Who gave you that?—One Mr. Brennan.

17107. What is his Christian name?—Pat Brennan.

17108. When did he give it to you?—Oh, it was a long time after the election.

17109. Where did he give it to you?—Well, I was going by the house one morning when he gave it to me.

17110. Was anybody else paid at that time?—No, sir. I did not see anybody else paid but myself.

17111. Might there have been any other paid?—There might be for all I know—not that I know. That is all I mind.

17112. Who is your landlord now?—One Mrs. Burns.

17113. Would you take any money now if you got it for voting on your own side?—Of course if I got money I would not refuse it, but not for the vote.

17114. But you would take it, although not at the other side?—Yes, sir, I always voted for the Liberal side.

17115. Did you ever vote for Mr. Somers?—I did, sir.

17116. Did you ever get any money on Mr. Somers' side? Did Tom Ward ever give you any money?—Tom Ward never gave me money, but Brian M'Keown gave me some money.

17117. How much?—I think £5.

17118. At what election was that?—Well, I could not tell, sir. I voted, I think, all times for Mr. Somers—three or four times. He was a poor man, and I was told a collection was made for him.

17119. And you took £5 from him?—I took £5 from M'Keown.

17120. Where was it the money was given to you?—Well, after the election was over, he called me and gave me £5. He told me he thought it was as well to take it, because I was a poor man. We did not expect any money from Mr. Somers, because we were told he had no money.

17121. How long was that after the election?—I could not tell—I think it was not very long.

17122. Was he returned that time?—No, sir, I do not think he was. Mr. Wynne put him out that time.

17123. Mr. Wynne was returned that time?—That is my opinion.

17124. Then do you remember the year that was?—No, sir, I do not mind the year.

17125. Was that the election before Mr. Macdonogh was returned, when Mr. Wynne put him out?—I could not tell.

17126. Now, how did you know you were to get the £5?—Well, he was a neighbour, and he called me and told me he had got some money, and that there was a collection, and that for the loss of time for Mr. Somers I should get something.

17127. Is that neighbour of yours still here?—Yes, sir, he will be here.

17128. Where does he live?—He lives convenient to me—Brian M'Keown.

17129. Is he a rent-warner or bailiff, or an agent?—I do not know. He is not, sir.

17130. Is he a farmer?—He is.

17131. How did you ever hear that Tom Ward was giving any money for Mr. Somers?—I never heard of him giving a penny.

17132. We know he gave money to some people?—I heard it, but I did not see that he gave money to anyone.

17133. Well just try did you ever get another fiver besides that?—I voted twice for Colonel Townley but I never got one shilling of his money.

17134. You were very badly treated?—I was.

17135. Did you expect to get money from Colonel Townley?—I did not, because I was drinking whiskey the whole time, and I did not get any money.

17136. Where were you drinking the whiskey?—Backwards and forwards through town.

17137. Was the town flooded with whiskey?—No. I used to earn money selling drink.

17138. You did not pay for the whiskey at the election?—I did pay for it. I often paid more than I drank.

17139. Mr. *Commissioner Byrne.*—Did you say you got £10 and the rent. Did you get any money from Mr. Ball?—There were £10 got.

17140. Did you get any money in hand?—No, sir, I do not think I did. It was allowed in the rent.

17141. Is Pat Brennan alive still?—He is.

17142. Is he in Sligo?—He is.

17143. The *Chief Commissioner.*—What is he by occupation?—He is a merchant, sir.

(The witness then withdrew.)

FIFTEENTH DAY.

October 22.

Francis Tracy.

Francis Tracy, sworn and examined.

17144. The *Chief Commissioner.*—Who did you vote for at the last election?—For Captain Flanagan.

17145. Who did you vote for the election before that?—For Sergeant Armstrong.

17146. Did you get any money for voting for the Sergeant?—Yes, sir. I received some money.

17147. Was it £15?—£15.

17148. Did Mr. Foley give it to you?—Yes.

17149. Now, had Mr. Foley canvassed you before the election?—Well we were speaking before the election.

17150. Talking about how you would vote?—There was nothing about how I would vote but merely to go with the cause as I always went—every man in the court knows my views.

17151. Did you ever get any money before that?—I did, sir.

17152. Who gave it to you?—Bryan M'Keown after the election handed me £5.

17153. After the election?—Yes. I never expected it nor never asked it from any man in Sligo. I defy any man in Sligo, Liberal or Conservative to say I did.

17154. Was that after you voted for Mr. Somers?—Yes, sir.

17155. Was that the election at which Mr. Wynne put him out?—I cannot exactly say for I do not hold it in remembrance. I voted for him a few times. We always thought him poor.

17156. Did you ever get any other money?—I did from Mr. Gethins. I got £12 after Mr. Sadleir's election.

17157. How long was it after the election?—I cannot exactly say that, but I know it was after.

17158. Do you remember there was a petition against Mr. Sadleir, and Mr. Sadleir beat them on the petition?—Yes, I do, sir.

17159. Was it before or after the petition?—I cannot exactly say that.

17160. Were you in London to be examined as a witness?—No, sir, I was never a witness on any side, for I had no trouble with them.

17161. Did you ever get any other money?—I did not ever get any other money. These twenty years I am voting for them, but I never got any other money.

17162. Mr. *Commissioner Byrne.*—Before the last election was Michael Foley asking you about your vote?—No, only that we should be in the cause together. He is a man I know very well—a respectable honest man, and I have great trust and confidence in him.

17163. Mr. *Commissioner Bruce.*—Did you think any money might be going?—No, nothing of that kind. I never asked money of any man.

17164. But money was going before?—Before what.

17165. You got money at Sergeant Armstrong's election?—I did.

17166. You got money after Mr. Somers's election?—Yes, sir.

17167. You got money after Mr. Sadleir's election?—I did.

17168. Did you think there might be money going after Captain Flanagan's election if he got in?—I do not know. I did not hear any man saying there would be.

(The witness then withdrew.)

Edward Kelly.

Edward Kelly sworn and examined.

17169. The *Chief Commissioner.*—Do you know Mr. Woods?—I do.

17170. Did he ever make any offer to you about the election—the last election?—He did.

17171. What was the offer?—He brought me into the stable and asked me what I intended to do at this coming election. I said I did not know, that I was not canvassed by anyone since I got on the revision, and at that time some person in the street met me and told me there was £15 going for not going on the revision.

17172. Do you know his name?—Tondragh.

17173. Did you understand how much Mr. Woods offered you?—When he brought me into the stable he laid his hand on the partition between the horses, and said would twenty feet of mahogany repair this partition. I am generally in the habit of knowing the quantity. The number of feet would not enable me to give an answer, and then I said, "Is it superficial or cubic feet you want?"

17174. How much did you finally understand he offered you in pounds?—He offered me forty feet.

17175. Did you understand that it was about your vote?—I believed that the stable partition wanted no mahogany.

17176. You understood from him he was making an offer about your vote?—I understood that.

17177. Are you a Roman Catholic?—I am an Irish Catholic.

17178. Were you known to be on the Liberal side?—Well, I dare say I was.

17179. Now, was young Mr. Woods present at that conversation?—He was not present in the stable, but one day talking about the forty—the word forty was used in another part of the stable without reference to timber—we went into the shop and the junior Mr. Woods then joined us—that is, Joseph, and we had some conversation about it, and it appeared then the proposal was intended for the election.

17180. Tell me, did you agree to vote with him?—Well, I am just going to that in a few words.

17181. You must answer me, sir. Did you agree?—We agreed in a few minutes afterwards.

17182. At the time you agreed did you intend to vote for Major Knox?—It never entered my mind that I would vote for him. I was influenced in another way altogether.

17183. And you would not have voted for him?—I would not on any account.

17184. After these conversations did you tell them to anyone before you voted?—I told them to my brother.

17185. Had he a vote?—He had not.

17186. Would you not take any money from the other side and vote?—No, I think not on that occasion.

17187. But would you take money for your vote?—I would not.

17188. Mr. *Commissioner Byrne.*—What did young Mr. Woods say to you when he came in?—He told me that the stuff would be put into a small box, and I was surprised at that expression that fifty cubic feet of mohogany would be put into a small box, and sent with me to Dublin—that I was to go to Dublin with it.

17189. Was anything else said?—He said I could not doubt his father's word, that he always paid me in any engagement that existed between us; so I stated that I was not prepared to spend a night in the city, and Mr. Woods said anything I wanted he would find me in. Mr. Phibbs came in at the conversation when it was said forty, and said he was only authorized to give forty. He turned into the office and Mr. Woods said, "Wait now, I will soon know if I can give any more." In a few moments he came out and said, "You have £50 to get, and you must be off to-night."

17190. Did anything else occur between you?—Some days afterwards I was passing Mr. Green's yard, and Mr. Woods called me in and reproached me for not accepting the offer. I said I did not expect offers at election times, but I said from a placard that I saw up they could not offer anything. He told me I would get twenty-eight shillings a week in Dublin.

17191. Did you never accept the offer?—I gave them to understand I would. I took myself off, and when I went out I treated them as the raven did Noah—I did not go back to them.

(The witness was directed to stand down.)

Felix Farrell sworn and examined. Felix Farrell.

17192. The *Chief Commissioner.*—Were you an elector at the last election?—I was, sir.

17193. Was that the first time you ever had a vote?—It was.

17194. Do you remember the time of the revision?—I do.

17195. Did anyone offer you any money not to be registered?—No, sir; no one did.

17196. Did anyone offer you any money to go away?—Yes.

17197. Who?—John Derry.

17198. Which is he?—A farmer.

17199. What did he offer you?—He asked me to take £3 a day for ten days until the election would be over.

17200. Was Derry in Carrick to be examined at the petition?—He was.

17201. Now, did anyone else offer you anything or ask you about your vote? Do you know a man named David Frizelle?—I do.

17202. Did he speak to you about your vote at Buchanan's hotel?—He did, sir.

17203. What did he say?—He began to speak to me about the election, to know if I would vote for him, and I told him I did not know, and he began to make an arrangement with me—to know if I would make thirty-five kegs for him at £1 each.

17204. Are you a cooper?—I am.

17205. Well, is that the usual price?—What is the ordinary price of a keg?—Oh, it is far less than that.

17206. Did you understand what he meant—that he was asking about your vote?—I understand it must be something about my vote.

17207. What did you say?—I borrowed £10 from him until the next morning, and I did not go near him. I kept away from him.

17208. Did anybody else offer you money?—Yes.

17209. Who?—A man named John Conaghan.

17210. What did he offer you?—He told me to go with him and I would get £20 in hand.

17211. To whom were you to go to get the £20?—Well, I do not exactly mind now.

17212. Was it to Mr. Stokes?—No, sir, it was not.

17213. Was it to any hotel?—No, sir, it was not. I do not remember that he mentioned any name, but to come with me. I do not remember anything else.

17214. Is Conaghan still here?—He is.

17215. Conaghan is in your trade?—He is.

17216. Was anyone present when you had the talk either with David Frizelle or John Conaghan?—There was one man present at the time I had the conversation with Frizelle in Mr. Buchanan's. He was a friend of my own, and had a vote for the county; and at the time he came down for me to go up that a friend wanted to see me. I thought it was this man wanted to see me. He was of the name of Connor.

17217. Was he the man who had the vote for the county?—Yes, sir.

17218. What is his name?—Pat Connor.

17219. How far does he live out of Sligo?—About four miles. He is in the asylum now.

17220. Did anybody else offer you anything?—I do not remember anyone else.

17221. What did you say to Conaghan's offer of £20 in hand?—I told him I would not go. I told him I had a weak family depending upon me for support, and it would not do for the public to be against me, and I would not go with him. He told me I was a fool.

17222. Was there anyone else making a set upon you to try and get you to vote for Major Knox?—No, I do not remember any more.

17223. Mr. *Commissioner Bruce.*—Did you vote for Captain Flanagan?—I did sir.

17224. Did you ever vote before?—I never had a vote before.

17225. Mr. *Commissioner Byrne.*—Were you examined at the Carrick petition?—I was, sir.

17226. Before the trial did you give your evidence to Mr. Molony?—I gave no evidence to him until I was subpœnaed at Carrick, and then I was sent for by a clerk of Mr. Molony's, who brought me into Mr. Molony's office, and told me to tell him what I knew about the petition, and I told him I would not give any information about it; that I did not want my name to be published in anything of the sort.

17227. And you did not tell him what you told us?—No, I did not. I told the clerk.

17228. Do you swear you told the clerk all you told us?—I did, certainly, when he told me I must give it down; that I might as well give it to him as give it in Carrick, that I "bet" to do it. And when my evidence was going to be taken in Carrick about Frizelle, I was asked could I give any information, and I said not.

(The witness then withdrew.)

Bryan M'Keown sworn and examined. Bryan M'Keown.

17229. The *Chief Commissioner.*—Where do you live?—In Cornageehy.

17230. On whose estate is that?—Colonel Barrett's.

17231. Were you a friend of Mr. Somers?—Yes, sir, I voted for him twice, and I do not know whether I voted the third time or not.

17232. Do you know Kilmartin and Tracy?—Yes.

17233. You gave them £5 each?—Yes.

17234. Who gave you that money?—Tom Ward.

17235. How much money did Tom Ward give you altogether?—He gave me £25 at that time.

17236. And at another time?—At another time £5 more.

17237. That is £30?—Yes. He was not aware he gave me the £30 until he refreshed his memory after he was examined.

17238. Then he forgot to tell us that when he was up here?—It is a long time ago, and I nearly forgot it myself.

17239. Who were the six men you paid?—He gave me £25 for five votes, and he named them.

17240. Name them to us?—John Jennings, Francis Tracy, Teddy Boyle, Michael Kilmartin, and I forget the other. I think it was John O'Brien, whose sister I paid.

17241. Well, Ward has told us of these men. I thought you meant another case. Do you know of any other men having been paid by Ward, but these men?—He told me to give that to those men, and added, "you can get your own £5," so I got it in a few days afterwards.

17242. Now, did you ever pay any other money?—Never, sir.

17243. Was that the election when Mr. Somers was beaten by Mr. Wynne?—Well, sir, I mostly forget, but I think he contested with Mr. Wynne twice, and I think it was the time he beat Mr. Wynne, but I could not swear.

17244. Now, did you know of any other people being paid besides these?—No, sir.

17245. Or hear about it?—I might from hearsay.

17246. Was £5 the money Mr. Somers paid each?—I do not know.

17247. How did you get the money?—It came upon me unawares. Ward came to me and said, "here's £25," but I said I did not expect it, Mr. Somers being so poor a man.

17248. Was that the day before the election?—It was, sir.

17249. Before the polling?—Yes, on the morning of the polling, I could not say.

17250. What hour did you vote that day?—About

FIFTEENTH DAY.

October 22.

Bryan M'Keown.

eleven o'clock, or it might be earlier, for I generally vote early.

17251. Did you ever get any other money?—Well, I did, sir, at other elections.

17252. Now, go on. Did Mr. Somers ever pay you besides that?—No, I never got from Mr. Somers besides that.

17253. Did Colonel Townley ever pay you?—I believe I got some money through him.

17254. How much?—I voted for him twice.

17255. How much each time?—Seven pounds ten after the first election, about twelve months after.

17256. And how much after the second?—I think I got £10 again, about twelve months after the second election.

17257. Was that after the petition?—Yes, sir.

17258. Who gave you the £10?—Attorney Gethins.

17259. And who gave you the £7 10*s.*?—Jeremiah Joyce O'Donovan.

17260. Did you vote for John Sadleir?—No, sir; I had no vote at that time. I removed from where I was to where I am now.

17261. Did you ever get any money before that?—I believe I got some money on Mr. Ball's account.

17262. Who paid you for Mr. Ball?—A merchant of this town, John Hart.

17263. How much?—Ten pounds. Hart is dead.

17264. Where did Hart pay you?—I think in his own house.

17265. Were any other voters getting money along with you?—Yes, he sent me out for a voter named Joseph Hudson.

17266. To get his £10?—Yes.

17267. Who else did he send you for?—No more.

17268. Who else amongst your neighbours got £10 at that time?—I could not tell, for I was not present when they got it.

17269. Did you not know of other people being paid as well as yourself?—No more than from hearsay.

17270. Go on with hearsay. Who was paid besides you and Hudson?—Michael Kilmartin, Ted Boyle, Francis Tracy, and John O'Brien. I cannot say more.

17271. Did you ever get any other money before that?—No, not before that, but after that.

17272. Come down to recent times?—I voted for Sergeant Armstrong, and I got £15 in the month of April, after the election.

17273. Who paid it to you?—Michael Foley.

17274. Who else got money then from Mr. Foley?—All I could know was, I saw two men coming down stairs from Pat Brennan's house, and they told me they each got it—one Leonard, and the other Gethin, of Radcliffe-street. They told me they got £20.

17275. You only got £15?—That is all, sir.

17276. Do you know why you only got £15?—No, sir.

17277. Was the only man you voted for without being paid, Mr. Somers?—Yes, sir. I got £5 at one of Mr. Somers' elections.

17278. If any money is going now on Captain Flanagan's side will you take it?—Begad I never refuse it any time I may be offered it after the election, but I never looked for it.

17279. But I suppose you would not vote against your own side?—I never did.

17280. Mr. *Commissioner Bruce.*—Are you sure it was from Foley you got the £15?—I am, sir. He and Pat Brennan were in the room, and Foley handed it to me.

17281. The *Chief Commissioner.*—Pat Brennan was in the room?—Yes, sir. I really think it was Foley handed me the money.

(The witness then withdrew.)

Thomas Devins.

Thomas Devins sworn and examined.

17282. The *Chief Commissioner.*—What is your occupation?—A farmer, sir.

17283. Where do you live?—At Roshine.

17284. Is there a James Devins?—There is.

17285. Had you a vote at the time of Sergeant Armstrong's election?—I had, sir.

17286. Did you vote for the Sergeant?—I did.

17287. Did you get any money after that?—I did.

17288. How much?—Fifteen pounds. I got £9 5*s.* 8*d.*, a half year's rent.

17289. Who is your landlord?—Colonel Tennison.

17290. Who is the agent stopped it?—Mr. Poe.

17291. Did any other of the Tennison tenants get £15 except yourself?—They did, sir.

17292. How many of them?—Three more.

17293. Who?—Bernard M'Donagh and Peter Hart. James Hart had no vote, but he got £5.

17294. Why did he get the £5?—Because if he had a vote he would give it to them.

17295. How did you know you were to get the £15?—I did not know it until after the election.

17296. Did you ever get any other money after the election?—No, sir.

17297. Or before the election?—No, sir.

17298. Any other election money? Tell us as the others have been telling us?—No, sir.

17299. Did you vote for Colonel Townley?—No, sir, that was the first vote I ever had.

17300. Now had you anything to say to mobs at the last election?—No, sir.

17301. Did Mr. Moloney give you any money?—No.

17302. Is James Devins your brother?—He is.

17303. Was he the man who had the management of the mobs?—I cannot say.

17304. Were you yourself paid anything?—I got £6 or £7 to give people a drink.

17305. Is that all you got?—That is all.

17306. Who gave it to you?—I cannot rightly mind. I think it was a boy named Gahagan handed it to me.

17307. How many men were you to give the drink to?—Any man I knew was to get it.

17308. Did you keep an account of the men you were to give it to?—I did not.

17309. Where did they spend the money?—I do not know where they spent it. I gave some of them drink and some of them a few shillings.

17310. Who else got money?—Well, I cannot rightly say, sir, who got it.

17311. But you can give a guess at it? Where was the money given to you? Was it given to you in one sum?—It was not.

17312. Was it given to you during the three or four days before the polling?—About that time, sir.

17313. Where did the boys sleep that you gave the money to? What houses were there for the country people to sleep in?—No certain houses. They slept at home.

17314. Do you mean the Garvagh boys slept at home?—I gave it to none of these.

17315. What boys did you give it to?—To my own neighbours.

17316. Tell me who you gave it to?—Frank M'Guinness, Roger Finan, John M'Keown, Thomas Hayitan; £1 5*s.* one time, and 15*s.* another time.

17317. Did you give any money at Tom Ward's?—No, sir.

17318. Did you give any money at any public-house? Did you give an order?—I did so in Mrs. Kelly's one night, £1, and I went in to stop it again, and I only allowed her to give 10*s.*

17319. Where else did you give an order?—No other place.

17320. Will you tell now how much of the money you gave these people?—Some of them 6*s.*, some of

Thomas Devins.

them 5*s.* 6*d.*, and some of them 4*s.* 6*d.* a day. It was not by the day though, but because they were neighbours I gave them as I got it.

17321. What were these people doing for that?—Some of them were at their work, and some of them in town, and just as I got it I thought it better to give it to them than to keep it myself.

17322. Was that all the money passed through your hands?—Yes, £6 10*s.* or £7.

17323. It might be £7 10*s.*?—No.

17324. Where was it you got the money? Where was the money paid to you?—Well, in Tom Ward's tap-room I got some of it.

17325. Who gave it to you?—A boy named Gahagan.

17326. Was Tom Ward there?—No.

17327. How many of you drank there?—I was not drinking any myself.

17328. Were you a teetotaler then?—I was.

17329. How long were you a teetotaler?—About four months before the election.

17330. You did not become a teetotaler because the election was coming on?—I did not.

17331. Mr. *Commissioner Byrne.*—And the money was given for the men on Captain Flanagan's side?—Yes.

17332. Mr. *Commissioner Bruce.*—Who gave you the £15 from Sergeant Armstrong?—Mr. Poe.

17333. Mr. *Commissioner Byrne.*—Did you know of any other money being given at the same time for mobs on Captain Flanagan's side?—No, sir. I heard there was money given, but this was part of it.

17334. Who did you hear got the money?—I heard my brother got some and a man named Gilgan.

17335. Was there anybody else?—No, sir.

17336. Mr. *Commissioner Bruce.*—Do you mean your brother James?—Yes, and I heard Henry Dignam got it.

17337. Anybody else?—Not that I know of.

17338. Try and think—did you not hear of some others besides?—No, sir, I did not.

17339. Now is there no other name you can remember of persons who got money for the mobs?—No, sir; I do not know of any.

17340. Did you know of the damage being done on the night of the polling to any of the houses in the town?—I saw them breaking, sir. I saw one house breaking.

17341. Were there any crowbars or implements of that description used for the purpose of breaking the houses?—No, sir; not that I saw. I was sitting on O'Hara's window, and I saw Gethins' house broken, I think, with stones. I did not see any crowbars.

17342. Was there any more damage done to Gethins' house than the smashing of the windows?—I saw some boxes of sweets thrown out into the street.

17343. Was there any injury done to the walls of the house?—Were they torn down?—No.

17344. Was there anything more than the smashing of the windows, and the damage done to the boxes?—Well, I did not go too close to it. I did not go near for fear———

17345. Did you see any other houses attacked?—I did. I was going up the street, and I saw Larry Burke's house attacked as I was passing by, and I saw a nephew of his inside, and the stones being thrown, and I passed on and I saw no more.

17346. Did you go away before you saw the mischief done?—I did, sir; I would not stand by.

17347. Did you see any other houses wrecked?—No, sir; I do not know of any other.

17348. Are you quite sure?—I am certain sure.

17349. Mr. *Commissioner Bruce.*—You voted for Captain Flanagan?—I did, sir.

17350. Did you expect any money?—No.

17351. You did not think it might be going?—No.

(The witness then withdrew.)

Michael Kilcullen.

Michael Kilcullen sworn and examined.

17352. The *Chief Commissioner.*—Are you an elector?—No, sir; I am a non-elector.

17353. Did you get any money from Gray?—No.

17354. Did you get any money at the last election at all?—I did.

17355. From whom?—From Patrick Kilcullen.

17356. How much?—About seven or eight shillings.

17357. What for?—For watching voters.

17358. On whose side?—On Captain Flanagan's.

17359. How long were you employed in that?—I used to be out occasionally backwards and forwards. I was out two nights before the polling.

17360. Who is Patrick Kilcullen?—My brother.

17361. How many other men did he pay besides you?—I do not know.

17362. Is he an elector?—No.

17363. How many men used to be with you?—Well, the night I was out there were three more and myself.

17364. Who were you watching?—Down Knox-street.

17365. Were you watching any particular voter?—Yes, Derham; he might have been made away with.

17366. Was that all the money you got?—That was all.

17367. Was there any place where you got drink?—I got no drink, but what I paid for.

17368. Was there any public-house in which you got drink without paying for it?—No.

17369. Did you drink in Tom Ward's?—I did.

17370. Did you pay for what you got there?—I did. I did not go out very often as I had my work to mind.

17371. Mr. *Commissioner Bruce.*—Had you ever a vote?—No.

17372. Mr. *Commissioner Byrne.*—Did you get any money from Brennan for Major Knox?—No, sir; and would not take it either.

17373. Is your father a voter?—No, sir; he is dead.

(The witness then withdrew.)

James Tonry.

James Tonry sworn and examined.

17374. The *Chief Commissioner.*—Did you vote at the last election?—I did, sir.

17375. For whom?—For Major Knox.

17376. Where were you on the day of the polling?—I was in the town.

17377. In whose house?—In Mr. O'Farrell's.

17378. Why did you go there?—I went there for protection. My house was threatened, and I left it.

17379. Threatened by whom?—I do not know.

17380. Are you a Protestant or a Roman Catholic?—A Roman Catholic.

17381. Did you ever vote before?—Yes.

17382. For Sergeant Armstrong?—No, sir. For Mr. Somers.

17383. Did you get any money for your vote then?—Never.

17384. And you voted then for Mr. Somers?—Yes, sir.

17385. Were you a member of the Liberal party here?—No.

17386. Did you think Mr. Somers was a Conservative?—He was on the Conservative side that time.

17387. Now, did anyone make any offer of money at the last election?—Never.

FIFTEENTH DAY.

October 22.

James Tonry

17388. Did you pay for what you had at O'Farrell's?—I did not pay yet. I am to pay it; I am doing work for him.

17389. What trade are you?—A carpenter.

17390. Mr. *Commissioner Bruce.*—When did you go to O'Farrell's?—Three or four days before the poll.

17391. And did you stop there until after the polling?—I did.

17392. Did you leave the house at all?—Not until I came to the poll.

17393. Did anybody tell you to go to O'Farrell's?—No.

17394. It was from your own idea?—It was.

17395. Had anybody threatened you?—No, sir; I was neither threatened before or after except the house being attacked.

17396. When was that?—The night before the poll.

17397. You have told us you went three or four nights before the poll to O'Farrell's?—Yes, but it was the night before the poll the windows were broken.

17398. What took you to O'Farrell's?—I went for my own safety.

17399. But nobody had threatened you?—No.

17400. Mr. *Commissioner Byrne.*—Are your customers or employers on the Conservative side?—Yes, sir. It is for them I am generally working these thirty years.

17401. Had any of them asked you for your vote for Major Knox?—No, sir.

17402. Were you afraid of losing your custom if you voted against him?—Well, I was not afraid.

(The witness then withdrew.)

Patrick Jordan.

Patrick Jordan sworn and examined.

17403. The *Chief Commissioner.*—Are you an elector?—Yes, I voted the last time.

17404. Who did you vote for?—For Captain Flanagan.

17405. Did you vote for Sergeant Armstrong?—No, sir: I had not a vote at that time.

17406. Was the last time the first time you had a vote?—It was, sir.

17407. Do you know Thomas Brennan?—I do.

17408. Did he ever give you any order?—Well, he did.

17409. For how much?—£3 or £4. He did not give me the order at once. He came twice and told me to get a certain thing done, and gave me £1 for drink.

17410. Is there another Patrick Jordan in the town?—Not that I know.

17411. Did you get any money for Sergeant Armstrong's election?—No, sir.

17412. You say you had not a vote?—I had not, sir. (The witness saw the Chief Commissioner looking at a book, and added)—You will not take that out of the book; for it is not me who got the £15. I got no money at all.

17413. Who got the £15?—I do not know.

17414. Are you aware it was said Patrick Jordan got £15 after the election?—I am the only one in the town, and I got no money at all.

17415. Is there a Martin Jordan?—There is, a father of mine.

17416. Do you know he got money?—I do not, sir. I heard he got money, but I do not know.

17417. How much?—Well, I do not recollect now.

17418. What is your business?—A grocer and publican.

17419. When did Tom Brennan give you the order for the £4?—It was before the election.

17420. How long?—It was a month or so.

17421. Whose mob was that for?—The mob he supported himself—Captain Knox's mob.

17422. How many of them got the drink?—Several of them. I do not recollect how many.

17423. Were there twenty?—I suppose there were.

17424. Was it all on one evening you gave them the drink?—It was not. It was on two, or three, or four occasions.

17425. Did he pay you the £4 in one sum?—I never got one penny of it. I took his word for it as a neighbour.

17426. You never got it?—No.

17427. Mr. *Commissioner Byrne.*—What is your father by trade?—He is a farmer.

17428. What size farm does he hold?—I suppose ten or twelve acres.

(The witness then withdrew.)

Denis Rooney.

Denis Rooney sworn and examined.

17429. The *Chief Commissioner.*—Had you a vote at the last election?—Yes, sir.

17430. Who did you vote for?—For Captain Flanagan.

17431. Had you a vote at Sergeant Armstrong's election?—Yes.

17432. Did you vote for the Sergeant?—I did, sir.

17433. After that did you get any money?—I did.

17434. How much?—£10.

17435. Was that from Mr. Phillips?—Yes.

17436. Was that all you got?—That was all.

17437. What are you by occupation?—A shopkeeper.

17438. Did you ever get any money before?—Never.

17439. Had you a vote at the previous election?—Yes.

17440. Did you vote for Mr. Somers?—I did.

17441. Against Mr. Wynne?—I could not say exactly.

17442. Did you vote for Colonel Townley?—No.

17443. Or John Sadlier?—I did.

17444. Were you offered money after that election?—Never.

17445. If any money happens to be going now will you take it?—Money is very tempting.

17446. Mr. *Commissioner Byrne.*—Was the £10 given you in cash by Mr. Phillips?—It was.

(The witness withdrew.)

Valentine Dillon.

Valentine Dillon sworn and examined.

[This gentleman was engaged professionally in an adjoining court, and the Commissioners hearing that he was there requested his attendance.]

17447. The *Chief Commissioner.*—Were you conducting agent in 1859 or 1857 for Mr. Ball?—In 1857 or 1859, I cannot remember now which, in either of the two years I came down with Mr. Ball to Sligo. I did not intend to come down to act as his conducting agent. If he had gone to an election it was my intention to have employed a local conducting agent.

17448. Could you not fix whether it was in 1857 or 1859?—The "Directory" will at once inform you of it.

17449. In 1857 Mr. Somers was returned, and the election was set aside on petition on the ground of books having been tampered with. That was in 1857?—Yes. Who was the other candidate?

17450. Mr. Wynne. In 1859 Mr. Wynne beat Mr.

Somers at the election by a large majority, and I want to know does that refresh your memory?—I imagine as well as I can now recollect that it must have been after the litigation out of which the poll books were set aside that I came down with Mr. Ball.

17451. So I suppose. Do you know anything in connexion with Mr. Ball then giving up the election and leaving the town?—No, I do not know of my own knowledge anything connected with it.

17452. We have it in evidence that it was in consequence of some voters on the Liberal side demanding a large sum—£700 or £1,000—for their votes?—So his brother told me at the time.

17453. Some six or seven voters?—Some few men demanded a large sum of money.

17454. From all you know of the election you supposed that to be true?—Yes, perfectly true. Personally I had no knowledge of it.

17455. Mr. *Commissioner Bruce.*—You are certain now it must have been in 1859?—I only form that opinion from what I now recollect; but I think I was the person concerned in some prosecutions that were instituted against the then mayor of Sligo. There was litigation carried on to a large extent against him, and I was concerned in that ligitation, and I think it was out of that ligitation the circumstance arose that induced Mr. Ball and myself to come together—at least I think so. If I had any idea of being examined I could have brought assistance.

Valentine Dillon.

17456. The *Chief Commissioner.*—Your name has been only mentioned to-day.

17457. Mr. *Commissioner Byrne.*—Were you more than once with Mr. Ball?—Only on the one occasion.

17458. You know nothing about this demand for this sum of money, except what you have just told us, that you heard it from Mr. Ball's brother?—No.

17459. And did you hear the sum mentioned?—No. The brother was down at the time managing. He was the person who would do anything in connexion with money affairs.

17460. Had Mr. Ball addressed the electors?—I think he had.

17461. Was it previous to or after the nomination he left town?—I do not think he went to a nomination on that occasion. I do not think he waited for the nomination day.

17462. Do you recollect how soon before the nomination day he left?—I think it was only a day or two. That is my recollection now.

(The witness then withdrew).

John Henry sworn and examined.

John Henry.

17463. The *Chief Commissioner.*—Had you a vote at the last election?—I had.

17464. Who did you vote for?—For Captain Flanagan.

17465. Had you ever a vote before?—Never.

17466. How much were you rated at?—£8.

17467. Now were you at Mrs. Hall's?—I was.

17468. Who told you to go in there?—I was generally employed in this place—in Mrs. Hall's—with the grand jury.

17469. Are you a Catholic or a Protestant?—A Catholic, sir.

17470. Were you in Mrs. Hall's the day before the election?—The day before the election I was in the house.

17471. Did you stay there the night before the polling?—No, sir. I never slept in Mrs. Hall's.

17472. Did anybody offer you anything for voting for Major Knox?—When I went, Mr. Cherry and some strange gentleman were in, and the gentleman came down stairs, and I was in the front-room parlour. Mrs. Cherry and Mrs. Hall were in it. Mr. Cherry wanted me to stop in Mrs. Hall's, and not to go out of the premises. I was inclined to go out, and I said I would not stop out of my own house.

17473. Did Mr. Cherry make you any offer?—He said he would hand me a recompense the same as the other men.

17474. Was any money mentioned?—He never mentioned any money to me. Mrs. Hall said if I would stop inside and render her assistance in the court, she would pay me.

17475. Did anybody else offer you any money?—Mr. Petrie did; £30 in my own house.

17476. Did he offer it to you more than once?—He offered it to me twice—in his own office.

17477. What was the £30 for?—To quit the place, and not to vote.

17478. Did you agree to take it?—No.

17479. Would you take it?—No.

17480. Did you refuse it?—No, sir. I kept my mind to myself all through.

17481. Did Leonard get £5?—I heard he did, but I did not see it.

17482. Who did he get that from?—From Major Knox.

17483. Who did you hear he got the £5 from?—From Major Knox.

17484. Do you mean from Major Knox himself?—Yes; he got £5 the night before the election to bring me, when he heard I was housed in Mrs. Hall's.

17485. What was the occasion of Mr. Petrie coming to you?—I will tell you what he has told me. He told me moreover what interest he had in Major Knox.

17486. When did he come to you?—He came frequently for three months before the election.

17487. When did he make you the offer of £30?—About three weeks before the election; and then when I saw the election coming to a close, for fear I would be processed for the barrel of herrings, I went down to ask for some law, and brought 8*s.* Mr. Petrie brought me in, and sitting down alongside of me said, "Have you your mind made up?" and I said "No." "I hear," said I, "that the Major is going to get me back my pension;" and he said, "That is the thing he can do for you." He said, "I will stand you the £30, but I wish to keep everything dark, and not to show the public what interest I take in the matter." With that there was a man named Doherty coming in, and he said, "You can go away." Doherty did not hear what the man was saying to me. He said he was three years successively with Colonel White over the salmon fishery, and he said he would give me £30, because he would like to return Major Knox.

17488. Who did you get the money from?—From Bryan Chrystal.

(The witness then withdrew.)

Patrick M'Clean sworn and examined.

Patrick M'Clean.

17489. The *Chief Commissioner.*—Did you vote at the last election?—Yes, sir.

17490. Who did you vote for?—For Captain Flanagan.

17491. Did you vote at the election before that?—Yes.

17492. For Sergeant Armstrong?—Yes.

17493. Did you get any money after that?—Yes.

17494. How much?—Twenty pounds.

17495. Did you know that was for your vote?—No, sir, I did not.

17496. Did you know you got it because you had voted?—No, sir, I did not know. I voted for Sergeant Armstrong, and I did not expect one penny.

FIFTEENTH DAY.

October 22.

Patrick M'Clean.

17497. Do you think you would have got one shilling if you had not voted?—I do not think I would.

17498. Did you ever get any money before?—No, sir. I never had a vote before.

17499. Did you vote at the last election for Captain Flanagan, honestly?—I did, sir.

17500. What is your business?—A butter and egg merchant.

17501. Do you deal with the country people?—Yes

17502. Did you see many country people in town?—Yes.

17503. Did you know of any money going for their support?—No, sir; I did not. I was occupied with my own business.

(The witness then withdrew.)

James Devins

James Devins sworn and examined.

17504. The *Chief Commissioner.*—Are you an elector?—No, sir.

17505. Your brother who has been examined is an elector?—Yes.

17506. Is your father an elector?—My father is dead.

17507. Did Mr. Molony give you any money at the last election?—He did.

17508. How much?—About £105 odd.

17509. What was that money for?—Well, he did not tell me what it was for.

17510. That is a little strong. Do you mean to say you did not know what it was for?—I partly understood it was for paying non-electors.

17511. You may as well tell all about it. Mr. Molony has told his story with perfect truth. Did you keep any account of that money?—No, sir.

17512. Did you keep any of it for yourself?—I did.

17513. How much?—I kept £4.

17514. To whom did you give the rest of the money?—I divided none of it. I gave it up to a man named John Gahagan who divided it. It was given I understand for the boys of the town to watch voters, and I did not know the parties rightly entitled to get it, as I lived out of the town, and I understood he knew better than I did. I gave it to him and I had nothing to do with it but the £4 I kept for myself.

17515. You know Tom Ward?—I do.

17516. Was any of the money spent there?—Well, indeed there might be.

17517. Do not use the word might to me. Were the boys drinking there?—Well, I did not see them drinking, or I did not know what money they were drinking. It was drunk in every place where they thought proper.

17518. Do you remember the Sunday before the election?—I do, sir.

17519. The election was on the Thursday?—Yes, sir.

17520. You remember the Sunday?—Yes.

17521. Did you get the whole of that money between the Sunday and the day of the polling?—No, sir.

17522. How much before the Sunday?—I am not sure, sir.

17523. Were you a teetotaler at the last election like your brother?—I drunk none over two glasses in the day.

17524. I mean you kept yourself sober on purpose at the election?—I did, sir.

17525. How many men was the £105 given amongst?—I could not tell.

17526. Why did Gahagan know better than you?—Because he lived in the town and I lived outside of it.

17527. Why did Mr. Molony give you the money?—He thought I would deal fair with it.

17528. And account honestly for it?—I suppose so.

17529. Mr. *Commissioner Bruce.*—Were you with any of the country people before the election?—No, sir. There were country people and townspeople of course, in the town at the time.

17530. You know what I mean—were there mobs about. Do you swear you were in none of the mobs?—Indeed I was, sir, in and out of them.

17531. Were you at the head of any of the mobs that were shouting for Flanagan?—I do not think I shouted twice for Flanagan at the election, and I do not know that I did at all.

17532. Were you at the head of any of the mobs on the day Captain King was shot?—I might have been in some of them.

17533. Were you in the front of them?—I could not say what part of them I was in.

17534. Did anybody tell you what you were to do? Did you get any instructions?—Well, I did, sir, to send parties to watch certain places where there were houses of voters.

17535. And what were you to do when you were watching?—Not to let the people be brought away by any other party.

17536. Who did you get instructions to watch? Did you get instructions to watch Gethins?—No.

17537. Who did you get instructions to watch?—There was some man in James's-street I was told to have an eye to, and about Mrs. Hall's place.

17538. What were you to do if anyone came out?—To report it, sir.

17539. Were you to do nothing else?—No.

17540. Not to catch hold of them?—No, sir. We were not authorised to catch hold of anyone.

17541. What else were you to do besides watching these people?—Nothing else.

17542. To do nothing during the day time?—No, sir, but to keep the streets, and have an eye about.

17543. About what?—About the voters, and see if any of them were going about the town, or if anybody interfered with them.

17544. What were you to do if you saw them?—To prevent them if we could, and stop them.

17545. Who told you to stop them?—I cannot tell.

17546. I believe you can say if you like?—No, sir, I cannot.

17547. Who gave the instructions, now?—I cannot tell, sir.

17548. Is it that you will not tell?—I cannot tell.

17549. Try and recollect the name of the voter in James's-street?—I cannot.

17550. Were you ever authorised to watch James M'Mullen?—No, sir.

17551. Or Peter Harrison?—No.

17552. You must have been ordered to watch more than one?—There was a man named Middleton down at the quay.

17553. Were you to watch him?—Yes.

17554. Did he vote?—I do not know, sir, how he voted.

17555. Did you hear?—Well, I think he did not vote.

17556. Well, who else?—I cannot remember anybody else.

(The witness then withdrew.)

Daniel Gillan.

Daniel Gillan sworn and examined.

17557. The *Chief Commissioner.*—Are you an elector?—I am not, sir.

17558. Did Mr. Molony give you any money at the last election?—He did.

17559. How much?—Forty-five pounds.

17560. Whom did you give that money to?—I distributed it myself, and two or three men more, to between forty and fifty people.

17561. What is your business or occupation?—I am a butcher and dealer.

17562. Did you know these people you were giving the money to?—I did, everyone.

17563. Were they townspeople?—All townspeople, sir.

17564. Did you open any account at any public-house for these people?—Not one shilling.

17565. Did you give the whole of that money to the mobsmen themselves?—Every shilling, sir. There were four or five parties along with me used to take so much of it, and forty or fifty people used to get it every night. Some of them got 15*s.*

17566. What were these people employed for?—To watch houses. I had eight or ten on James-street every night to watch voters.

17567. Will you tell me the names of the voters?—Peter Cunningham in James-street.

17568. Did he vote?—I do not know, sir. There were parties in tampering with him.

17569. Who were the parties tampering with him?—I heard that young Mr. Gilmor was there.

17570. What is his Christian name?—John Gilmor. There was another party there that Mr. Molony told me was going about the town with Mr. Petrie, and he ordered us, in fact, to go in and not allow him to be tampered with.

17571. Who else?—There was another man named Thomas Middleton, on the Quay. We were told he was being tampered with.

17572. Did he vote?—I think not.

17573. Did you leave a party to watch him?—Yes, sir.

17574. Used they to be up all night?—Every night for four or five nights.

17575. Who else?—There was another man in Grafton-street that myself and another man were told to watch Mr. Petrie going into, and that was Edward Gethins'. That is all I can remember at the present time.

17576. He did not pay forty or fifty men to watch these three?—No, sir; there were ten or twelve left every night in Gaol-street.

17577. About what time did you pay these men?—Four or five days before the election.

17578. Did you pay any on the polling day?—Not one shilling; it was two days before the polling day.

17579. How many men altogether did you pay?—About forty or fifty each night, to the best of my recollection.

17580. Did you give any of that money to electors?—No, sir.

17581. Are you positive about that?—Certainly, sir.

17582. Were you told not?—Certainly, sir.

17583. Who told you not?—Mr. Molony told me not to give one shilling to an elector. I used to make out a slip of paper every night, and I never had an elector on the list.

17584. Who were on the list?—There were two or three Byrnes on the list—John Byrne and Pat Byrne, John O'Hara, John Finan, James Duffy (since dead), Michael Byrne, William M'Cullogh, Edward Gallinan, John Mulrooney, and John Gallagher. I cannot remember any more.

(The witness then withdrew.)

John Kearns sworn and examined.

17585. The *Chief Commissioner.*—Where do you live? There are two of your name?—There are, sir, three or four of my name in Sligo. I live in Temple-street, Sligo. There are at least three more of my name.

17586. Are you an elector?—I am an elector.

17587. Was any offer made to you at the last election?—No, sir, there was not.

17588. Now, who did you vote for at the last election?—I did not vote at all for either party.

17589. Did you go to any place away from your own house?—I did. I was afraid to stop in my own house.

17590. Are you a Catholic?—I am.

17591. Who did you intend to vote for?—Major Knox if called upon.

17592. Had you voted at the previous election?—I voted for Mr. Somers twice and for Mr. Macdonogh on two occasions.

17593. Was any money offered to you after Mr. Macdonogh's elections?—No, sir.

17594. Did you vote for Mr. Somers because he was a Conservative?—I could have got £200 for voting for Mr. Sadler if I had liked.

17595. Who offered you the money?—Young Harry O'Connor, who is now dead.

17596. And he offered it to influence you?—Yes, £40 or £50 notes in my own parlour. I would not sell Mr. Somers, and although he was a poor man I would not vote against him.

17597. Do you remember Colonel Townley's election?—I do.

17598. Was any offer made to you?—No, there was not.

17599. Do you know of any money going at Colonel Townley's election?—I do not.

17600. Who did you vote for then?—For Mr. Somers.

17601. At Mr. Wynne's election who did you vote for?—Mr. Somers.

17602. Did you vote for Mr. Somers all through?—All through thick and thin, and I never got one penny, but I lost my time and money.

17603. Why did you not vote at the last election after persevering to vote for Mr. Somers all through? Why did you not vote at the last election?—I thought Major Knox a fit and proper person to vote for, and I said I would vote for him.

17604. How long before the election did you make up your mind to vote for him?—I think it was about a month.

17605. What induced you to make up your mind a month before the election?—Nothing at all, but I think he was a better man than Captain Flanagan. Major Knox was a young man, and Captain Flanagan an old man, and that was the difference. I thought he was a fit and proper person to represent us in Parliament.

17606. Were you afraid you would be molested if you did not go to Allingham's hotel?—If I left the hotel I would be carried away, and made vote in spite of my teeth.

17607. Why, how could they make you vote if they brought you to the court house?—They might not, but I would sooner keep out of the way of harm.

17608. Where did you suppose you would be brought to if you did not go to Allingham's?—I do not know.

17609. Did you expect you would be brought away out of your own house?—I did.

17610. Did you get any word of that?—I did not.

17611. But you knew the habits of the people?—Yes.

17612. Mr. *Commissioner Byrne.*—Do you know a Mr. Macdonagh in this town?—I do well.

17613. Did you ever say to him you were going to vote for Captain Flanagan, but you would see Mr. Lawder first?—I never did.

17614. Or anything about it?—No.

17615. Had you any conversation with him?—I had. I told him I wanted to go and see Mr. Lawder, and tell him what I intended to do the evening before the election.

17616. Did you say nothing about Captain Flanagan?—I did not. I never promised Captain Flanagan in my life.

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John Kearns.

17617. But you told Macdonagh you would go and see Mr. Lawder?—I did.

17618. Why did you tell Macdonagh that?—I told him what I tell you now, and that is all.

17619. Why did you tell him you were going to see Mr. Lawder?—I thought it was no harm to tell him that. No one could make anything of that on earth.

17620. Mr. *Commissioner Bruce.*—What are you?—I am a buyer of butter, and shipper.

17621. Who are your principal customers?—I do not want to know them by name.

17622. Are they Conservatives or Liberals?—I do not understand you.

17623. Are your principal customers Conservatives or Liberals?—I buy from every party that comes across me. I am not bound to any one party. Everyone that comes across me I buy from them.

17624. The *Chief Commissioner.*—Who is over the markets in Carrick?—Richard Frederick Coyle.

17625. Has Mr. Lawder anything to do with them?—I think he has.

17626. And I suppose you are not badly treated in the markets?—Well, everybody in them is treated as I am treated. Any man who goes in there is treated as I am treated.

17627. Mr. *Commissioner Byrne.*—Did you see Mr. Lawder that evening?—I did, sir. He asked me would I vote, and I said I would sooner not, as I was going to the market, and I would not vote for one party or another, but if I am required, I will vote for you. I would much rather not, I said, for I attend all the country markets, and I will be destroyed if I do anything.

17628. The *Chief Commissioner.*—I believe they broke into your house?—They did.

17629. What compensation did you get?—Sixty-four pounds.

17630. Mr. *Commissioner Bruce.*—Are you a Protestant or a Catholic?—I am a Catholic.

17631. Were you pressed much to vote for Captain Flanagan?—I was not pressed much, for I kept myself out of the way that I could not be pressed.

17632. Did you ever hear of voters being carried off before?—Yes, there was one of my own side carried off on a door.

17633. What election was that at?—At the last election.

17634. What was his name?—Rennix. He is a dealer near where I live.

17635. What was his other name?—I do not know his other name at all.

17636. Did he poll for Captain Flanagan?—Yes, he was compelled to poll for Captain Flanagan, and dragged to it by the back of the neck.

17637. Is he living in town now?—He is. I saw him not two days ago.

17638. Did you hear of any man being dragged away and forced to vote at Sergeant Armstrong's election?—I did not know of one.

17639. Or at Mr. Somers's election?—No; nothing of the sort at all.

17640. Did you hear of anybody else besides Rennix being dragged away?—No.

(The witness then withdrew.)

Michael Mulligan.

Michael Mulligan sworn and examined.

17641. The *Chief Commissioner.*—What are you?—A farmer, sir.

17642. Did you get any money from Mr. Molony?—I did, sir.

17643. How much?—I do not mind—between £5 and £7. I do not know.

17644. Was that for watching voters?—It was not, sir.

17645. What was it for?—On the day Captain Flanagan came into town, there came a lot of my neighbours with me, men, women and children, and they spoke to me above in the town that they were hungry, and they got into some houses and got bread and tea, and I came down afterwards to Mr. Molony, and told him about it, and I said I would have to pay it myself unless he paid it.

17646. In whose house was this?—Some of them were in a brother's of my own, Martin Mulligan.

17647. Was he a voter?—He was.

17648. How much did you give him?—I do not know rightly.

17649. Did you give him £4?—I do not know; I gave them all I got, and they complained they did not get enough.

17650. Did you give your brother £1?—I am sure I did and more.

17651. Two pounds?—I could not say exactly what. I divided it.

17652. Amongst whom?—John Henry was one of them.

17653. Was he a voter?—He was, sir; and Henry Dignam.

17654. Is he a voter?—I do not know, sir. He did not get near enough. And Collery.

17655. Is he a voter?—He is, sir.

17656. What is his Christian name?—Pat.

17657. Was that all the money you gave?—All the money I got, I gave it to them.

17658. Did you keep none for yourself?—Not one penny.

17659. Do you know of any other money given that way?—I got more money the other day, sir.

17660. How much?—I think it was £15, sir.

17661. What day was that?—The day of the nomination.

17662. What was the £15 for?—For the same purpose.

17663. For feeding the people?—Yes.

17664. Did you give it to the same people?—In the same house, to the same people, sir.

17665. How much did your brother get that day?—I could not tell, sir. I did not expect I would be here.

17666. How much did your brother get on the day of the nomination, on your oath?—On my oath I do not mind.

17667. Did he get one shilling?—He got thirty shillings, or £2. He got beyond a pound on the second day.

17668. Did the rest of the money go into the same house?—To the same houses. I think there was a quart of whiskey got out of Dan Commons'. I remember better now, it was £1 I gave for whiskey.

17669. Do not tell me you only gave one quart of whiskey, when you were spending £15. Did you get any more money on the day of the polling?—No, sir.

17670. Did you get any more money unless the £15?—No, sir; only what I got from Mr. Molony. That is all I got.

17671. What other money was given by Mr. Molony to men like you to distribute?—I know nothing about it.

17672. Did you keep one shilling for yourself?—I do not recollect. I was money out of pocket.

17673. How much were you out of pocket?—I do not know.

17674. You got £7 and £15. How much were you out of pocket?—On my oath, I think I was a few shillings out of pocket.

17675. Did you ever make a demand upon Mr. Molony?—I wanted to get more from him.

17676. How much did you ask for?—I went to him after the election, and said I was at a loss, and that he should give me money.

17677. How much did you expect him to give you?—I did not expect anything.

Michael Mulligan.

17678. About £5?—I thought I would get a few pounds.

17679. That you were at a loss of?—I was not a loss of that much.

17680. Are you disappointed now?—I think I am, sir.

17681. Are you badly treated?—Well I do not say I am badly treated, sir.

17682. Mr. *Commissioner Bruce.*—Did you ever get money from Mr. O'Loghlen?—No, sir, never. I never spoke to him in my life.

17683. Or from anybody except Mr. Molony?—No, sir.

17684. Did you get any money at any former election?—I do not know, sir, I might get a few shillings. I think I got ten shillings one time.

(The witness then withdrew.)

James Gilligan sworn and examined.

James Gilligan.

17685. The *Chief Commissioner.*—Are you an elector?—No, sir.

17686. Did you get any money at the last election?—I did, sir.

17687. How much?—Before the election I got £10.

17688. From whom?—From Father Noon, sir.

17689. Where is he the parish priest of?—Of Sooey.

17690. Mr. *Commissioner Bruce.*—Do you live in Sligo?—I do, sir.

17691. The *Chief Commissioner.*—Now when did he give you the £10?—Before the election.

17692. What for?—He told me to distribute it amongst these people in watching voters, and give a few shillings amongst the boys.

17693. Is he the parish priest of Geevagh?—Yes, sir.

17694. Were there any Geevagh boys in town?—They got none of that, sir.

17695. Who paid the Geevagh boys?—I do not know.

17696. Did you see the Geevagh boys?—I did.

17697. How many were in town?—I could not say.

17698. Were there 100 of them?—Indeed there was.

17699. Were there not 300 of them?—I do not know the number.

17700. Now, when did the Geevagh boys come into town?—I think there were some of them in at the nomination day, and some of them at the election.

17701. Where did they stop when they were in town?—I do not know.

17702. Where were they fed?—I do not know.

17703. Who had the management of paying them?—I do not know, sir.

17704. Were you told not to give any of the £10 to Geevagh boys?—I do not know, sir.

17705. Who did you give it to?—To the Sligo boys.

17706. How did you know that Father Noon had the money to give you?—They were annoying me for some time before that and abusing me for losing their time, and they said Major Knox's staff were paid weekly and getting plenty to eat and drink, and they were getting nothing. I then made an application.

17707. To whom?—To Mr. M'Dermott first and Mr. M'Niffe. They said it was too early, and I said they did not think so themselves, for Knox had paid for six, eight, or nine months, and I said "I want nothing for myself," and I left the room, and I was sent for in a few days and got £10. I was sent for to a certain house.

17708. What house?—Mr. Edward Duffy's in John-street.

17709. What is he?—A butcher, and I think that between thirty-seven and forty-two that £10 was expended. I never left the room. I was as much annoyed the next day as ever I was, and I promised I would never take a shilling again.

17710. After paying them they annoyed you more than before?—Yes, fresh people came to me in the streets and I promised I would never take another shilling in my life and never will.

17711. Did you get any more?—I got a little more to pay for fines.

17712. For what?—For drunkenness and assault.

17713. Who gave you the money to pay fines?—Mr. O'Loghlen gave me £1 15*s.*

17714. What more did he give you?—No more.

17715. Did any more pass through your hands?—Mr. Molony gave me a trifle to pay some women.

17716. I thought you made a resolution not to pay any more—to pay women or boys?—He promised to give the women something, and he said "James, give this to the women." I promised the women I would give them something, and Mr. Molony promised me, and I did give it to them.

17717. How much did you get?—£4, and I had a few shillings, and they asked me to treat me, and I would not and left them the money.

17718. Where did you pay the women?—On the street. I paid 5*s.* to each.

17719. You understood that was to be drunk?—No, sir. I gave it to buy tea. I was drinking none myself except a few half glasses of whiskey in the day.

17720. Was that all the money you got?—That is all the money I got.

17721. Had you ever a vote for Sligo?—I had, sir.

17722. Who did you vote for?—For Mr. Somers.

17723. Did you ever get any money for voting for him?—No, sir. I lost by him.

17724. It is now proved that £5 was given at Mr. Somers's election. Do you know anything about that?—No, sir. I knew one election and there was accommodation bills given of £9.

17725. Whose election was that at?—It was at Mr. Somers and Mr. Wynne's.

17726. And who did the £9 accommodation bills?—The National Bank.

17727. How many voters were paid that way?—A great deal whilst the money lasted.

17728. About how many?—I could not say—whilst the money stood. The money was lodged in the bank, and I recollect that whilst it stood the bills were sent in. Father Dunleavy came to me, and a small man was about to be turned out, and he begged me to do a small bill, and I did, and when it came due I was not asked, and I asked the reason, and I went up and paid it out of my own pocket.

17729. Did you put the £9 bill into the bank?—I did it to give to a person who was in distress.

17730. Who were the other two persons?—Which two people?

17731. Were there two other names on the bill?—No.

17732. Whose name was on the bill?—I disremember. I indorsed it.

17733. Was it a £9 bill?—Nine pounds, four shillings, and six pence.

17734. Were there other sums of £9 4*s.* 6*d.* at that election?—There were.

17735. Were there forty?—I think there were.

17736. Who told the people to go and get these bills discounted at the National Bank?—The committee of Mr. Somers.

17737. Who was the first to tell you to go down?—Father Dunleavy.

17738. Was it he gave the word to you?—He came to me and told me he knew a man who would be turned out in a few days, and asked me if I could get a small bill done for him.

17739. Which other voters, as you understood, got the £9 bills done for them?—Any poor man who was in need of it got it done as long as the money stood in the bank.

17740. Could you name anybody else who got that

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James Gilligan.

done?—I could not. That is thirty-five or thirty-three years ago.

17741. Was that when Mr. Somers was first here?—No, sir. He lodged some hundreds in the National Bank to meet his demands. I voted for Mr. Martin, and he put out Mr. Martin then, and the Liberals did not like how he got on.

17742. At the time you got the £9 bill done for you in the bank who was against Mr. Somers on the other side?—Mr. Martin.

17743. Now was there any other election that you got any compliments of the same kind?—No, sir; this bill was not for myself at all; but I paid it, and I wrote to Mr. Somers about it, and he sent it to me back.

17744. He sent you the money himself?—He did, sir; and any other things I paid for him he sent to me.

17745. What other things did you pay for him?—I got drink occasionally for poor fellows who were worn out; and I paid money, and I wrote to him and he sent it to me.

17746. How much did he send you this way?—God knows I do not know the number. I sent the bills forward to him what I paid out of my own pocket.

17747. Was that for treating at the elections?—For giving refreshments to poor fellows who were getting nothing else.

17748. You say you lost your business on account of Mr. Somers?—I lost a good deal of my trade.

17749. What is the reason of that?—I voted for him, and acted for him night and day. I could not get rid of him. In fact I did not dislike him for being poor, not a bit.

17750. Mr. *Commissioner Bruce.*—Do you recollect voting for him in 1859, the time Mr. Wynne beat him?—No, sir.

17751. You did not vote for him then?—Every time I was here, sir, I voted for him.

17752. Do you recollect any money going the last time he was here?—I was in company with him one Sunday evening. The Liberals were talking of Mr. Ball, and he continued to canvass, and he requested me to go out with him and canvass for Mr. Ball, and I told him that himself might go out, but I would not. I was a Sunday evening in the hotel with him, and he sent for me and told me Mr. Ball left him £100 to contest the election next day. I remonstrated with him, and said if he took my advice he would not, for, to my knowledge, he exerted himself against Mr. Sadlier. It was a bad recompense, and if you take my advice, I said, you will not; so we sent a car, and brought him from where we were.

17753. And he was beaten?—I do not think he was beaten then. Mr. Wynne put him out on petition.

17754. Was there any money going the last time Mr. Somers stood?—No, sir, I do not think there was.

17755. But the time before last?—No, sir. The man had not means enough, except what Lord Palmerston used to give him. It used to be swamped in the hotel.

(The witness then withdrew.)

John M'Tighe

John M'Tighe sworn and examined.

17756. Mr. *Commissioner Byrne.*—Did you vote at the last election?—I did.

17757. Who did you vote for?—For Captain Flanagan.

17758. Do you remember anyone asking you to vote for Major Knox?—No, sir, I cannot remember of anyone asking me to vote for Major Knox but on the Monday previous to the election my little son came down from the butter market to me and told me I was wanted at home about one o'clock in the day, and I came up and a man named Armstrong told me I was wanted at Mr. Stokes', and I told him I could not go there sooner than four or five o'clock, that I had to go back to the market as I was busy shipping butter; so I did go back to the market and I met him about half-past four o'clock; I met Armstrong, and after taking my dinner and tea we went out at six o'clock to Mr. Stokes', and I went in the front door, and the young man asked——

17759. Just come to what Stokes said?—When I went down they were in and Mrs. and Mr. Stokes came out, and I told him that Armstrong was in for me; and he said, "I want to know what you will take and go to Dublin until the election is over?" I laughed and I said £50, and he said that was too much, and he took me aside and said, "I will give you forty thanks." "What," said I, "do you mean by thanks?" and he said, "Every thank means a pound;" and he said, "I will give you your expenses, but you must go to Dublin to-night." I said, "Would not Carrick or Boyle be enough?" And he said, "No." And I said I would give him word in half an hour; and I went out and never came back.

17760. Do you know any persons of the name of Macdonagh?—I do. He asked me would my friends go, and I said they would not.

17761. Did he ask you how the Macdonaghs' would vote?—He did not.

17762. Was that the only occasion on which Stokes spoke to you?—The only occasion.

17763. Did you vote for Sergeant Armstrong?—I never had a vote but at this last election. My father had but I had not.

(The witness then withdrew.)

David Frizelle.

David Frizelle sworn and examined.

17764. Mr. *Commissioner Bruce.*—Are you a voter?—I am a county voter.

17765. But not a borough one?—No.

17766. Do you live in Sligo?—No, sir.

17767. Do you know a man called Felix Farrell?—I do, sir.

17768. Had you ever any conversation with him about the last election?—Well, not that I remember.

17769. But try and recollect it, for he has sworn you had?—I do not remember having any conversation with him as to election business. I remember one night he was in Mrs. Buchanan's and I think there was something like a jest passed.

17770. Did you ever ask him to make you thirty-five kegs at £1 a piece?—I never did. I never asked him to make any complement, but I said if he got a good price would he make them. It was a matter of jest.

17771. What did you say to him about the kegs?—I said if he got a good price would he make them.

17772. Did you mention any price?—No, sir. I only asked him if he got a good price would he make them.

17773. Why did you ask him that?—Only for a jest.

17774. Is it a joke to ask a cooper to make casks?—I only asked him.

17775. How long was this before the election?—I do not know; it might have been a few days.

17776. Do you know Stokes?—Yes, sir.

17777. Had you ever any talk with him about the election?—No, sir.

17778. Had you ever any talk with anyone about the election?—No, sir, I had nothing to say to it.

17779. And you never offered any man money?—No, sir.

17780. And was this conversation with Farrell at Buchanan's hotel?—We were drinking. It was just a jest that was passed, and nothing more. I never got money or anything else.

17781. Did you send for Farrell?—No.

17782. Did you vote at the last election?—I did.

17783. For whom?—I think Sir Robert Gore Booth and Mr. Cooper.

17784. Had you any conversation before the election with Stokes or Cherry?—No, sir, I had not.

(The witness then withdrew.)

David Frizelle.

William Lovatt sworn and examined.

William Lovatt.

17785. Mr. *Commissioner Byrne.*—Are you an elector?—Yes.

17786. Did you vote at the last election?—Yes.

17787. For whom did you vote?—For Captain Flanagan.

17788. Did you vote for Sergeant Armstrong?—Yes.

17789. Did you get any money after that election?—No.

17790. Did Mr. Conry give you any money?—Yes, sir. He gave it to the mistress and not to me. I was a State prisoner at the time.

17791. Did you ever vote at any previous election for Sergeant Armstrong?—No.

17792. Were you not a voter at any previous election?—Yes.

17793. Did you vote at Sadlier's election?—No, sir.

17794. Mr. *Commissioner Bruce.*—Do you expect any money for voting for Captain Flanagan?—No, sir.

17795. Will you take it if it comes?—I do not require it.

17796. Supposing it is offered to you will you take it?—No. I never expected money for registering my vote.

17797. Did you expect any money when you voted for Sergeant Armstrong?—No.

17798. But you took it?—I did not. I never knew nothing about it, for I was a State prisoner at the time.

17799. Then you would not have taken it?—Of course it was a God-send. I was in gaol when the mistress got it.

17800. And supposing somebody comes and offers you £20 now, for voting for Captain Flanagan would you throw it away?—I do not imagine I would.

(The witness then withdrew.)

John West sworn and examined.

John West.

17801. The *Chief Commissioner.*—Did you vote at the last election?—I did.

17802. Who did you vote for?—For Major Knox.

17803. Did you vote for Mr. Macdonogh?—I did.

17804. At which election?—At the very last.

17805. Now, did you get any money after that election?—Never; nor at any election.

17806. Did you ever vote before Mr. Macdonogh's time?—I did.

17807. For whom?—I voted for Mr. Wynne, and for Mr. Somers one time.

17808. Did you know any money was going for Mr. Somers?—No more than hearsay.

17809. Did you try to get any money for voting for Mr. Somers?—No; I would give him money; he was in more need of it than I was.

17810. What are you?—I am a farmer.

(The witness then withdrew.)

Thomas Sivery sworn and examined.

Thomas Sivery.

17811. The *Chief Commissioner.*—Were you in Stokes' employment during the election?—I was, sir.

17812. Did you bring any messages for him?—I brought one, sir.

17813. Tell all about it?—It was a letter to Buchanan's to have a car to bring in the M'Mullens.

17814. Did you know at that time the M'Mullens were to go away?—I did, sir, that night.

17815. Who told you?—Mr. Stokes.

17816. What did he say now?—He told me to give them an order at Buchanan's to have a car for the M'Mullens.

17817. You knew they were voters?—Yes.

17818. Did you bring any other message about voters?—No, sir.

17819. Did you know Stokes had the money for the voters?—No, sir.

17820. Did you know of any money going to anyone who were voters?—No, sir.

17821. Mr. *Commissioner Byrne.*—Do you remember seeing John M'Tighe at Stokes' house?—Yes, sir. He came to the shop, and was shown into the parlour by John Byrne.

17822. How long was he in the parlour?—I do not know how long he was in it. I did not see him going out. He was let out on the hall door.

(The witness then withdrew.)

Alick Shaw sworn and examined.

Alick Shaw.

17823. The *Chief Commissioner.*—What is your occupation?—A watchmaker, sir.

17824. Had you a vote at the last election?—No, sir.

17825. Had you anything to do with the last election at either side?—Nothing except that affair with Dominick Oates.

17826. What was that?—I happened to be in his house, and he asked me to bring him to some one who would help him to leave the town, and I did so. I went with him to Stokes.

17827. How did you know Stokes was the man to manage that?—Well, I told him he was a man interested in the Conservative party.

17828. But how did you know he would manage to get a man to leave the town? Did you not know that would not be done except for money?—I did.

17829. How much were you to understand that Oates was to get?—Well, Stokes told me a party in Liverpool or Glasgow would give him thirty thanks when he would go there.

17830. Tell who the party was?—Oh, I do not know. He did not mention any person's name.

17831. Did you ever tell Oates that?—He was listening himself to it in Stokes's house.

17832. Was that a real offer as you understood it?—Well, that is all he offered.

17833. Was it a real offer?—He asked what did he

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Alick Shaw.

mean by it, and I said I supposed it was pounds he meant by it. That is all.

17834. But you intended to get the man away if you could?—I did not.

17835. Oh, but were not you on that side?—I went with the man at his own request.

17836. Were not you on the Conservative side?—I was not a voter.

17837. But you would have voted for Major Knox if you had a vote?—Yes, certainly.

17838. Now, did you offer anything to any other voter?—No, sir.

17839. Was any other offer made in your presence?—No, sir; never in my presence.

17840. Was there any offer made to any relative of a voter in your presence; any word given that money would be going?—No.

17841. To the wife or relative of a voter?—No.

17842. At the time of the revision there was an offer made to Fitzpatrick. Who made the offer?—Stokes desired me to tell him that he would get £20 or £25, I could not swear which, for not registering his vote. That is all the men I know.

17843. But how did Stokes happen to speak to you about the transaction?—Because the man lived in the same street with me.

17844. Did Stokes often speak to you about these matters?—No, sir, he did not, unless on these two occasions.

17845. Mr. *Commissioner Byrne.*—Was any other offer made by Stokes that you heard?—No, sir. I do not know anything more about Stokes.

17846. Do you know of any other voter having been offered money for voting for Major Knox, or abstaining from voting?—No, sir; I do not.

(The witness then withdrew.)

17847. The witness, Mr. *Doherty*, returned to court, and said he had succeeded in making out the date. Mr. Ball stood for Sligo in the year 1849, and also in the year 1857. It was on the latter occasion the matter occurred which he mentioned to the Commisioners.

17848. The *Chief Commissioner.*—That is the 1857 election?—Yes, sir.

(The witness then withdrew.)

Patrick Leonard.

Patrick Leonard sworn and examined.

17849. The *Chief Commissioner.*—Did you vote for Sergeant Armstrong?—I did.

17850. Did you get any money after that election?—I did.

17851. How much?—Fifteen pounds.

17852. From whom?—From Mr. Foley.

17853. Was that the first election you voted at?—It was.

17854. Did you ever get any money since?—Never.

17855. Did you vote for Captain Flanagan?—I did.

17856. Now, had you anything to do with the mobs at the last election?—No.

17857. Did any money pass through your hands?—Not one shilling.

17858. Who canvassed you before Sergeant Armstrong's election?—The Sergeant, sir.

(The witness then withdrew.)

James Kearney.

James Kearney sworn and examined.

17859. The *Chief Commissioner.*—Are you an elector?—I am, sir.

17860. Did you vote at the last election?—Yes, the first time and the last time.

17861. Who did you vote for?—For Captain Flanagan.

17862. What is your business?—A dealing man.

17863. Did you know anything about the mobs that were in town?—I did, sir. I knew something regarding the men that were in the interest of both parties.

17864. Well, tell what you knew?—Well, what I know of the mobs was, that there was a great anxiety of the Liberal party on behalf of Captain Flanagan, but it was nothing at all to the opposite party. There was nothing at all able to compete with the opposite party.

17865. But about the mob?—Did you know the Gevagh mob?—No, sir, I did not know anything.

17866. But did you know of any money having been paid to them?—I am certain there came men into the town, solicitors, about the Liberal cause.

17867. Was any money offered to you?—There was.

17868. Who offered you the money?—It was my landlord.

17869. Who is your landlord?—Mr. Stokes.

17870. How much did he offer you?—Well, before the revision commenced he said to me he would give me £15 not to register.

17871. After that did he offer you any money?—He did, sir.

17872. How much did he offer you?—The terms he mentioned were, that if I had three more men he would give me £50.

17873. Was it £50 for yourself?—It was.

17874. How much would the other voters get?—He would have a private arrangement with them himself.

17875. Mr. *Commissioner Byrne.*—Did you understand from him that the other men were to get £50 each?—No, sir. I understood distinctly from him that he would arrange with them to the best advantage he could, that is what he proposed to me. He said if I accepted of the £50, he would wish I would make no reference to them about the amount he would give me, but I suppose being his tenant he was anxious to remunerate me as well as he could.

17876. What did you say to that?—I declined to accept it.

17877. Did he renew the offer again?—He did not, sir. I did not come in his way afterwards.

17878. Mr. *Commissioner Bruce.*—You were to get three other voters; who were they?—There was no name mentioned, but any other three voters that I might have had an influence upon, that would come with me.

17879. You mean men to vote for Major Knox?—Yes, sir, any electors of my own class. There were several others who tendered me money. A gentleman in the fair of Ballisodare named Captain Rogers, spoke to me after my business was done. I had bought a beast that belonged to him, and another man came, and he declined to give me the beast, and said it was not a substantial sale; but the other man came to terms with me, and I gave him 5*s.* before having any difference with him. There was a respectable man in the house, a young gentleman from Bloomfield, who lent me £2 or £3 to make up the price of the beast; I paid the gentleman then. I was then coming down to Mr. Maguire to pay him for another beast, and this gentleman requested me to come back, that he wished to see me, and he asked me to go to England and sell

some cattle for him. I said I was not in England, and did not know anything about the sale of cattle, and wanted to be instructed in these matters myself. He said I would do very well. But I said I had these two beasts on hands. "I will not do anything I said, but if you will come and help me to do right, I think I will try and go and sell your cattle. So he came down and bought a quarter of beef.

17880. Did he offer you any money about the election?—He asked me if I had my mind made up, and would I sell the cattle for him.

17881. Did he offer you any money to go away?—He did not tender me any money, but he said that anything I might ask or spend he would give it to me.

17882. Did you agree to go away?—When I found his disposition he said I misunderstood him. He said, "Did you not understand me?" "I did not," I said. "Oh, well," he said, "it is about the election I meant." "Oh, then," I said, "in any case for any amount I would not go away."

17883. Did anybody else come to you?—A gentleman came to me, Mr. West, a farmer, who lives in that locality of the town.

17884. What did he say to you?—He asked me as I was a poor man would I be anxious to further my advantage by taking a small sum of money for voting upon his side. I said, "No, sir," and he did not say anything more to me.

17885. Did anybody else offer it to you?—No, but I am well aware it could be got within a few yards of my dwelling.

17886. Who do you allude to?—Well, in fact I could not count them. I do not want any credit, for these statements. I do not want any money for I would not take it, for I knew quite well what it was to take a bribe.

(The witness then withdrew.)

Richard Hickson sworn and examined.

17887. The *Chief Commissioner.*—Are you an elector?—Yes.

17888. Who did you vote for at the last election?—For Major Knox.

17889. Do you know Mr. Heron in the employment of Colonel Cooper?—Yes, sir.

17890. Did he pay you any money after the election?—He did.

17891. How much?—Nine pounds eleven shillings.

17892. What did he pay it for?—For the support and accommodation of some few country men that were sent in to me.

17893. What day were they sent in to you?—I think it was the evening before the nomination.

17894. When was that £9 11*s.* first paid—was it after the petition at Carrick?—Well, I could not say.

17895. Was it before or after Christmas?—Well, I think it was after Christmas.

17896. Now, besides that £9 11*s.* did you get another sum. Did you get a sum of £50?—I got £50 from Major Knox for the tally room.

17897. How long was the tally room occupied?—During the polling. I may say that I got from Major Knox what I was offered from the other side.

17898. Were you offered £50 by the other side?—I was for the use of the house.

17899. Have you ever been at an election before?—Oh yes, I am an elector I suppose something about fifteen years.

17900. Is your house usually occupied at the election?—Yes, I think so.

17901. From its convenience?—Yes, sir. It is quite opposite the court-house.

17902. I presume you voted for Mr. Macdonogh?—Well, I did at the first election, but at his former election I did not, because I had not a vote at the time. There was a mistake made by the Conservatives not having my name on the registry.

17903. Did you vote for Mr. Wynne?—I did, sir, I voted for him twice.

17904. You have been supporting the Conservative party?—Yes, sir.

17905. How did you arrive at the calculation of the £9 10*s.*?—Mr. Heron told me he had a few men to send in from the country districts to aid Major Knox at the election in order to get him a hearing at the nomination. He asked me if I would give them accommodation, my house being so convenient to the court-house. So I told him I would.

17906. Had you any difficulty about getting the money paid afterwards?—Well, I had, sir, I spoke to Mr. Moloney to write to Mr. Heron about the matter.

17907. Was the money then paid?—It was.

17908. Was it Mr. Heron paid you the money?—It was.

17909. How many men had you in the house?—Well, at the present time I could not tell.

17910. Were there fifteen or sixteen?—Fifteen or sixteen or a little more.

17911. Were any of these men armed?—Not to my knowledge.

17912. Were these men from Colonel Cooper's estate?—I should think so, sir; from the Coolally district.

17913. Was that all the money you got about the election?—That is all; I never got one penny at an election.

17914. Mr. *Commissioner Byrne.*—If any of these countrymen had fire-arms would you have seen them?—They might have had fire-arms concealed there, but I did not see any fire-arms.

17915. Have you any reason to think they had fire-arms?—No, sir; I had no reason in the world.

17916. What is your belief on the subject?—I really believed at the time I thought they had no fire-arms. I thought they were merely sent for the purpose of aiding Major Knox, and getting him a hearing at the Court-house.

17917. The *Chief Commissioner.*—Do you know of any other money being paid in the same way to any people like yourself, to keep men who came into town?—No.

17918. At what other house were the men kept besides yours?—Well, really, I heard that Mr. Heron brought down more than were accommodated in my house, but I do not know indeed where they were placed.

17919. Did you hear where they were placed?—Well, now, I cannot be accurate. I should like to tell you the truth, but I do not know at the present time.

17920. I am sure you do not know, but tell me where you heard?—Well, I really could not tell you. I heard it at the time.

17921. How many houses did you hear the men were at?—Only one or two more than mine.

17922. Could you not guess where they were?—Well, I could not at the present time.

(The witness then withdrew.)

Charles Clancey sworn and examined.

17923. The *Chief Commissioner.*—Did you vote at the last election?—No, sir.

17924. Where were you on the day of the polling?—I was either in Dublin or Dalkey. I was in Dublin.

17925. What was the address you were at in Dublin?—My proper address was in Dalkey—Mrs. Glenn's.

17926. Had you ever been there before?—Yes.

17927. What was your address in Dublin?—My address was only temporary—the Angel hotel, on Inns-quay.

17928. What made you leave Sligo?—Well, I did not like to vote.

17929. Why did you not like to vote?—Why, feeling that people were so fearfully up at the time, I thought it better not to do so.

17930. Were you intimidated, I mean by violence?—No.

17931. Was any injury done to yourself or property?—None, except my father's windows were broken.

17932. What is your occupation?—A clerk. I did intend voting for Major Knox, but from the excited state of the people, I certainly thought it better not to do so.

17933. Did you go away entirely of your own accord?—Yes, it was with my own free will. I left at my own expense, and no person dare say they paid anything towards my leaving. I made up my mind not to do so, and I did not intend voting at all.

17934. Was there great violence?—No, sir, but there were threats held out.

17935. And were you afraid?—I cannot say I was afraid, but from the way the people talked of what would happen to those on the Liberal side, who would vote for Major Knox.

17936. Were you on the Liberal side before?—I never had a vote before.

17937. How long did you remain away?—I think it was about a week.

17938. Do you say you went away entirely at your own expense?—Yes, sir; no person in the borough dare say I went away at any other person's cost. It was an act of my own free-will, and I went at my own expense, and I think if I voted at all, it would have been for Major Knox. The vote was his, for it was out of his house I had it.

17939. Were you put in possession of his house?—Yes.

17940. What was the rent?—Nine pounds. I paid no rent, but it was demanded.

17941. When were you put in?—About two or three years ago.

17942. Have you never paid any rent?—No.

17943. Do you intend ever to pay any rent for that house?—Certainly not.

17944. Why?—I had no business with the place in the first instance.

17945. Did you occupy the house?—Yes, I slept in it for about a week.

17946. In order to qualify?—Yes.

17947. Then you did not intend to pay one farthing for the house?—Certainly not. I did not want the house, and did not care a fig for it.

17948. Were you in possession at the time of the registry?—Yes, I was.

17949. Were you examined as a witness?—Yes.

17950. Did you say you were a *bonâ fide* occupier of the house?—I held under a written agreement, and of course I am liable for the rent if he chooses to sue for it.

17951. You then said you were the *bonâ fide* occupier?—Of course. The house was really handed over to me.

17952. But you say when you went into that house you never intended to pay one shilling rent for it?—No, I did not.

17953. Were any other voters in the same way?—Not that I am aware of.

17954. Did you sign the agreement that was prepared?—Yes.

17955. Did you tell the Major or the solicitor who made the agreement that you never intended to pay one shilling rent?—No.

17956. They knew it I suppose?—I do not know. I had my private views afterwards that I would not pay it.

17957. Was the rent ever asked from you?—Yes, it was.

17958. Who asked it?—Mr. Farrell the poor rate collector.

17959. Did that surprise you?—Yes, it did.

17960. Did you tell him you would not pay one shilling as you have sworn?—I think I told him I would not pay any rent for it.

17961. What is his name?—John Farrell. He demanded the rent from me for Mr. Abbott.

17962. When?—About a few months ago.

17963. Did he appear to know the arrears of rent?—Well, I don't know.

17964. Did he estimate until the last gale?—I really don't know, but I remember he demanded the rent.

17965. Had you ever known that Mr. Abbott was your landlord before that?—No. He told me there was a transfer of the property from Knox to Abbott, and that he came after the rent of the house.

17966. Well, at all events you will resist that claim if you are advised to it?—Yes.

17967. Would you not think it hard now to have to pay the arrears?—Certainly.

17968. Do you know, or can you give any information about any other person being in the same position?—I do not know of any other person. Doherty the watchman watched me leaving Sligo. It appears by the *Independent* he stated he saw me leave Sligo in company with a Roman Catholic priest, and that I went to Longford, but I wish to say that is perfectly untrue, and that I was in the presbytery, and had left by the orders of the bishop, and that I had promised to vote for Captain Flanagan or not at all. I wish to say that is untrue. The bishop never spoke to me or I to him in the matter, and I have no recollection of seeing them at the railway station at all, until the next morning when I met them at Westland-row chapel.

17969. Was it on Saturday you went away?—No, it was early in the week.

17970. Is there anything else you wish to say about your name being mentioned in the evidence?—No.

17971. Mr. *Commissioner Bruce.*—Where do you live?—In Castle-street.

17972. Not in this house?—No.

17973. And you never occupied it except that week?—No.

17974. Is the house shut up?—I think there are parties living in it.

17975. Are they living by your consent?—No.

17976. Have you anything to do with it?—Nothing.

17977. Have you a vote out of the house in which you are at present living?—No, I think I am not on the registry in it.

(The witness withdrew.).

The Court then adjourned till the following morning.

SIXTEENTH DAY.

SATURDAY, OCTOBER, 23, 1869.

The Commissioners sat at ten o'clock.

Mr. *Arthur Lloyd*, sworn and examined.

Mr. Arthur Lloyd.

17978. The *Chief Commissioner.*—Do you hold an official position in the Court of Bankruptcy?—I do.

17979. Do you remember two men named O'Connor, who were passing through the Court?—Yes; they were bankrupts.

17980. Had they been arranging traders originally, or were they bankrupts from the first?—I can't tell from memory.

17981. Do you remember whether the petition was filed by themselves, or was it a creditor's petition?—I can't say from memory.

17982. It has been stated by one of these men that you gave two sums of £10 each in the *Irish Times* office to the two of them?—That is quite true.

17983. Will you now tell me how you came to know these men, and how you came to be engaged in that transaction?—I said one day in the office to the younger of the two—I said it casually—what about the coming election of Sligo: the thought occurred to me at the moment. I said, "I suppose there will be hot work at it?" He said, "bad work." I said, "I suppose you are going to vote for Major Knox?" He said "He was not, that it wouldn't suit him to vote for anyone; that he wouldn't vote at all." He then said, "If I could do anything with Major Knox for him, it would be a great service to him." I asked him what he meant—he said "anything to do." I said "I would be glad to mention it to Major Knox, and would call to see him in the evening, and meet him at the *Irish Times* office." Subsequently I went to the *Irish Times* office, and found O'Connor there; I brought him up to Major Knox's office. When we went into the room, I introduced O'Connor. Major Knox thereupon said, "Well, O'Connor, are you going to be one of my supporters?" O'Connor's answer was, in a mumbling voice, that he was hard up. "With that I have nothing to do," said Major Knox. Major Knox, I think got a little bothered by what O'Connor said, and, perhaps, thought he wanted money. He then stood up, and said, "for goodness sake take him out of the room." O'Connor and I left the room then.

17984. Did you then leave Major Knox?—We left his room. One room leads into another, and O'Connor and I went out of his, and into the next room. I then said to O'Connor, "Do you wish to be a canvassing agent?" He said "Not, that that would not suit him."

17985. Who suggested that to you?—It was what I thought he wanted by his wanting something to do. He said perhaps he could do more than bigger men. First, he said he wouldn't vote at all.

17986. Did you know O'Connor to be a Catholic?—I didn't know him to be either the one way or the other—the thought never entered my head.

17987. Did O'Connor mention how much he would take?—Nothing of the kind. He had a mumbling sort of way of talking.

17988. Did not you understand that he wanted money for either voting, or for abstaining from voting?—What I understood him to mean was, to be employed, and to be paid for it.

17989. How did you come to fix on the £10 for each?—I went back to Major Knox, and asked him, "Do you see any objection to have these men employed as canvassing agents?" He said, "Clearly not, I have counsel's opinion on the same subject;" he added, "but they should get £10, can they be trusted?" I said, "They had got a very high character, and were very respectable men."

17990 Did Major Knox agree to give them £10?—He said they ought to get £10. Mr. Lawder was then sent for to the club in Sackville-street, as I didn't want to have anything to do with the matter further. Mr. Lawder wasn't at the club, so I gave them the money.

17991. Who gave you the £20 to give them?—I had it myself.

17992. I suppose you were repaid it afterwards?—I was, by Major Knox. He said, "I will give you this, and I will settle with Mr. Lawder." I had asked him previously if it was all right, and he said, "Clearly, I have counsel's opinion on it."

17993. When the money was paid to the two men, were they present?—They were. I called in a young barrister named Morrison who was in an adjoining room, and in his presence I gave them the money. It was he drafted the receipt.

17994. Where is that receipt?—It is with the returning officer.

17995. You have not it?—I have not.

17996. When they were paid the £10 each, did you understand whether they were to vote or not?—Clearly not, they said nothing would induce them to vote, that it wouldn't suit them to vote.

17997. Would you then have paid the £10, if they were to vote for Captain Flanagan?—I really knew nothing about it. I thought they got the £10 for their services.

17998. Were they to be at liberty to vote for Captain Flanagan?—I don't know.

17999. What did you understand?—That they were to canvass for Major Knox.

18000. Would you have given them a penny if they were free to vote for Captain Flanagan?—I didn't know whether it would influence their vote or not.

18001. Is it that you did not know whether £10 given to two bankrupts on the eve of an election would or would not influence their vote?—It never entered my head. I was merely the party to give that money to them to render service to Major Knox.

18002. Did not you make an appointment to give it to them at the *Irish Times* office?—I made an appointment that I would meet them there.

18003. O'Connor stated to us that it was for the purpose of arranging for the money matter?—It was to get employment for them.

18004. We are told that such a thing as a paid canvasser in Sligo is ridiculous and unheard of?—I had nothing to do with the election at all.

18005. Did Mr. Perry speak to you on the subject?—I was talking to him the other day about it, and he said he never promised a farthing.

18006. How did you make out, in the business of the office, the O'Connors?—I happened to know that they were Sligo men—the whole thing was gossip, casual conversation.

18007. How long after the election were you repaid the £10?—I was repaid the next day after I gave it.

18008. By Major Knox himself?—Yes. He said, "I will give you this now, and I will settle with Mr. Lawder."

18009. Did you know any other Sligo voters about the same time as you knew the O'Connors?—I saw them in the office.

18010. Whom did you see there?—I saw the Mayor there.

18011. Was this the only transaction you were engaged in at the last election?—It was.

18012. Do you recollect the words of the receipt each of the O'Connors gave for the £10?—I think I do; it was to this effect:—"Received from Mr. Lawder," because he was sent for while the receipt was being drafted, by Mr. Morrison, "the sum of £10, to

act as canvassing agent for the Sligo election." I was informed that it was quite right and straight, otherwise I shouldn't have anything to do with it.

18013. Was it Mr. Morrison advised you that it was legal to pay this money?—Yes, and Major Knox told me he heard it from some other counsel before that.

18014. Did you know that these voters having taken that money could not vote at the election—that is, that their votes would be gone?—I didn't at that time.

18015. You know it now?—I do. I heard them say they wouldn't vote for anyone; I thought then that they were neutral.

18016. Did you know of young O'Connor coming up to Dublin, and absenting himself from the election?—I did not. I heard afterwards that he was at the election.

18017. Mr. *Commissioner Byrne.*—Did you know anything of the O'Connors before they were bankrupts?—I didn't, except that I happened to know that they were from Sligo.

18018. There was nothing special as regards them to make you interested in them?—No—the matter struck me most casually; the whole thing arose from my asking, "what about the coming election of Sligo."

18019. You are acquainted personally with Major Knox?—Yes, I am connected with him by marriage.

18020. You say you regarded the O'Connors as neutral?—Yes, when they said it wouldn't suit them to vote.

18021. Was not the object of going to the *Irish Times* office, to make it more sure that they would be neutral?—It wasn't. I thought it should benefit both parties—they wanted employment, and Major Knox would have the advantage of having them as canvassers.

18022. The *Chief Commissioner.*—Did you ever hear what they were to get?—Never.

18023. Did they make any application to you after the election?—Yes, I got a letter from one of them.

18024. Have you that letter?—I have not.

18025. What is become of it?—I threw it in the fire.

18026. Do you recollect what was in it?—Accurately I can't tell what was in it. It was to the effect, that they either wanted employment or money.

18027. How much was mentioned in it?—Nothing.

18028. Did you answer that letter?—I did not.

18029. Did you show it to Major Knox?—I did not.

18030. Or to anyone acting for him?—I did not.

18031. Did O'Connor make a demand on you more than once?—No, that's the only letter I ever had from him.

18032. Did he ever speak to you on the subject?—No.

18033. Was this what was in it—that employment and £80 was to be given to them?—Yes.

18034. Mr. *Commissioner Byrne.*—Your object, you say, was to benefit both parties—with regard to Major Knox, was what he was to gain the exclusive benefit he would derive from their services as canvassers?—Clearly; I heard that the O'Connors stood well with their own party.

18035. The *Chief Commissioner.*—What do you mean by "their own party"?—Their intimates.

18036. Did you then think from the name—O'Connor—that they were Catholics?—Never.

18037. Mr. *Commissioner Byrne.*—What was the meaning of your asking Major Knox—was it all right?—Because I should be clear in everything I had to do with in the matter.

18038. What doubt could you have, or entertain?—Because any money given to voters, a certain amount of doubt was attached to it.

18039. It arose, I suppose, from the fact whether the money would influence them in voting or in abstaining from voting?—They told me they wouldn't vote at all.

18040. But they may change their minds?—They were respectable men.

18041. Do not you think that the employing of them as canvassers would make it less likely to make them change their minds?—They told me that they wouldn't vote for anyone.

18042. Did you place as much confidence in them when they said that, as if they had sworn it?—I did. They were respectable men, I heard.

18043. Mr. *Commissioner Bruce.*—Who told you they were respectable men?—I don't know.

18044. Mr. *Commissioner Byrne.*—Had you a conversation with anyone before the O'Connors?—I don't remember.

18045. If you were told that they were respectable, you must have heard it from someone?—I don't think I asked the question of anyone—who said it, I can't tell you.

18046. Does not your recollection help you to state with whom you had the conversation about the O'Connors?—It doesn't; I heard it said, but by whom I can't tell you.

18047. Mr. *Commissioner Bruce.*—Does your business in the Bankruptcy Office bring you into personal communication with the bankrupts?—It does; but the fact of their being bankrupts had nothing to do with the question I asked them.

18048. Was it in the ordinary course of duty in the office that you were brought into connexion with them?—It was.

18049. Did O'Connor, the father, meet you with the son in the *Irish Times* office?—Yes; they went up towards Major Knox's room. The younger O'Connor came in with me, and the father remained outside.

18050. Was the younger O'Connor alone with Major Knox at any time?—No; we left the room at the same time.

18051. Mr. *Commissioner Byrne.*—Had you or Major Knox any conversation with the O'Connors as to what voters they could influence?—Not that I heard of. One of them said he would work, canvass, and perhaps do more than bigger men.

18052. Mr. *Commissioner Bruce.*—When did this conversation take place?—It occurred—I don't exactly recollect—the receipts would prove it.

18053. Was it a fortnight or a week before the election?—It was more than that, I should think.

18054. Was there any arrangement that the O'Connors were to go down to Sligo?—I think so; they couldn't canvass otherwise. Major Knox understood that they were to go back to Sligo.

18055. But was there any arrangement come to about their going down immediately?—Nothing was said about it. I think it depended on their own convenience.

18056. O'Connor, who was examined here, swore that he saw you and Major Knox in the *Irish Times* office, that you came to terms, that £20 was first offered, then £30, and that it was finally decided that they were to get £80—is there any truth in that statement?—No; except the £20—the two ten pounds.

18057. Did you all leave the office together, or did you remain after them?—They left, and I think I remained for a few moments after them.

18058. The *Chief Commissioner.*—Was any list referred to in your presence?—None whatever.

18059. Did not it enter into your head whether the O'Connors were Catholics or not?—It didn't.

18060. Would not you know they were, if the matter occurred to you?—From their name?

18061. Yes; and their coming from Sligo?—Not necessarily. I have known Protestants of the name of O'Connor.

18062. Mr. *Commissioner Bruce.*—In considering that it was an advantage to Major Knox to have the O'Connors' influence as canvassers, you must have had the impression that their connexion was on the Catholic

side, as it would not be so great an advantage to have them as canvassers among his own friends?—I heard of some of the Protestants voting against him.

18063. But who were Liberals?—[No answer.]

18064. The *Chief Commissioner.*—You do not mean to say that paid canvassers voted against him?—I looked on the O'Connors as neutral.

18065. Do you give it as your opinion that the £10 did not influence the O'Connors any way?—Certainly not.

18066. And you believe it?—Most distinctly; they said it would not suit them to make enemies at either side.

18067. Was that the reason they got the £10?—They got it to act as canvassers.

18068. Mr. *Commissioner Bruce.*—You say that they got the £10 irrespective of being voters?—They got it as canvassers.

18069. The *Chief Commissioner.*—Do you mean to say that they would get a shilling if they were not voters?—Yes. I heard they were respectable men.

18070. Mr. *Commissioner Bruce.*—Had you any previous conversation with Major Knox about them?—None whatever.

18071. When you and they came to Major Knox's room what was the first conversation that passed?—I said to Major Knox, "Here's Mr. O'Connor, a Sligo elector, come to be introduced to you." I then told him what he wanted.

18072. Was it then stated that he was a voter?—Yes. For Major Knox said he hoped O'Connor would be one of his supporters.

18073. Mr. *Commissioner Byrne.*—If they were not Sligo electors would you take so much trouble with them?—I would, for they were poor.

18074. The *Chief Commissioner.*—In charity?—A good deal of it was charity. I undertook it a good deal in charity.

18075. When you spoke to Mr. Perry what did he say?—I asked him did he hear what O'Connor swore, and he said it was untrue.

18076. Mr. *Commissioner Bruce.*—When Major Knox asked O'Connor if he would vote for him, or expressed a hope to have his support, did O'Connor say he did not intend to vote at all?—No; I don't think he did.

18077. The *Chief Commissioner.*—Did he convey that he was going to hang back?—He did in this way—he said something in a mumbling voice of being hard up. Major Knox then said, "I have nothing to do with that."

18078. Mr. *Commissioner Byrne.*—Major Knox then retired?—Yes. He said, "For goodness sake take him out of the room." He then stood up, and we went out to another room.

18079. Mr. *Commissioner Bruce.*—Major Knox at that time was under the impression that O'Connor was a voter who might vote?—He may have been under that impression.

18080. It was not stated previously to Major Knox that he was a person who would not vote?—It was not.

18081. When was that first stated to Major Knox?—It was I stated it to him. I told him that they wouldn't vote for anyone.

18082. Would you tell us exactly what took place after you and O'Connor left Major Knox's room?—I said, "O'Connor, if you want employment as canvassing agent, I will ask Major Knox for it for you." He said, "I'd like something to do." I then told Major Knox of what occurred, and he said he had no objection to employ him.

18083. You then told Major Knox that they wouldn't vote for anyone?—I did.

18084. Mr. *Commissioner Byrne.*—Were not you aware previous to that that if a voter was employed as a canvasser, he could not vote?—I was not.

[Receipts produced.]

18085. Are these the two documents that were signed by the O'Connors?—They are.

18086. The receipt was as follows:—"Received from William Lawder, esq., conducting agent for Major Knox, the sum of £10, being the return as canvasser for the coming election for the borough of Sligo—Michael O'Connor."

[A similar receipt was signed "Patrick O'Connor."]

18087. The *Chief Commissioner.*—That is the only retainer they got—that is the only communication that passed between you?—I never promised, or gave any more.

18088. Who drew up that receipt?—It was drafted by a barrister.

18089. Ten guineas for a barrister is a fair retainer?—I was authorized to do it.

18090. Was the word "retainer" mentioned on that occasion?—Not by me.

18091. Of course if their services were very great it was understood that there would be more to pay them?—It wasn't understood by me. They might look to Major Knox for it afterwards if they thought proper.

(The witness withdrew.)

Rev. James Casey, sworn and examined.

Rev. James Casey.

18092. The *Chief Commissioner.*—Were you here at the last election?—I was in town, though I couldn't say I was one of the staff, as I was engaged in collecting for the Cathedral from September to Christmas.

18093. Were you in town on the day of the election?—I was. I live in the presbytery.

18094. Do you know anything about the country people coming into town?—I saw a good deal of them in town.

18095. Do you know where they were paid or fed?—I don't think they were hired.

18096. We now know that there was money given for their support, and that they were paid?—I can't say I know it of my own knowledge—no money came through my hands. I thought there was money given for refreshments. I heard they were looking for refreshments—that's generally the case.

18097. Who were giving the money?—I got no money. It was understood, I believe, that some friends of Captain Flanagan gave money—that was since mentioned here; and also that they had it distributed among them. I know nothing more about it.

18098. Who were the people you heard gave the money?—I heard some friends of Captain Flanagan gave it.

18099. Who were they?—I heard Mr. O'Loghlen gave it, but I can't say that what I heard was the truth. We heard a great many rumours, we could hardly attach credence to anything we heard at the time.

18100. Mr. *Commissioner Bruce.*—Did anyone tell you that Mr. O'Loghlen was giving money to the country people?—I have no distinct recollection. I suspect that, if it was given, it came from the friends of Captain Flanagan. I didn't myself see any money given.

18101. Were you in the parish church on the Sunday before or after the election?—I was not the Sunday after. I don't believe I was there on the Sunday before the election. I had no duty to do there. The staff was complete without me. I was only attending to the quest, to the collection for the cathedral. I gave some assistance in town while in town. I wasn't in the church the Sunday after the election.

18102. Do you recollect anything about the words the bishop was stated to have said about "the rotten branches"?—I heard persons speak of them.

18103. Did you hear the bishop himself use the words—it was before the election he used them?—I might have heard some of his words. I may have dropped into the sacristy and heard; there is no very

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Rev. James Casey.

distinct impression on my mind about them. I know they were spoken to me by others.

18104. They were, I believe, the subject of conversation in the town?—Yes, they were; all the discourses of the bishop at that time were the subject of conversation in the town.

18105. Would you tell us, as far as you recollect, what impression these particular expressions about "rotten branches" produced on the people?—The impression was that it was a strong exhortation to them to do their duty at the coming election. There was some figurative allusion made by these words to the ancient Church, I believe.

18106. Did the people understand by it that those who voted for Major Knox were to be considered rotten branches. I am not now speaking of your own impression?—There was before the election, I understand, a rumour that some would not vote as they were expected, and they thought the bishop's words strong language exhorting them to do their duty.

18107. Did they understand by that strong language that those persons who voted for Major Knox were to be considered rotten branches?—I don't think they did.

18108. What did they understand by it?—I don't know that the words made any allusion to them in respect to the election. I don't know how it was applied to them at all as they had not voted at the time.

18109. So that no one applied it to himself?—I dare say it was meant figuratively to apply to them.

18110. Did they understand that the term was applied by the bishop to those who voted for Major Knox—he was talking about the future?—I don't believe that any intelligent Catholic thought they would be cut off in any way at all; there wouldn't be sufficient ground for it. How the bishop applied the figure of speech I don't know.

18111. Were you in the parish church on Christmas day?—Not in the morning; I was assisting at the collection.

18112. Was anyone ordered to leave any part of the church while you were there?—No. I heard of the circumstance.

18113. Was it the subject of conversation?—It was among the collectors and some other persons.

18114. Can you recollect what the conversation was?—It was to the effect that some person in the congregation was asked to come down stairs and kneel in the porch, and that he went away; and that another came back and their money was handed to them. There was some conversation of that kind with the collectors.

18115. Had you at any time anything to do with removing from the church anyone who voted for Major Knox?—I hadn't. It never was done in my presence.

18116. You had no external parish?—I have now.

18117. Had you at the time of the election?—I hadn't. My whole duty was to make the collection for the cathedral.

18118. Do you know of any directions from the altar or otherwise given by priests to their flocks to come into Sligo on the day of the election?—I don't. Whether they expressed a wish or not that they should come in, I don't know.

18119. You never heard them do so?—No. They might have done it without my knowledge.

(The witness withdrew.)

James Balfour

James Balfour sworn and examined.

18120. The *Chief Commissioner.*—Where do you reside?—In Sligo.

18121. Did you vote at the last election for the borough?—I did.

18122. For whom did you vote?—For Major Knox.

18123. Did you canvass anyone at the last election?—I asked Ned Crummy to vote for Major Knox.

18124. Tell us what occurred when you asked him to vote for Major Knox?—You will allow me to explain?

18125. I will?—Mr. Hans Morrison was a very intimate friend of mine, and I asked him a question—if there was any harm or breach of the law to ask a person to leave the town, for me to pay his expenses, and to remunerate him for his loss of time when he came back. He said it wasn't, provided I didn't speak of the election or of voting; I was to exclude that entirely.

18126. You were to omit the part of Hamlet?—I did.

18127. What occurred then?—I met Edward Crummy, I asked him if he'd like to go to Dublin. He said he didn't care, if his expenses were paid; but he couldn't go away at the time; but, he said, at the end of a job he was then doing he would tell me if he'd go. After two days he told me distinctly that he was determined not to leave town, but to vote for Captain Flanagan. I said it was the most manly thing to stay at home.

18128. Is that the whole transaction?—It is.

18129. How much did you understand he was to get to go away?—£20 or £30 I would pay him if he went away.

18130. Would you give him that sum?—Certainly I would.

18131. Whom did you expect would repay you?—After the election I think I would be entitled to ask Major Knox or his friends for the money. If he had not done so I would give the money out of my own pocket.

18132. Do you know Captain Ethelred Knox?—No, not intimately; I do by sight.

18133. Had you any intimation that he had money?—No. We supped together once at the Masonic Lodge—that was the only time I met him.

18134. Did you know anything of Stokes's proceedings?—I heard many reports—town-talk.

18135. Can you give any information respecting the country people who came into the town armed with revolvers?—I can't. With regard to the violence on the day of the election and the day of the nomination, I certainly observed myself men from the country, whom I didn't know, come in for mischief. On the day of the nomination I went down the street, and I observed at the market cross six or seven stout fellows with sticks, and the same number opposite my own house, and that extended as far as High-street.

18136. How many were there?—From six to eight—I took particular notice of them.

18137. How many were there altogether?—There were five parties of six or eight men each—the town was full of strangers.

18138. Did you speak to any other voter as you spoke to Crummy?—No. I got frightened. It looked so absurd. I was very glad when Crummy told me he would stop at home. It struck me at the time that it was nonsense to keep out of the way.

18139. Mr. *Commissioner Bruce.*—You live in Sligo?—I do.

18140. How long are you living here?—I am in it over thirty years.

18141. How often have you voted at elections for the borough?—I voted only six times.

18142. Did you vote for Mr. Macdonogh?—I did once.

18143. Was that at the 1865 election?—I forget. I think it was at his first election I voted for him. I afterwards voted for Sergeant Armstrong,

18144. Did you ever vote for Mr. Wynne?—I did.

18145. Did you ever vote for Mr. Somers?—Never.

18146. Which was the first election at which you voted?—The first time I voted was at Mr. Townley's election. After that I abstained from voting until Mr. Wynne's election. I gave Mr. Wynne my support twice.

18147. Do you recollect accurately the two elections at which Mr. Wynne was a candidate?—I don't.

18148. The first was in 1857, the second in 1859; in 1859 he was returned by a large majority?—That was his first election.

18149. No, it was his second. Do you recollect hearing anything about money going at his last election in 1859?—Not a word. I never mix myself up in politics. I give my vote, but I never give a penny to them to support a candidate. I don't care for his politics—what I look to is, his suitability to benefit the town in the way of establishing works and manufactures for the employment of the poor people. Townley said he would do that, and I voted for him, though he was a rank Radical.

(The witness withdrew.)

Edward Crummy again appeared on the witness table. Edward Crummy.

18150. The *Chief Commissioner.*—You can give us no further information about the election?—Not at all. I thought I was very badly used by the mob. They broke a vast quantity of glass in my windows. I voted according to my conscience, and they broke my windows.

(The witness withdrew.)

William Heron sworn and examined. William Heron.

18151. The *Chief Commissioner.*—What are you?—I am a farmer, and surveyor in the employment of Colonel Cooper.

18152. Did you pay a man namd Hickson a sum of money after the last election?—I did.

18153. How much did you pay him?—Nine pounds odd.

18154. What did you pay it for?—Because Mr. Molony wrote to me demanding payment.

18155. What for?—For the support of men during the election.

18156. When?—It was the night before the election.

18157. Were these men armed?—They weren't to my knowledge. I gave express directions not to bring a stick with them.

18158. How long after the election did you pay the £9 odd?—I can't say. I suppose it was somewhere about a month or more.

18159. You are sure you paid it?—I know I did.

18160. Did anyone give you that money?—No.

18161. Then you are out of it yourself?—I am.

18162. Did you ever apply to Major Knox for it?—Never.

18163. Why did not you?—Because I can't claim it from him.

18164. Did you apply to anyone else?—I went to Carrick to see Mr. Lawder about it, but he wasn't at home.

18165. Do you expect to be paid it?—I am afraid I have a very bad chance of it.

18166. Who told you to bring in the men?—Mr. Lawder was the conducting agent for both the county and borough elections, and this brought me into relation with him. I had to make a list of the county voters, and it was contemplated to bring into the town country friends, lest they should be carried away by the opposite party. Mr. Lawder asked me to organise a number of men to watch these people, and to keep order in the town. I did so.

18167. You did it for the county and borough elections?—No, not for the borough at all.

18168. When did these young men come to town, for the purpose of, as you say, watching the voters and keeping order?—The evening before the nomination day.

18169. The county nomination day?—No, the borough nomination day.

18170. How many of them came in altogether?—I should suppose close on sixty.

18171. At what houses did they put up?—At Hickson's, Ryan's, and Buchanan's on the Mall.

18172. These men were used at the borough election, too—they were friends of Major Knox's?—They were supposed to be so, but they ran away in the morning, and I didn't see them since.

18173. Have you a list of them?—I had. I was searching for it. I came away quickly from home, and I couldn't get it. I can tell you the names, if you wish for them.

18174. How much were you to pay for them?—Eight shillings a day, while they were employed at the county election.

18175. What were they supposed to do for that?—They were supposed to conduct in the voters from the disturbed parts of the town—several of them continued in employment for the county election.

18176. Eight shillings a day and their food was what they were to get?—Yes. I ceased to have anything to do with it, when I found they ran away. I felt I was disgraced. I thought it was a shabby thing to do. I didn't understand what I was about when I undertook this business. I must say also, I reported to Mr. Lawder when I came into town the next morning, that I had these men there, and he wasn't well satisfied with me apparently.

18177. At what hour of the night did you bring them in?—It was evening—it was then the short days of November or October.

18178. Did you actually pay these men?—Some were paid all; some got five or six shillings.

18179. How much went through your hands?—Twenty pounds.

18180. Have you been repaid it?—Never.

18181. Was it £20, including the £9 10*s.*?—No.

18182. Then it was £30 altogether?—About that.

18183. Were you present at the fight on the morning of the election?—There was a scrimmage, two men were cut, and they all then ran away.

18184. What was the object of getting these men into the Court-house?—It was to get a hearing for Major Knox. Mr. Lawder afterwards said I was a d——d fool, that I didn't know what to do. Some attorney from Carrick told me it was better to let the men fill the Court-house in order to give courage to Major Knox's friends. I told the men to do so, but when two of them were beaten they all ran away, and weren't since seen.

18185. Mr. *Commissioner Byrne.*—Would you apply to Major Knox for any money that was expended by you?—Never. I never applied for it.

18186. Would you have applied but for the Carrick trial and this Commission?—I think that I was led into it innocently, and that I should not be at the loss of the money. I don't know whether I could substantiate my claim. I acted only in what I thought would please the parties, and in a way by which, as I thought, I was making a friend of Major Knox.

18187. Would not you have applied to Major Knox for your money, but for the Carrick trial and this Commission?—No, but to Mr. Lawder.

18188. As representing Major Knox?—Just so. I never would have brought these men into town, but that he asked me to have them in for the county election. When I told an attorney, who was stopping at the hotel, that Mr. Lawder spoke to me about getting in the voters and the other men, he said if I could bring them into the Court-house—if there were a few

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William Heron.

in—to help the show of hands, and get Major Knox a hearing, it would be a good thing.

18189. Did you see any of Major Knox's friends armed with arms?—Not one. I went away the evening of the day of the nomination. I wasn't in town during the election.

18190. When did the men go away?—The morning of the nomination.

(The witness withdrew).

Andrew O'Beirne.

Andrew O'Beirne sworn and examined.

18191. The *Chief Commissioner.*—Did you vote at the last election?—I did.

18192. For whom?—For Major Knox.

18193. Whom did you vote for at the election before it?—For Sergeant Armstrong.

18194. Did you get any money after that election?—I did.

18195. From whom?—From Mr. Poe.

18196. How much did you get?—Fifteen pounds.

18197. Did you ever get any money before that?—I didn't.

18198. Whom did you vote for before Sergeant Armstrong's election?—I hadn't been in the town before that.

18199. Then Sergeant Armstrong's election was the first you ever voted at?—It was.

18200. Had you belonged to the Liberal party here?—I am a Catholic.

18201. Were you in Mrs. Hall's house during the last election?—I was.

18202. Who brought you there?—Myself.

18203. How long before the election had you determined to vote for Major Knox?—I promised him eighteen months before the election.

18204. Was there any account paid for you?—No.

18205. By anyone?—By no one.

18206. Did Michael Hunt speak to you about the election?—I had nothing to do with him.

18207. What business are you in?—The drapery business.

18208. Are you a customer of Brown, M'Conkey and Co., Dublin?—I am a customer of Crowe, Wilson and Co., Lower Bridge-street, Dublin.

18209. Do you know a traveller named Perkins?—No.

18210. That travels for Brown, M'Conkey and Co.?—I don't.

18211. Was any account paid for you in Crowe, Wilson and Co.'s house?—No.

18212. Did you get no promise at the last election? Of money?

18213. Yes?—No. I never asked for it.

18214. Did no one speak to you about money matters in connexion with your vote?—Not a sinner. I never had much conversation with anyone about it, except Major Knox, and I promised him eighteen months before.

18215. Would you take money after this election, as you did after Sergeant Armstrong's?—I dare say I would.

18216. How much—what is the lowest sum you would take?—I don't know what I could get.

18217. Do you expect any money?—Not now.

18218. Did you expect any?—No.

18219. What do you mean by "not now"?—I mean to say that, in consequence of all the trouble of affairs that is passing about, I expect that no money will be given to anyone.

18220. In consequence of the petition and this commission—suppose that there was no petition, would you have expected money?—I can't say whether I would or not. I never was promised any.

18221. Suppose that Major Knox was member for Sligo, and that there had been no petition, would you, according to the usual course of things, expect any money?—I would expect my share as well as another.

18222. Did you then—though there was no promise—expect that there would be money given?—I didn't know whether there would or not.

18223. Mr. *Commissioner Bruce.*—Did anyone canvass you to vote for Captain Flanagan?—The first time he came to Sligo, there were two gentlemen came with him to me; one was Captain Wynne, I don't know the others name. At this time there was no sign of Parliament being dissolved, and I said to Captain Flanagan that it was too early to canvass anyone.

18224. Did Captain Flanagan ever ask you to vote for him?—He did.

18225. Did anybody else ask you to vote for Captain Flanagan?—Yes.

18226. Who did?—Father Morris.

18227. When?—About a month or six weeks before the election.

18228. What did he say to you?—He asked me if I would vote for Captain Flanagan. I said not, that I had promised to Major Knox, and that I couldn't go back of my word.

18229. What did he say to that?—He said I ought vote for Captain Flanagan, he being a Liberal. I said I couldn't help it, that I had promised to the other, and that I wouldn't go back of my word.

18230. Did he go out then?—He did.

18231. Did he tell you it would be a sin to vote for Major Knox?—Never.

18232. Did anyone threaten you with the consequences, if you would vote for Major Knox?—Never.

18233. Why did you go to Mrs. Hall's?—Because I thought I would be safer there on the day of the election in coming to the poll, than I would be in my own house.

18234. What made you think that?—I knew it by the appearance of things that were carried on in the town.

18235. What kind of appearance was it?—There was a great deal of people in the town, up and down shouting, and between one thing and another the town wasn't in the peaceable state it used to be.

18236. Was there any damage done to your house?—There was.

18237. What damage?—About a month before the election took place, there was a brother's son of mine came one night, and brought a friend of the house; and while there he broke the windows.

18238. Was that all the damage that was done to you?—That was all.

18239. And that was done by your brother's son?—Yes; I never said anything about it.

(The witness withdrew.)

Thomas Leonard.

Thomas Leonard sworn and examined.

18240. The *Chief Commissioner.*—Do you know Tom Brennan?—I do.

18241. Did he ever give you any money?—He did.

18242. Tell how much he gave you altogether?—The first was a half sovereign of a Saturday night in July; the next was £3 in Taylor's garden; the next was a sovereign in a lane near Mr. Wynne's place.

18243. Did Major Knox ever give you money?—Several times.

18244. How much did he give you?—Two pounds one time on the Mall; £1 at the cemetery for going for a car for him; £2 at Mr. Leech's; £7—£5 for John Henry, and £2 for myself.

18245. Were you drinking all this time you were getting the money?—An odd drop.

18246. What did you do with the money you got—did you divide it?—No; I kept every shilling of it; it was all for myself.

Thomas Leonard.

18247. How much did you get altogether?—Twelve pounds, and one pound thirteen shillings from Brennan.

18248. Do you know Mr. Hignell?—Yes.

18249. Did he ever give you any money?—Not to my recollection.

18250. Did anybody else give you any money in connexion with the election?—I got seven shillings from Mr. Gillmor, I think.

18251. Did you ever see Mr. Hignell buying some beer?—I did. I was in Mr. Hunt's bar taking some drink, and Mr. O'Farrell and Mr. Hignell came in and ordered a barrel of beer to be sent to Mr. O'Farrell's. Mr. Hignell put his hand into his pocket, but I can't say whether he paid for it or not.

18252. Did you ever bring John Henry to Major Knox?—Never.

18253. Where was John Henry on the day of the polling?—I don't know. I was in Mrs. Hall's when his wife and my wife took unwell.

18254. For whom did he vote?—He voted for Captain Flanagan, I think.

18255. Mr. *Commissioner Bruce.*—Do you swear you got £5 from Major Knox to give to John Henry?—I do.

18256. Did you give it to him?—I didn't.

18257. Why not?—Because I was a poorer man than he was. I thought it was no harm to keep it.

18258. Did you tell him that you got it for him?—I told him a little while afterwards.

(The witness withdrew.)

Daniel M'Goldrick sworn and examined.

Daniel M'Goldrick.

18259. The *Chief Commissioner.*—Had you a vote at the last election?—I had.

18260. Whom did you vote for?—For Captain Flanagan.

18261. Was there any offer made about your vote on the other side?—When I was going to register my vote, I was called off by Mr. Stokes; he offered me £15.

18262. What did you say?—I said I would go home and consult the woman at home about it.

18263. Did you consult her?—I spoke to her about the £15, and she said it was very good. She advised me to take it. I said I would do no such thing. I went up and registered my vote, and I had no more to say to them.

18264. Did you vote for Sergeant Armstrong?—I had no vote then.

18265. Then you never voted before the last election?—Never.

18266. Mr. *Commissioner Bruce.*—Whom do you say you voted for at the last election?—Captain Flanagan.

18267. Did you think you would make more money by your vote being registered than by its not being registered?—I didn't.

18268. Did you ever expect you would get any money for voting for Captain Flanagan?—I didn't.

18269. Do you swear that?—I didn't.

18270. Would you take money, if it was going?—I wouldn't like to refuse it.

18271. Did you ever hear that money was going before the election?—Never.

18272. Or that men got money after Sergeant Armstrong's election?—No.

18273. But you wouldn't refuse it if it was going on Captain Flanagan's side?—I wouldn't like to refuse it.

(The witness withdrew.)

John Conington sworn and examined.

John Conington.

18274. The *Chief Commissioner.*—What are you by trade?—A cooper.

18275. Had you a vote at the last election?—I never had a vote.

18276. Were you present when a conversation was deposed to here yesterday?—I wasn't here. I didn't like to be in this place at all.

18277. Did you hear any offer made to Felix Farrell—first, do you know him?—I do.

18278. Do you know David Frizelle?—I do.

18279. Did you hear any offer made to Farrell?—Never.

18280. Did you hear anything said to him about a pound of cake?—I didn't. I never was in his company about this election, except being a working man.

18281. Do you know nothing of money being going at the last election?—Nothing but hearing the noise of the people.

18282. Did you tell anybody that, if he went with you, you would give him £20?—Never.

18283. Mr. *Commissioner Byrne.*—Do you remember being in Buchanan's hotel?—Never, except in the Coopers' society rooms.

18284. Were you ever in Farrell's company in Frizelle's?—Never.

18285. Did you never hear about the £20 before Never, until I heard of it now.

(The witness withdrew.)

Andrew Green sworn and examined.

Andrew Green.

18286. The *Chief Commissioner.*—Did you accept a bill for Mr. Cherry?—I did.

18287. What day was it you accepted it?—I can't tell.

18288. Just about the time of the election, was it, do you recollect?—I dare say I did.

18289. For how much?—I don't recollect. I have accepted bills before and since a dozen times.

18290. Had that bill mentioned here anything to do or say to the election?—Nothing.

18291. You are sure as to that point?—I swear it positively.

18292. Mr. *Commissioner Byrne.*—You are a friend of Mr. Stokes?—I know him very well.

18293. Had he canvassed you at the last election to vote for Major Knox?—Never, or at any election.

18294. Did you vote at the last election?—I did.

18295. For whom?—For Major Knox.

18296. Are you aware of money being promised to any of the voters?—I am not.

18297. Or that they got any money?—I am not.

18298. Mr. *Commissioner Bruce.*—With regard to this bill, was it a bill which Mr. Cherry drew on you and which you accepted?—I don't recollect.

18299. You may have accepted it?—I may, I may have drawn on him, or he may have drawn on me. I know nothing particularly about it.

SIXTEENTH DAY.
October 23.

John Henry again appeared on the witness table.

John Henry.

18300. The *Chief Commissioner.*—Go on now with any statement you wish to make?—Michael Mulligan a few days before the election coming to me, asked me if I could accommodate some country people, I said yes. He brought in thirty men whom I gave bread and tea. He paid me £15 afterwards. That was all the money I ever received from him. I didn't look after it. I had nothing to do whatever with money on either side. The £15 I got I didn't know whether it was election money or not.

18301. Is that all you wish to say?—Yes, that's all.

18302. Mr. *Commissioner Byrne.*—Had Mr. Petrie any conversation with you?—Yes. I got no money from him, I told you yesterday about that.

(The witness withdrew.)

Patrick Marren.

Patrick Marren sworn and examined.

18303. The *Chief Commissioner.* — Are you a publican?—Yes.

18304. Are you an elector?—I am.

18305. Did you vote for Captain Flanagan at the last election?—I did.

18306. Were any of the country people in town treated at your house?—Certainly not, though it was alleged here that they were.

18307. Did you get any money at the last election?—I got no money but £5 from Brennan for cars.

18308. That is Brennan who was acting for Major Knox?—Yes. I got it about five minutes before the election, for cars.

18309. Did you get no money for meat or drink supplied to the mob?—I didn't.

18310. Did you see the country people come to your place?—No, they didn't come near me. I am an old man, and I don't interfere in elections.

18311. For whom did you vote at the election before the last?—For Sergeant Armstrong.

18312. Did you hear of any money going after that election?—I did. I heard from £15 to £20 was given.

18313. Did you get any of it?—I understand it was got in my place, but I wasn't there.

18314. How much was got in your place?—I understand that £20 was paid in my place to my wife.

18315. Did you ever get money before that?—I often got money at elections.

18316. What money before that did you get?—I got no money from Mr. Townley.

18317. How much did you get after Townley's election?—£10.

18318. From whom did you get it?—From Mr. O'Connor.

18319. Did you vote for Sadleir?—I did.

18320. Did you get money after that election?—I didn't.

18321. Were you paid for treating the mob?—I think there was some treating at the time.

18322. How much were you paid?—I can't tell.

18323. Fifty pounds?—No, nor £5—I think it was something about £4 10*s.*

18324. Do you recollect Somers's election when Wynne beat him?—I do.

18325. For whom did you vote at that election?—For Somers.

18326. Did you ever get any money from Somers?—He hadn't it to give.

18327. Mr. *Commissioner Bruce.* — Or from any friend of his?—Certainly not.

18328. Was there any treating after Somers's election?—No, they treated themselves, they drank their own money—there was no alternative.

18329. You stated that £20 was given to your wife after Sergeant Armstrong's election?—She told me so herself.

18330. Who gave it to her?—I can't say.

18331. Did she tell you of it soon after she got the £20?—I wasn't at home at the time. I was in gaol.

18332. You knew it was for your vote?—I didn't know what it was for, but it's likely it's the case.

18333. You suspected it was because you voted for Sergeant Armstrong?—I heard a rumour of it.

(The witness withdrew.)

Michael Mulligan.

Michael Mulligan sworn and examined.

18334. The *Chief Commissioner.* — Are you an elector?—Yes.

18335. Did you vote at the last election?—I did.

18336. Who did you vote for?—For Captain Flanagan.

18337. Did you vote for Sergeant Armstrong?—No, sir.

18338. Was any money offered to you at the last election?—Well, I will explain the whole thing to you. There was one night I was coming from the house, and as I was passing by Castle-street, I met with a neighbour boy of my own that was reared in the same townland from where I am, from down in Grange.

18339. Did you go to Mr. Cherry's?—It was outside the door the boy was talking to me. I think he was sweeping the place when he remarked me, and he spoke to me and we chatted awhile, and Mr. Cherry happened to come by at the same time, and he was very kind to me.

18340. What did he say to you about the election?—He asked me how I was. He asked me had I a vote, and I said I had. Then he said will you come in and rest awhile.

18341. Did he make you any offer?—He asked me if I would leave the way and not vote, and he would be thankful to me and serve me.

18342. Did he say what you were to get? Did he mention any figure?—Well, then I told him I would make up my mind and we parted, and I went home and said I would come the night afterwards.

18343. Did you come the night afterwards?—I did not, sir.

18344. Did he ever say you were to get thirty thanks?—Well, then the night after I did not come.

18345. Did he ever say you were to get thirty thanks?—Yes, sir, there were words about that.

18346. What did he say to you about the thirty thanks?—He said I would get thirty thanks if I would leave the way.

18347. Where were you to go to?—I think to Longford.

18348. Who was to take charge of you in Longford?—He did not tell me.

18349. How long was that before the election?—Oh, a few days.

(The witness then withdrew.)

Henry Dignam.

Henry Dignam sworn and examined.

18350. The *Chief Commissioner.*—Had you a vote at the last election?—No.

18351. Did any money pass through your hands about the election?—Yes.

18352. How much?—Thirty pounds.

18353. Who gave it to you?—Mr. Molony sent it to me.

18354. What did you do with it?—I gave it to the party I understood it was for.

18355. Who was that?—It was the mob of Sligo—at least part of the mob.

18356. Did you distribute the whole of that amongst them?—I did.

18357. Have you any relative a voter?—No, sir.

18358. How long did the distribution occupy?—It was something about four or five days before the election that I got the first £10.

18359. Did any other money pass through your hands about the election?—No, sir.

18360. Did you get any other election money?—I got no more. There was a bill paid to me of £2 about four or five months previous to the election.

18361. By whom?—By Thomas Brennan.

18362. We know he was spending money in anticipation of the election. What was the bill for?—For goods.

18363. It was for drink?—Well, it was not for drink; it was for groceries.

18364. Were the groceries supplied to the mob?—It was supplied to some men for part of the mob.

18365. Was that all the bill you were paid about the election?—That was all. There was £2 10*s.* paid for refreshments. I am not sure whether it was after the election or not, by a man named Mulligan.

18366. On whose side was that paid?—On Captain Flanagan's.

18367. Mr. *Commissioner Bruce.*—Was it Michael Mulligan?—Yes, sir. He is a countryman.

18368. The *Chief Commissioner.*—Do you know of any other similar expenditure?—No, nothing more. Brennan sent a few orders to me at my house at least for some goods to give to these parties about five or six months previous to the election—which orders I have.

18369. Have you them now?—I have.

18370. Are they here?—Yes. (Produced.)

18371. Now this (one of the orders) is dated 10th September, 1868. Were any of these men named in it electors?—No.

18372. They were to get 10*s.* worth of shop goods each?—Yes.

18373. What were these?—Groceries and flour.

18374. How much altogether did Brennan order? Nothing but this.

18375. Mr. *Commissioner Bruce.* — Have these orders been paid?—None of these paid only £2.

18376. The *Chief Commissioner.*—And how much is due?—There is about £12 due.

18377. Have you ever applied for payment of that?—No.

18378. Why?—Because I could not get Brennan to apply to him for payment.

18379. But did not you expect to be paid on Major Knox's side?—I expected to be paid by Brennan. If I ever catch him in the town I will sue for it.

18380. Is he a mark for £12?—I think he is; he is a voter here.

18381. You never applied to anyone else for that £12?—Never, for he is the only party I have to look to.

18382. Mr. *Commissioner Bruce.* — Did Brennan ever tell you he was acting for Major Knox?—No. He often told me he felt an interest in his return, and I knew him to be acting for him, so far as paying money and nothing more. He told me he was acting for Major Knox.

18383. Did you believe he was acting for Major Knox when he was giving these orders?—I did.

18384. Are these parties mentioned in these orders persons who were to have acted in Major Knox's mob?—Well, I do not know if they have acted as mobsmen for Major Knox. I could not say that. I knew Brennan to give these parties who were mentioned here some money previous to the election; at least they told me so.

18385. Mr. *Commissioner Byrne.* — In the acting on these orders did you expect to be paid by Major Knox or Brennan?—By Brennan.

18386. Did you not believe Brennan was an agent for Major Knox?—I did not believe he was an agent. I did not know how he was connected with Major Knox. I knew he was acting for Major Knox at the time, but I did not know whether he was an agent or not.

18387. Did you not know these orders were given for Major Knox's benefit as regards the election?—I did.

18388. That they were orders given to advance his interest at the election?—Yes, I did.

18389. Mr. *Commissioner Bruce.*—Have you a vote?—No, sir.

18390. You say you gave £30—do you know the persons to whom you gave it?—They were Sligo men.

18391. There were a great many country people in the town?—There were during the election.

18392. Do you know who paid them?—I do not know.

18393. You have not an idea at all?—No; I had nothing at all to do with it.

18394. Did you at any time give goods to these country men?—Yes; they got some refreshments in my mother's house.

18395. Did they all pay for them?—They did not.

18396. How many men do you think got refreshments in your mother's house?—I know I gave drink to sixty or seventy or eighty men one morning, when Captain Flanagan came in.

18397. Was that the day Captain Flanagan came into town first—the day of the procession?—There came a lot of countrymen on the day of the procession, and I gave them a glass of whiskey each, and never was paid for it.

18398. Well, I suppose when you gave the men the whiskey you intended to look to Captain Flanagan?—I thought I might have been paid for it, but still I would have given it even though I was not paid myself.

18399. You would not have given whiskey to sixty or seventy men without money?—There were perhaps some twenty or thirty of them customers of my mother's, and I would have given them whiskey. The others were along with them. Certainly I thought I would be paid for it. I showed the amount to Mr. Moloney, and he said to me he would see it all right, and I never asked him since for it.

18400. Was it before the election?—Before the election.

18401. Did you on any other days give any of these men whiskey that they did not pay for?—No, I did not. Some of them got refreshments, and there was £2 10*s.* paid by Mr. Moloney for the refreshments they got.

18402. On the day of the polling did you give any?—I gave no drink that day.

18403. Did none if them come into the house?—They might have been in the house.

18404. Now were there any people in the town in the same business as yourself and mother, who entertained people the same way?—I knew Martin Mulligan to keep some of them, and I knew him to have been paid by his brother at the time he paid me £2 10*s.* for refreshments. He paid his brother something about the same amount.

18405. Had you ever any talk with Mulligan about this giving drink to the people?—No it was not drink; it was eatables. He does not keep a public-house.

18406. Had you any talk with anybody else who gave, or did you see anybody else giving refreshments, or tea to country voters when they came in about the election?—There was another house, but I do not recollect it now. I think there was a man named Reynolds gave refreshments. I cannot swear whether he did give refreshments or not. I saw the people in his house.

18407. Are there any other parties?—I do not know of any other parties at present.

(The witness then withdrew.)

SIXTEENTH DAY.

October 23.

John Atkinson.

John Atkinson sworn and examined.

18408. *Chief Commissioner.*—Are you an elector?—Yes.

18409. Did you vote for Major Knox at the last election?—I did, sir.

18410. Did you vote for Mr. Macdonogh before that?—No, sir, I never voted before. I voted for Sergeant Armstrong.

18411. Did you get any money after that?—I got £30, about nine or ten months after that.

18412. Who gave it to you?—Mr. Petrie.

18413. Had he canvassed you?—Well, he had.

18414. What is your occupation?—A shoemaker, and I hold a little land.

18415. Did you vote for Sergeant Armstrong because he was a Liberal?—I thought it was nearly equal which I voted for.

18416. Do you mean, you did not care whether you voted for the Conservative or the Liberal?—Not one farthing. I considered one as good as the other.

18417. Who canvassed you at this last election?—Both of the candidates.

18418. When did you promise you would vote for Major Knox?—I did not promise him at all.

18419. You did not promise at all?—No.

18420. But did anybody know you were going to vote?—I think not, but myself. My mind was not prepared at the time.

18421. When did your mind become convinced?—A short time before the polling.

18422. What hour of the day did you vote?—About eleven o'clock, as well as I recollect.

18423. Did you go from your own house to vote?—No, sir, I went from Mr. Woods' house in Castle-street.

18424. Had Mr. Woods canvassed you?—Well, the chief of the Conservative party in Sligo asked me, and this was my answer, that I did not know how I would act, for I had a landlord, and I wished to please him.

18425. Who is your landlord?—Mr. Peter O'Connor.

18426. How long were you at Mr. Woods' house?—Well, I was there the night before the polling.

18427. Who brought you there?—Well, I went there for protection. If I had not been beset in the town before that, I would not have minded. The town was in such a state, that I would rather be there than in my own place.

18428. Were there any voters there?—There was.

18429. Who?—John Robinson.

18430. Did he go with you?—Yes, both went together.

18431. Had you asked Mr. Woods would he give you shelter before that?—I knew he would, sir.

18432. When you went there, had you made up your mind to vote for Major Knox?—Yes, before that.

18433. When did you make up your mind as to what you would do?—Well, I was knocked down in Knox-street by some mobmen. A person followed me into the house and said, if I would not vote for Flanagan he would have the skin off me.

18434. How long was that before the election?—I think it was a fortnight. That was the very cause that made me.

18435. Do you know Mr. Moses Monds?—I do.

18436. Did he ever pay any money for you?—Not one farthing; and I expect you will ask him up to explain himself on that matter. At that time I had no vote, and I had never a dealing with him in any shape or form on electioneering business, and I never spoke about it. I think I will be able to set you right in that. There was a young man named Hart who kept a shoemaker's shop in Market-street, and I think that is the person. He came back to vote for Mr. Macdonogh. I never was in England in my life.

18437. Was a sum of money paid for him?—I never heard it was before, until I saw it in the paper, and I knew this Hart came back. Mr. Monds can be called up and questioned, and if he says I am the man, I am satisfied.

18438. Do you mean to say, you will believe him?—No, I will not believe him.

18439. Had Mr. Woods canvassed you?—He often asked me.

18440. Did he ever intimate money would be going?—No, not a farthing.

18441. When you went there for shelter did you expect money would be given?—No, sir.

18442. But you got a large sum of money before?—I did.

18443. Would you take money now if it was going?—No, not under the present circumstances. I would not. When I saw into the nature of it I would have nothing to do with it though I was often offered it.

18444. Mr. *Commissioner Byrne.*—Did you vote for Mr. Macdonogh when he was returned?—I never voted for Mr. Macdonogh. I had no vote at the time Mr. Monds alluded to when he said I came over from Manchester.

18445. Are you aware of any other person named Atkinson who had a vote at the time of Mr. Macdonogh's election?—I am not aware, sir. There are very few of my name in the town.

18446. Mr. *Commissioner Bruce.*—Who was it threatened you?—He was a townsman here.

18447. What is his name?—Hennessy.

18448. And they were country people who knocked you down?—I heard they were.

18449. Were they a mob?—I cannot say.

18450. Were there five or six of them together?—When I turned Knox's street some person pointed me out and said there was Knox's man. I had not opened my mind to say who I would vote for and who I would not.

18451. How long before the election was it that you were knocked down?—About a week or ten days. I cannot say.

18452. I suppose you did not go out after that?—Unless my business brought me out I did not.

18453. Did anybody ever assault you after that?—Yes, there was a mob followed me the night I came from Mr. Woods' and struck Mr. Woods at his own door and I got in before him.

18454. Was there any assault upon your house?—There was, sir; it was broken.

18455. Was it wrecked?—No, nothing more than the windows broken.

(The witness then withdrew.)

Charles Grubb was called upon his subpœna, but did not appear. *Thomas Brennan* was also called upon his subpœna, but did not appear.

Patrick O'Connor.

Patrick O'Connor voluntarily entered the witness-box and said—

"Mr. Lloyd was here a while ago."

18456. The *Chief Commissioner.*—Do you wish to say anything in reference to what he said?—There was some of it true and some of it not true.

18457. What do you wish to say to the Court in reference to what Mr. Lloyd said?—They brought me down here to say I would be confronted with Mr. Lloyd.

18458. Yes; do you wish to make any further statement about your own evidence or your own ver-

sion of what occurred?—Yes, the version I gave you yesterday was true.

18459. You say you got a telegram to go up to Dublin just before the election?—Yes, sir.

18460. Who did the telegram purport to be from?—From my own solicitor, sir.

18461. That is Mr. Perry?—Yes.

18462. Did you go up to Dublin?—No, I did not.

18463. Why did you not go up to Dublin?—I did not like to go. The telegram was that I was wanted up to Dublin two days before the election, and it came from the Court of Bankruptcy and Mr. Lloyd told me when he had been arranging with me that he would send a telegram down for me and give me an obvious reason for going away.

18464. Was the telegram that you and your father should go up?—Yes.

18465. Mr. *Commissioner Byrne.*—Did Major Knox ask you about any voters that you could canvass for him at the time that you were at the *Irish Times* office with Mr. Lloyd?—He did not, sir. I would not canvass amongst the Tory side. He did not tell me I would be asked to canvass. What I understood was that I was to get the money as canvasser in a formal manner without——(witness hesitated).

Sixteenth Day. *October* 23. Patrick O'Connor.

18466. You understood you were to get the money as canvasser in a formal manner without what?—I did not mean to canvass for Major Knox, but what I understood was that I was to get the money in a formal manner as a bribe to keep on his side. It was given to me in that way.

18467. But you really were getting the money for staying away from voting?—Yes, sir.

(The witness then withdrew.)

Harloe Phibbs returned to the witness-box and said— Harloe Phibbs.

"My name was mentioned in reference to some conversation with Kelly in Woods's shop."

18468. The *Chief Commissioner.*—Just state yourself what you wish to say about it?—I heard the man swear something similar in Carrick and I contradicted it there. He said he had been speaking to Woods and that I entered the shop and went from the shop into the office, and that Woods followed me, and that I then came out to him and said that the matter was all right and that he was to get £50. I did not speak to Woods on that occasion. It is quite true I was in the shop, but I went there for a different purpose. His son is a commissioner for taking affidavits and I went in to see if an affidavit had been made, and I did not speak to Woods on that occasion, or on any occasion, about Kelly.

18469. Did you ever say anything about your being authorized to give £40?—Such a thing never occurred with any man.

(The witness then withdrew.)

The Court adjourned until Monday, the 20th December, 1869.

SEVENTEENTH DAY.

Seventeenth Day. *December* 20.

December 20, 1869.

J. A. BYRNE, Esq., and WILLIAM R. BRUCE, Esq., resumed the inquiry at eleven o'clock this morning.

Captain Ethelred Knox, and *Thomas Brennan* were called on their subpœnaes, and did not answer.

John Harkan sworn and examined. John Harkan.

18470. Mr. *Commissioner Byrne.*—Were you down at Sligo at the election of 1860?—I was.

18471. You know Mr. Randle Peyton?—I do.

18472. He was conducting agent for Colonel Tennison?—He was.

18473. Were you acting for Colonel Tennison?—I was acting for him. I was instructed by Mr. Peyton.

18474. You were Colonel Tennison's counsel?—I was.

18475. And do you remember having an interview with Mr. Peyton in reference to the Colonel's chances?—I read that in the papers the first time I heard of it, and I would be glad if you would let me know what Mr. Peyton said to you.

18476. The substance of Mr. Peyton's evidence is that you called upon him, and told him that Colonel Tennison would have very little chance of success at the election, unless there was some £600 or £700 distributed amongst voters?—I am very sory to contradict Mr. Peyton, but I must say that not a word of that was uttered. I had no mode of calculating, or ascertaining it.

18477. Did you in any way so speak to Mr. Peyton in reference to the necessity of money being distributed amongst the supporters of Colonel Tennison?—I never did, and I did not hear of Colonel Tennison's resignation until the day after.

18478. Have you any knowledge at all of the circumstance which led to the withdrawal of Colonel Tennison?—Not at all. I did not know it until the day after he resigned, and I was taken by surprise, and was very much annoyed at it. I was totally ignorant of it.

18479. Had you any conversation with any of the leading supporters of Colonel Tennison in reference to the necessity of his distributing money?—I am certain I had not, because I had no mode of ascertaining what amount would be required, if it was required, and I studiously avoided, and kept away from it.

18480. Were you present at the election of 1859 when the candidates were Messrs. Wynne, Somers, and Treston?—I am sure I was.

18481. Are you aware of money having been spent on that occasion at that election amongst the voters?—Never aware of a penny being spent in Sligo to this moment, nor did I know directly or indirectly of any man having got one penny of money, nor did I know it until it was reported by the public papers during the Commission.

18482. When you say you are not aware of money being spent amongst the voters, were you present on the occasion of Messrs. Byrne and Tracy, Sergeant Armstrong's friends' coming down?—I came down from Dublin with Mr. Tracy, as counsel for Sergeant Armstrong.

18483. That was at the election I am referring to—the occasion of your coming down some months afterwards?—I am aware of that, and I did come down, as counsel for Sergeant Armstrong, but I am not aware of any money being spent on that occasion, nor could I point out who got money, if any was given.

SEVENTEENTH DAY.

December 20.

John Harkan.

18484. Were you present at the interview at the hotel, at which Messrs. Byrne and Tracy met some of the leading supporters of Sergeant Armstrong?—I was in the hotel; I had a room for myself, but I am not aware of any friends having been there. I know every man in Sligo, and must have known who were there, but I could not point out who it was.

18485. You came down, and were in the hotel?—Yes.

18486. I ask you whether you were present at the interview between Messrs. Byrne and Tracy, and some of the leading supporters in Sligo of Sergeant Armstrong?—I was not aware, but some of them may have come in without my observation. I saw a great many people at the hotel, but I never knew of any of them getting money until it was reported by the press.

18487. Mr. *Commissioner Bruce.*—Did you know what you were coming down for?—As the legal adviser and friend of Sergeant Armstrong.

18488. Legal adviser in what matter?—In defraying the expenses which he thought he was liable to pay, such as hotel expenses and whatever it was.

18489. But did he consult you with regard to the payment of any expenses?—He did not. He never asked me a question about it.

18490. And you, I suppose, did not make any inquiries?—I did not make any inquiries, and I never heard of paying money to voters, but paying expenses belonging to the election.

18491. That is what he told you?—That is what Mr. Tracy told me.

18492. It is an admitted fact that he came down with Mr. Byrne to distribute £1,480?—I never heard of that until I saw it in the press, nor did I know Sergeant Armstrong spent any money until I saw it in the press.

18493. When did Colonel Tennison resign in 1860?—Well, I cannot recollect, but I am quite certain, and I am positive that I did not know of his resignation until the day afterwards, and as far as I recollect, the first intimation I had was a public letter written by some gentleman.

18494. You say you are well acquainted with Sligo?—I am.

18495. Do you mean to say you never heard reports of extensive bribery?—Indeed I do not. I did hear reports of extensive bribery.

18496. Did you ever hear of any bribery in 1859, the time that Messrs. Somers, Wynne, and Treston were candidates?—Well, I do not think any of the parties except Treston had any money to give in bribery.

18497. Well, had Treston?—I might safely say the same of him.

18498. Was it reported that any money was going?—No.

18499. When Mr. Somers was unseated owing to the poll books being tampered with in 1857, had you heard there was any bribery on Mr. Somers' part?—Certainly not. Mr. Somers, I think, had not one penny to bribe with.

18500. But I am speaking of reports. You say you have heard there were reports about bribery. Did the reports extend to this particular election?—As far as my recollection goes I think not.

18501. When you speak of reports you are referring to Sadlier and Townley's election?—Yes, and the two subsequent elections—the election at which Mr. Macdonogh was candidate and Sergeant Armstrong. In fact I never knew of anyone having received a penny in the town as a voter.

18502. Mr. *Commissioner Byrne.*—You having been down in 1859, had you opportunities of forming an opinion whether that was a pure election or not?—Well, I never had opportunities of forming an opinion. I avoided and kept myself from any knowledge of that question.

18503. I am not speaking, of course, in reference to actual knowledge on your part, but I wish to ask you as a gentleman thoroughly acquainted with Sligo, your opinion as to whether the election of 1859 was or was not a pure one?—Well, Mr. Somers was a candidate, and I must give you the same answer as I did before. I do not think one penny was spent by any of the three.

18504. So, in your opinion it was a pure election?—I am sure it was a pure election as far as the expenditure of money is concerned.

(The witness withdrew.)

Rev. Owen Feeny.

The Rev. *Owen Feeny*, P.P., sworn and examined.

18505. Mr. *Commissioner Bruce.*—You are a Roman Catholic clergyman?—Yes.

18506. Are you a Roman Catholic clergyman of the town or neighbourhood?—I was of the town some nineteen years since. I commenced in the town in the year 1832, and continued till the the year 1850.

18507. But you are not now?—I have been parish priest of Riverstown since that period.

18508. How far is that from Sligo?—About ten miles I think—ten Irish miles.

18509. Is that in the neighbourhood of Gevagh?—It is the adjoining parish, but some four or five miles from it.

18510. You recollect the contest between Major Knox and Captain Flanagan?—I did. I was very much here at the time.

18511. Did you take an interest in the contest?—I did, a great interest.

18512. Do you recollect any persons of your flock coming in on the day of nomination or the day of polling?—On the day of nomination, I think there were some from the remote parts of the parish. There were none from my immediate neighbourhood—from Riverstown—but no place more distant; but the north of the parish supplied a few.

18513. Was that the part of the parish which adjoins Gevagh?—Well, it was situated between the parish of Sligo and Gevagh.

18514. It was in the neighbourhood?—It was some seven miles from the town. The parties had more access than any of my people to the town, because they are very much in the turf trade.

18515. Were they near the Gevagh people?—Bordering upon it.

18516. Do you know whether there was any inducement offered to these persons to come in? I suppose they came in as supporters of Captain Flanagan, taking an interest on his side?—Well, I would not say that any of them came in upon that view. Some of them came in upon their business and waited for the issue; and some of them hearing that there was a determination on the part of the opponents — the opponents of the people—to come in a body, in all probability were attracted to the town with an intention of keeping them in check.

18517. In fact to counteract the opposite mob?—I think so.

18518. Do you know of any money being given to any of these persons for anything?—Well, I heard rumours about it, but I know nothing except what I disbursed myself. I gave £1 of my own to some of my people that I found late in the evening without any resources. That is all I know of money transactions connected with anything either at the election or nomination.

18519. From whom did you hear the rumours of money being distributed?—I really could not particularize. I have no doubt that parties might come up to myself, and say that they ought to get something; but I do not know whether they got it or not; but I know applications were made to me, and of course I did not respond to them, except in this one solitary case I speak of.

18520. Were the applications numerous?—I think,

Rev. Owen Feeny.

not very. I had a great deal to do at the time. I was in a very active canvass in every part of the town. You see from the dates I have given you I am very well known in the town, and I was thought to have a great deal of knowledge and influence, and I accompanied Captain Flanagan and assisted at the time of the revision, which was a very interesting scene, and I was at the nomination.

18521. Could you give us an idea of the number of your parishioners that came in?—Well, at the county election I could not; because I invited my people to go and protect my electors at the county election. I gave no such invitation on any other occasion. I do not know that I directed their attention to the fact—that I was aware of the fact—that a party was hired to come in and maintain Major Knox at the nomination. I saw the parties myself, and was looking on at the conflict.

18522. Did you ever, on any Sunday after mass, say anything about the election?—After mass?

18523. Well, at any time?—I very rarely permit a Sunday to pass without an observation before or after mass.

18524. With regard to this election?—Well, I do not know as to the borough election. I told them, of course, I took an equal interest in the borough as in the county election; and I might have told them that the day of nomination would be so and so, and it would be right for anyone to go into town to show they had an interest in the question at issue.

18525. I suppose any observations of that kind were addressed to the people from the altar, at some period of the service?—Yes.

18526. Was anything said that you recollect, that persons coming into town would be cared for, or would get money to pay for their lodgings?—No, nothing of the kind, nor was I aware of their expectations, until the parties were about leaving in the evening. They made an application to myself, and I responded to it at my own expense.

18527. Did they leave every evening and go back to their houses, and come back the next morning?—I am not aware that they were here on any occasion but one.

18528. Was that the polling day?—The day of nomination.

18529. Do not you think some of them were here on the polling day?—Indeed they might, but I do not know of it. I know I could not have come in contact with them on the polling day, because I was sick after the fatigue of the day.

18530. Was any application made to you by any friend of Captain Flanagan's, to induce your parishioners to come in?—Not that I am aware of. It was not necessary, in fact I was as deeply interested myself as any of Captain Flanagan's friends.

18531. When you say it was not necessary, do you mean they knew you would do it?—I am sure they knew I would.

18532. So that now thinking over it, I suppose you have very little doubt you did recommend the people to come in?—It is very probable I did, but I knew it was not responded to by my own congregation. I have three chapels in the district confided to my care, but it was of course in my own chapel I might have addressed them, and I knew perfectly well that none of the people from that locality came in.

18533. Who were the gentlemen who had charge of the other chapels in that particular parish?—One, the Rev. Mr. Fetherstone, and the other, the Rev. Mr. Judge.

18534. Do you know whether they addressed similar observations to any of their flock?—I am not aware that they did. They got no instructions from me, and it is very likely they did not.

18535. Did any of your flock afterwards tell you whether they had got money or not?—No, never.

18536. Or did you hear it?—I never heard anything, and know nothing about money matters, except what I gave out myself.

18537. It is a very natural thing to have taken place, and you might have heard of it?—Oh, sure they would not come and tell me that they got a shilling to get their dinner. It is such an indifferent thing that they would not speak of it.

18538. Mr. *Commissioner Byrne.*—You said you are aware of a party having been hired for Major Knox?—I was, from rumours, and I recognised them afterwards in the street. There was a great many of them my own parishioners, Protestants, of course. I had no opportunity of knowing them personally.

18539. But you had no other ground for saying that they were hired except rumour?—Well, I was not surprised at reading some of the evidence given in this court on the subject.

18540. But so far as your own knowledge goes, you had no ground for supposing they were hired except rumour?—It was generally understood in Riverstown, that these particular men were retained, and that they were to go down at 8*s.* a head to Sligo, and I had no doubt whatever about it.

18541. You mentioned that you heard rumours in reference to the Liberal mobs; that the country people came in to help Captain Flanagan; you heard rumours of their getting paid?—I did.

18542. Now, from whom did you hear they got paid?—The other Commissioner put that question to me, and I could not say. I declined answering that question. It was a matter that was talked of in the town; and some of the parties came up to me in the town and said, it was too bad not to get something for the men, and I presume, unless they were getting it they would not make an application to me.

18543. In reference to these rumours, did you hear any person's names as having been persons who gave money to Captain Flanagan's supporters?—I could not say that I knew anything about individuals until the investigation was commenced. Of course I am aware now.

18544. What I am now asking you is this, you are saying you heard rumours, I want to know whether the names of any persons were mentioned in these rumours?—Not to my knowledge.

(The witness withdrew.)

Michael O'Loghlen sworn and examined.

Michael O'Loghlen.

18545. Mr. *Commissioner Byrne.*—You were Captain Flanagan's counsel at the election?—No, I was his brother-in-law and I acted for him; Mr. Waters acted as his counsel.

18546. Did you receive a sum of money for disbursement for election purposes?—Yes.

18547. Would you kindly give us the particulars of the disbursements?—I can only state from recollection now. Mr. Lynch gave me moneys, and I have no doubt that the statement he has given is an accurate one, and that the amount I received was something under £500. That is what he said.

18548. Mr. *Commissioner Bruce.*—He said £538, of which £50 was paid to the Mayor?—I think he is right; altogether it was £488.

18549. Mr. *Commissioner Byrne.*—How was that money disbursed?—One hundred and thirty pounds of it was not spent at all.

18550. And the residue?—Two hundred and twenty I handed to Mr. Molony. I may be mistaken as to £1 or so, but I am speaking from recollection. £220 I handed to Mr. Molony for the purposes of the election, and £10 I gave Father Dominick Noon.

18551. That is £360?—I paid over £50 to the Imperial Hotel.

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Michael O'Loghlen.

18552. Fifty pounds to the hotel?—Yes, £50 to the Imperial Hotel.

18553. Any other sum?—The balance, I think, would be about £78, something of that sort; that I spent myself during the months of October, November, and December, for travelling expenses and fees for the revision. There were cases argued in Dublin and I paid for the briefs and fees to counsel and telegrams and postage.

18554. The disbursements of the three months?—Yes.

18555. Does that cover all?—Every shilling.

18556. With respect to the £10 which you gave to Father Noon for what purpose was it?—The same purpose for which I gave the £220 to Mr. Molony, which he has already told you about.

18557. Just mention for what purpose?—In my recollection it was this. Captain Flanagan came from Dromdoe into town here. It was a terribly wet day and numbers of people left town to meet him on the road near Coloony. He came into town accompanied by a large mob of supporters. My recollection is that I gave the £10 to Father Noon for the purpose of giving refreshment to the people who had accompanied him in. In fact there were car drivers and people who wanted to get some refreshments.

18558. For what purpose was the £50 given to the Imperial Hotel?—It was the hotel bill.

18559. Now, were you aware of orders being given to country people to come into town?—I have heard of it, but I know nothing whatever about it.

18560. From what direction are you aware that these country people principally came?—I have heard they came from Gevagh, from Father Feeny's parish, but I knew nothing whatever about it at the time.

18561. Mr. *Commissioner Bruce.*—Did you ever hear of any sums being paid to voters for voting for Captain Flanagan?—Certainly not. I may tell you this that no money could have been paid without my knowledge, and I swear most distinctly that not a shilling was paid for bribery on Captain Flanagan's part, directly or indirectly.

18562. Were there any applications made afterwards?—There were.

18563. Would you just state what they were?—I think the applications that were made were only two, as well as I recollect. There may have been three, but I do not recollect more than two. There were no applications made for the payment of money, but there was an application made to me to lend a couple of pounds. There was nothing, in point of fact, in the way of bribery.

18564. A couple of pounds?—I was asked for a couple of pounds—to lend a couple of pounds. I think it right to mention this, and I am glad to have an opportunity of doing so. There were 229 voters polled for Captain Flanagan, and, so far as I know and believe—for it could not have been without my knowledge—not one shilling was paid or promised in the way of bribery.

18565. Do you know Sligo, or rather, did you know it before this election?—I did not know it before the election, but I know it intimately now.

18566. Mr. *Commissioner Byrne.*—Were you ever in Sligo before the last election?—I was.

18567. How often?—Well, I really could not say; several times.

18568. Mr. *Commissioner Bruce.*—On election business?—No, my brother-in-law, the late Captain Flanagan lived at Dromdoe, and I used to be on a visit to him, and I sometimes came to Sligo.

18569. Mr. *Commissioner Byrne.*—Had you any knowledge of the constituency before the election?—None, but I made myself thoroughly acquainted with it then.

18570. Mr. *Commissioner Bruce.*—When you came down were you aware of reports that money was necessary?—I had heard it.

18571. Had you heard anything with regard to the manner in which bribery was generally conducted?—I had.

18572. What had you heard?—I had heard about Sergeant Armstrong's election and that large sums had been paid after that election; but I came here perfectly determined, with Captain Flanagan's directions, that one shilling should not be spent in bribery in Sligo.

18573. But from what you had heard had you come to the conclusion that bribery here was principally carried out by payment of money after the election?—I have heard it since, but I had not heard it previous—not that I recollect. But I wish to say, as I see what that applies to, that there was no consideration, no question whatever, that there was any money to be paid afterwards.

18574. I am not saying that there was on Captain Flanagan's side?—I can assure you, all I can say is, that I do not believe he would have lent himself to it, and I would not.

18575. You had heard of Sergeant Armstrong's payments?—Yes, I had.

18576. Had you heard of the large sum that was paid afterwards?—I believe I had heard to a penny what he had paid.

18577. And all the circumstances?—And all the circumstances.

18578. Who had you heard it from? From Mr. White, the barrister?—No, I had not heard it from him. I heard it afterwards.

18579. Who did you hear it from in the first instance?—My impression is that I heard it from Mr. Dan Tracey.

18580. And had you heard anything of the payments made by Mr. Macdonogh?—I knew nothing whatever about it.

18581. Do you know anything at all whether there was what we would call an organized mob on Captain Flanagan's side at the last election—I am not speaking of watchers, but whether there was anything in the nature of a mob for the purpose of intimidation?—Well, not for the purpose of intimidation, but I have no doubt whatever, for I saw the mob myself.

18582. But had the mob the appearance of being organized—acting under a leader—I know very well that these things are managed without the heads of the party knowing much about it?—I cannot exactly say leaders, but I knew there were men who had influence with the mob. There was a mob on Major Knox's side, as I heard at the time, a paid one, and I saw them marching through the streets myself.

18583. Did you hear any particulars of that payment?—At the time I heard they were paid.

18584. Who had paid them?—I was told at the time.

18585. Do you recollect?—I do not recollect the name; but he was a steward of Colonel Cooper's.

18586. Mr. *Commissioner Byrne.*—Before the Gevagh men came in, before the country people came in on Captain Flanagan's side, did you ever see mobs on Major Knox's side?—I know nothing whatever about what you assume, that men came in from the country.

18587. I do not assume, because we have it already in evidence?—I know nothing whatever about it. I do not know the difference between the town's people and the country people.

18588. The question I put to you is whether you saw apparently mobs for Major Knox before the country people came in for Captain Flanagan's interest?—Well, I cannot say mobs. I saw a number of people one day marching down here in front of the courthouse in threes and fours, and I was informed they were paid on Major Knox's behalf.

18589. Could you tell me on what day that was? I am speaking now in reference to the nomination. Was it before the nomination?—It was before.

18590. How many days?—I could not charge my memory as to the days, but it was before.

(The witness withdrew.)

Rev. *Dominick Noon* sworn and examined.

Rev. Dominick Noon.

18591. Mr. *Commissioner Bruce.*—You have a charge in the neighbourhood of Sligo?—I have, about sixteen miles from Sligo—sixteen English miles, or sixteen and a half.

18592. Is that called the Gevagh part of the country?—Gevagh is my residence. It is the name that the parish is generally known by. The ecclesiastical name is Kilmactrenna.

18593. Were you in Sligo during the election?—I was.

18594. And I presume you took an interest in it?—A very great interest.

18595. Upon any occasion previously did you recommend any of your flock to come into Sligo for the borough election?—The Sunday before the nomination day—I was telling them the day of the nomination—there was a rumour going through the country that the Orangemen of Sligo were armed, and that Captain Flanagan or his party would not get a hearing. Captain Flanagan and I were very good friends, and I was once his parish priest, and though I left the parish he resided in I continued in the neighbourhood. The friendship continued, and he used to come and dine with me, and I dined with him, and he was as popular in my parish as in his own. Hearing this report, I said I would be glad to see the people there on the day of nomination. I said that from the altar, and I hoped no man would go there who would bring disgrace on the parish, but I hoped they would go there to show that Captain Flanagan was the popular candidate. I said, "The Conservative press of Sligo is endeavouring to make it appear that Major Knox is the popular candidate, but I hope to counteract that report;" and I said I would be glad to see the people come in, and I dare say about 100 people came in.

18596. Do you think that no more than 100 came in?—No; and I will tell you why. After the nomination was over I was afraid anything would occur, seeing the excitement of the people, and I advised them to go home, and I said I would be very glad to see them home, and I gathered them all here in front of the court-house, and I brought them above the barrack, and I said, "I would be glad if you would go home, and the sooner you go home the better I would be pleased;" and I went with them as far as the new cemetery until I saw them out of the town, and eighty-four was the number. I heard that ten or twelve remained in town.

18597. Did these people return on the day of the polling?—They did not. I did not ask them to come.

18598. To your knowledge they did not?—To my knowledge they did not. There were about twelve which I got myself the week before the election. I think it was I made the suggestion to Mr. O'Loghlen and Mr. Molony that watchers should be put in the town, and I selected twelve steady men myself in order to watch in the different streets. I left four of them in Pound-street, and four in Market-street. I desired four others to go in the direction of Knox-street, and if they saw any attempt to take away the electors they were to report to me at the hotel, and two of them were directed to come to my bedroom and report to me if electors were being taken away.

18599. Mr. O'Loghlen has stated that he gave you £10 for distribution?—He did; I called upon him for £10.

18600. What day was that?—That was about eight days before the election, and I pressed him to give £10 to Gilligan. I gave it to him for the purpose of giving it to the Sligo men. I desired him to select a few steady fellows, and I cautioned him not to take any man who was fond of drink. "I ask you to keep a watch upon the people in your neighbourhood, and there is £10 you will take charge of it, and I hope you will dispose of it properly, and select a few men to help you to watch the suspicious characters in your neighbourhood. This is for the purpose of giving refreshment," and I told Mr. O'Loghlen it could not be confided to a safer person.

18601. Did you know of any other money being given to your flock?—I do not know of a farthing being given to them. I told Mr. O'Loghlen the persons to whom it was intended to go, and he handed me £10.

18602. Were you here on the day of the polling?—I was here for a fortnight or three weeks, and did not leave except on Saturday.

18603. It has been told us in evidence that there was a very large number of country people in town on the day of the polling?—I did not tell you that.

18604. But we have been told it?—I saw very large numbers myself on the day of the polling.

18605. These were not parishioners of yours?—There was not a soul in it that I could recognise except these twelve men. I met two or three men who came in to make markets, and to the best of my knowledge there were not more on the day of the polling, but there were about 100 of them on the day of nomination, and I think before I appealed to them in the chapel, some of them cried out, "Would we require to go down." I said, "I would be glad to see you down, to show that Captain Flanagan is the popular candidate.

18606. Mr. *Commissioner Byrne.*—When you suggested the employment of watchers had you reason to believe that some of the Liberal voters were being bribed to vote against their conscience, or to abstain from voting?—Of course I had no evidence of anything of the kind, but some of the people said Major Knox's friends would bribe. Some of the people said, in the crowd, it is too bad we should lose the election. This was in the lobby of the Imperial Hotel.

18607. Was it these rumours that led you to suggest the employment of watchers?—The rumours that induced me to send out the watchers was—I did not make the suggestion to send out the watchers until I heard that two or three of the party were conveyed off by Major Knox's friends.

18608. When you say that two or three of the party were being carried away, do you mean two or three of the Liberal party?—Yes, of course.

(The witness then withdrew.)

Daniel Tracy sworn and examined.

Daniel Tracy.

18609. Mr. *Commissioner Byrne.*—Were you Sergeant Armstrong's conducting agent at the election of 1865?—I was.

18610. How much money was disbursed to your knowledge at the time?—About £500.

18611. Was any of that money given to voters?—Not one penny.

18612. What was the amount of election expenses do you remember that passed the auditor?—I do not remember at this moment.

18613. Now, how was that £500 spent? I wish to get a general outline of the heads of that expenditure of £500?—I came here several times, and in my inquiries I saw that Mr. Gethins, the attorney here, would be a very clever and useful man, and I said to Mr. Gethins I would give him the fee I would have, that I would make him the agent so far as that.

18614. And what was the amount?—There is his receipt for that and for his house as committee-rooms. About £150. All the receipts were lodged with the returning officer.

18615. And you have his receipt for that sum?—The Mayor of the time has it.

18616. That leaves about £350?—I gave him £140

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Daniel Tracy.

to distribute amongst the people here who were favourable to Sergeant Armstrong—not voters—and for watching.

18617. One hundred and forty pounds?—Yes, altogether.

18618. Well, now, was that for the purpose of having persons to cheer Sergeant Armstrong?—Yes.

18619. Mobs in fact?—Well, yes.

18620. How do you account for the rest?—I gave Mr. Macdonagh, an attorney here, £30. May I refer to a little memorandum I made coming down. I gave you £140 for Mr. Gethins.

18621. The figures we have are £150 for Mr. Gethins, £140 for the supporters of Sergeant Armstrong, and £30 to Mr. Macdonagh. Are these figures right?—They are. I received £475 altogether from Sergeant Armstrong, and not one farthing more from the beginning to this moment.

18622. Well, you have already accounted for £320?—I gave Mr. M'Niffe £21 altogether. It is due to him to say that was not for the election. It was about the registry time. He is forthcoming. I gave him £21. I gave Mr. James M'Niffe £10. I paid in car hire to a man named Marin and a person of the name, I think, of M'Goldrick, say about £20. I paid for committee-rooms between £40 and £50. I could ascertain, if you like to know, nearer than that. Now will you tell me what that makes?

18623. That accounts for £421?—Well, then, I came here I suppose half a dozen of times, and what I want to say upon my oath is I spent more than £475, but I could not say how much. I did not retain one shilling of it.

18624. Is that altogether what you disbursed at that election?—There were tally clerks at the election, and some expenses of that kind.

18625. Were these expenses outside the expenses which passed the auditor?—Oh, no. I am sure that Mr. Gethin's receipt went into the auditor; I think it did.

18626. But you spent no more money than that for Sergeant Armstrong at the election?—Unquestionably not.

18627. Were you aware of any other money being spent for him at the time of the election?—None whatever.

18628. Were you aware of Mr. Byrne, Sergeant Armstrong's brother-in-law, having disbursed a couple of hundred pounds at the time of the election or shortly afterwards?—I do not know. I do not recollect now. If I knew what it was for ——

18629. You went down along with Mr. Byrne to Sligo some months after the election?—Yes.

18630. Now, when was that?—I forget the particular date. Oh, it was long after the election.

18631. It was in April, 1866?—April or May, 1866. It was long after the election.

18632. Well, having come down to Sligo, did you meet some of the leading supporters of Sergeant Armstrong in the hotel?—We did.

18633. Was any statement made to you by these supporters as to the necessity of distributing money amongst those who voted for the Sergeant?—We met half a dozen of the friends, and they mentioned that certain sums of money would be wanting and were expected.

18634. If you would try and search your memory, and tell us what was said as to the necessity of distributing money amongst Sergeant Armstrong's supporters—what reason they gave for requiring money. Did they say the Sergeant would not keep his seat unless they kept his friends in good humour?—Well, I do not remember that.

18635. Try and remember what passed—what was said?—The fact of it was, I had the most entire reliance upon the gentlemen who met us upon that occasion, and there never was anyone more taken by surprise than when I found the amount of it.

18636. Did any of these gentlemen mention to you that they had made promises, or given the voters to understand, that they should get some money after the election?—I do not remember that.

18637. Now, try and remember. Did any of them give you to understand that they were placed in an awkward position, and having stood by the Sergeant, and made promises for him, these promises should be fulfilled?—The opinion that I had of these gentlemen was that they would not make any demands that should not be complied with. They were all men I knew had exerted themselves greatly for him.

18638. That is, ought not to be complied with according to the usage of election in this borough?—I do not know anything about the usage in this borough.

18639. Was the impression, then, that this demand being made, you considered it was a fair and proper one according to the usage of things in this borough?—I did not consider it was a fair and a proper one—I could not say that for myself.

18640. No, I do not mean that; but you said you thought those gentlemen would not make any demands upon you that were not according to the usage of the place?—I am sure that no one of them wanted to make anything for himself. Then and now I think that of them.

18641. But did they convey to you anything that, having regard to the state of things and the usage of the place, this money ought to be forthcoming on the Sergeant's part?—I avoided that, and repudiated it. I avoided getting into that with them. It was not like meeting men of another class. They were all respectable men, and I did not like getting into that.

18642. You had a conversation with them in reference to the money, and the necessity of getting money?—We must have had when we met at the hotel.

18643. Well, now, it was a very remarkable conversation, and very important as regards the Sergeant's pecuniary interests. Have you no recollection of the purport of the conversation—why it was stated the money was necessary to be forthcoming?—I do not recollect.

18644. Were expectations referred to?—I do not understand you.

18645. I mean did any of these gentlemen refer to the fact that there were expectations widely existing, so to speak, in the borough on the part of the supporters of Sergeant Armstrong that money should be given?—Surely they would not have asked for the money if it was not expected by them.

18646. Well, you know it is not my duty to reason with you. What I want to get out of you is your recollection, if you have any recollection, of what was said at that interview by those gentlemen or by any of them?—I have not. I remember expressing my great surprise and disappointment. I was exceedingly disappointed at it.

18647. When you expressed your surprise and disappointment, what answer did you get from those gentlemen?—I have no doubt now, though I do not remember the words, that I saw there would be dissatisfaction if it was not complied with.

18648. Dissatisfaction in the town?—Yes, because they represented the town.

18649. That there would be dissatisfaction?—Yes.

18650. And was the impression left upon your mind that the Sergeant's chances at a new election would be impaired if the money was not forthcoming?—I have no doubt I had that impression. Not the least. I received a letter that was referred to, from the Sergeant. I have that letter.

18651. Just hand it up to us. Is this the letter you received before going down?—Yes. [Letter handed in.]

18652. Mr. *Commissioner Bruce.*—It was in consequence of a communication from Sergeant Armstrong that you came down here?—Of course it was.

18653. And you knew that it was to pay money—that money was wanted for the voters—the time you went down with this £1,480?—If it had been left to me I would not have come at all, but I never met a man in my life so unwilling to have an application made to

him for money as Sergeant Armstrong; I mean so anxious to discharge anything he owed.

18654. But you came down knowing that some sum was required for the borough?—I thought some small sum was required.

18655. And when did you find out there was a large sum required?—Not until I came here.

18656. It was at that meeting?—Yes.

18657. You summoned that meeting of Sergeant Armstrong's supporters?—I forget whether it was Mr. Byrne or I. One or other of us.

18658. The persons who attended that meeting did not at the first tell you, I suppose, the amount? Had they a consultation amongst themselves in your absence?—I cannot say that. We met together.

18659. Was the question discussed of what the amount was?—It must have been.

18660. Surely you must recollect something about that—it is a very remarkable thing?—Certainly we made up what it came to—about £1,400 or £1,500—as well as I remember.

18661. Did they come with lists of people to whom the money was to be paid out and dry?—I do not remember that. I do not think they did come with lists.

18662. Were the lists then made up in the room?—There were lists. There were lists made up, and I think in the room, and what each man would require to get or want to get.

18663. Mr. *Commissioner Byrne.*—May I ask you had you any communication with the Sergeant as to whether he wished this letter to be produced to us or not?—I have not had directly or indirectly any communication with the Sergeant in reference to that, and it is only right to him to say that directly or indirectly up to this moment, from the time he started for the borough, he never departed from the terms of that letter, and never gave me authority to spend sixpence for him improperly, and at the same time I never met a man more willing to pay everything he ought.

18664. Mr. *Commissioner Bruce.*—Unless you wish this letter to be put in evidence, we do not. It completely bears out what Sergeant Armstrong has told us?—Very well. I wish to state that I did not receive your subpœna until this Commission was near adjourning. I do not wish my absence to be considered any want of respect to the Commissioners. I received your letter with other letters.

18665. Do you know anything about previous elections here?—I do not except from newspaper knowledge.

18666. Mr. Byrne told us he expended shortly after the election £280 for election expenses, and I think he said that was by your sanction—that he communicated with you on the subject?—He was in the habit of communicating with me. Sometimes he received letters which I told him to destroy or throw in the fire, and I received numbers myself of foolish letters.

18667. After the election?—After the election.

18668. What was the purport of these letters?—Oh from people wanting money. Not from voters at all.

18669. But did you receive any letters from voters wanting money?—No.

(The witness then withdrew.)

Patrick Marren re-examined.

18670. Mr. *Commissioner Bruce.*—You live in Pound-street?—I do.

18671. Are you a publican?—I was when I was there.

18672. Were you a publican at the time of the last election?—I was, sir.

18673. Were there many people in the town that day?—There were a good many people.

18674. Much drinking going on?—There was none going at my place. I did not get orders for any. It was represented here that that was the case, but it is not so. There were two or three people.

18675. Who were the two or three people with whom it was the case?—Some people before you. I believe M'Garin was one.

18676. I am not speaking of that—do you know of any people who got orders for drinking outside of what you heard here?—Certainly not, sir. I only got £5 for car hire and I told that here to you.

18677. Then you got no orders for drinking at the last election?—I did not.

18678. And heard of none going?—I heard they were going.

18679. Who did you hear that from?—I do not know.

18680. On which side did you hear it was going?—Well, I cannot say, sir.

18681. I am sure you heard that?—I did not. If I did I would tell it here.

18682. Did you ever get orders for drink before?—I did, sir.

18683. From whom—in Sadleir's time?—No, but in Townley's time I did.

18684. I suppose you got some in Mr. Sadleir's time too?—I think I did.

18685. Did you get any in Mr. Somers' time?—I certainly did not.

18686. Did he spend no money in drink?—He hadn't it to spend, sir.

18687. How long have you been an elector?—Something about twenty years.

18688. Did you vote for Sergeant Armstrong?—I did.

18689. Did you get any money for voting for him?—Yes, sir. There was £20 got. I did not see the money.

18690. Were you examined before us?—I was.

18691. Mr. *Commissioner Byrne.*—How much did you get from Sergeant Armstrong?—Twenty pounds. It was not me got it but my wife.

18692. What part of the town is your place of business in?—Up at the far end of the town.

18693. Do you remember Mr. Ball coming down to stand as a candidate?—I do.

18694. Had you any communication with Mr. Ball about his standing as a candidate?—No.

18695. Did he ever speak to you about whether you would support him or not?—No.

18696. Were you aware of any message being sent to Mr. Ball that he should spend a great deal of money in the borough or he would have no chance?—I cannot say that, sir, for things might be passing that I could not account for.

18697. But did you yourself bring any message of that sort to Mr. Ball?—I did not.

18698. Do you know of any other person who did?—I do not, sir. I never spoke a word in my life to him.

18699. Mr. *Commissioner Bruce.*—Did you ever get any money from Mr. Sadleir?—Well, I think I did. In about six months afterwards Mr. O'Connor gave me £10 and I think it was for that.

18700. And did you get any money from Mr. Townley?—No, sir. There was money got for drink.

18701. But not for voting?—No, sir.

18702. Did you hear of any money from Mr. Townley for voting?—I did not. Likely they expected it, but I did not hear they got it.

18703. Did you see any money going in Mr. Wynne's time?—I did not.

18704. Did you get money from Mr. Sadleir more than once?—No, I did not.

18705. Did you hear of any others getting money from Mr. Sadleir?—No.

18706. When was the money paid?—Oh, a long time after the election I got it.

18707. And that was the usual way?—Well, I believe so.

SEVENTEENTH DAY.
December 20.

Patrick Marren.

18708. And when you heard that orders were going at this election were you not rather disgusted you did not get some?—I do not know, sir, because there were people going about the street, and I did not go out at all.

18709. You kept yourself quiet?—I did.

18710. Were there many people drinking in your shop that day?—No.

18711. Why was that—there were so many in the town?—They knew there would be no orders and that was the reason.

18712. They might have spent their own money?—I do not think they did. There was something passing in the street like a mob, and I did not interfere to get anybody's custom.

18713. How much money did you get for drink that day?—I never took one shilling in my life for drink.

18714. How much drink did you sell that day?—I do not think I sold 2*s.* 6*d.* worth of drink that day. There were reasons for it.

(The witness withdrew.)

John Mullany

John Mullany sworn and examined.

18715. Mr. *Commissioner Byrne.*—Are you a voter?—I am.

18716. Did you vote for Sergeant Armstrong?—I did.

18717. Did you receive £15 after the election?—Well, I did.

18718. Did you receive it from Poe?—I received £7 in cash and an allowance in the house rent to the amount of £15.

18719. And that was in consideration of your voting for the Sergeant?—Well, I believe it was.

18720. How long have you been a voter in Sligo? Well, I was at one time undervalued but in all cases I have been twenty years.

18721. About twenty years you have been a voter for Sligo?—Yes.

18722. Did you ever receive money on any former occasion?—I did.

18723. When?—At the time of Mr. Townley's election.

18724. How much did you receive on that occasion?—Ten pounds.

18725. How long after the election was it you got the £10?—It was a couple of months after.

18726. A couple of months, more or less, you cannot well say?—Yes, it was eight or nine months before I received anything from Sergeant Armstrong. I did not expect it.

18727. But a couple of months after the election you got money from Mr. Townley?—Yes.

18728. Did you get any money on a former occasion for having voted?—I did not.

18729. Did you vote at the last election?—My vote was broken.

18730. You did not vote?—No.

18731. Mr. *Commissioner Bruce.*—Did you get any money from Mr. Sadleir?—No.

(The witness withdrew.)

William Petrie.

William Petrie re-examined.

18732. Mr. *Commissioner Bruce.*—Do you know a man called John M'Goldrick?—Yes, of Pound-street.

18733. Do you know any voter called John M'Goldrick?—I do, in Pound-street.

18734. Did you ever make him an offer of £40?—Never. It was quite the reverse, and if you will allow me to explain. He came down to our herring yard, and asked to buy herrings. He asked me if there was anything to be got at this election, and I said I did not know whether there was anything going or not. He said he expected something, and I said, "it is likely you will get something if you look sharp." And he talked generally about the election. There were several more people coming in, and he went away, and said he would come back again. Well, I told the man in the yard when he went out, "if he comes back again keep as close beside me as possible, as I think he is wanting to get me into some bother about the election." That was to the man who was attending the yard, and who is there still. He came back again to the herring yard, and talked generally about the election the same way, and last of all, the third time he came into the office. That was three or four days before the election, and he said to me if I would give him £3 and a barrel of herrings, he would go away to Liverpool, as he wanted to buy tallow. I said if it was at any other time I would do it, but I would not give it as the election was coming on; "and you will get nothing from me," said I, and at the same time there was a counsel who was with Major Knox, who came into the office.

18735. Was that Mr. Morrison?—I think it was. I said to him, "Now, M'Goldrick, one farthing you will not get from me for the election, one way or another, and here is Mr. Morrison here in witness that you need not trouble me any more about it." He made three calls upon me, two in the yard and one in the office.

18736. Do you know a man named John Henry?—Yes, that is in Pound-street, too. I spoke to him about July. There were races on the lake. Major Knox came down and had some races. He used to buy some herrings from us, and he came and spoke to me in July, and said he thought he was to go with Major Knox. At that time we thought the Sergeant was coming back again. I said to him, "You scoundrel, is that the way you are going to use Sergeant Armstrong now, after all he has done for you?"

18737. Was Henry one of the men who got money from Sergeant Armstrong before?—Well, no. He was not a voter at that time, but we signed a petition for him to get his pension back. He had a pension which was taken from him. We signed a petition and sent it up to Sergeant Armstrong, and the Sergeant did his endeavours to try and get the pension back.

18738. Did he get it back?—I could not tell, but he said to me, "The Major is an old soldier, and I think he will be better for me than the Sergeant will." I never saw him from that time again until, I think, a week or ten days before the election, when he came to settle some bills or accounts he was due. We talked about the election generally, and he told me at that time he was to vote for Major Knox. That was all the times I ever spoke to him for twelve months before it.

18739. Do you think he was trying to get a promise of money from you?—I think the last time he was. I think the last time it was for me to give some sort of pledge.

18740. But you did not?—I did not. I kept clear of it altogether.

18741. Was any sum of money mentioned?—Never.

18742. Well, that is all at present?—Well, I find in my last statement here, that at the Sergeant's election I gave £20—and I must have got it from Harper Campbell—to one James O'Hara. He was brought from Liverpool, but who brought him I cannot tell; but he was hanging about for months, and he had

nothing to take him away, and I remember I gave him a heifer, and I asked him what he got, and he said he got that, and a £10 note to bring him to Liverpool.

18743. Who was this?—One James O'Hara. This was at Sergeant Armstrong's election.

18744. Mr. *Commissioner Byrne.*—And did you get £20 from Harper Campbell in respect of that?—I must have got it, because I got no money from any other person. That is £20 additional I must have got from Harper Campbell.

18745. So that the cow and the £10 make the £20?—He told me he got a heifer in Liverpool. I gave him £10 by cheque in Liverpool in April.

18746. You gave him a cow?—A heifer he got in Liverpool. I think I gave him a cheque for £10 in April.

18747. Mr. *Commissioner Bruce.*—Is O'Hara near this?—He is in town.

18748. Mr. *Commissioner Byrne.*—Did you give the heifer to O'Hara?—Well, I think it was given to him in Liverpool.

18749. From whom did he get it?—I sent it to a salesman to sell, and it was deducted from my sale.

18750. It was a heifer of yours?—It was a heifer of mine, value £10, and £10 in cash which I gave him in Liverpool.

(The witness withdrew.)

John M'Goldrick, re-examined.

18751. Mr. *Commissioner Byrne.*—When you were sworn before, you said that Mr. Petrie offered you £20, or some money, if you would vote for Major Knox?—No, but if I would go away. He came into my house. I do not recollect the date exactly, but it was some time a week or so previous to the election, and I used to be doing a little business with him. He was in the line of getting some herring, and I used to get an odd barrel from him, and he came in and said he went into different houses for fear of being remarked—that he did not make my house the first for fear of remarks being passed, and he came in, and after he came in we were talking a little while, he put down I do not know what, with his finger, or a bit of chalk, a mark on the counter. He was standing outside the counter. I remarked what he was doing, and I saw it was a 4 and an 0. I said, "that is forty." "It is," said he. "£40," said I. "Yes," said he, "I will have that for you in case you do not vote, if you go away at this election—not to vote." He did not say anything then, but said he, "you can call down to-morrow, and we will have the thing arranged." So then I went down next day, and, I believe, the day afterwards, and he was wanting to refer me to parties in the town to go to that would hold the money as a stake, and give it.

18752. Stay—what parties did he refer to?—He referred to Mr. Balfour and to Mr. Gethin in Ratcliffe-street. I said I would not have anything to do with any party except himself. Then he was considering about getting an I. O. U.

18753. What did he say?—Did he say he was considering about getting an I. O. U.?—No; he said if he would get an I. O. U. would I consent to it; and I said I would not consent to an I. O. U.

18754. And did you go to him on that occasion for the purpose of getting the £40?—He told me to call down, and I had a bill to settle with him along with that for herrings. He told me to go down.

18755. Do you remember his saying to you on one of these occasions, when you went down, "I will not give you one farthing"?—He said he would not give it to me unless I consented to the I. O. U., and I would not. I did not think he intended until after the election to give me any money at all.

18756. Well now, do you swear positively that when he came into your house he took up the chalk and chalked that?—I do not know whether it was chalk, but he made the mark of forty, and I then put down forty myself, and said, is it £40?

18757. How did he make the mark. What did he make it with?—I am not sure it was with chalk.

18758. What appearance did it present on the counter—white or black?—I am not sure.

18759. You are not sure?—I am not sure whether it was chalk or some sort of scrape—but he put it there. To the best of my belief it was chalk.

18760. Have you no recollection whether it was white or black?—No, but I put it down myself £40.

18761. Was anybody in the shop at the time?—Nobody but ourselves two.

18762. You and him?—Me and him.

18763. *William Petrie* returned to the witness table and said—It was on Ballysodare fair day, and that same fair was last week again, and perhaps you will know what time it was from the elections from that? There are two or three customers buy herring from us in Pound-street, and I stopped there, and I was not a minute in his shop. There was a man who was at the fair with me, and who was on the car at the time, and I stopped at his shop door. I had got a new cargo of herrings in, and I asked him did he require any herrings. As to a bit of chalk I never had it in my hands in my life, or in my pocket.

18764. Mr. *Commissioner Byrne.*—What brought it to your recollection?—I recollect coming from Ballysodare fair, and I had to call at one or two houses, Reynolds' and others. It was the day before that I got a new cargo in, and there was one man, Clarke, who was at the fair with me, and he will tell you I was not an instant in the shop.

18765. Did you draw any figure?—Never in my life. I had nothing to draw figures with.

18766. Were you talking about the price of herrings?—All we talked about was, I had got a man to come down and sell them.

18767. Did you mention at what figure you were selling?—No; never mentioned figures at all. He came down in a few days afterwards, and commenced in the yard to talk about elections. Philip Giblin is the yard-man's name, and I told him if Mr. Goldrick came down again, to keep close to me.

18768. Did you give that direction before he came down the first day?—No, it was after the first day. He is not a clerk, but packs up herrings. After the first time I said to him, "When John M'Goldrick comes back again, keep close beside me and hear what passes." Well, John did come back again, and I do not think there was much said about elections that I remember, because this man did keep close, and a few days before the election he came down to me in the office, and offered to go to Liveepool to buy tallow. This counsellor came in at the time, and I said one farthing I would not give. I am sorry he is not forthcoming, but you have Phil. Giblin and the man who was on the car.

18769. You gave money at the last election?—Not one penny—not one farthing.

18770. At Sergeant Armstrong's election you did?—Yes, nearly ten months after his election I gave money then.

18771. Mr. *Commissioner Byrne* (to the witness M'Goldrick.)—Why did you ask for the money?—I did not, but he said he would have my expenses paid if I would go to Liverpool; and he said there were other parties out of the way, making mention of Shields, and he said he expected I would want a great deal more. But on my oath he put down the figures of forty on my counter.

18772. *Petrie.*—I never heard a word about Shields being away until he returned.

18773. *M'Goldrick.*—He put that figure of forty on my counter.

18774. *Petrie.*—You have that man in my yard who will tell you and the man who was on the car with me.

(Both witnesses then retired.)

SEVENTEENTH DAY.
December 20.

John Henry re-examined.

John Henry.

18775. Mr. *Commissioner Bruce.*—You said when you were examined here before that Mr. Petrie offered you £30?—So he did.

18776. Where?—At my own door. He promised if I would go out of town and not vote, he would give me £30 of his own money.

18777. Where did he do that?—Opposite my own door.

18778. What day was that?—I cannot say, but it was a month or three weeks to the best of my opinion before the election, and what brought me to the office was, I deal in his herrings, and I had a barrel I had not paid for, and I thought if I paid for half a barrel of herrings he could not strip his teeth and take me short. I went down with 8*s.* 4*d.* of the 16*s.* 8*d.*, which, if his books are produced, they will certify. He pulled them from one side of the fire, and the clerk went out, and the first thing he made mention of was, had I made up my mind, and if I could get more men to quit the town along with me. The answer was, "I do not know any man's mind but my own, and I will not let any man know my mind until I come to pass my vote," for if I let any man know my mind I might as well put it in *Bell's Life*. There was a man named Doherty came in to see the clerk. He told him the clerk was not in. He told me what interest he had in Major Knox, and that he had given Sergeant Armstrong all his influence before, but he never gained a damned penny by him. He spoke of a salmon fishery he had, and a lawsuit with Colonel White in Dublin.

18779. Did he offer you £30 again?—On my solemn oath he offered me £30 again.

18780. What was your answer?—I said my mind was not made up, but what I had in my mind I would show him.

18781. Did you ever see him again?—No, sir.

18782. Nor he never sent for you?—No, sir. He spoke of a brother-in-law of mine, Leonard, and he asked me was he all right. He offered me £30, on my solemn oath, in my own door, and in his own office. John M'Goldrick came down to me, and said he to me, "He has commenced to canvass very soon," and I passed it off in a laugh, and did not want any man to know what he was saying about it.

(The witness withdrew.)

18783. *William Petrie.*—If I may explain. I never spoke to him, but in July. It was sometime during the races I think in June or July, and he said that Major Knox had some races on the lake. At that time I was a supporter of Sergeant Armstrong, because we fully expected him back again, and I never saw him again, or spoke to him until that day—until he came to the place to pay some accounts for herrings.

18784. Mr. *Commissioner Byrne.*—And did he come with the money short?—No; that was three months afterwards.

18785. After the conversation?—It was three months afterwards before he came down, and at that time I never spoke to him or saw him, but he came to the office to pay some account some ten or twelve days before the election. But I never offered him money up to that time and to the very last. I had never a lawsuit with Colonel White connected with the Sligo fishery.

(The witness withdrew.)

James O'Hara.

James O'Hara sworn and examined.

18786. Mr. *Commissioner Bruce.*—Were you an elector?—I was, sir, some time ago.

18787. Did you vote for Sergeant Armstrong?—Yes.

18788. Did you get any money for voting for him?—I did.

18789. How much?—£20 from Mr. Petrie.

18790. How long after the election?—I do not know. Mr. Petrie brought me £10 to England. It was a long time after the election.

18791. Did you ever vote before that?—I did.

18792. Who for?—For Mr. Sadleir, Mr. Somers, and a good many.

18793. Did you ever get any money before?—Well, I did.

18794. Who from?—From Mr. Sadleir.

18795. Was that in 1856?—I do not mind.

18796. How much did you get from him?—£40.

18797. Did you get that after the election?—No, the time of the election.

18798. Was it on the day of polling?—On the very day of polling.

18799. Had you a vote?—I had.

18800. Had you voted at the time you got the £40?—I had, sir.

18801. Had Mr. Sadleir promised you any money to vote?—No, I do not know. I could not rightly say.

18802. I meant had anybody promised you any money?—Well, I got £40 from Mr. Andrew Walker, at least some of my daughters got it.

18803. Had he canvassed you to vote?—I could not say. I was determined to vote for Sadleir. Some of my children or family got it. It was in the house when I came back from voting. That is how it was.

18804. Did anybody promise you this money for voting for Sergeant Armstrong?—Well, when I came from England ——

18805. Oh, no, but I mean before the election?—Mr. Gethin said I would get £30.

18806. When did he say that?—Before the election. The day after, or two, when I came to Sligo from England to vote, I met Gethin, and I think he said I would get £30.

18807. Mr. Gethin is dead I think?—He is dead; and I got £20 from Mr. Petrie. I got £10 in cash in England.

18808. Mr. *Commissioner Byrne.*—Were you brought over from England expressly to vote?—I was. There was a messenger sent for me.

(The witness withdrew.)

Thomas M'Gettrick.

Thomas M'Gettrick sworn and examined.

18809. Mr. *Commissioner Byrne.*—Are you a voter for Sligo?—Yes.

18810. Were you canvassed before the last election for Major Knox by anyone?—Yes.

18811. Do you remember Mr. Samuel Knox calling upon you about your vote?—Yes.

18812. What did he say to you in reference to your vote?—He said he would try to get me £50.

18813. That he would try to get you £50?—Yes, I think so in that way.

18814. Tell us the whole of that conversation—what occurred on that occasion as well as you remem-

Thomas M'Gettrick.

ber?—Well, I think it was very short. Only just a few words.

18815. Will you give us a statement of what occurred when he came in?—That if I would support the Major, or go with the Major, he would try and get me that £50.

18816. Who would try to get it for you—was it Samuel Knox?—Yes.

18817. Well now tell us what Samuel Knox said on that occasion, what was it?—That I would get £50. I cannot say whether it was to vote, or to abstain from voting. I cannot well recollect whether it was to vote, or to abstain from voting.

18818. Did he say he would get you that £50 or try to get it?—It appeared to me I would get £50—that I would get £50.

18819. From Major Knox?—I do not know from whom. He did not say from Major Knox as far as I know.

18820. But did you know he was in favour of Major Knox?—It was in favour of Major Knox.

(The witness withdrew.)

Samuel Knox sworn and examined.

Samuel Knox.

18821. Mr. *Commissioner Byrne.*—Do you remember going into O'Hara's place of business, canvassing for Major Knox?—It is M'Gettrick. I did not. He is a workman in a shop that I am foreman of, and one day he came down to me for work, with Sam Longhead, and we both commenced talking about the election. The conversation went on between them, and he said if he would get £40 he would leave the way. I was listening to him, and I said, "where would you get it?" He said, "would not you get it for me?" and I said, "where in the name of heaven would I get it?" Longhead was present, as far as I recollect. He is another workman in the shop.

18822. Are you in the employment of one of the Messrs. Lyons?—Yes.

18823. Did you tell him you would try to get money?—No, I did not interfere with any of them.

18824. Did you vote yourself?—Yes, I voted for Major Knox.

18825. Did you canvass for him?—No.

18826. Did you make any exertions to get a vote for him from anyone?—No.

18827. Did you do nothing at the election except record your vote for Major Knox?—Nothing. Certainly there was a great deal of humbug going on in the shop, but that is the only circumstance that proves in any way what he says.

18828. You say there was a good deal of humbug going on in the shop?—Yes, amongst the tailors themselves.

18829. Did they know that Mr. Lyons took a very active interest in it?—I do not believe he did. I think he kept clear of it altogether. Longhead may remember the circumstance, but it is so trifling I did not pay the slightest attention to it until he came up here the last time.

18830. Mr. *Commissioner Bruce.*—What did he tell you?—He told me he had been up here and swore I had offered him £40. It was £40 he said then, but now he says £50. He said you asked him if there was any person present, and he said to you there was not, but he said to me, "when you go up you can tell them that Sam Longhead was present."

18831. What did you say to that?—I made no answer.

18832. Were you surprised to hear the statement?—I most decidedly was.

18833. Mr. *Commissioner Byrne.*—(to M'Gettrick)—Was anyone present when this was said?—When I was examined here the last time I said to the Commissioner I hardly thought there was, but on turning the the thing over in my mind afterwards, Sam Longhead was present. He came out on one occasion, and Knox said, "I am going to try and get £50 for Tom, and I will keep it or send it to any man he likes to leave it with." "Very well," said Longhead, "he may do as he likes, and it would serve him." I did not ask from Knox £40 or £50. I did not ask any money from any man.

18834. *Knox.*—You said if you would get £40 you would go away.

18835. *M'Gettrick.*—I did not say to any person that I would go away, nor I would not go away.

(The witness withdrew.)

William Pollixfen sworn and examined.

William Pollixfen.

18836. Mr. *Commissioner Bruce.*—Are you an elector of Sligo?—I am, sir.

18837. Do you recollect the election of 1860 between Mr. Macdonogh and Colonel Tennyson?—Yes.

18838. Do you know a man called John Brady?—I do.

18839. Do you recollect paying him any money after the election of 1860?—I gave him a ton of Indian meal, I think.

18840. What was that for?—Well, he was badly off, and he came and asked me to advance him some meal until he was able to pay it.

18841. Do you know who he voted for?—At that time he did not vote at all, I believe. I think there was no contest.

18842. Did you canvass him when it was expected that there would be a contest?—I might have asked him to vote. He came to me and we had a conversation about voting, and I asked him to vote for Mr. Macdonogh.

18843. You were a supporter of Mr. Macdonogh yourself?—I was.

18844. Did you intimate to him he would get any money if he voted for Mr. Macdonogh?—I do not remember.

18845. But would you say you did not?—Yes, I think so.

18846. Did you or did you not?—I do not remember promising him any money. I gave him the meal.

18847. Did you give him the meal because he had abstained from voting for Colonel Tennison?—I do not remember that Tennison was up at the time.

18848. But he was up?—I might have given him the meal for not doing so.

18849. Did you?—I suppose so. I will say I did so; but I billed him for the meal and sent to get the price of it afterwards, but he was not able to pay it.

18850. Did you give him any money at all?—Not that I remember.

18851. Mr. *Commissioner Byrne.*—Who paid for the meal?—It was never paid for yet. I sent to get the money for him, and I could not get it. I sent the clerk for it.

18852. Did you get any money in consideration of the meal from Mr. Lawrence?—No.

18853. Mr. *Commissioner Bruce.*—Did you ever tell Brady he was to get £20 for not voting?—I believe I never said it.

18854. Do you contradict him—he swears you did?—I do. I did not.

18855. Why, in the first instance, do you say you do not recollect? Are you positive now?—Well, I am that positive that I would remember if I said I would give him £20.

18856. Did you ever hear at that time of money going to Mr. Macdonogh's supporters?—I heard there was money going.

18857. Did you ever hear of that £850 that Mr.

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William Pollixfen.

Lyons got—I mean before this inquiry?—I heard Mr. Lyons got money, but I did not know the amount until this investigation; at the time I did not.

18858. Did you hear at the time that that money, whatever it was, was to be distributed amongst Mr. Macdonogh's supporters?—I would not positively say that that was stated or not.

18859. Have you a doubt you knew that at the time?—Yes, I think it was given to him to distribute.

18860. Did you apply to get any of that money to distribute?—Never.

18861. Did anyone speak to you about the distribution of it?—No.

18862. Did you, too, hear that Mr. Woods had some money to distribute?—I might have heard it.

18863. Or Mr. John Burke?—No, I did not. I heard since that that Mr. Burke had money.

18864. Did you ever say to this man, John Brady, that there was no chance left to you to get the money that was to be paid to him?—I do not remember saying so. It is very likely I might.

18865. So if he swore it it was true?—That I had money?

18866. No, but that you had got no money to meet his claim?—I do not know he had any claim, except that I gave him the Indian meal, and there was nothing more about it. I sent to get the price of that and he could not pay it.

18867. But you considered the Indian meal was, to a certain extent, liquidating some claim?—Well, it might be considered a sort of bonus.

18868. Mr. *Commissioner Byrne.*—For having voted?—No, there was no vote.

18869. Did you get him to leave the town before the election?—No, I do not know whether he left the town or not.

18870. Did you make any exertion to get him out of the town?—No, I did not.

18871. But you gave him the Indian meal as a bonus for his having voted?—Well, I lent him the meal, in fact but I did not give it as a gift.

18872. And it was given partly as a bonus for his having abstained from voting?—That might be so.

18873. But have you any doubt, upon your oath?—No, I have not. Brady was an insolvent a short time before that.

18874. Was he an insolvent before you gave him the ton of meal?—He was.

(The witness withdrew.)

Jeremiah Perry.

Jeremiah Perry sworn and examined.

18875. Mr. *Commissioner Bruce.*—You were solicitor for a Sligo voter named O'Connor in a bankruptcy matter about the time of the last election?—Yes, sir.

18876. Do you remember talking to him in Sackville-street on any occasion during the pending of that bankruptcy?—I do.

18877. Had you any conversation with him in reference to the Sligo election in Sackville-street?—No, sir, I was going home to my dinner and he was walking before me. It was on a Saturday evening, and I bade him good evening; that is all. I had no conversation about the election whatever.

18878. O'Connor in his examination before us mentioned to us that you spoke of some parties who were ready to give him £50 or £60 if he would stay away from the Sligo election?—That was untrue.

18879. Was money in reference to the election mentioned—was there any mention of money as regards the Sligo election made between him and you in any conversation?—Certainly not.

18880. Was there any clerk of yours who had occasion to receive directions from him as regards his bankruptcy?—Yes.

18881. Give us his name?—Michael Rourke. He is in my employment for the past sixteen years.

18882. And Michael Rourke had occasion to confer with him from time to time?—Yes, constantly.

18883. Were you aware of there being any dealings with O'Connor, either by Mr. Lloyd or by anyone else, in reference to employing him as a canvasser, or inducing him to stay away from the Sligo election?—Except what I heard from my clerk since the commission opened.

18884. And what did you hear?—That Mr. Lloyd asked him to introduce him to O'Connor, and that he did so. That was since the opening of this commission.

18885. And did your clerk, O'Rorke, say anything else as having passed between him and O'Connor?—I asked him particularly what did take place. He will be ready to come here in case you should consider it necessary. He said, "Mr. Lloyd asked me to introduce O'Connor to him. I did so, and I asked O'Connor the next morning what he was wanted for. He said he was brought to Major Knox's house in Fitzwilliam-square, and was to be employed as a canvasser."

18886. O'Rorke told you that during the pendency of the bankruptcy case?—No, since this commission. I had no conversation with him before that or with O'Connor in reference to the election proceedings at all. I may mention I never spoke a word to Major Knox in my life until after O'Connor had given his evidence here. Major Knox called at my office to know what explanation I could give of O'Connor's evidence. The whole thing came on me by surprise. I had not seen it at the time in the newspapers.

18887. Was this utterly untrue, that you had ever any conversation with O'Connor about the Sligo election?—Positively.

18888. Did O'Rorke tell you nothing else?—I told you the full substance of what he said, and that within the last day or two.

18889. And what took place between Major Knox and you?—Major Knox said he had got a telegram detailing the evidence given by O'Connor, and he asked me what was the meaning of it. I said I did not know—the man must have been drunk. As far as I am concerned I never spoke to him about the election at all.

18890. Did Major Knox appear surprised at the telegram he had received?—He did. While Major Knox was sitting in my office I sat down to write to Mr. Commissioner Heron, whom I have been known to professionally for the last twenty years, contradicting it, and offering to come down here if necessary.

(The witness withdrew.)

Patrick Barry.

Patrick Barry re-examined.

18891. Mr. *Commissioner Bruce.*—Were you examined before?—I was.

18892. You voted for Captain Flanagan at the last election, you told us?—I did.

18893. Did you ever get an offer of money for voting for him?—On my solemn oath I never was promised and never received Captain Flanagan's money.

18894. Did anybody hint you might get money?—Never, on my oath.

18895. Who canvassed you?—The Church question, sir.

18896. Who asked you to vote for Captain Flanagan?—No one, sir. I went voluntarily myself.

18897. Did Captain Flanagan himself canvass you?—He came twice, but I did not see him. I was at business.

18898. And did you expect any money for voting for him?—Upon my oath I never did.

(The witness withdrew.)

Thomas O'Donovan sworn and examined. Thomas O'Donovan.

18899. Mr. *Commissioner Byrne.*—Do you know a voter named Burke?—I do.

18900. Had you any conversation with him before the last election in reference to his vote?—I had not. We often conversed upon the election, but nothing further. There was some allusion made by Stokes here that I offered money to Burke, and I give it my flat contradiction. I had not and never had.

18901. What Stokes said was this, that Burke told him that Mr. Thomas O'Donovan (you) were getting money, and offered him money. Was there any reference at all to money in your conversation with Burke?—No reference at all.

18902. You swear that?—I swear it positively—so much so, that before the Commission would be over I intended to tender my evidence, if I had not been summoned, to contradict it.

(The witness withdrew.)

William Fraser sworn and examined. William Fraser.

18903. Mr. *Commissioner Bruce.*—You are, I believe, a traveller for Younger and Co.?—I am.

18904. And you reside in Dublin?—I do.

18905. Were you in Sligo at the last election?—I was not. I was here before it—I suppose a few days before, but not here at all at the election.

18906. But you were here a few days before?—I was.

18907. Do you know Felix Derham?—I do.

18908. Had you a conversation with him?—I was speaking to him as to how he would vote. I heard that he swore that I offered him money. I never offered any man money.

18909. Tell us what took place?—I said, "Who are you going to vote for?" and he said for Major Knox; he thought it best, but he did not wish to do it. I never spoke about money.

18910. He said he would vote for Major Knox, but he did not wish to do it?—He would rather vote for Major Knox, who was the better man, but he told me he would not vote for him, but he would like to vote for him. He told me he would not vote for Major Knox.

18911. Was anybody with you when the conversation took place?—I do not know. Two men, Grubb and Hignell, either one or the other, I am not certain.

18912. Were you a friend of Major Knox?—Well, I knew Major Knox in Dublin, and I was down here before the election, and Major Knox and I had a conversation, and I said, "Anything I can do for you in Sligo I will, for I always had a respect for you." That is all I said.

18913. In fact you canvassed for him?—That is the only thing I did. I got no authority to give money or to offer money, and had not anything to do with it.

18914. Did you hear of any money going at that time?—I heard money was to be got, but I did not know of it.

18915. At what time of the evening was it?—I think it was in the middle of the day. It is now twelve months' ago, and I am not sure. It was from twelve to two o'clock, something about that hour. I do not know which of the two men might be with me at the time, but one or the other was.

18916. But I suppose they were canvassing for Major Knox?—Yes.

18917. Is Hignell a friend of yours?—No; I never saw them in my life, or knew anything of them until I saw them before the election.

18918. How was it he went with you to Derhams?—I do not know whether I met him. I had business with Derham, and many others in town, but I cannot bring it to my recollection whether he came in with me, or whether as I was passing he called in.

18919. But you must have known him before?—Yes, certainly, at the hotel.

18920. Do you think he knew you were going to Derhams?—He might. He might have seen me go in. I know Mr. Derham for twenty years, and a most respectable man he is, as far as I know him.

18921. Do you know Captain Ethelred Knox?—I do not know him personally, but I think I know his appearance, but I never spoke to him. I spoke to Major Knox very often, both in Dublin and here.

18922. But never to Captain Knox?—No; I do not think I would know his appearance.

18923. And when you went into Derham's did you go in with the intention of canvassing?—I do not know. There might be some intention of canvassing. I do not know whether I met him at the door, or he saw me inside and went in.

18924. Is your recollection that nothing was said about money on that occasion?—Not to my knowledge, but I heard it said that everybody expected money.

18925. You heard them say it?—No, I heard it through the town.

18926. Mr. *Commissioner Byrne.*—You promised the Major to do what you could for him when you went down to Sligo?—I did.

18927. When you went into Derham's place of business you say Derham was speaking about his vote?—It was before I saw this man at all I was speaking to him. He said he thought Major Knox a good man, but he would not vote for him, and dare not vote for him.

18928. Was it not you that originated the conversation?—I do not know, for every place you went into at the time they were talking about it.

18929. Did you not go to him?—I have no hesitation in saying I might have done so.

18930. Did not you go there to look for his vote?—I do not know that I looked in particular for his vote.

18931. Did you promise Major Knox?—Yes, and I spoke to several parties.

18932. Did not you go there to look for his vote as well as to do business?—I asked him how he would vote. He told me he would not vote for Major Knox.

18933. Did you hear talk about money on that occasion?—No; I did not know of any money or hear of any person speak, but they said through the town they expected money.

18934. And was there no joking about money?—Derham might have said they expected money, but as far as I was concerned I had no money to offer anybody, and never did. That I swear on my oath.

18935. And you consider Derham a respectable man?—I do, sir. By all means, and would not say a word against him.

18936. Mr. *Commissioner Bruce.*—Do you know of any money being given by any person?—On my oath I do not know any as I did not get any, and I never handled a penny or promised money, because I had no power.

18937. Did you ever hear of anybody else having promised money?—I did not indeed, but I heard every person saying that they were to get money; but who the parties were I do not know.

18938. You did not ask?—No, for I did not want to have anything to do with bribing.

18939. But these people who were expecting to get money—were they people on both sides?—I dare say they were.

18940. Do you recollect the names of any?—No; but it was a general thing through the town on Major Knox and Captain Flanagan's side, on both sides I heard there was money going. I was a long time in this neighbourhood. I was stationed in the Constabulary, and at every election I was at I heard there

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was money going, but I knew nothing about it. I did my duty fairly and honestly between party and party, and it was not my business to interfere.

18941. Were you here during the election of 1860?—No, I left the force in 1857, but I was here from 1848 to 1857. I was at Townley's election, and Sadleir's election, and Somers' election, but I was not here at Wynne's. I heard people say that Somers had not money to give, but there were situations given. That is all I know about him.

The witness was desired to remain on the table.

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elix Derham.

Felix Derham was re-called.

18942. Mr. *Commissioner Byrne.*—You have been already sworn?—Yes.

18943. Do you remember this occasion of Mr. Fraser coming into your place of business?—I do.

18944. Tell us what was said as well as you remember?—Mr. Fraser and some other man came in whom I do not know, and he asked me to vote for Major Knox, and I said I was afraid my house would be broken, and I did not like to do so, and he said he would send me to Dublin or Liverpool, or any place I liked, and that he would please me afterwards.

18945. *Fraser.*—It was not me, sure?—

18946. *Derham.*—No.

18947. Mr. *Commissioner Byrne.*—(to Derham)—Was it the other man?—Yes, he was in the shop.

18948. It was the other man?—It was the other man, sir.

18949. Do you know that man's appearance?—I do not know at all.

18950. Who was it was with you—Mr. Fraser?—I am not sure, but my impression is that it was Grubb in place of Hignell. That is my impression, but I am not sure. If I knew it was Grubb I would say it.

18951. Mr. *Commissioner Byrne.*—(to Fraser)—Well, now, Derham having told us that that passed, are you able to contradict him?—It might be said to him and I might not hear it at the time.

(The witness then withdrew.)

Rev. Andrew Quinn.

The *Rev. Andrew Quinn* sworn and examined.

18952. Mr. *Commissioner Byrne.*—You are a Catholic clergyman?—Yes.

18953. What parish are you in charge of?—The Parish of Ballinafad. I was Captain Flanagan's parish priest.

18954. Are you the parish priest of where Captain Flanagan resided?—Yes.

18955. Are you aware of any of the country people from that side of the country coming into Sligo at the last election?—Not one of them; not to my knowledge.

18956. Were you aware of any of the people from the Gevagh side of the country coming into Sligo at the last election?—I do not know the people sufficiently well to be able to identify them, and I was not in the town at all during the week of the election.

18957. Are you aware yourself, or have you heard of money having been given to the country people who flocked into Sligo for Captain Flanagan?—As far as I am concerned myself, I do not think that Captain Flanagan contributed anything to the country people. I do not think that Captain Flanagan expended any money in that way.

18958. Was any money given to them from any other source?—Not that I am aware of.

18959. Did you hear of any money having been given to them?—I heard after the election was over that some parties got some entertainment.

18960. Just tell us what you heard in reference to the entertainment?—I could not exactly say what it was.

18961. Well, so far as it lies in your memory?—I do not know any accurate account of it. I heard that some of the people got some eating and drinking; the parties who were sent to watch, but I have not heard of any other treating.

18962. Did you hear how numerous these watchers were—how many of them were employed?—I did not hear indeed. I was not in town on the Saturday previous to the election at all. I had some engagements and could not be here.

18963. You were not in Sligo during any part of the election?—No, I was not in Sligo since the Saturday previous to the election, which occurred, I think, on Thursday or Friday.

18964. You were not a witness of any of the violence that occurred in the town?—I happened to be with Captain Flanagan here before the election, and I did not see any violence.

18965. Mr. *Commissioner Bruce.*—Was anything said on the Sunday before the election about the country people coming in?—Not in my parish, and there is no other clergyman there but myself.

18966. And you did not say anything about it?—I said nothing about it.

(The witness withdrew.)

James M'Kim

James M'Kim re-examined.

18967. Mr. *Commissioner Bruce.*—You are the town clerk of Sligo?—Yes.

18968. Have you prepared any list which will show us the relative numbers of voters within the municipal area, and within the parliamentary area?—I have prepared a list, at least, I have marked it on the list, those inside and those outside.

18969. That is inside and outside the municipal area?—Yes—[the witness handed in a list of electors for the years 1868–70, marked in a manner which he explained to the Commissioners].

18970. All the persons who are not marked, live inside the municipal boundary?—Yes.

18971. Were you able to make out a list of the elections?—No; I have not sufficient knowledge to do that, but I asked one or two persons, and they referred me to "Thom's Almanac."

(The witness withdrew.)

Daniel Buckley.

Daniel Buckley sworn and examined.

18972. Were you in Major Knox's employment during the time of the last election?—I was.

18973. In the *Irish Times* office?—Yes, in the *Irish Times.*

18974. Did you see Cherry of this town with Major Knox at the *Irish Times* office?—I did.

18975. On how many occasions?—I remember two occasions. One, the first was about the time of the

revision, I think immediately after the revision, and the other was the week before the election.

18976. Now, on that occasion, was it by day or night he came to the *Irish Times* office?—The first time he came by day, and gave his name to the attendant, young Garlick. I heard the name the second time when he came at night, and remained in the back office where there was no gas lighting at the time. It would seem he had been expected by some persons in the office, for James M'Goldrick, who was in the office, when he heard the person was there went back. Garlick was going to see who was there, and he was prevented. M'Goldrick knocked at Major Knox's private door, and made some communication, and as soon as the persons who were with Major Knox went away M'Goldrick went out, and brought in this gentleman, who was in the back place. My attention was directed to the matter by his keeping his hat on, and his cape muffled about him, evidently intended to conceal himself, and my curiosity having been awakened, quite contrary to my habit, I asked M'Goldrick who he was, and he said Mr. Cherry.

18977. Did Cherry give his name on that occasion?—No.

18978. He did it on the first?—He did it on the first.

18979. Have you seen Brennan on any occasion in the *Irish Times* office?—I have frequently.

18980. Did you see him bringing four or five men into Major Knox's private office?—I did, sometime before the election.

18981. Were they Dublin men or country men?—They had the appearance of being country men; common men, working men I should say. He brought them in altogether, about four or five into Major Knox's private office.

18982. That was in Dublin?—Yes.

18983. Now, on the polling day at Sligo, or the day before the polling day, did you see any men coming to the *Irish Times* office?—I did. I saw three men, or perhaps four—I think three. One of them was a young man, and the others were older. They came in at half-past eleven, or perhaps a quarter to twelve—one of them, the youngest, was speaking to M'Goldrick, and M'Goldrick seemed surprised at seeing them; and asked them how was it they came. M'Goldrick said Sloane had gone to the Broadstone Terminus to meet them and missed them, and they said that they came by Enniskillen, and they remained there and went away with Sloane.

18984. Was Major Knox in the *Irish Times* office then?—No; he was in Sligo.

18985. M'Goldrick was a Sligo man?—He was.

18986. Was he voter?—No; he was the son, or brother of a voter. He was employed in the *Irish Times* office.

18987. Did you hear Major Knox say anything to M'Goldrick in reference to the service of his family at the election?—No; but M'Goldrick told me Major Knox made some communication to him. Immediately when Mr. Disraeli I think resigned, Major Knox called M'Goldrick to his private office. I saw M'Goldrick go in and afterwards go out, and M'Goldrick told me in the course of the day that Major Knox told him that although the Conservative Government had gone out he would be still able to get him a nomination for the Civil Service, either through Mr. Blake or some other member, and that he would stick to his family as they had stuck to him.

18988. Now is there anything else you are aware of that would throw any light on this inquiry, with reference to the last Sligo contest?—I do not know any thing else except what I told at the petition.

18989. Mr. *Commissioner Bruce.*—Are you now in the *Irish Times* office?—No; I was there only three months.

18990. Did you accompany Major Knox down to Sligo before the election?—No; I had nothing to do with the election.

18991. You know Captain Knox?—Yes.

18992. Do you know anything of any money being paid to any voters before the election?—I do not.

18993. By any person on behalf of Major Knox?—No.

18994. Do you know anything about money being paid after the election in the *Irish Times* office to Sligo voters residing in Dublin?—I do not; but I heard that money was paid to Brennan.

18995. Who did you hear that from?—I heard it in the office. I think M'Goldrick told me.

18996. Did M'Goldrick tell you that Brennan was getting money?—No; he said he was in Major Knox's employment, and that he was, I think, a mobsman. That is the only thing with reference to money that I heard of.

(The witness withdrew.)

Randle Peyton further examined.

18997. Mr. *Commissioner Bruce.*—Mr. Harkan was examined to-day?—So I understand.

18998. Did you hear what evidence he gave?—I have just been inquiring the purport, but I could not ascertain, except that he contradicted me.

18999. Mr. *Commissioner Byrne.*—He said he did not bring you any message that money would be required for voters, otherwise Colonel Tennison need not stand, and that there was no reference to money with him?—That being so, I will ask you to summon Mr. Charles O'Donel, one of the divisional magistrates of Dublin, to whose bedside he summoned me, and related the circumstances that I related.

19000. Just relate all the conversation that occurred on that occasion?—The substance of it was, when I was at the hotel near the bridge, I was in my room at a late hour, when Mr. Harkan came in to me and said that he had just been at a meeting of the friends of Colonel Tennison, and he mentioned the names of some Roman Catholic clergymen of this town, and the result was, that some five or six and twenty of the voters refused to vote for Colonel Tennison unless a sum of money amounting to £600 or £700 was secured, and not promised merely. Whereupon I told him I had no authority in the matter, and that I should go to Mr. Tennison, Colonel Tennison's agent, and Mr. Charles O'Donel, who was down here controlling all matters preparatory to the election, and advise on matters. We did so, and found Mr. O'Donel at Doherty's, in the top room of the house, in bed, and told him what had occurred.

19001. Mr. *Commissioner Bruce.*—The only question that we wish to ask you is—is it possible that you could have been mistaken?—Utterly impossible. Mr. Harkan has seen me frequently in Dublin since my evidence, and never spoken to me on the subject, and I believe there are people in Sligo, whose names I will try to ascertain, who are capable of detailing the circumstances.

19002. Could you name any of these persons?—Alderman M'Gowan or Alderman M'Gill—I do not know which.

19003. Were present at that meeting?—I think one of them was; and I think there was a clergyman named Boyle, if I do not much mistake.

19004. Is he living in town?—I do not know.

[The process-server mentioned that he is dead.]

19005. *Witness.*—Then I ask you to interrogate Mr. M'Niffe. It is a matter in which two professional gentlemen are concerned, and I have been contradicted perhaps for the first time in my life.

19006. Mr. *Commissioner Byrne.*—Memory is fallible?—It may be upon negatives, but not upon affirmatives, as a rule. The circumstance fixed itself upon my mind, and it is utterly impossible there could have been a mistake upon my mind, because the

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resignation of Colonel Tennison took place the following morning, and I left town on the understanding that there would be no contest; and I heard afterwards that the resignation had been withdrawn.

19007. But you have no doubt that Colonel Tennison retired because money was demanded?—I did not see Colonel Tennison, but I saw his conducting counsel that night, who assured me that the resignation would take place the following morning, and that I might go back to Dublin.

19008. In consequence of the demand for money?—In consequence of the demand for money for twenty-five or twenty-six voters.

19009. Mr. *Commissioner Bruce.*—Could you give us the names of any other persons?—The only person with whom I had any conversation on the pecuniary affairs was Mr. John Harkan.

19010. But he probably mentioned names then. Do you recollect them?—He mentioned the names of one or two clergymen, which I could not speak with confidence upon; but he also mentioned that each of the persons who were leaders had a certain number of men that were to be the agents in distributing some money to a certain number of persons.

19011. And you do not know the names of these gentlemen?—No, sir.

19012. Or the names of the gentlemen with whom the money was to be deposited as a security?—No, I cannot answer that question in direct terms; but Mr. Harkan stated to me that unless the money was deposited with some person connected with the voters, in whom they had confidence, they would not come and give their votes. I think he said if I had the money and showed it to him, or had it under my own control, that it might be arranged.

(The witness was requested to remain on the table.)

Patrick M'Niffe.

Patrick M'Niffe further examined.

19013. Mr. *Commissioner Bruce.*—Can you give me any information on the subject. I think there is a misconception between Mr. Harkan and Mr. Peyton?—My recollection of the matter is, that that £700 to which Mr. Peyton made allusion, was the £600 or £700 that was to have been given to Mr. Somers with the view of retiring. I think that is my impression at present.

19014. Mr. *Peyton.*—I brought down £500 sovereigns in my pocket to be given to Mr. Somers, and brought them back. It was quite a different transaction.

19015. Mr. *Commissioner Byrne.*—There was a conversation and consideration in reference to a sum of £700.

19016. Mr. *M'Niffe.*—I will not say it went to that extent. It was £500 or £600 which was to be given to Mr. Somers for retiring, against which we all protested. But there was this sum of £500 or £600 or £700 in consideration at the time, referred to by Mr. Peyton. I met Mr. Peyton on the Curlews, and came down to Sligo about the matter.

19017. Mr. *Peyton.*—If there was any complication of one sum with the other, I never heard it suggested until this moment.

19018. Mr. *Commissioner Byrne (to Mr. Peyton).*—In reference to that sum of £500, had you any conversation with Mr. Harkan?—No, with this exception, that I understood that that money was to be applied for the removal of Mr. Somers from the field; and I must say this much for Colonel Tennison, as there was an allusion made to his attempting to corrupt voters, that positively and emphatically, and in the most decisive terms he repudiated anything like approaching to corruption or to intimidating a man ever.

19019. Well, were you aware that this sum, whatever the amount of it was, and whatever it was, and whatever it was connected with, induced Colonel Tennison to retire from the contest?—I think he was apprehensive, and he was made to feel that if that sum of money were given to Mr. Somers, it would operate seriously against him, as soon as Mr. Somers left.

19020. So, whatever the sum, it induced him to retire?—I believe in my heart it operated upon him. May I suggest to ask Mr. M'Niffe the question, was there such a meeting?

19021. Mr. *M'Niffe.*—On Saturday evening you and I met on the Curlews.

19022. Mr. *Peyton.*—That is a different matter altogether.

19023. Mr. *Commissioner Bruce.*—The evening of the nomination?

19024. Mr. *Peyton.*—Yes.

19025. Mr. *Commissioner Bruce (to Mr. M'Niffe).*—Was that the case?

19026. Mr. *M'Niff.*—I know nothing of the sort.

19027. Mr. *Commissioner Byrne.*—Mr. Harkan's evidence to us, Mr. Peyton, was, that there was no reference at any discussion at all to money between him and you?—Well, I respectfully require Mr. O'Donel to be examined in reference to it.

19028. As the matter has arisen, it appears to be an apparent conflict of evidence on a rather immaterial matter. Mr. Harkan's evidence is quite to be accounted for by a want of recollection; and it has not occurred to us that it is a matter deserving further inquiry. What is plain from your evidence and from Mr. M'Niffe's evidence is, that the mention of a large sum of money was the operative cause to induce Mr. Tennison to retire from the contest?—Yes, quite right.

19029. Mr. *Commissioner Bruce.*—But in addition to that, you say, I understand that there was a sum of £500 or £600 or £700 demanded by voters?—I never was more confident of anything that occurred in my life, than that Mr. Harkan told me that night in the hotel, that above £600 was demanded by twenty-six voters and then we went to Mr. O'Donel, and he declared in Mr. Harkan's presence that this induced Colonel Tennison to withdraw.

(The witness then withdrew, and Mr. Harkan was sent for).

Harper Campbell.

Harper Campbell came on the witness table.

19030. Mr. *Commissioner Byrne.*—Is there anything you wish to say?—I wish to explain something with regard to my evidence. I had a letter from Miss Poe, the daughter of Mr. Poe. There was a sum unaccounted for of the money that passed through my hands, about £400, and I could not explain to you how it went, but I said I thought Mr. Poe and others had got it. If I said Mr. Poe had got the entire £400 I was wrong, and certainly did not wish to convey that he had got the entire £400. I have learned since that £205 was the amount which he distributed.

19031. And he got that from you?—It came through my hands. I was merely the agent in paying it to him. I knew nothing of what was done with it until I got that list. Mr. Poe is one of the most respectable inhabitants of the town.

19032. And besides that £205, can you give any explanation as to the difference, £190?—Well, I had a conversation with some of the other gentlemen, and Mr. Petrie explained about £20 I think, which he had forgotten. I think that many others in the same way, who had forgotten altogether about the moneys they

Harper Campbell.

got. I know Mr. Petrie himself did not know of the money he got, until he came to my office and made inquiries.

19033. On searching your memory, there is no specific sum you can fix on except this £20?—I think there was a person named M'Kenna in Knox-street whose name you have not got, and whose wife got money. Michael M'Kenna, of Knox-street.

19034. Mr. *Commissioner Bruce.*—Do you mean he got money to distribute?—No, not to distribute, but I think he got money from some of the gentlemen who got it from me.

19035. Is he alive?—I do not know. He has left the town for many years. He was out of town then. I understand it was his wife got the money. All the family have gone out of town, but I am positive that all the money that came to my hands was paid away to the gentlemen. I know nothing of what was done with it. The list was made up at the hotel for Mr. Byrne, and he lodged the amount of these lists in Dublin.

19036. Did you learn about the £205 which Mr. Poe got from any memorandum in his handwriting or from what you heard?—It was from his daughter.

19037. Mr. *Commissioner Byrne.*—Did she state she found any memorandum showing how the sums were distributed?—Yes. [List of parties paid by Mr. Poe handed in.]

19038. Is that in Mr. Poe's handwriting?—I cannot say, but I have no doubt it is quite correct. I am positive Mr. Poe was a person who kept his accounts correct.

(The witness withdrew.)

Patrick M'Niffe further examined.

Patrick M'Niffe.

19039. Mr. *Commissioner Byrne.*—Can you tell whether or not this document that has been handed in is in Mr. Poe's handwriting?—[Document handed witness.] That is in Mr. Poe's handwriting.

19040. Did you know on this occasion that Mr. Peyton referred to, that money had been expected?—For many years there was always some one expecting money.

19041. At that particular election were you aware of the expression of opinion by a number of voters that money had been expected?—I had no particular knowledge of it. I did not know it personally.

19042. Had you any doubt of the fact that money was expected by a number of the voters?—It is generally so.

(The witness withdrew.)

John M'Gowan sworn and examined.

John M'Gowan

19043. Mr. *Commissioner Bruce.*—Do you recollect the election of 1860, when Colonel Tennison was a candidate?—Yes, sir.

19044. Were you a supporter of Colonel Tennison?—Yes, I promised to vote for him.

19045. And did you take any active part in the election?—No.

19046. Were you present at any meeting of Colonel Tennison's supporters held on the night of the nomination?—I do not recollect.

19047. Well, about that time?—I recollect being invited by a supporter of Colonel Tennison to go to his house, that is the house of Mr. Tighe, the ex-mayor. I went there and there were a few friends and supporters of Colonel Tennison there, but I forget indeed who they were. Some of them are dead.

19048. Were there any Roman Catholic clergymen there?—I do not recollect. I think there were not.

19049. Could you give us the names of any who were at that meeting?—I forget now.

19050. Was Mr. Harkan there?—He may have been, but I do not recollect that he was.

19051. Was any statement made there with regard to it being necessary to pay money?—There was something said about raising a sum of money, or at least about a few friends advancing a sum of money without the knowledge of Colonel Tennison.

19052. Was there any sum mentioned?—I think there was, £1,000.

19053. Was that money to be expended among the voters?—I do not know how it was to be expended. That question did not arise exactly.

19054. Was it to be expended in payment of Mr. Somers for retiring?—I think he was to have got a portion of it, I do not know how much.

19055. But he was not to have got the whole?—Not the entire.

19056. Was anything said at that meeting about a number of voters requiring to be strengthened, or requiring money?—It may have been said, but I forget, I dare say it was.

19057. About twenty-five voters?—I do not recollect the number indeed—I do not recollect the number at all—merely that such a meeting took place.

19058. And you believe that to have been on the night of the nomination?—I do not recollect. I think it was before it.

19059. But about that time?—About that time. It may have been a day or two before it.

19060. Colonel Tennison, I believe, was not present?—No.

19061. Did anyone leave that meeting to carry any communication to Colonel Tennison or Mr. Peyton?—Some one may have done so, but I do not recollect who it was.

19062. Could you give us the names of any persons who were present there?—I forget who were there besides Mr. Tighe, myself, and the late Mr. M'Carthy.

19063. What Mr. Tighe is that?—Mr. James Tighe.

19064. Is he living in town at present?—He is.

19065. Do you recollect whether Mr. M'Gill was there?—He may have been there. It is possible he was, but I do not recollect.

19066. Do you recollect what was determined as to the raising of that sum of money?—It was mentioned that a certain number would raise a certain amount without the knowledge of Colonel Tennison—without his being made aware of it.

19067. Was that done?—It was not.

19068. Before the meeting on Saturday was the idea given up?—That matter fell through altogether. There was no action taken on it. In fact, I suppose the people refused to subscribe. I know one person.

19069. Were you present at the meeting until it broke up?—I was. I proposed to advance one-fourth of the amount.

19070. Mr. *Commissioner Byrne.*—One thousand pounds was the sum named?—One thousand pounds was the sum named.

19071. And only a part of this was to go to Mr. Somers?—I do not know how much. I believe he was to have got a part of it; but the amount I do not recollect. I have a vague recollection hearing £400 or £500 mentioned as the sum he required, to retire.

19072. Mr. *Commissioner Bruce.*—Mr. Peyton was not at the meeting?—He was not. I am sure he was not there.

19073. Do you recollect who convened that meeting?—I was asked by the owner of the house, Mr. Tighe. He may be able to recollect the names of the

SEVENTEENTH DAY.

December 20.

John M'Gowan.

persons who were there better than I am; but I do not charge my memory with it.

19074. Mr. *Commissioner Byrne.*—Was that the only occasion you heard of a sum of money to be given to Mr. Somers?—I heard it frequently from persons from time to time, but I heard so many things that it is impossible to fix upon any sum, or from whom I may have heard it.

19075. That is the only meeting you are aware of that it was spoken of?—I think it was at another meeting where mention was made of his requiring a sum of money to retire in favour of Colonel Tennyson; but I do not recollect the amount that was named.

19076. Well, at that last meeting you are speaking of, was the sum to Mr. Somers treated as part of a larger sum that it would be necessary to raise for election purposes?—I think it was to form a portion of that sum.

19077. You never heard of a sum for Mr. Somers except as a portion of the sum for election expenses?—No.

19078. Was there any other meeting where money was spoken of as to be distributed amongst the electors? I do not recollect. There was a club formed, a Liberal club, and I think there was a couple of the meetings of that club held, and I think Mr. O'Donel, who is now divisional magistrate in Dublin, was at one of the meetings; but I do not recollect whether there was any money named. I have no recollection of it.

(The witness withdrew.)

Daniel M'Gill.

Daniel M'Gill sworn and examined.

19079. Mr. *Commissioner Byrne.*—Were you present at the Liberal meeting of 1860, shortly before the election?—I declare I quite forget.

19080. Mr. *Commissioner Bruce.*—The meeting of Colonel Tennison's supporters?—I have been a strenuous supporter of Colonel Tennison, and I canvassed the town with him, but about the meeting I have no earthly recollection.

19081. Do you recollect the circumstance of Mr. Tennison giving up the contest?—I do.

19082. Tell us all about it?—He was advised by Mr. O'Donel to leave the town, and he went away.

19083. What was stated to be the advice?—I do not know.

19084. Mr. *Commissioner Byrne.*—Was there any talk then at the time of the necessity of raising a sum of money for election expenses?—I am not aware. I cannot bring to memory anything about it.

19085. Mr. *Commissioner Bruce.*—Do you recollect anything about £600 or £700 being demanded by twenty-five voters?—No, I do not. I may inform you I canvassed almost the entire town with Colonel Tennison and I heard no demand made upon him.

19086. Mr. *Commissioner Byrne.*—Was the result of that canvass favourable to Colonel Tennison?—It was as far as I can conceive. There were some people I believe who expected money, but in the general canvass they never mentioned money to him or I.

19087. And from that canvass did you expect, if the voters stood to their promises, Colonel Tennison would have been returned?—I did.

(The witness withdrew.)

James Tighe.

James Tighe re-examined.

19088. Mr. *Commissioner Bruce.*—You were examined before?—I was, sir.

19089. You were a supporter of Colonel Tennison's, I believe, in 1860?—I was.

19090. Do you recollect any meeting that took place at your house about the time of the election?—I have a very indistinct recollection of it, but I do recollect there were some friends there of an evening.

19091. Do you recollect the circumstance of Colonel Tennison withdrawing from the contest?—In fact, I did not know of Colonel Tennison having withdrawn until——. I did not know anything of it previously to the withdrawal having taken place. It was only after the withdrawal I heard it.

19092. But all his friends looked upon his chance of success as good?—I recollect Colonel Tennison's friends considering he had no chance, unless Mr. Somer's left the field, but that if Mr. Somers left the field, or retired, they considered Colonel Tennison had a very good chance.

19093. Do you recollect anything about the demand for money having been made upon Colonel Tennison or his agent by certain voters?—No, sir.

19094. Did you ever hear of such a thing?—I heard, and it was talked of that night, that Mr. Somers made a demand for leaving Sligo, and retiring as a candidate, and it was stated that night, as well as my recollection goes at this distant period, that Mr. M'Carthy, who is since dead, and who was a particular friend of Mr. Somers, and anxious to do him any service he could, and I think it was he, on the part of Mr. Somers, who was very anxious to get some money given Mr. Somers for retiring.

19095. But did you hear anything about any voters requiring money?—I cannot charge my memory now. I did not. I have no recollection of it.

19096. A sum of £600?—I do not recollect any such demand.

19097. You convened that meeting on that evening I suppose—it was held at your house?—Yes, there were some of Colonel Tennison's supporters met at my house that evening.

19098. What was the object of the meeting?—I cannot now exactly define what the object of it was—that is the precise object—I presume it was to devise means and exchange ideas so as to secure Colonel Tennison's return.

19099. Do you recollect anything about a proposal to raise a sum of £1,000?—I do not.

19100. Do you recollect seeing Mr. Harkan present at that meeting?—I cannot say that he was. From my recollection I cannot say.

19101. Do you recollect any of the other gentlemen who were present—Mr. M'Gill and Mr. M'Gowan were present we know?—No, sir. I could not name them from memory. I recollect Mr. M'Gowan being there, but I do not recollect Mr. M'Gill being there, though I have no doubt in the world he was.

19102. Can you not recollect any of the other names?—I cannot. If I got time to reflect and think over it, it is possible I might, but I am sure there could not have been more than five or six at the meeting, but after Colonel Tennison retired, it made no impression upon me. It has no impression on my mind at this distant period.

19103. Had you any conversation with Mr. Harkan as to what took place on that evening?—None, sir, that I recollect. In fact, I have no recollection of Mr. Harkan being connected with it, and I would feel rather surprised if he were there.

(The witness withdrew.)

John Harkan further examined.

19104. Mr. *Commissioner Bruce.*—We will ask Mr. Peyton to repeat the account which he gives of the transactions with regard to what took place in 1860 at Colonel Tennison's candidature.

[Mr. *Peyton* repeated his statement.]

19105. Mr. *Harkan.*—I have no recollection of it. I cannot recollect any such thing.

19106. Mr. *Peyton.*—You contradict it.

19107. Mr. *Harkan.*—I positively state no such thing occurred, but I recollect this. The whole matter arose out of a request that some of my friends, acting for Colonel Tennison, should call upon Mr. Somers for the purpose of asking him to resign, and I told Mr. Somers that he having but one vote—I believe he had no more—should resign, and not put Colonel Tennison to the expense of a contest. That was the information I gave Mr. Peyton, and that is the transaction alleged.

19108. Mr. *Commissioner Bruce.*—But Mr. Macdonogh was in the field?—I knew nothing about him.

19109. But Mr. Somers resigning would not spare Colonel Tennison a contest?—That might be, but you see the deduction to be drawn from that was that if Mr. Somers resigned, he would afford a greater opportunity to Colonel Tennison.

19110. Only to the extent of one vote?—To the extent of the number of votes he had. I mention the representation I made to Mr. Somers.

19111. Were you present at any meeting of voters on the eve of the nomination day?—I am not at all positive of that, nor do I recollect it. I was acting for Colonel Tennison, and it is possible I may have been associated with voters, but upon my oath, the fact stated by Mr. Peyton never occurred. Having called upon Mr. Somers, I requested him to resign, as there were two Liberals contesting the borough against a Conservative, and Mr. Somers said that he would not resign. I remonstrated with him, and that was the communication I made to Mr. Peyton. I am sure Mr. Peyton would not state anything he did not believe, but that is the fact as I recollect it.

19112. Mr. *Peyton.*—I think it right I should add, in consequence of the last observation, that I have been aware of every single thing that occurred with Mr. Somers, through a totally different channel. My means of knowledge were through Mr. Kincaid, who was Lord Palmerston's agent down here. Through him we had communication with Mr. Somers, and not through Mr. Harkan at all.

19113. Mr. *Harkan.*—It is for the court to say who is telling the correct version.

19114. Mr. *Commissioner Byrne.*—We do not regard it as a conflict of testimony, for the evidence is of matters that occurred ten years ago.

19115. Mr. *Harkan.*—I positively state that the subject of my communication, to the best of my recollection, was the result of my interview—my failing to get Mr. Somers to resign. That was the only occurrence that took place between Mr. Peyton and I at the election.

19116. Mr. *Commissioner Bruce.*—Did you go to Doherty's at all?—No, not at all. My recollection is this. I cannot speak positively whether I saw Mr. O'Donel, but to the best of my recollection I stopped in my own private lodging. I never stopped in the house with a candidate, or brought a message to it.

19117. Mr. *Peyton.*—I did not say so.

19118. Mr. *Commissioner Byrne* (to Mr. *Harkan*).—But what I want to know is whether your memory would enable you to say whether you went to Doherty's to see him?—I could not say. I am certain I saw him that day or the day following.

19119. But you might have gone?—I might. If I was requested I would go there at once, but I cannot speak of it, nor do I recollect it. As far as I recollect I did not speak to Colonel Tennison during the whole of that time but once, I think. I spoke to him once; and I am sure from what I am stating that Mr. Peyton must be under a mistake with regard to the two transactions—the transaction of Mr. Somers, and the transaction with regard to the voters. I was unable, and would be unable in regard to any election I attended in Sligo to say what amount would be required to bribe any voter, because I have no powers of calculating, nor do I know of a man having taken a penny.

19120. Mr. *Commissioner Bruce.*—It is not questioned whether a demand was made. Mr. Peyton stated that you agreed the election should not go on because a demand was made?—On my oath no demand was made to me.

19121. We are trying to test the accuracy of your and Mr. Peyton's recollections, and Mr. Peyton is quite clear you were the medium of communication whereby the report came round, and he believed a well founded report that £600 or £700 was necessary for twenty-five men, and that in consequence of that, Mr. Tennison resigned?—If I understand rightly, Mr. Peyton has sworn this, that I was that person who brought him the account of that demand, and that that was in a hotel in this town, and that I accompanied Mr. Peyton to Doherty's to meet Mr. O'Donel. On my oath I have not a particle of recollection of that fact.

(The witness withdrew.)

Moses Monds.

Moses Monds re-examined.

19122. Mr. *Commissioner Bruce.*—There is a man named Atkinson whose name you gave in in a list you handed us. You said, I think, you had paid £30 for him for voting for Mr. Macdonogh in 1860, or had paid some account or something of that kind, and he in his evidence stated he thought you were under a mistake, and that it was not him but some other person?—I do not think I mentioned his name positively at the time. I saw Atkinson since, and he tells me it was a man named Hart.

19123. Yes, certainly?—Well, I think he is correct. I really could not say.

19124. Is the man Hart here now?—I never saw him since to my knowledge.

19125. Mr. *Commissioner Byrne.*—Is he living here at present?—I do not know.

19126. Mr. *Commissioner Bruce.*—Do you know what his Christian name is?—I do not know.

19127. You say you think Atkinson is correct?—I do, because I know he would not say it if it was not correct. I assume it was Hart when he says so. I knew there was a shoemaker to whom Taylor gave leather, and I thought it was Atkinson, but I am now satisfied it was Hart.

19128. Mr. *Commissioner Byrne.*—Did you know of a barony-cess collector or poor-rate collector during Mr. Macdonogh's election who was short in his accounts?—I did not.

19129. Had you any conversation with Mr. Macdonagh as to the necessity of giving money to a poor-rate collector or barony-cess collector?—Not in reference to any election.

19130. Now, that the transaction has occurred to your mind, tell us what it really was?—Well, there was a personal friend of mine who required the assistance of a little money, and I wanted Mr. Macdonagh to lend it to him, and he declined, and I lent it to him myself.

19131. Did it amount to a couple of hundred pounds?—It was above £100.

19132. Was he a voter?—He was.

19133. Mr. Macdonogh declined?—He did.

19134. Was that before his election or after it?—Long before it.

(The witness withdrew.

(The Commissioners then adjourned.)

EIGHTEENTH DAY.

December 21.

EIGHTEENTH DAY.

TUESDAY, DECEMBER 21, 1869.

The Commissioners sat at half-past nine o'clock.

Charles Grubb.

Charles Grubb sworn and examined.

19135. Mr. *Commissioner Byrne.*—Do you hold a position in the *Irish Times* office?—No, sir.

19136. Were you at the last election?—I was.

19137. Were you here as the friend of Major Knox?—I was not exactly as his friend, but I came here with a particular friend of his, a Mr. Morrison, who is a barrister.

19138. You came to assist in the election?—No, I had nothing whatever to do with the election. I was down as a private friend.

19139. When you were here as a private friend with Mr. Morrison, you gave the Major a helping hand?—In going about the town as a stranger, I held a good deal of conversatian on the election, but I did not know anyone in the town except three or four respectable merchants, that I had business with from time to time.

19140. Did you take up money from any person in the town?—Not one shilling.

19141. Were you present when any other person took up money from any persons who were holding it for election purposes?—No, I did not see one shilling in any shape or form, that I have any recollection of.

19142. Are you aware of money passing in any way in reference to the election?—Well, only what I heard in the general course of conversation. I heard things, but I cannot say I recollect them, for I did not take any act, hand, or part in the election. Mr. Morrison I knew from his infancy, and I heard he was coming to make speeches, and as I watched all his movements through life, I wished to hear him speak. He was a good orator, and I had been connected with his father.

19143. Am I to understand, it was principally for the purpose of gratifying your taste for oratory?—I did not come down in any shape engaged by Major Knox.

19144. Were you present upon any occasion when money was taken up by any parties?—No, I did not see one shilling taken up.

19145. How long were you in Sligo altogether, at the election time?—I should think about ten days or a fortnight, as well as I recollect. A few days before the election I came down.

19146. Had you any conversation during the election with Mr. Stokes?—I had, sir, previous to the election—Mr. Stokes and another party I met walking about town. You can easily understand, that walking about town I might meet different people.

19147. Had you an conversation with Cherry?—Yes, I had. I knew him, and had business with him.

19148. Or with Mr. Lyons? Either of the Mr. Lyons?—I had of course, but the nature of the conversation I could not exactly recall to my mind now, but I recollect them perfectly well, and knew Mr. Lyons as one of the most respectable traders in Sligo for many years. I knew him more by character.

19149. Were you aware of any of the voters having been brought up to Dublin and kept in Dublin?—I heard they were.

19150. You heard that at the election time?—Yes.

19151. From whom did you hear it?—Well, in the general course of conversation. I could not say exactly.

19152. Did you hear it from Mr. Morrison?—No, I do not think he interfered with that.

19153. Had you any conversation during the election time with Major Knox himself?—Yes.

19154. In the course of that conversation, did the Major mention to you the fact, of some of the Sligo voters having been brought up to Dublin?—No, I do not think the Major did.

19155. Now, just search your memory. You are here to give us the fullest information?—I will give you the fullest information in my power, and will keep back nothing.

19156. Search your memory. Do you recollect any conversation you had with the Major, having left Sligo and come up to Dublin?—I could not tell the exact date or exact occasion, but I heard it. I do not think it was exactly to myself, for we never had any private conversation together but when we would meet in the hotel or through the town. I think I was in his lodgings, and there was a talk or rumour of such being the case, but who the men were I do not know.

19157. Any of them electors at all?—The only electors I knew were four, five, or six respectable traders in the town.

19158. There was talking in his lodgings you say?—I did not say exactly it was there. It may have been there for I was in his lodgings.

19159. Do you say there was talk in his presence and hearing with regard to the voters having been brought away from Sligo to go up to Dublin?—Well, I cannot exactly recall any particular conversation that took place so very far back as that.

19160. But would you give the substance of any of those conversations as far as it lies in your memory?—I think it was just a passing conversation saying that some of them were going away. I had never anything to do with an election in my life more than going to Dublin and voting.

19161. In that conversation you refer to was there any reference to the money that was required to bring away these voters?—No, I recollect one or two parties speaking to me about money for parties who were very poor, and asking me as I was a friend of Major Knox's to mention the matter to him.

19162. Before you proceed would you try and remember the names of these persons who were so speaking, and the voters in reference to whom they were speaking?—I think Mr. Stokes spoke to me about two or three necessitous persons, that it would be well if they got a little money.

19163. Do you remember the names of these persons?—No, I could not call to mind their names.

19164. Did you communicate that conversation to Major Knox?—I told Mr. Stokes that that was a thing so far as I knew Major Knox would have nothing to do with. I heard Major Knox say, but to whom I do not know, that he would not give one shilling in any shape or form in connexion with bribery or corruption. I think there was a Sunday after church in which something came up about Mr. Stokes in money matters. I think that might have been the occasion. I think he said if one shilling would purchase the election he would not give it.

19165. Did you ever hear him speak of giving charity either to Sligo people or to voters?—I did not hear him say that, but I heard that there was money given for charity, but that was previous to that time. Major Knox was down here several times before then. I was merely here a few days before the election.

19166. When you speak of money having been given in charity does that include money given in charity to voters?—No, I should say not.

19167. What was the occasion of hearing of money being given in charity?—I think it was the Sunday when there was some unpleasant conversation going on about voters and money, and the word money came up, and I distinctly recollect Major Knox speaking angrily—that if one shilling were required for corruption he would not give it. I think on more than one occasion I heard Major Knox say he would not give it as it would destroy everything in connexion with the election.

19168. Now, I need hardly remind you, and I do not do it in any invidious sense, that you are bound to give us every information in your power?—I came

up determined to do that, and every question you ask I will answer, but I must say I was really surprised at my being summoned at all. Not taking any part in the election, and knowing no one here, I was surprised at being brought down at all.

19169. Is there any information you could give us in reference to corrupt practices or money matters in the course of the last election?—There is nothing I could tell you of my own knowledge. It is only from conversations I have had, and anything I have read in the papers have been short reports of the proceedings here. I read some information which I knew myself to be incorrect.

19170. Is there any information you could give us—founded upon any communication with Major Knox himself—beside what you have told us, as regards money given to voters in any shape, either as charity or in any other shape?—Well, I really do not think there is. It is just in reading the newspapers I saw or knew anything of that; but whilst I was down here I did not see one shilling going, and I do recollect distinctly hearing Major Knox speaking about money matters and saying he would have nothing to do with them.

19171. Were you a witness of any of the scenes of violence we have heard of in the town during the election?—I was. I was myself going out at night frequently and I saw rows and terrible-looking chaps about town. In fact, one night walking with Mr. Petrie in Castle-street, we had to run into Mr. Stokes' shop, and we could not leave the shop for a length of time. There were chaps about, yelling and shouting, and Mr. Petrie said he would not take a present of the town and go on. On the morning of the election I witnessed that scene in which Captain King lost his life. He fell almost into my arms, and I helped to carry him into the room off the hotel hall. I was looking at that, and during the day I saw voters brought up from different parts of the town, and the way they had to be guarded.

19172. Had you been present at the other elections in Ireland?—Never at an election before, except at the Dublin elections—walking up and giving my vote, and walking out.

19173. Mr. *Commissioner Bruce.*—What is your occupation?—A corn merchant.

19174. Have you a business connexion with the town?—Not with this town, but I had for upwards of about twenty-five years in the wholesale drapery and Manchester goods.

19175. But you had a connexion in that business?—Yes.

19176. And knew a number of merchants?—I knew the principal merchants—Lyons, Williams, and Cherry.

19177. Had you any interview with Major Knox before coming down here?—I had known Major Knox.

19178. Did you see him shortly before you came down to the election?—It must have been sometime—it might have been a month or two before I came down.

19179. Was he aware of your coming down?—I do not think he was.

19180. Do you know a man called Derham?—No.

19181, Living in Sligo?—No.

19182. Do you know a gentleman called Fraser, a traveller for Younger and Co.?—I do. I think I saw him a while ago.

19183. Did you ever accompany him about Sligo canvassing?—He was down here the other time I was here, previous to the election. He was here on his business, on a journey selling goods. I do not know what trade he is in. I never saw him before then.

19184. Did you ever accompany him in any walks about town?—I certainly walked with him about the town, and I recollect going into one house with him, but what house it was I do not know. I think it was a watchmaker's shop, or delft, but I recollect distinctly seeing watches in the shop. That was the only house I was in with him, and that was one evening going past the bridge, and he asked me to go in, and he said, "I want to speak to this man."

19185. You went in?—I did, sir.

19186. Did you hear what took place?—It certainly was something about the election—about the man voting, but I do not know the man, and never saw him in my life, nor would I know him now if I saw him.

19187. Try and say what occurred?—I think he asked me was he going to vote for Major Knox, and I think the man said he was.

19188. Did anything further take place?—I do not think there did. I do not think we were more than two or three minutes in the shop. I think he was speaking to the shop-keeper's wife.

19189. Did you join in the conversation at all?—Not at all. I never saw the man in my life.

19190. But you might speak to him?—No, I did not speak to him at all.

19191. Did the man say anything about wanting to vote for Major Knox, and not daring to do it?—Not a word to my recollection.

19192. Were you only in one house with Mr. Fraser?—That was all that I recollect.

19193. Do you know a man called Kavanagh, living in Dublin, in Dominick-street?—I do not.

19194. Had Mr. Stokes many conversations with you about these poor men who were to get money?—I had a good many conversations with Mr. Stokes whilst I was in town.

19195. Had you known Mr. Stokes previously?—No, sir. I never saw him before.

19196. Who introduced you to him?—I could not say. I was walking about, and after a few days I got acquainted with some of the merchants, and we used occasionally to have a walk together.

19197. Have you been in Sligo since the election?—I have, sir, on one occasion.

19198. What occasion was that?—I accompanied Captain Knox down here.

19199. Did he ask you to accompany him?—He did.

19200. How soon was that after the election?—I think that was about March or April.

19201. That is to say, about four or five months after the election?—Yes. I know it was after the petition.

19202. Have you been long an acquaintance of Captain Ethelred Knox?—No, in fact only since the election. He was down here at the election.

19203. You made his acquaintance at the election?—Yes. I saw him before in Dublin.

19204. You did not make an acquaintance with him in Dublin?—No, sir. I do not think I was introduced to him before I came down to Sligo.

19205. You made his acquaintance as a friend of Mr. Morrison's, and of Major Knox's?—Yes, I met him at Major Knox's.

19206. When did you first see him after the election in Dublin?—I think it was some weeks.

19207. Did he call upon you or you upon him?—I met him in the streets, and perhaps going into the office for a paper.

19208. Did the acquaintance ripen into intimacy?—We were intimate here.

19209. But I am speaking of Dublin?—No, I only met him on one occasion in Dublin when we had any conversation.

19210. How soon was that after the election?—A few weeks after the election.

19211. And the time you were at the *Irish Times* office was it to see Major Knox?—No, sir, I just went in, but he come forward and shook hands with me.

19212. What did you go to the office for?—I think I was going upstairs to the Major.

19213. How soon after that was it that Captain Knox asked you to accompany him to Sligo?—He did not ask me to accompany him down to Sligo until the day before we came.

19214. Who asked you to accompany him to Sligo?—Himself.

19215. When?—The day before we came down he called at my house at Pembroke-road. He told me he was coming down to Sligo to settle some accounts

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there, and would be much obliged to me if I had a day or two to spare to go down. I said, I did not think I could, and he said he did not like to go down alone, and would be much obliged to me if I could go.

19216. Did he tell you why he did not like to go down alone?—No.

19217. Then you did go down?—I subsequently consented to go down.

19218. Did he tell you the nature of the accounts?—He did not.

19219. You did come down?—I did.

19220. What took place when you came down?—He called in at two or three houses. The first I went into was Mr. Stokes, and we went into Mr. Lyons, and I think that was all. We met Mr. Petrie, a large stout-looking gentleman.

19221. A gentleman with a Scotch accent?—Yes.

19222. Who else?—I think that was all. Mr. Woods too—I did not see Mr. Woods, but young Mr. Woods.

19223. Were you present at the interview between Captain Knox and Mr. Stokes?—I heard some of the conversation, but I did not join in it all. I did not join in it or hear it; but to be candid with you, I reflect that at the petition to which I was summoned, but not examined, I said, "Of course you do not want me to interfere in these accounts in any shape or form," and he said, "Certainly not."

19224. I presume you understand he wanted you to be present at some of these settlements of accounts?—No, but to accompany him down.

19225. You understood from that, he wanted to have some witness of what passed?—I do not think it was as a witness.

19226. What did he want you down for?—Just as a friend.

19227. But you say you were not much acquainted? Did not you understand he was going down to settle some accounts, and wanted a friend to be present?—He told me he was going down to settle some accounts and asked me to come; but as a witness he did not ask me, or to listen to any conversation that would be.

19228. Did he not take you into all the houses he went into?—I did not go into all—I went into some of them.

19229. How long were you in Sligo?—A couple of days.

19230. You walked out with him when he went out?—I think there was only one day we walked out together. We went out part of another.

19231. Did he go and take walks and leave you in the house?—I was staying at the hotel.

19232. But was he staying at the hotel?—No, he was staying at the Mall with his brother.

19233. Tell us what took place between Captain Knox and Mr. Stokes?—They were talking about money matters, and as far as I recollect he asked him was there anything he had to settle up.

19234. What did Stokes say?—I think he said that there were some men who ought to get some compensation. He thought they were entitled to it, and he mentioned some persons who went away and were badly off.

19235. Did he mention any names?—I do not recollect. If he did, I would not know the names.

19236. Did Stokes say anything about money in his hands?—No.

19237. Who did you go to next after Stokes?—We went to Cherry's.

19238. What was the conversation between Captain Knox and Cherry?—No, we did not go to Cherry's, we went to Woods and Lyons, and we met Mr. Petrie in the street.

19239. What took place between Captain Knox and Lyons?—That I could not tell you, for I left them talking at a desk together. It was a large room we were in, and I was sitting at the fire, and had nothing whatever to do between Mr. Lyons and Captain Knox.

19240. Did Captain Knox say anything to you in the hearing of Mr. Lyons?—About the conversation that took place?

19241. About anything. I want to know what was said to you?—I could not remember what was said to me. Recollect what took place was as far back as March last.

19242. Do you recollect?—No. I should tell you with the greatest pleasure if I did.

19243. What took place between Mr. Woods and Captain Knox?—Mr. Woods was not there.

19244. Mr. Woods, jun., was?—He was.

19245. What took place?—I did not hear all the conversation that took place.

19246. Was not the conversation about money matters?—No, sir. It was his father he wanted to see, and his father was at a fair or market.

19247. Did he give young Woods any message?—Yes; he told him he wanted to see his father.

19248. What occurred between Mr. Petrie and Captain Knox?—We met Mr. Petrie on the bridge, and he asked us what brought us down to Sligo, and I think Captain Knox told him he wished to regulate little matters in the shape of accounts, and he asked him was there anything he had to do for which he ought to pay, and Mr. Petrie said he had nothing to do with the election, and did not give a penny to anyone.

19249. Did you understand Captain Knox to question Mr. Petrie if he (Knox) had anything to give him, or whether Petrie had anything to give Knox?—Knox wanted to know if there was anything he had to pay him for expenses, or anything of that kind.

19250. What did you understand that to mean?—Any expenses in connexion with the electiou.

19251. Did you understand him to mean if he had any money to repay him that had been given to voters?—No; I understood it was any expenses connected with the election, but Mr. Petrie said he had nothing to do with it, and did not give one shilling to anyone.

19252. Did you and Captain Knox return to Dublin together?—We did.

19253. Had you any conversation in the train with regard to the object of his visit?—No, sir. We scarcely spoke all the way up, for the carriage was full of people—three or four ladies, and three or four gentlemen.

19254. At any time during the stay in Sligo had you any conversation with him with regard to the object of his visit?—No. We parted immediately after we went round these places, and he went to his own house and I went to the hotel.

19255. Did you not dine with him after going down in the train with him?—No.

19256. Are you not surprised at Captain Knox asking you a mere acquaintance to come down?—I did at first think it strange, and then I said I would come down with pleasure.

19257. Did you believe that Captain Knox wanted you to go down to assist in any illegitimate purpose?—Most undoubtedly not. I would not take in hand such a thing.

19258. What did you understand by the man asking you to go down to Sligo, as he wanted to settle some accounts. Did you not think it an extraordinary thing?—I did not think it extraordinary at all. I will give you the fullest information in my power. I saw him here on several occasions, and I saw him since the election.

19259. When did you see Captain Ethelred Knox last?—I have not seen him for months.

19260. Months might be a short time?—A short time after that I saw him, and sometime in the summer.

19261. Did you ever hear that Captain Knox had expended money at the last election?—Only what I read.

19262. You never had any communication with him on the subject?—Never. I never had a line from him in my life.

19263. Did you ever accompany this friend of Major Knox's canvassing about the town?—I did not accompany him, and did not canvass with any person.

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19264. Did you ever go into any house in the town with any other person, when that other person asked the voter to vote for Major Knox, or go away?—No, I did not. I did not go in anywhere, and I recollect distinctly hearing some conversation about that.

19265. Where did you hear that?—I recollect it now, my memory was recalled on reading in the papers the evidence of Mr. Stokes.

19266. What do you recollect?—I saw by the papers that he mentioned a Mr. Hignell, some person in the employment of Major Knox, went into his house on some occasion when the persons were going away, and he swore three or four or five times that Hignell was present on some occasion. That is the only thing I have any recollection of.

(The witness was requested to remain on the table.)

Philip Derham.

Philip Derham was recalled.

19267. Mr. *Commissioner Byrne.*—Is this the gentleman (Mr. Grubb) who accompanied Mr. Fraser into your establishment?—I do not know.

19268. Mr. *Grubb.*—I never saw him in my life.

(The witnesses then withdrew.)

Mr. Stokes.

Mr. *Stokes* recalled.

19269. Mr. *Commissioner Byrne.*—When Captain Ethelred Knox called upon you some days after the petition trial, was Mr. Grubb with you the whole time of the conversation in your house—the time he came in for the purpose of taking up the money from you?—On that occasion he was.

19270. What occurred?—Just merely a few words between Captain E. Knox and myself. The other merely accompanied and walked into the shop, and Captain E. Knox came on, and what was said was between himself and myself alone, and it was only a few words.

19271. Mr. *Commissioner Bruce.*—He asked for the money?—He did.

19272. Mr. *Commissioner Byrne.*—Was it in the hearing of Mr. Grubb?—I could not say it was in his hearing. He spoke very low.

(The witness withdrew.)

19273. *John Hart* said.—I find that Father Morris said I was one of the parties who expected the £1000, and in justice to myself I must put myself right in that matter. I wish to say I was one of the first in the morning who voted, and that I was not that person at all.

19274. Mr. *Commissioner Bruce.*—You are perfectly right in contradicting that statement.

19275. Mr. *Commissioner Byrne*—That was the last election?—The last election.

19276. Mr. *Commissioner Bruce.*—Do you know anything about the thousand pounds?—No.

(The witness withdrew.)

Owen Gunning.

Owen Gunning sworn and examined.

19277. Mr. *Commissioner Bruce.*—Are you an elector?—Yes.

19278. Did you vote at Sergeant Armstrong's election?—Yes.

19279. Did you vote for the Sergeant?—No.

19280. Who did you vote for?—Mr. Macdonogh.

19281. Was that in 1860 or 1865?—1865.

19282. Did you get any money after that election?—I got some in winter after that.

19283. How much did you get?—I think £15.

19284. Who did you get it from?—Mr. Charles Sedley.

(The witness withdrew.)

Matthew Allen.

Matthew Allen sworn and examined.

19285. Mr. *Commissioner Byrne.*—Are you a voter for the borough of Sligo?—Yes.

19286. Did you vote at the last election of 1865?—I did.

19287. For whom?—Mr. Macdonogh.

19288. After that election did you get any money?—No.

19289. Did you get any money after any previous election in consideration of voting?—No, I never got money. I may say it was not for myself I got the money before, but for two parties who did not vote at all—Devanny and Lynch. They live above the town, at a place called Ballyfree.

19290. Did you keep that £20 yourself?—No, sir. I paid it to these two parties.

19291. Mr. *Commissioner Bruce.*—Did you vote for Major Knox?—I did.

19292. Was any money passing after that?—Nothing that I am aware of. I do not know anything about it. I merely voted for him.

19293. Mr. *Commissioner Byrne.*—Did you get receipts from Devanny and Lynch?—I did not, but I gave Mr. Sedley a receipt for the £20 he gave me for these two parties.

(The witness withdrew.)

Daniel Tracy.

Daniel Tracy further examined.

19294. Mr. *Commissioner Bruce.*—Do you recollect the number of persons amongst whom that £1,480 was to be distributed?—I do not.

19295. Did you get any list from anyone?—I have no recollection of it now. I heard since there was a list.

19296. But do you think you have got such a list amongst your private papers?—No.

19297. Have you any memoranda in reference to that transaction?—I have not.

19298. You do not recollect whether you destroyed any?—I do not, but I am sure I have not any, for I searched as soon as I got the summons.

(The witness withdrew.)

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John O'Brien

John O'Brien sworn and examined.

19299. Mr. *Commissioner Byrne.*—Did you vote for Sergeant Armstrong at the election of 1865?—I did.

19300. After that election, some months, did you receive any money from Mr. Poe?—I did, £15.

19301. That was on account of you having voted for Sergeant Armstrong?—Oh, yes.

19302. But you got the £15 on account of your voting for the Sergeant?—I did.

(The witness withdrew.)

(The inquiry then concluded.)

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